

APPROVED

WESTBROOK PLANNING COMMISSION  
REGULAR MEETING  
Monday, July 13, 2009

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

Call to Order

Chairman Ozols called the meeting to order at 7:02 p.m.

A quorum was established with the following Commission members present: Marilyn Ozols, Chairman, Phillip Bassett, Donna Sicuranza, Carole Ketelsen and William Neale. Also in attendance: Meg Parulis, Town Planner.

Chairman Ozols requested that a discussion regarding Town Engineering Services be added to the agenda as item 3. under "Old Business".

**SUBDIVISIONS:**

**1. 2009-002-P-1 Lot Yield Plan (12) – Glenn Miele, Horse Hill Road, 52.1 Ac., Map 52, Lots W52, W53A, W69 & W60A.**

Mr. Bob Doane appeared on behalf of property owner, Glen Miele. Mr. Doane reviewed the conventional layout consisting of a 1500' temporary cul-de-sac serving 12 lots. He noted that at the last meeting the Planning Commission indicated that they would likely approve a waiver on the cul-de-sac length due to the probable future development and feasibility of extending the proposed road into the adjoining property. A detailed analysis of the feasibility of on-site septic systems including soil test results was submitted for each of the proposed lots. System layouts, house and well locations were added to the plans. Ms. Parulis indicated that she had reviewed the submitted materials and agreed that the applicant had adequately demonstrated that the lots were buildable. Ms. Ketelsen expressed concern that the property had a high water table and would have to be developed with due consideration. Mr. Doane responded that footing drains would be installed around all foundations and fill would be brought in to elevate septic systems. Chairman Ozols polled the Commission members to determine whether they were satisfied with the applicant's proposal. It was the consensus of the Commission that the site could accommodate up to 12 lots. Mr. Doane thanked the Commission and indicated that an application for a Conservation Subdivision would be forthcoming.

**2. 2004-002-P Property of Mary Elizabeth Joyce – Grove Beach Rd. N. - Request for Extension to complete public improvements**

Ms. Ozols reported that expiration for completion of public improvements was November 15, 2009. The public improvements consist of installation of a sidewalk and a streetlight on Grove Beach Rd. N along the frontage of the property. She noted that up to 10 years is allowed by State Statute and that the granting of a 1-year extension was within the statutory timeframe. Ms. Parulis reported that a pre-construction meeting had been held at the site and that work should commence within the month.

**A motion to grant an extension of the time for completion of public improvements to November 15, 2010 was made by Mr. Neale, seconded by Mr. Bassett and so voted unanimously.**

**TOWN AND GOVERNMENT AGENCY REFERRALS:**

**1. Town of Old Saybrook – Zoning Commission "Incentive Housing Zone & Town-Wide Design Standards" –Zoning Regulation Amendments**

Ms. Ozols informed Commission members that the material included in the packets (Sect. 9 – Definitions) for this item was not the section that had been intended. Ms. Parulis distributed copies of the proposed Incentive Housing Zone regulations currently under consideration by the Town of Old Saybrook. Based on the location of the proposed Incentive Housing Zone, it was deemed to have no inter-municipal impact. Ms. Parulis explained that a copy of the regulations was provided to familiarize the Commission with this particular zoning tool that can be utilized to encourage affordable housing. An analysis of the Incentive Housing Zone tool compared with other

strategies to meet affordable housing goals will be conducted as part of the Affordable Housing Feasibility Study for which the Town received a grant.

### **ZONING REFERRALS:**

- 1. Z0908 – 1525 Boston Post Road (Waters Edge Inn & Resort) – Special Permit/CAM Application for demolition of existing beach house at s.w. corner of property and replace with new resort villa structure containing 20 units, including site improvements involving construction of storm drainage & additional parking. *Public hearing scheduled for 7/28/09.***

Mr. Bassett announced that he was recusing himself from participating in this application due to a personal interest in adjoining property after which he stepped out into the hallway.

Atty. Thomas Cloutier appeared on behalf of the applicant. He indicated that based on Commission feedback from the last meeting, the Architect had re-worked the roof-line and façade of the proposed villa and had created a perspective from the water in the vicinity of Salt Island to help the Commission visualize the scale of the structure with relation to the neighboring residential properties. Architect, Mark Petrin reviewed the plans with the Commission and addressed questions concerning the visual impact from the Kessler property and from within the Water's Edge complex. He noted that all new lighting would conform to Dark Sky standards (full cut-off) and that a green roof was proposed. The proposed changes were considered by members of the Commission to be a significant improvement. Engineer, Al Wolfgram reported that he was working to address the comments from the Town's engineering consultant. He noted that none of the issues would result in a revised layout. At the conclusion of the presentation, Commission members indicated that it was their preference that the engineering issues be resolved before the Commission made its finding on the proposal. Ms. Parulis noted that the applicant had yet to provide copies of the revised architectural plans including the north elevation and asked that 11 x 17 copies be submitted for Commission members to review before the next meeting.

Mr. Bassett returned to his seat upon conclusion of the discussion.

- 1. Proposed Amendments to the Westbrook Zoning Regulations – Commercial Boating District (Section 2.40.79 Definition of Recreational Vehicle, Section 4.62.02 Parking of Recreational Vehicles as an Accessory Use to a Commercial Marina, Section 8.09.00, 8.09.01, 8.09.03, & 8.09.04 g) and h)**

Ms. Ozols noted that a draft version of this proposal was previously reviewed by the Planning Commission on an informal basis. Most of the Commission's earlier recommendations had been incorporated except for the provision of pump-out facilities. Mr. Bassett interjected that the larger marina's south of Rte. 1 had portable pump-outs. Ms. Ketelsen added that the trailer holding tanks were similar to boat holding tanks. Mr. Ranelli, seated in the audience, said that it was his understanding that trailers could dispose of their waste at Hamonasset. Ms. Ozols concurred but felt that arrangements for disposal needed to be spelled out before it could be allowed. Ms. Ozols also suggested that under 4.62.02a)(3) the phrase "or permanently towable by a light duty truck" be deleted. She felt that only self-propelled vehicles should be allowed due to the fact that they would be parked in a Flood Plain and may need to be moved quickly. Ms. Ketelsen questioned why the definition in 4.62.02a) was different than the definition in 2.40.79. Ms. Ozols explained that only a subset of recreational vehicles would be allowed in the Commercial Boating District. Ms. Ketelsen also wanted to be sure that no recreational vehicles could be allowed for occupancy in the beach neighborhoods. Ms. Ozols responded that Sect. 8.09.03 prohibits human habitation in all areas except the Commercial Boating District. Ms. Ozols recommended that a provision be added to require a 50' setback to tidal wetlands. Mr. Neale felt that there should be a stipulation that vehicles not be parked in areas lower than the high tide line to minimize flooding impacts.

**Mr. Neale made a motion seconded by Ms. Sicuranza, and so voted unanimously, to find the proposed amendment CONSISTENT with the purpose of the Commercial Boating District to permit the development of land for water dependent uses and subordinate accessory uses harmonious with the waterfront and compatible with the existing recreational boating services and commercial fishing trades subject to the following:**

- a. Limit allowed recreational vehicles to self-propelled only – delete "or permanently towable by a light duty truck" in Sect. 4.62.02a)(3).
- b. Recreational vehicles shall not be parked within 50' of tidal wetlands.

- c. **Recreational vehicles shall not be located in areas lower in elevation than the high tide line.**
- d. **Adequate provision shall be made for proper waste disposal.**

**SELECTMAN REFERRALS:** None

**OLD BUSINESS:**

**1. Plan of Conservation and Development Update**

Ms. Parulis reported that the Steering Committee was waiting for a re-draft of the Conservation Issues Booklet from the consultant. It was felt that the draft did not adequately reflect the work that was done on the Coastal Resource Management Plan and the Open Space Plan.

**2. Zoning Regulation Updates – Sects. 2 & 4 (informal review)**

Ms. Parulis reported that she had not completed her review.

**3. Town Engineering Services**

Ms. Ozols informed the Commission that as part of the Master Services Agreement with Woodard & Curran, a task order system would be used to request engineering assistance. Previously, the Town Planner arranged for engineering services as needed by the Commission on an informal basis. She requested that the Commission authorize the Town Planner to initiate and sign task orders on behalf of the Commission within budgetary constraints.

**Mr. Neale made a motion, seconded by Ms. Sicuranza, and so voted unanimously, to authorize the Town Planner to sign Task Orders for On-Call Engineering Services on behalf of the Planning Commission.**

**NEW BUSINESS:**

**1. Request from Board of Selectmen for recommendation to Harbor Commission** (replacement of Phillip J. Bassett)

Ms. Ozols informed the Commission that due to an amendment to the Ordinance regarding membership on the Harbor Commission, it was no longer required that the Planning Commission representative to the Harbor Commission be a member of the Planning Commission. As there was no one on the Planning Commission interested in serving, it was the consensus of the Commission to recommend only that the Board of Selectmen appoint an individual with expertise in boating issues. Ms. Ozols thanked Mr. Bassett for his many years of service.

**2. Review of draft RFP for GIS web-site & annual map updates**

Ms. Parulis reported that she had not had an opportunity to complete this item prior to going on vacation and will try again for next month.

**BILLS:**

1. Nancy Rudek: \$135.00 (POCD Minutes 6-15-09)
2. Branse, Willis & Knapp - Legal: \$1,348.50 (\$72.50 Gen.Legal; \$1,058.50 Eng.; \$101.50 Toby Hill VII Easements; \$116.00 Toby Hill)
3. **\*Branse, Willis & Knapp - \$286.20 (Brittney Lane)**
4. Codespoti & Assoc.- Eng.: \$147.76
5. Suzanne Helchowski: \$100.00 (6/8/09 reg. mtg.)
7. WB Mason: \$104.68 (supplies)
8. **\*B&L Construction \$1,242.00 (Brittney Lane)**
9. Ciel: \$72.00 (maps for POCD update)
10. Tighe & Bond: \$188.00 (GIS )
11. Woodard & Curran: \$865.00 (GIS)
12. **\*LESCO \$207.80 (Brittney Lane)**
13. Meg Parulis: Mileage \$60.50
14. **\*Planimetrics: \$11,009.44**
15. **\*John Deere Landscapes \$207.80 (Brittney Lane)**

**Mr. Bassett made a motion seconded by Ms. Sicuranza and so voted unanimously to pay the above bills in non-bold print as presented from the Planning Commission budget.**

**Mr. Neale made a motion seconded by Mr. Bassett and so voted unanimously to pay items 3, 8, 12 & 15 from the called bond for the Brittney Lane Subdivision (Blue Point Construction).**

**Ms. Sicuranza made a motion seconded by Mr. Neale and so voted unanimously to pay \$7509.44 (an amount less than the invoiced amount of \$11,009.44 ) to Planimetrics (item 14) from the Capital Account for the POCD Update based on the recommendation of the Town Planner.**

**MINUTES:**

**Mr. Neal made a motion seconded by Ms.Sicaranza to approve the regular meeting minutes of June 8, 2009. VOTE: 4-0-1 in favor with Ms. Ketelsen abstaining.**

**REPORTS:**

- 1. Inland Wetlands and Watercourses Commission** – Ms. Ketelsen reported that the Inland Wetlands Commission had voted to release the bond for the Stannard Woods Subdivision.
- 2. CRERPA** – Mr. Neale reported that he had not been able to attend the meeting.
- 3. Harbor Commission-** Mr. Bassett reported that the Town had settled with Grove Beach Association for \$19,500. He also reported that the \$650,000 set aside for dredging with the Army Corps. of Engineers was not enough to complete the dredging project. The channel remains only half width and there is currently no plan to do any more dredging.
- 4. Town Center Revitalization Committee** – Ms. Ozols reported that the Committee had selected a bench for the Town Green and would be initiating a “buy-a-bench” program. KBE Building Corp. is donating the first bench. If the program is successful, they will add other street furniture.

**OTHER BUSINESS:**

Mr. Neale requested that the Town Planner provide additional explanation of applications before the Planning Commission in the packets including procedural guidelines. Ms. Sicuranza agreed that it would be helpful, especially for new members.

**A motion was made by Ms. Ketelsen , seconded by Mr. Bassett and so voted unanimously to adjourn the meeting at 8:35 p.m.**

Respectfully Submitted,

Meg Parulis, Town Planner