

**ZONING COMMISSION REGULAR MEETING MINUTES
MAY 28, 2013
7:00 PM MULVEY MUNICIPAL CENTER, MULTI-MEDIA ROOM**

Members Present: Chairman Tony Marino, Vice Chairman Harry Ruppenicker Jr., Regular Member Dwayne Xenelis, Regular Member Tom Belval, Alternate Member Tom D'Antico, Alternate Member Mike Engels, Alternate Member Linda Nolf, ZEO Nancy Rudek, Commission Attorney Eric Knapp, Commission Engineer Jeff Stearns and Town Planner Meg Parulis.

CALL TO ORDER: The meeting was called to order by Chairman Tony Marino at 7:00 p.m.

ESTABLISHMENT OF QUORUM: Chairman Marino appointed Tom D'Antico to sit for Tom Belval for the Public Hearing portion of the meeting.

AGENDA ADDITIONS:

Upon a motion by Harry Ruppenicker Jr., seconded by Mike Engels, it was:

VOTED: Unanimously to add "ZC-2012-004M – Proposed Modification to previously approved Site Plan, originally approved on May 22, 2012 under Z2012-04, for attainable housing development, Ethan's Landing, pursuant to CGS 8-30g. Proposed Modification to allow an allocation change of Unit 6 in Westbrook to be an 80% attainable unit. Property Owner: George Bessoni" to the Agenda as Old Business #2.

PUBLIC HEARINGS:

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to adjourn the Regular Meeting and open the Public Hearing portion of the meeting at 7:04 p.m.

1. ZC2013-003 - 931 Old Clinton Road – Public Hearing on a Site Plan Application for residential housing development know as "Redwood Common" Phase 1, Parcel ID 175/061, per Section 4.130.002-032 – (Incentive Housing Zone) of the Zoning Regulations. 10 units in 5 duplex buildings, Property owner: Faucher (35-day Public Hearing period ends 5/28/13):
and;

2. ZC2013-004 - 957 Old Clinton Road – Public Hearing on a Site Plan Application for residential housing development know as "Redwood Common" Phase 2, Parcel ID 175/062, per Section 4.130.002-032 – (Incentive Housing Zone) of the Zoning Regulations. 10 units in 5 duplex buildings, Property owner: Faucher (35-day Public Hearing period ends 5/28/13):

Applicants Sherri and Brian Faucher were present, as well as Attorney Ed Cassella and Attorney Fran Sabone. Plans Page 4 & 5) with a revision date of 5/14/13 were submitted. The revisions were minor and were discussed. To page 4 of each plan, lighting information was added and on page 5 of each plan, there were minor grading changes and changes to the outlet pipes. Attorney Cassella stated that Engineer Gregg Fedus received a sign-off from Woodard & Curran. A traffic

Impact Plan was submitted as well as a report from The Resident State Troopers Office regarding Motor Vehicle accidents. The traffic study indicates that less than 200 cars/hour during peak hours which are 7:15 a.m. to 8:15 a.m. and 4:30 p.m. to 5:30 p.m. The rating for service is level A both before and after the development. The generated trip generation from the development is 14 in the morning and 16 in the evening. The site lines are as follows: 300'+ to the east and 500'+ to the west, which meets all requirements. Commission Member Harry Ruppenicker Jr. asked if a "Stop" sign westbound on Old Clinton Road would help. Mr. Fedus stated that although a "Stop" sign wouldn't hurt the situation, he feels things would be addressed more with enforcement in the area. This could be addressed at a later date if it becomes necessary. Applicant Brian Faucher stated that he is looking into talking to the Town's Traffic Authority about having the sign put back.

A letter dated 5/21/13 was received from Woodard & Curran and read for the record. The letter states that the applicant has addressed all concerns and they are satisfied. For the record, it was stated by Town Engineer Jeff Stearns that the peak rate of run-off will not increase when the development is complete. There are still some legal documents that have to be worked out, but this can be a condition of approval. Commission Attorney Eric Knapp stated that he just received the paperwork regarding the legal documents today at 3:30 p.m. and has not had time to review them thoroughly.

A letter dated 5/28/13 from Richard Potvin of U.S. Dept. of the Interior Fish and Wildlife Service, Stewart B. McKinney National Wildlife Refuge was received and read for the record. In the letter he requests 6 changes and additions to the development plan. Ed Cassella went over the 6 items as follows: Item 1: Already has been done; Item 2: They agree to; Item 3: They agree to; Item 4: They will agree to as long as "Closed to the General Public" and not just the residents of the development; Item 5: They are agreeable to the keep the existing vegetation, but the planting plan recommended would be very costly to the applicant. The applicant will set-up reasonable efforts to prevent anyone from entering the Conservation easement; and Item #6: The applicant does not agree to the request for a right-of-way, he feels this is unreasonable and not necessary. They have already proposed a fence on the southern side of the property between the boundary of the two properties. There is also a drainage area in the 30' buffer that needs to be maintained. The Refuge has already posted many signs of where the property lines are.

At this time, Chairman Marino opened the floor to the public to speak. The following members of the public spoke:

1. Richard Potvin - Wildlife Refuge Manager: Stated that he is very concerned about encroachment onto the Wildlife Refuge Property. People always stack their wood piles in the woods, drop their leaves, mow a little further in. They are trying to conserve wildlife. Chairman Marino pointed out that it will not be numerous people mowing the lawn. Because it will be an association, probably one person or company will handle maintenance of the lawn. Meg Parulis stated that the Association Document is being reviewed at this time, and looking to see if there are any alternated ideas.

2. Ed Binder – 944 Old Clinton Road: Stated that his concerns are safety and sewage. The site line coming over the bridge because of trees is very limited and the project is too concentrated for the area to handle that much sewage.

Commission Member Dwayne Xenelis asked if the Phase 2 drainage will be put in with Phase 1. Gregg Fedus stated that this is the case, as well as the road for Phase 2 will be part of Phase 1.

Upon a motion by Harry Ruppenicker Jr., seconded by Tom D’Antico, it was:

VOTED: Unanimously to close the Public Hearing for Applications ZC2013-003 and ZC2013-004.

Upon a motion by Dwayne Xenelis, seconded by Mike Engels, it was:

VOTED: Unanimously to close the Public Hearing portion of the meeting and re-convene the Regular Meeting at 7:47 p.m.

REGULAR MEETING:

Possible Deliberation and Vote:

1. ZC2013-003:

Upon a motion by Harry Ruppenicker Jr., seconded by Tom D’Antico, it was:

VOTED: Unanimously to approve the Site Plan Application for Phase I of “Redwood Commons”, an Incentive Housing Zone (IHZ) Residential Development, as per Section 4.130.00 of the Zoning Regulations and Zoning Map Amendment Approval under ZC2012-032, to construct five (5) duplex buildings with two units in each building for sale or rent. Two units shall be under the Incentive Housing Restriction.

The application is pursuant to CT General Statutes, Section 8-13n to 8-13x to encourage compact housing in existing residential, commercial and mixed use districts that have the transportation connections, nearby access to amenities and services, infrastructure and on-site septic capacity necessary to support higher density residential development than would be allowed in the underlying district.

This approval is based on the following findings and in conformance with the referenced plans (as may be modified by the Zoning Commission) together with the conditions set forth herein.

1. The proposed use of the subject site is consistent with Section 4.130.00 and CGS, Sections 8-13n-13x. The location, type, character and size of the buildings as proposed are in conformance with the IHZ Regulation and Design Standards. The improvements on the property are in harmony with the neighborhood by virtue of its architecture and landscaping.
2. The Applicant has obtained a permit for regulated activities from the Westbrook Inland Wetlands Watercourse Agency on April 2, 2013.
3. The nature and location of the proposed use and of the buildings and structures in connection with the use are adequate for access to it for fire protection, police protection and other emergency equipment.
4. The development has been reviewed to provide adequate stormwater drainage in compliance with Section 11.74.00.

5. Adequate provision has been made for entering and leaving the site in such a manner that no undue hazard to traffic or undue traffic congestion will be created.
6. The Commission has received a site plan that is substantially complete, and includes material and information required by the Commission under these Regulations to reach the findings contained herein. Any remaining information required will be included as conditions of this approval.
7. The proposed use will not negatively affect existing or future public drinking supply sources.
8. Suitable landscaped buffers and screening have been provided between the subject use and the adjacent properties.
9. The subject site has received a letter from the CT Water Company indicating water availability from their 12-inch water supply main that runs along Old Clinton Road.

Referenced Plans:

Site Plans, of 931 Old Clinton Road, Westbrook, CT, prepared for Sherri A. Faucher, prepared by Fedus Engineering, LLC. dated March 18, 2013.

- Title Sheet,-Sheet 1 of 8, Revised to 5/3/2013
- Site Development Plan – Sheet 2 of 8, Revised to 5/3/2013
- Soil Erosion & Sediment Control Plan of 931 Old Clinton Rd, Sheet 3 of 8, Revised to 5/3/2013
- Landscaping and Lighting Plan – Sheet 4 of 8, Revised to 5/14/2013
- Grading & Septic Plan – Sheet 5 of 8, Revised to 5/3/2013
- Easement Plan, Sheet 6 of 8, Revised to 5/3/2013
- Details – Sheet 7 of 8, Revised to 5/3/2013
- Details – Sheet 8 of 8, Revised to 5/3/2013

Additional Referenced Plans and Documents:

- **Exhibit List of Documents in File of 931 Old Clinton Road, Westbrook, CT**

Additional Modifications by the Zoning Commission:

1. Applicant shall provide specifications for exterior lighting fixtures demonstrating compliance with Section 8.22.00 of the Zoning Regulations, submitted on a plan prior to the issuance of a building permit.
2. A fence not exceeding 6' in height with suitable plantings shall be installed along the property boundary adjacent to the Stewart B. McKinney National Wildlife Refuge.
3. The boundary of the Conservation Area shall be sufficiently marked to discourage encroachment.
4. The gaps in the stone wall which mark the boundary should be filled with excess stone material found during site work.
5. Future residents shall be notified through Condominium Ownership Documentation that persons and domestic animals are not allowed to access the refuge from the shared boundary. The notice shall include refuge contact information.
6. No plant material defined as invasive by the Connecticut Department of Energy and Environmental Protection shall be used in the landscaping of the development.

7. The proposed 5' pedestrian access easement from Old Clinton Road shall be removed with an equal amount of land added to the Conservation/Open Space Area.
8. The construction sequence narrative on Sht. 3 of 8 shall be clarified to indicate that all drainage, utilities and common driveway up to binder course for Phases I & II, shall be constructed prior to building construction. Any modification of the construction sequence as indicated on the approved plans shall require review and approval by the Zoning Enforcement Officer in accordance with Section 6.80.00.
9. The installation of the infiltration system shall be inspected by the Town Engineer. The depth to groundwater and mottling shall be recorded and reported to the Town Engineer during excavation of the infiltration system. Upon completion of construction and prior to issuance of Zoning Compliance, the applicant's Engineer shall submit certification that the stormwater management measures have been construction in conformance with the design drawings.

Conditions which must be met prior to the issuance of any permits:

1. One final set of paper plans, and mylars, with any required revisions incorporated on the sheets shall be Submitted for signature of the Chairman within sixty (60) days of approval. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.
2. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns. A copy of this Certificate of Decision shall be recorded in the Land Records of the Town of Westbrook, CT. (*CGS 8-3c -- Such permit or exception shall become effective upon the filing of a copy thereof in the office of the town ... and, in the land records of the town in which the affected premises are located.*). The Town Clerk shall index the same in the grantor's index under the name of the record owner or owners, and the record owner shall pay the required sum of such recording.
3. Submission and filing of all legal documents necessary to carry the plan into effect including but not limited to drainage easements, access easements and conservation restrictions. All legal documents shall be subject to review and approval by Commission Counsel.
4. Approval by the Health Department shall be submitted to the ZEO.
5. An Erosion & Sedimentation Control bond in an amount to be determined by the Town Engineer shall be submitted prior to construction.
6. A Zoning Permit Application Form, which includes signoff from the ZEO and Inland Wetland Agent, shall be approved and issued prior to the commencement of any site work.

Conditions that must be met prior to certificates of compliance:

7. Final grading, seeding and landscaping shall be in place prior to the issuance of a Zoning Compliance if weather is conducive.
8. Final as-built survey showing all requirements as cited on Land-Use Form "As-built Requirements", dated 10/4/2004.
9. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all public health and safety components have been completed, the Zoning Officer may issue a Certificate of Zoning Compliance for individual units.

General Conditions:

10. In accordance with Section 6.70.01 of the Zoning Regulations, any approval of a site plan application shall be completed within five (5) years after approval of the Plan, unless an extension is requested in writing and subsequently approved by the Zoning Commission
11. This project shall be constructed and maintained in accordance with the filed plans. Modifications to the approved plans shall be reviewed by the Zoning Commission. If minor modifications result in a lesser impact, they may be allowed subject to staff review and approval.
12. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town's consulting engineer.
13. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
14. All landscaping will be maintained for the life of the project, and replaced with similar plant species if the health of the plantings fail.
15. By acceptance of this approval and conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

2. ZC2013-004:

Upon a motion by Harry Ruppenicker Jr., seconded by Tom D'Antico, it was:

VOTED: Unanimously to approve the Site Plan Application for Phase II of "Redwood Commons", an Incentive Housing Zone (IHZ) Residential Development, as per Section 4.130.00 of the Zoning Regulations under ZC2012-031 and Zoning Map Amendment Approval under ZC2012-032, to construct five (5) duplex buildings with two units in each building for sale or rent. Two units are to be under the Incentive Housing Restriction.

The application is pursuant to CT General Statutes, Section 8-13n to 8-13x to encourage compact housing in existing residential, commercial and mixed use districts that have the transportation connections, nearby access to amenities and services, infrastructure and on-site septic capacity necessary to support higher density residential development than would be allowed in the underlying district.

This approval is based on the following findings and in conformance with the referenced plans (as may be modified by the Zoning Commission) together with the conditions set forth herein.

1. The proposed use of the subject site is consistent with Section 4.130.00 and CGS, Sections 8-13n-13x. The location, type, character and size of the buildings as proposed are in conformance with the IHZ Regulation and Design Standards. The improvements on the property are in harmony with the neighborhood by virtue of its architecture and landscaping.
2. The Applicant has obtained a decision from the Westbrook Inland Wetlands Watercourse Agency on April 2, 2013. There are no regulated activities requiring a permit from the IWWC as confirmed at their meeting on April 2, 2013.

3. The nature and location of the proposed use and of the buildings and structures in connection with the use are adequate for access to it for fire protection, police protection and other emergency equipment.
4. The development has been reviewed to provide adequate stormwater drainage in compliance with Section 11.74.00.
5. Adequate provision has been made for entering and leaving the site in such a manner that no undue hazard to traffic or undue traffic congestion will be created.
6. The Commission has received a site plan that is substantially complete, and includes material and information required by the Commission under these Regulations to reach the findings contained herein. Any remaining information required will be included as conditions of this approval.
7. The proposed use will not negatively affect existing or future public drinking supply sources.
8. Suitable landscaped buffers and screening have been provided between the subject use and the adjacent properties.
9. The subject site has received a letter from the CT Water Company indicating water availability from their 12-inch water supply main that runs along Old Clinton Road.

Referenced Plans:

Site Plans, of 957 Old Clinton Road, Westbrook, CT, prepared for Brian J. Faucher, prepared by Fedus Engineering, LLC.

Dated March 18, 2013.

- Title Sheet,--Sheet 1 of 8, Revised to 5/3/2013
- Site Development Plan – Sheet 2 of 8, Revised to 5/3/2013
- Soil Erosion & Sediment Control Plan of 957 Old Clinton Rd, Sheet 3 of 8, Revised to 5/3/2013
- Landscaping and Lighting Plan – Sheet 4 of 8, Revised to 5/14/2013
- Grading & Septic Plan – Sheet 5 of 8, Revised to 5/3/2013
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- Details – Sheet 7 of 8, Revised to 5/3/2013
- Details – Sheet 8 of 8, Revised to 5/3/2013

Additional Referenced Plans and Documents:

- Exhibit List of Documents in File of 931 Old Clinton Road

Additional Modifications by the Zoning Commission:

1. Applicant shall provide specifications for exterior lighting fixtures demonstrating compliance with Section 8.22.00 of the Zoning Regulations, submitted on a plan prior to the issuance of a building permit.
2. A fence not exceeding 6' in height with suitable plantings shall be installed along the property boundary adjacent to the Stewart B. McKinney National Wildlife Refuge.
3. The boundary of the Conservation Area shall be sufficiently marked to discourage encroachment.

4. The gaps in the stone wall which mark the boundary should be filled with excess stone material found during site work.
5. Future residents shall be notified through Condominium Ownership Documentation that persons and domestic animals are not allowed to access the refuge from the shared boundary. The notice shall include refuge contact information.
6. No plant material defined as invasive by the Connecticut Department of Energy and Environmental Protection shall be used in the landscaping of the development.
7. The proposed 5' pedestrian access easement from Old Clinton Road shall be removed with an equal amount of land added to the Conservation/Open Space Area.
8. The construction sequence narrative on Sht. 3 of 8 shall be clarified to indicate that all drainage, utilities and common driveway up to binder course for Phases I & II, shall be constructed prior to building construction. Any modification of the construction sequence as indicated on the approved plans shall require review and approval by the Zoning Enforcement Officer in accordance with Section 6.80.00.
9. The installation of the infiltration system shall be inspected by the Town Engineer. The depth to groundwater and mottling shall be recorded and reported to the Town Engineer during excavation of the infiltration system. Upon completion of construction and prior to issuance of Zoning Compliance, the applicant's Engineer shall submit certification that the stormwater management measures have been construction in conformance with the design drawings.

Conditions which must be met prior to the issuance of any permits:

1. Applicant shall record map showing the division of property, as shown on the Site Plan, into two lots on the Land Records, prior to the issuance of a building permit and provide a copy of the map to the ZEO.
2. One final set of paper plans, and mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Chairman. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.
3. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns. A copy of this Certificate of Decision shall be recorded in the Land Records of the Town of Westbrook, CT. (*CGS 8-3c -- Such permit or exception shall become effective upon the filing of a copy thereof in the office of the town ... and, in the land records of the town in which the affected premises are located.*). The Town Clerk shall index the same in the grantor's index under the name of the record owner or owners, and the record owner shall pay the required sum of such recording.
4. Submission and filing of all legal documents necessary to carry the plan into effect including but not limited to drainage easements, access easements, conservation restrictions and preservation restriction. All legal documents shall be subject to review and approval by Commission Counsel.
5. Approval by the Health Department shall be submitted to the ZEO.
6. An Erosion & Sedimentation Control bond in an amount to be determined by the Town Engineer shall be submitted prior to construction.
7. A Zoning Permit Application Form, which includes signoff from the ZEO and Inland Wetland

Agent, shall be approved and issued prior to the commencement of any site work.

Conditions that must be met prior to certificates of compliance:

9. Final grading, seeding and landscaping shall be in place prior to the issuance of a Zoning Compliance if weather is conducive.
10. Final as-built survey showing all requirements as cited on Land-Use Form “As-built Requirements”, dated 10/4/2004.
11. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all public health and safety components have been completed, the Zoning Officer may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.

General Conditions:

12. In accordance with Section 6.70.01 of the Zoning Regulations, any approval of a site plan application shall be completed within five (5) years after approval of the Plan unless an extension is requested in writing and subsequently approved by the Zoning Commission.
13. This project shall be constructed and maintained in accordance with the filed plans. Modifications to the approved plans shall be reviewed by the Zoning Commission. If minor modifications result in a lesser impact, they may be allowed subject to staff review and approval.
14. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town’s consulting engineer.
15. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
16. All landscaping will be maintained for the life of the project, and replaced with similar plant species if the health of the plantings fail.
17. By acceptance of this approval and conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

At this time, Chairman Marino removed Tom D’Antico as a voting member and re-seated Tom Belval.

OLD BUSINESS:

1. ZC2013-010 – 5 Bluff Street - Continued CAM (Coastal Area Management) Application for raising existing house to meet FEMA/flood requirements and rotating house 6 degrees, which will eliminate non-conformities on the east side of property and improve/reduce non-conformities on the west side. A new foundation will be constructed along with an addition on north side and deck on south side. (65-day application period ends 6/27/13) [Possible deliberation and vote]:

Engineer Joe Wren was present represented the applicant. A letter dated 5/23/13 was received from CT DEEP. Basically the applicant is looking to raise the house to meet FEMA/Flood

standards. The portion underneath the house will be for storage only, there will be no mechanicals or living space.

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to approve Application ZC2013-010 – 5 Bluff Street for Coastal Area Management (CAM) Application to raise an existing single-family 5-bedroom residential dwelling on a new foundation to meet Flood requirements, and rotate it to improve/reduce side-yard setbacks. Construct an addition on the north side of the house and a deck on the south side of the house. The existing shed on the property will be removed. The building coverage will be reduced – no impervious surfaces, therefore, a stormwater management plan is not required.

2. ZC-2012-004M – Proposed Modification to previously approved Site Plan, originally approved on May 22, 2012 under Z2012-04, for attainable housing development, Ethan’s Landing, pursuant to CGS 8-30g. Proposed Modification to allow an allocation change of Unit 6 in Westbrook to be an 80% attainable unit. Property Owner: George Bessoni”

Attorney Ed Cassella was present representing the applicant. They are requesting permission from Old Saybrook and Westbrook to revise the affordable housing units for the approved project. Attorney Knapp pointed out that this Commission has no jurisdiction over Old Saybrook. Attorney Cassella stated Old Saybrook has already approved the revision for their Town. The request is for Unit #6, which was approved as a 60% unit to become an 80% unit. Upon a motion by Tom D’Antico, seconded by Harry Ruppenicker Jr., it was:

VOTED: Unanimously to approve the modification of Application Z2012-04, Ethan’s Landing, to allow an allocation change of Unit #6 in Westbrook to be an 80% attainable unit instead of 60%.

NEW BUSINESS:

RECIPT OF APPLICATIONS:

1. ZC-2011-16M - 1551 Boston Post Road – Site Plan Modification Application for a proposed frozen yogurt. Property Owner: DGG Properties. Applicant: Bruce Hebert. (65-day application period ends 8/1/13) [possible deliberation & vote]:

Applicant Bruce Hebert was present and stated that he would like to put a Frozen Yogurt business in the Rich Building located at Water’s Edge. This location was previously approved for a “Tropical Smoothie Café”, which never opened. This business is a similar use and will be dessert only. The only difference is that they are proposing 6 outside picnic tables. There will be no change in the parking calculations. The previous approval was for 34 seats and they are proposing seats including the tables outside.

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to approve Site Plan Modification to permit the use of a Dessert Restaurant (Self-Service Frozen Yogurt Bar) using 900 sq. ft. within an existing building known as the “Rich Building”, with a total seating capacity of 32 seats – 8 interior counter seats and 6 outside tables for 4 seats each = 32 total seats. This approval is subject to approval by the Health Department and any other agency approvals. A change in the site plan will include the proposed outside seating. Signage will be used by replacement of a former tenant sign on the existing Main Unified Free-Standing Sign at the northern boundary of the site.

2. ZC-2013-007 – Town of Westbrook Application for a proposed Zoning Regulation Amendments to Sections 10.26.00, 10.26.01, 10.27.02, 10.26.06 (new) concerning identification signs for multi-family developments. (65-day application period ends 8/1/13) [Set Public Hearing Date, 7/23/2013]:

Upon a motion by Tom Belval, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to accept Application ZC2013-007 and set a Public Hearing Date of 7/23/13 to be held in the Multi-Media Room at the Mulvey Municipal Center.

3. ZC-2013-008 – Town of Westbrook Application for a proposed Zoning Regulation Amendments to Section 10.03.05 concerning Access driveway width within commercial parking lots and multi-family developments (65-day application period ends 8/1/13) [Set Public Hearing Date, 7/23/2013]:

Upon a motion by Tom Belval, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to accept Application ZC2013-008 and set a Public Hearing Date of 7/23/13 to be held in the Multi-Media Room at the Mulvey Municipal Center.

4. ZC-2013-012 – 121 Little Stannard Beach Road – Coastal Area Management Application (CAM) for raising existing residential house to meet FEMA/Flood Requirements, with an addition on the west side of the house that meets Zoning setback regulations. (65-day application period ends 8/1/13):

Upon a motion by Tom Belval, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to accept Application ZC-2013-012, 121 Little Stannard Beach Road and to table said application until a reply from CT DEEP is received.

MISCELLANEOUS:

1. Old Saybrook – Proposed Amendment to Zone Map and Zoning Regulations:

The proposed changes will not affect the Town of Westbrook.

2. Killingworth – Proposed Amendments to Zoning Regulations:

The proposed changes will not affect the Town of Westbrook.

3. Clinton – Proposed Amendments to Zone Map and Zoning Regulations:

The proposed changes will not affect the Town of Westbrook.

4. Administrative Enforcement, Plan Review & Floodplain Management:

ZEO Nancy Rudek stated that the Zoning Department is overwhelmed with the amount of work and Colleen and Lisa have been given 5 more hours per week until July 1st to catch up. She is asking the Commission to think about hiring another part time person in the future. This would not be a union position. She will keep the Commission updated regarding the work load.

5. Upcoming Joint Special Meeting with Harbor Management Commission, June 25, 2013:

ZEO Nancy Rudek explained that some applications will have to be referred to the Harbor Management Commission for review. They would like to have a special joint meeting to discuss the matter. All members were asked to review the proposal provided for further discussion.

COMMISSION BUSINESS:

1. ZEO Report:

Distributed and discussed.

2. Miscellaneous Correspondence:

None.

3. Bills: The following bills were paid out of the Zoning Commission Regular Budget:

- Recording Secretarial Services: \$236.78 (K. Kelemen – April 2013)
- Branse, Willis & Knapp: \$676.50 (Invoice #32697, #32698)
- Woodard & Curran: \$1,438.75 (Invoice #99164, #99166)
- Hartford Courant: \$431.64 (Legal Notices – (Inv. #January, April 2013))
- Nancy J. Rudek: \$130.51 (Mileage 1/30/13 thru 5/20/13)
- WB Mason: \$13.30 (Supplies, Invoice #I11133372)
- ASFPM: \$40.00 (Flood Conference June 9-14)

150% Special Funds – Consulting Services:

Upon a motion by Tom Belval, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to approve payment of \$1,288.75 to Woodard & Curran for Review of the Goodwill Property in Clinton out of the 150% Special Funds.

Special Funds – Bond Releases

None.

APPROVAL OF MINUTES –April 23, 2013 Regular Meeting Minutes:

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to approve the minutes of April 23, 2013, as submitted.

ADJOURNMENT

Upon a motion by Dwayne Xenelis, seconded by Harry Ruppenicker Jr., it was:

VOTED: Unanimously to adjourn at 9:02 p.m.

Respectfully submitted:

Kathleen H. Kelemen, Secretary