

APPROVED

WESTBROOK PLANNING COMMISSION  
REGULAR MEETING  
Monday, January 10, 2011

Multi-Purpose Room, Mulvey Municipal Center, 866 Boston Post Road

**Call to Order**

Chairman Ozols called the meeting to order at 7:00 p.m.

A quorum was established with the following Commission members present: Marilyn Ozols, Chairman, Carole Ketelsen, Phillip Bassett, Ashley Jones, Bill Neale, Libby Waldron (alt), and Bob Furno (alt). Also present Meg Parulis, Planner.

**SUBDIVISIONS:**

**1. 2010-001-P Resubdivision Land of Paul J. Vumbaco, 7 lots on 35.52 acres including road construction, located on Toby Hill Road, Assessor Map 117, Lot 6 (formally Assessor's Map 77, Lot E105). *Conditional approval granted 11/8/10. Review of revised plans to determine consistency with the required modifications. Request for 90-day extension to file mylars. Request for Modification of Condition of Approval.***

Mr. Bob Doane, on behalf of Mr. Vumbaco presented revised plans incorporating the Conditions of Approval. Mr. Doane also requested a modification to the conditions of approval to allow them to post the Site Restoration Bond, in the amount of \$35,000, when the mylars are filed rather than in the period stated in the approval. Additionally he requested a 180-day extension of time to file the mylars rather than the 90 days reflected in the letter submitted (letter dated 1/3/11).

Ms. Parulis indicated that she had reviewed the submittal and determined that the appropriate changes were made. She added that the applicant agreed that stone walls will be replaced/rebuilt if disturbed and a note had been added to that effect.

Ms. Ozols felt it sufficient to post the bond prior to endorsement of the mylars. She continued that the statute allows for two 90 day extensions to file the mylars for a total of 180 days.

Upon the request of Mr. Bassett and Ms. Ketelsen, Mr. Doane clarified the positioning of street lights on the plans.

**Mr. Neale made a motion to find the revised plans consistent with the conditions of approval, to approve the modification of the condition to require the E&S bond be posted prior to the endorsement of mylars and to grant two 90 day extensions for a total of 180 days to file the mylars. Ms. Ketelsen seconded the motion. The motion passed unanimously.**

**TOWN AND GOVERNMENT AGENCY REFERRALS:** None.

**SELECTMEN REFERRALS:** None.

**ZONING REFERRALS:** None.

**OLD BUSINESS:**

Proposed Stormwater Regulations - A copy of the Proposed Stormwater Regulations was included in the Commission packets. Ms. Ozols reported that the process continues to move forward and is "on track" for a joint public hearing with the Zoning Commission on March 14, 2011. The Zoning Commission will be updating their stormwater regulations as well. By combining the public hearing, there will be a more efficient use of the Town Engineer's time.

Ms. Parulis reported that comments made by Tom O'Dell, Conservation Commission chairman, have been incorporated into the draft. While there have been no major revisions, the most recent draft incorporates clarification to definitions and language as discussed previously. The regulations have been sent to Atty. Branse for legal review. A final copy will be available, incorporating all revisions, prior to the Public Hearing.

Plan of Conservation and Development Update - Ms. Parulis reported that she is currently reviewing the preliminary draft. She is scheduled to meet with the consultant in the coming week. It is anticipated that the draft plan will be presented to the Steering Committee in February.

Ms. Parulis also noted that the survey results have been tabulated and that she is in the process of analyzing the results. Approximately 113 surveys were received.

Historic and Architectural Resource Survey Update - Ms. Parulis reported that the contract has been signed to authorize the work. The historian is scheduled to be in Westbrook the week of 1/24/11. Interviews will be set up with local historians during that week. Ms. Parulis indicated that she will accompany the historian while he conducts the windshield survey and is looking forward to learning more about the history of Westbrook.

Ms. Parulis thanked Mr. Bassett for his assistance in matching addresses and parcel ID's to the 1979 inventory. This work will greatly facilitate the survey.

The Commission briefly discussed the criteria used to be considered a "historic" home. Ms. Parulis explained that any home over 50 years of age is considered "historic"; however the survey will focus on older homes.

### **NEW BUSINESS:**

#### **Elections**

**Ms. Ketelsen made a motion to re-elect Ms. Ozols as Chair of the Planning Commission. Ms. Waldron seconded the motion. The motion passed unanimously.**

**Ms. Ketelsen made a motion to re-elect Mr. Neale as Vice Chair of the Planning Commission and Mr. Bassett as Secretary of the Planning Commission. Ms. Ozols seconded the motion. The motion passed unanimously.**

#### **By-laws**

Ms. Ozols explained that the by-laws must be reviewed annually.

Ms. Parulis reported that she had reviewed the by-laws and found some inconsistencies in the language used to describe certain votes, i.e. voting membership vs. the entire membership. Ms. Parulis will obtain a legal opinion for clarification.

The Commission also directed that gender references be changed appropriately throughout the by-laws.

**Mr. Neale made a motion to table the review of the by-laws until legal clarification is obtained. Ms. Jones seconded the motion. The motion passed unanimously.**

#### **BILLS:**

**Ms. Ketelsen made a motion to pay the following bills from the General Accounts:**

<b>Rec. Sec. PC – S. Helchowski</b>	<b>\$100.00</b>
<b>Engr. W&amp;C</b>	<b>\$3,278.75</b>
<b>Legal – Branse, Willis, Knapp</b>	<b>\$261.00</b>
<b>Legal Ad – Courant</b>	<b>\$95.04</b>
<b>CT Bar Seminar</b>	<b>\$135.00</b>
<b>Citizens Bank</b>	<b>\$5.65</b>

**Mr. Bassett seconded the motion. The motion passed unanimously.**

**Mr. Bassett made a motion to pay the Planimetrics bill in the amount of \$1,000 from the Special Funds. Mr. Neale seconded the motion. Discussion followed:**

Mr. Neale questioned how much work was remaining on the Affordable Housing Study. Ms. Parulis reported that the report was being finalized for submission to the state and after this payment, there is \$1,000 left which should be sufficient to finalize the report. She indicated that initially there was an intent to develop draft regulations for an Incentive Housing Zone (IHZ) as part of the project, however, based on the results of the study, it does not appear that it is feasible to create an IHZ meeting state requirements due to a lack of sewers and available land meeting locational criteria. Instead, other ways to provide affordable housing will be examined that are outside of the scope of the grant project. Ms. Parulis noted that the Zoning Commission is pursuing a regulation amendment to allow accessory apartments and to add duplexes as permitted uses in several districts.

**The motion passed unanimously.**

### **MINUTES:**

**Mr. Neale made a motion to approve the meeting minutes from the Public Hearing and Regular Meeting dated 12/13/10. Mr. Bassett seconded the motion. The motion passed unanimously.**

### **REPORTS:**

**Inland/Wetlands** – Ms. Ketelsen reported that two violations, one located on Pettipaug Rd. are being pursued legally.

The bonds for Toyota at 28 Flat Rock Place and 80 Flat Rock Place have been reduced.

Ms. Ketelsen reported that the Inland Wetland Commission needs to carefully monitor engineering estimates. Engineering fees for the recent Waters Edge project exceeded the 150% fee by \$410.00. Ms. Ozols questioned why this overage could not be charged to the developer under the ordinance. Ms. Parulis said she would confer with Ms. Wallace on the matter.

**CRERPA** – no report

**Harbor Commission** – no report

**TCRC** – Ms. Ozols reported that the Town Center Parking Project is progressing. The funding to develop conceptual plans was approved by both the BOF and the BOS. Once the concept plans are developed and a contract for sale negotiated, a Town Meeting will be scheduled to accept the STEAP grant and authorize acquisition of the property.

### **CORRESPONDENCE:**

Ms. Ozols called to the Commission's attention a letter from Branse, Willis and Knapp indicating a rate increase of 2% effective 7/1/11. She noted that this is still a very reasonable rate compared to other land use attorneys and that the current budget request should still be sufficient to cover legal costs. Members concurred that this is still a good rate.

### **ADJOURNMENT:**

**Ms. Ketelsen made a motion to adjourn the meeting at 7:51 p.m. Mr. Neale seconded the motion. The motion passed unanimously.**

Respectfully Submitted,

Suzanne Helchowski