

**WESTBROOK ZONING COMMISSION
PUBLIC HEARING
October 26, 2010
7:00 PM MULVEY MUNICIPAL CENTER, MULTI-MEDIA ROOM**

Members Present: Chairman Tony Marino, Regular Member Harry Ruppenicker Jr., Regular Member Chris Ehlert, Regular Member Lee Archer and Alternate Member Dwayne Xenelis.

Also Present: Engineer Matt White, Bill Lee, Leighton Lee IV and members of the public.

The Public Hearing was called to order at 7:14 p.m.

ESTABLISHMENT OF QUORUM Chairman Marino appointed Alternate Member Dwayne Xenelis as a voting member for Regular Member Tom Belval who recused himself. It was stated that there is a quorum present.

PUBLIC HEARING(s)

1. **Z2010-10 – Lee Company – Zone Change Application for a proposed amendment to the Zoning Map from an LDR zone district to an LI zone district, involving 14.2 acres, located on the east side of Pettipaug Road (Assessor’s Map #150, Lot #006). (35-day public hearing period ends 11/30/2010).**

Engineer Matt White, Bill Lee and Leighton Lee IV were present. It was stated that this is a 14.2 acre parcel that abuts Cold Spring Drive properties. They are requesting a zone change from LDR to LI for future development of the site. There are wetlands on the property which are indicated on the plans. The slope from Route 153 is very steep where they own the property along Route 153, but they have no future plans to access from Route 153. There is no proposal at this time for development of the site, so there are no traffic, parking or zoning concerns involved at this time, nor is there any proposed impact.

3 letters that were received were read for the record:

1. Exhibit 1: 9/8/10 letter from the IWWC. They stated that they have “No concerns” regarding the matter.
2. Exhibit 2: 10/20/10 letter from the Planning Commission. They stated “There is no inconsistency with the Plan of Conservation & Development”
3. Exhibit 3: 9/17/10 letter from CRERPA stating they “found no significant adverse inter-municipal impacts or impacts to the ecosystem of Long Island Sound.

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

1. Dan Coan: Stated that there are wetlands in the area of the proposed zone change. It was stated by Matt White that there are a couple of wetlands areas, but not the whole property. There are areas that can be developed.
2. Rich Annino: Stated that he is also concerned about the wetlands, but is very concerned about the property being accessed from Cold Spring Drive and increasing the amount of traffic on

the road. Matt White stated that the applicant has no intention of accessing the property from Cold Spring Drive because they would have to cross the wetlands and they already have the access needed from Pettipaug Road. Bill Lee stated that they have no interest whatsoever to access from Cold Spring Drive.

3. Betsy Dean: Stated she has concerns about being able to see the buildings from her property and the lights that are on and stated she feels that any expansion should be done somewhere else.
4. Ed Binder: Stated that he feels that this is the most logical area and the best use for the land. They have been great neighbors and there has never been a noise issue. He stated that he is in favor of the proposal.
5. Darlene Jones: Stated that she hopes that the Commission would consider a stipulation, if approved, that there will be no access from Cold Spring Drive.
6. Rich Annino: Asked if there will be 3 different shifts working in the buildings. It was stated no, they only have 1 shift, but they do stagger the leave times so as not to create traffic problems.
7. Jill Brainard: Stated that she is concerned that any activity will affect the wells in the area, as well as property values. Engineer Matt White stated that the water flows away from Cold Spring Drive, but there would be nothing to seep into the ground anyway. That issue would be discussed at the time when an application comes before this commission for any expansion.
8. Betsy Dean: Asked where it will stop because it will affect the "Small Town" effect. Mr. Lee stated that they have always adhered to the "Small Town" expectations.
9. Rich Annino: Asked if this opens up the chances of adjoining properties requesting zone changes. Chairman Marino stated that you cannot predict the future, but that this parcel is already adjacent to an LI zone.
10. Dan Coan: Stated that the Turnpike Auto Wreckers site was denied a zone change and feels this one should be denied also.
11. Linda Callahan: Stated she has a problem with the fact that there will be a zone change without knowing what they will do in the future. Chairman Marino stated that any future proposal will have to be brought before the Commission for approval. Any proposal will be looked at very thoroughly, including a possible traffic study, before being considered for approval.
12. Bill Lee stated that any future expansion would coincide with what is already there. At this time, they don't know what their needs will be.
13. Rich Annino: Asked that the impact be minimized to surrounding properties.
14. Harry Ruppenicker Jr. pointed out that there would be a minimum of 500 ft from any property line.
15. Mr. Lee stated that he will look at current lighting to address any problems.
16. Dan Coan: Stated that he feels that any more industrial buildings will affect the property value of adjoining properties and urges the Commission to be consistent with other applications.
17. Darlene Jones: Asked that the Commission set the stage that there will be no increase in traffic.
18. Ed Binder: Stated that if there is a minimum of 500 ft from any property line, residents of Cold Spring Drive won't be able to see it.
19. Betsy Dean: Stated that she can see the current buildings.
20. Engineer Matt White showed the current property lines

Chris Ehlert asked what the current buildings house. It was stated R&D, Storage, some manufacturing and Office Buildings. Chris also asked where the access would be from in the

future. It was stated that there will be no additional access to the property from what already exists. Mr. Lee stated that most likely, the first proposal will be extension for storage.

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:
VOTED: Unanimously to close the Public Hearing for this application.

The Public Hearing portion of the meeting ended at 8:07 p.m.

Respectfully submitted:

Kathleen H. Kelemen, Secretary