

**WESTBROOK ZONING COMMISSION
REGULAR MEETING
June 22, 2010
7:00 PM MULVEY MUNICIPAL CENTER, MULTI-MEDIA ROOM**

Members Present: Chairman Tony Marino, Regular Member Chris Ehlert, Regular Member Tom Belval, Regular Member Lee Archer (arrived at 7:28 p.m.), Alternate Members Dwayne Xenelis and Tom D'Antico and Zoning Enforcement Officer Nancy Rudek.

Also Present: Attorney Ed Cassella, Attorney Brian Dumeer, Pilot's Point Facilities Manager Jack Colody and members of the public.

ESTABLISHMENT OF QUORUM Chairman Tony Marino called the regular meeting to order at 7:02 p.m. It was noted that the Commission did have a quorum present. Chairman Marino appointed Tom D'Antico to sit for Harry Ruppenicker Jr., and Dwayne Xenelis to sit for Lee Archer.

AGENDA ADDITIONS

Upon a motion by Chris Ehlert, seconded by Tom Belval, it was:

VOTED: Unanimously to add "Z0908 – Water's Edge" under "Old Business" and to add "\$15.00 for Halloran & Sage" under "Bills".

RECEIPT OF APPLICATIONS

None.

OLD BUSINESS

1. Walgreens (1211 & 1223 Boston Post Road) - Off site Drainage Performance Bond – Request for release of bond for culvert work on Golf Links Road/Trolley Road.

Chairman Marino stated that he met with Wayne Frasier and John Riggio. He stated that he recommends that the surety bond be released upon receipt of a \$1,000.00 cash bond to guarantee that the grass will get greener and thicker. This is being requested because of the concern for erosion and sedimentation in the basin.

Upon a motion by Chris Ehlert, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously that the Zoning Commission approve the release of the Performance Bond #41112004 to L&L Westbrook, LLC for the Off-site drainage improvements involved with the Walgreen's/Cumberland Farms project; subject to submittal of \$1,000.00 bond for sufficient growth of vegetation.

Upon a motion by Chris Ehlert, seconded by Tom Belval, it was:

VOTED: Unanimously to go into the Public Hearing portion of the meeting at 7:06 p.m.

PUBLIC HEARING(s)

1. Z2010-07 – General Store, 631 Boston Post Road – Pilot's Point Marina (63 Pilot's Point) – Public Hearing on Special Permit Application for additional use as restaurant, proposed for 26 seats, in combination with current retail use in existing structure, and associated site improvements. Zone District Commercial Boating District. (Tax Assessor's Map

#25(formerly, Lot #S40 formerly)) (35-day public hearing period ends 6/29/10) [possible deliberation & vote].

Attorneys Ed Cassella and Brian Dumeer were present. Revised plans dated 6/22/2010 were submitted. Attorney Cassella stated that the parking has been reconfigured and they have calculated the parking with a seasonal parking schedule. The 11 spaces adjacent to Route 1 have been removed. There are 15 space next to Marine Electronics and they added 4 behind Bassett Boat for employee parking. Attorney Cassella stated that the parking calculations can be modified at the discretion of the Commission. They have 30 spaces in back that are “seasonal” which Pilot’s Point has agreed to supply. Because of this proposal, they are no longer requesting reserve parking. They will remove the wheel stops from the 11 spaces adjacent to Route 1 and will continue to maintain the current sidewalk and landscaping. They will provide some type of wheel stops for the 30 spaces in back. ZEO Rudek asked about the guarantee of the installation of new sidewalks. It was stated that Pilot’s Point will be responsible for putting in the sidewalks and a CO will not be signed unless until everything is completed. They are technically approved for 26 seats, but only if the septic is upgraded.

At this time, the floor was opened to the Public to speak for or against the application. There were no members of the public who wished to speak.

Upon a motion by Chris Ehlert, seconded by Tom D’Antico, it was:

VOTED: Unanimously to close the Public Hearing on this application.

The Public Hearing portion of the meeting ended at 7:44 p.m.

Upon a motion by Tom Belval, seconded by Tom D’Antico, it was:

VOTED: Unanimously to approve the application for Z2010-07 – General Store, 631 Boston Post Road – Pilot’s Point Marina with the following stipulations.

1. Exhibit “1” – “Parking Proposal” is strictly adhered to.
2. Applicant will maintain current landscaping throughout the site for life.
3. All wheel stops on the south side of the sidewalk in front of the General Store will be removed.
4. Wheels stops will be installed for the 9 spaces proposed on the east side of the parking lot, according to the plan.
5. The sidewalk will be commenced within 45 days or a cash bond will be required.
6. A revised plan will be submitted to show the exact position of all proposed parking behind Bassett Boat.
7. Suitable screening is to be erected around the dumpster per the Zoning Regulations.
8. The security gate is to remain open during operating hours of the General Store.

OLD BUSINESS

2. **Z0908 – 1525 Boston Post Road – DGG Properties Co. Inc. (Water’s Edge Inn & Resort – Request for six-month extension on Special Permit Z0908, originally approved on 9/22/09 for the demolition of existing beach house at s.w. corner of property and construction of new resort villa structure containing 20 units, including site improvements involving storm drainage & additional parking:**

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

VOTED: Unanimously to approve the request for a 6 month extension until 3/22/2011, based on the expiration date of 9/22/2010 for Z0908, 1525 Boston Post Road – DGG Properties Co., Inc.

NEW BUSINESS

None.

MISCELLANEOUS

None.

COMMISSION BUSINESS MEETING:

1. ZEO Report:

Report was distributed and discussed.

2. Westbrook Toyota – Amended Lighting Plan

Woodard and Curren has reviewed and approved the amended lighting plan.

3. Miscellaneous Correspondence:

1. Legal opinions from Attorney Mark Branse.

2. Copy of memo dated 6/1/10 from Cele D. DiFusco to Noel Bishop regarding Traffic Safety concern on Dolphin Avenue.

3. Copy of notification for workshop regarding Coastal Site Plans.

4. Zoning Representative for Inland Wetlands Commission – Will be discussed at the July Meeting.

5. Status of proposed amendments to Zoning Regulations

Nothing to report at this time.

6. Bills:

Zoning Budget:

Upon a motion by Chris Ehlert, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to approve payment for the following bills out of the Zoning Commission

Budget:

\$203.00 to Branse, Willis & Knapp for general legal

\$71.60 to Kathleen Kelemen for Secretarial duties

\$154.44 to the Hartford Courant for legal notices

\$15.00 to Halloran & Sage

APPROVAL OF MINUTES: May 25, 2010 – Regular Meeting:

Upon a motion by Chris Ehlert, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to approve the minutes of the Regular Meeting of May 25, 2010 as submitted.

ADJOURNMENT

Upon a motion by Chris Ehlert, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to adjourn at 8:07 pm.

Respectfully submitted:

Kathleen H. Kelemen, Secretary