

APPROVED

PLANNING COMMISSION
SPECIAL MEETING MINUTES
Monday, June 20, 2011
S. Conference Rm. – Mulvey Municipal Center

Members Present: Bill Neale, Vice Chair; Phil Bassett, Sec.; Marie Farrell (alt.-seated)

Also Present: Meg Parulis, Town Planner; Jason Vincent, Planimetrics; Heidi Wallace, Recording Secretary

Mr. Neale called the meeting to order at 7:04. Mr. Neale, Vice Chairman, chaired the meeting in the absence of Chairman Ozols.

Mr. Neale asked for a motion to move the Zoning Referral on the agenda to after Old Business as members of the public were in attendance for the Plan of Conservation and Development.

Mr. Bassett made a motion to move Zoning Referrals on the agenda to after Old Business. The motion was seconded by Ms. Farrell and unanimously approved.

SUBDIVISIONS:

1. Application No. 2005-005-P Toby Hill Chase, LLC-Request for Bond Reduction – Autumn Ridge Road.

Ms. Parulis referenced the documents in the meeting packets entitled Subdivision Bond Estimate for Reduction from Toby Hill Chase dated 4/10/11, and a letter from the Town's consulting engineer Woodard & Curran dated 6/16/11 entitled Review of Bond Reduction Request. The request is for the reduction of the \$333,000.00 public improvement bond to \$83,000.00, and reduction of the erosion control bond from \$15,000.00 to \$5,000.00. The applicant also requested an extension of the time period to complete the public improvements. The extension will not be necessary as new state legislation has automatically extended the length of permits. The Town engineer reviewed the estimate and inspected the Autumn Ridge Subdivision site and provided her comments. Ms. Parulis recommended the Commission approve the bond reductions as requested. Mr. Bassett questioned the pins and monuments that remain to be placed. Mr. Eric Fries representing Toby Hill Chase replied that this was a lump sum for the pins and monuments on the lots that have not yet been sold. He explained that pins for the constructed homes are in place. The applicant did not want to set the pins prior to construction on the unsold lots as they would likely be destroyed during the construction process. Ms. Parulis stated that she knew that the monuments had been placed around the road. Mr. Fries explained that those monuments were set during the as-built process. Ms. Parulis stated that the Town Engineer checked the cost estimates and felt the request for this reduction was reasonable. She explained that the work remaining was the finished pavement which will not occur until all of the lots are constructed so as to protect it from construction vehicles. Mr. Neale asked whether the finished course of pavement would resolve the drainage question. Mr. Fries stated that they will review the drainage at that time and will look to warp it. Currently it sits 2 to 3 inches above the catch basin and it has been ramped down. When the road is brought up to final grade with a crown to the road, it will drain to the catch basins. Ms. Farrell pointed out that there would still be a substantial bond amount remaining to address these issues.

Mr. Bassett made a motion to reduce the (Letter of Credit) bond from \$333,000.00 to \$83,000.00 and the erosion control cash bond from \$15,000.00 to \$5,000.00. The motion was seconded by Ms. Farrell and unanimously approved.

BILLS:

GENERAL ACCOUNTS		SPECIAL FUNDS	
1. Rec. Sec. POCD – N. Rudek	\$121.50	1. POCD – Planimetrics	\$6,000.00
2. Rec. Sec. PC - S. Helchowski	\$	2. AH Study - Planimetrics	\$
3. Engr. – Woodard & Curran	\$		\$
3. Legal – Branse, Willis, Knapp	\$		
4. WB Mason - Supplies	\$50.49		
5. Printing - Ciel	\$120.00		
6. Hartford Courant	\$		
8. Conferences- CAZEO L.DeMaria	\$25.00		

Ms. Farrell made a motion to approve the bills paid from the General Accounts. The motion was seconded by Mr. Bassett and unanimously approved.

Mr. Bassett made a motion to authorize payment of the bill of \$6,000.00 to Planimetrics from the Special Fund as presented. The motion was seconded by Ms. Farrell and unanimously approved.

MINUTES:

Ms. Farrell made a motion to approve the Special Meeting minutes of May 23, 2011. The motion was seconded by Mr. Bassett and unanimously approved.

Ms. Farrell made a motion to approve the Special Meeting minutes of May 31, 2011. The motion was seconded by Mr. Bassett and unanimously approved.

OLD BUSINESS:

1. Plan of Conservation and Development – Review Proposed Addendum to Draft Plan

Mr. Vincent presented a revised Addendum dated 6/16/11 incorporating the suggested revisions as a result of the public information meeting on 5/23/11 and further discussion at the May 31st special meeting. The three main areas of concern were related to the Town Center, Affordable Housing and Tourism as detailed on pages 8, 9 and 10 of the Addendum.

Ms. Parulis reported that she had received comments on the draft Addendum from Ms. Ozols and would relay them as topics were discussed. Mr. Vincent went on to review each of the Addendum items with pertinent comments as itemized below:

p. 20 Create Management Plan – 2nd para. Add reference to specific properties where Open Space use has not been specified, i.e. Jedediah Chapman House prop. Change the wording “Some” to “There are a few instances where” and include an i.e.in parentheses. Ms. Ozols (in her written comments) had questioned the use of the word “assessment” in the sidebar in the 4th bullet on page 20. Add the word “typical elements and include” and add an e.g. for examples.

p. 50 Village District Consultant sidebar: Add the sentence “A design review board that includes properly credentialed members may be substituted for a paid consultant”.

p. 53 Character Resources Plan: Inclusion of Old Mail Trail and Seaside Avenue as potential scenic roads on was discussed. Mr. Vincent stated that the map shows potential roads for this designation which requires the approval of property owners. Typically a petition is presented to the Planning Commission to designate a scenic road, where the property owners are interested in that designation. It is a recognition program and it restricts what the Public Works Department can do to the roadway to preserve the attributes of the road. It has been used to protect stone walls to maintain rural character in some areas. Ms. Parulis explained that she had received some

concerns from the beach community that the designation would invite the public to take a scenic drive, creating traffic issues on dead-end roads. That was not the intent, and the map was intended more as a protective measure. Ms. Parulis recommended eliminating Old Mail Trail and Seaside Avenue from this designation to which the Commission agreed.

Mr. Neale suggested adding the word “potential” to section section 5.15 Establish Scenic Road Program. Ms. Parulis added “to consider establishing”. Mr. Vincent suggested the phrase “consider establishing a scenic road program”.

Ms. Farrell raised concerns about the page placement of the map within the document and suggested moving the map after the copy and swap pages 53 and 55 where it would appear more appropriately placed.

Ms. Parulis further suggested that Action items 5.16 be modified to add the word “designated” before “state-owned roads” to clarify that scenic road status is not appropriate for all state-owned roads.

Based on comments from Pilot’s Point Association Inc. dated 6/16/11, it was agreed that the scenic arrows at Duck Island and Menunketesuck Island could be eliminated.

Ms. Parulis stated that on the map, “Sunset Meadows” should be changed to “Sweet Meadows”.

p. 62 Plan for and Coordinate New Facility/Infrastructure Needs per Ms. Ozols comments, Ms. Parulis suggested changing the first and second line of the paragraph as follows: “*Because public safety facilities must be able to operate during natural hazard events, consideration should be given to locations that are less vulnerable.*”

Ms. Parulis also noted that the words “and/or” on page 62 in the bullets under “Other Favorable Factors” should be moved to the second to the last bullet because the last bullet was eliminated.

p. 91 Promote Tourism: Ms. Parulis presented the Commission some alternate language for consideration to make clear the Town does not want tourism at the expense of the residents and balance is necessary to preserve quality of life. The aim is also not to focus solely on bed & breakfast (B&B’s) establishments. Correspondence from Brian O’Connor, Director of Westbrook Division of the Middlesex Chamber of Commerce dated June 20, 2011 was distributed. Ms. Farrell suggested putting the word “tourism” into the right context prior to the section, that local businesses rely upon the flow of tourists to be able to stay open. The plan does not need to have a goal of increasing tourism, rather supporting what has been in existence.

Mr. Bassett stated that he liked the first paragraph in the Addendum prepared by Mr. Vincent. Ms. Parulis recommended adding Mr. Vincent’s original lead-in prior to her first paragraph. Ms. Farrell raised concerns about developing a marketing strategy in the Town Planner’s paragraph labeled “Promote Westbrook” as it implies that the Town would be paying to market private businesses. Mr. Vincent suggested that the language be modified to recommend inexpensive ways to promote Westbrook such as providing links on the town website and featuring places of interest. Mr. Neale suggested moving the “Collaborate with Regional Marketing Efforts” before “Promote Westbrook” and eliminating the specific references to possible attractions. Mr. Vincent suggested that the first sentence under Promote Westbrook regarding working with Chamber of Commerce should be moved to “Collaborate with Regional Marketing Efforts” and that the heading be revised to Collaborate with *Local* and Regional Marketing Efforts.

With regard to surveying residents to find their “Special Places” in first paragraph on p. 9, Ms. Farrell suggested that input should be sought specifically from groups such as the historical society, land trust and commission members as well as the general public. Ms. Parulis questioned the need for this in relation to the Directional Sign Program. Also, this type of information had been gathered with the POCD Survey. Mr. Neale recommended removing this sentence from Tourism.

In the last paragraph, Ms. Farrell noted that B&B's were highlighted and felt it should reference all local businesses. Mr. Vincent recommended using the text that Ms. Parulis had prepared and delete the first and second sentence that references the B&B's.

Ms. Parulis noted that Ms. Ozols had some suggested edits to the 1st and 4th paragraphs that should be incorporated as well.

p. 96-98 Housing: The Commission reviewed language that Ms. Parulis submitted. Mr. Bassett stated that the last sentence "today, many teachers, little league coaches and emergency responders cannot afford to live in Town". Mr. Bassett thought it should read "*Many of our children, teachers and emergency responders cannot afford to live in Town*". He pointed out that our children cannot afford to stay in this Town after college because the homes cost more than \$400,000.00. Ms. Farrell agreed that this statement should be more personal than "young people just beginning their careers". Ms. Farrell further recommended eliminating the words "retail workers" and adding the word "volunteers" because these are the people that the community knows and recognizes.

Ms. Farrell recommending changing the order of the words "less expensive" and "smaller" in the second paragraph of the Town Planner's language.

Ms. Farrell questioned what was meant in the last sentence of the 5th paragraph by "Town goals". Ms. Parulis explained that it was intended to mean "town character" and agreed those words should be substituted.

Ms. Farrell questioned the use of the words "environmental constraint" and felt that it was a little too open-ended. Mr. Vincent offered to clarify by adding *e.g. wetlands and floodplains* in parentheses.

Ms. Farrell questioned the use of the word "education". Ms. Parulis stated that it meant information about the CHFA loan program. Mr. Vincent suggested the wording "*providing information about other housing programs.*"

Ms. Parulis relayed comments from Ms. Ozols to add "*retain property values*" in 1st paragraph and add reference to *accessory apartments* in 2nd paragraph. In the 9th paragraph it was suggested that the words, "*modifying the language of the multi-family overlay district to be less burdensome*".

p. 99 Town Center: Ms. Parulis stated that Ms. Ozols had submitted some good language for the introductory paragraph. "*The Town Center is a traditional New England Village with quiet residential streets within walking distance to civic and commercial hubs. The distinctive village character created by these two areas coexisting in close proximity, yet not intruding on each other helps make Westbrook special and should be preserved. It is important to retain this distinction and to keep in mind that while the introduction of a residential component to the commercial/civic area creates a beneficial energy, the introduction of commercial uses to the residential area can significantly harm its integrity. Efforts to restore the vitality of the Town Center should be sensitive to maintaining this balance.*"

Ms. Parulis explained that she has been trying to address concerns related to defining the limits of the Town Center, explaining that the line is not a zoning boundary or a policy boundary, rather it is a place that the Commission can discuss and plan for. Ms. Parulis recommended using the words "Town Center Area" when referencing the map. She asked Mr. Vincent to clip the line in the area that was sensitive. Mr. Vincent also changed the base map from the Existing Land Use Plan to the Business Development Plan. The map now clearly distinguishes between residential areas and commercial/mixed use areas. Ms. Farrell noted that the Town Center does not extend up to Flat Rock Place. Ms. Parulis explained that while Flat Rock Place is not considered to be within the Town Center area, there are recommendations to expanding living opportunities in or near Town Center and that is where the Flat Rock Place link comes in. Design standards would be different in Flat Rock Place than in the Town Center. Mr. Bassett likes the revised map inasmuch as it excludes South Main Street and parts of Magna Lane and Kingfisher Lane. Ms. Farrell noted that it clearly designates the residential areas. Ms. Farrell questioned whether there should be a disclaimer to explain that the map is conceptual in nature. Mr. Vincent offered the disclaimer "*it is important to recognize that expanding the extent of the Town Center does not mean expanding the business area of the Town Center.*"

Ms. Farrell recommended that the words "*along the main thoroughfares*" should be added to the end of the sentence "With the relocation of the Town Hall and Post Office and a new and improved train station on the

horizon, it makes sense to expand the boundaries of what has been traditionally viewed as the "Town Center". Mr. Vincent noted that this whole section would likely be replaced with the text prepared by Ms. Ozols

Ms. Farrell commented that she liked the paragraph but recommended striking the word "introduction" from the portion that discusses the introduction of commercial uses into the residential area. This word "introduction" implied a future action to Ms. Farrell, and she asked that this portion be removed. It was agreed to change the sentence to read: "It is important to retain this distinction."

Mr. Vincent discussed defining the Town Center Area as not being policy or a directive, but rather to have a general idea of where the Town Center is located. He thought it would be a good idea to remove the header "Define Limits of Town Center".

Mr. Vincent referenced the letter from Pilot's Point Association Inc. dated 6/16/11 which addressed five points. The first item was regarding the "Open Space Vision" map including a "Blueway" designation for Pilot's Point, Mr. Vincent indicated he would move the line out into the water a bit more to eliminate the confusion that their properties are available as launch points.

The second comment concerned the "Enhance Public Access" to coastal areas reference, and asked that no increase in unmonitored parking be addressed in the plan. Mr. Bassett explained that while there are areas of public access, there are no associated parking areas and the tendency is for cars to park in unauthorized areas. Mr. Vincent recommended a third paragraph for page 33 stating "*Westbrook should also evaluate parking at public access sites*" because parking can be a management issue.

Item number three is regarding page 49 regarding the Coastal Cottage to be relabeled as Beach Community which has already occurred.

The fourth comment concerns page 53 under Character Resource Plan. The scenic arrows were discussed previously this evening.

The fifth item concerns [the](#) recommendation to eliminate single family residential in Commercial Boating District on page 89. Mr. Vincent's suggestion was to add the sentence: "*It will be important to protect the character of existing residential properties as part of this change. A special zone is appropriate.*"

TOWN AND GOVERNMENT AGENCY REFERRALS: None.

SELECTMEN REFERRALS: None.

ZONING REFERRALS:

Mr. Neale stated that the Commission is reviewing this site plan to determine whether it conforms to the current Plan of Conservation and Development. Ms. Parulis stated that the ideal placement of the fuel tanks would be behind the building, but that would put the tanks closer to the wetlands. There is an existing propane tank. It is proposed that a green fence be installed around both the existing propane tank and the proposed fuel tanks. Ms. Parulis asked whether the Commission would like to recommend any landscaping in addition to the green fence. It did not appear that a landscaping plan was submitted. Mr. Neale expressed concern that there should be plantings in front. Mr. Bassett questioned whether the Fire Marshall, George Rehberg, had signed off on this site plan that includes the side-by-side placement of gasoline and propane. Ms. Parulis stated that there is a required separation distance. She had received concerns about the containment and potential for spills on the pavement with drains. In response to this concern, the Fire Marshall issued a letter explaining the triple redundancy containment that is part of this type of storage tank, and indicating that an additional lip is required where the gas is dispensed so that if a spillage occurs, the gasoline would be contained. Mr. Bassett questioned whether this is going to be the fueling point for all Westbrook town-owned vehicles, including the police and public works departments. Ms. Parulis stated that these tanks would mainly service fire and ambulance vehicles. These tanks were located at the previous Town garage location. The fire department and ambulance service requested a location that was more convenient than the Horse Hill Road location to refuel after an emergency call. Ms. Farrell questioned whether the large vehicles could maneuver through the site. Ms. Parulis stated that it was reported that there was sufficient area for

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vehicles to maneuver. Ms. Farrell and Mr. Bassett raised concern for the need of landscaping, especially in the areas facing Route 1, but also along the pedestrian walkway behind the proposed tanks.

Ms. Parulis indicated that if the Commission had no objection to the fuel storage tanks, the proposal could be found consistent with the Plan of Development recommendation *to have an efficient system of public services*. The Plan also recommends that *attention be focused on the appearance of Town Center*.

Mr. Bassett made a motion to find the application CONSISTENT with the Plan of Conservation and Development with the recommendation that additional landscaping be provided to screen the area from Rte. 1 and the pedestrian walkway behind the tanks. The motion was seconded by Marie Farrell and unanimously approved.

NEW BUSINESS: None

REPORTS:

Inland Wetlands: No report.

CRERPA: Mr. Neale reported that CRERPA and the planning region around Middletown have been combined with the new location to be determined. It will take approximately a year to become fully operational and will be likely be under the direction of the Selectmen from each town rather than a Regional Planning Commission.

Harbor Commission: Ms. Parulis reported that the Town was recently assured by our local legislators that the Town would be line for funding from the Harbors and Dredging Act to dredge the inner harbor, and the bond meeting has been scheduled for July. The outer harbor is currently being dredged.

Town Center Revitalization Report: Ms. Parulis reported that because another source of funding has been found for the dredging, an application for STEAP funding was submitted to complete the Town Center Parking Project which includes the relocation of Knothe Rd. Negotiations are underway for acquisition of the property.

Ms. Parulis reported that she attended the Hope Partnership meeting on Tuesday morning, that it was well-attended and that she picked up some good information.

CORRESPONDENCE: None.

Mr. Bassett made a motion to adjourn the meeting at 9:30 p.m. The motion was seconded by Ms. Farrell and unanimously approved.

Respectfully Submitted,

Heidi Wallace, Recording Secretary