

APPROVED

Town of Westbrook  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Monday, August 13, 2012  
Multimedia Room – Mulvey Municipal Center

Members Present: Marilyn Ozols, Chair; Bill Neale, Vice Chair; Phil Bassett, Sec; Carole Ketelsen; Eric Reeve, Bob Furno (alt.), Libby Waldron (alt.)

Also Present: Meg Parulis, Town Planner

Ms. Ozols called the meeting to order at 7:02 p.m. and noted all regular members were present so no alternates would be seated.

**SUBDIVISIONS:** None

**TOWN AND GOVERNMENT AGENCY REFERRALS:**

1. Proposed Use of Town Property Ordinance

Ms. Ozols asked for comments from Commission members on the proposed ordinance. Ms. Parulis offered that the ordinance was drafted in response to complaints about dogs on the town beach and included provisions for Special Events permits on town property. She also relayed that she was told an ordinance was required in order to have the rules enforced by the police. As the ordinance is written, the police would issue citations and the Board of Selectmen would act as the citation hearing officers in the event of an appeal. Before discussing the merits of the proposal, Ms. Parulis called the Commission's attention to a map showing all town properties. She also noted that the Conservation Commission is recommending that language be added to the proposed ordinance to exclude Open Space properties governed by the Open Space Ordinance.

Ms. Ketelsen agreed that the rules were not appropriate for greenways and horse trails. She also felt that dogs should always be on leashes.

Mr. Reeve suggested that dogs be allowed "off-season" from Oct. 1 to April 30<sup>th</sup>.

Mr. Bassett noted that Special Events should include more than concerts.

Mr. Furno felt that there should be more flexibility on the policy concerning alcohol on town property. Ms. Parulis suggested that perhaps it could be allowed as part of a Special Event permit with appropriate insurance or bonding requirements.

Mr. Bassett thought that the language in Section g) "Other Activities" concerning firearms needed to be updated to include air guns.

Ms. Ozols recommended that the ordinance be reviewed further to determine potential conflicts with existing ordinances. Ms. Parulis provided a list of other town ordinances related to use of public property.

Ms. Waldron commented that the fines seemed reasonable.

At the end of the discussion, Ms. Ozols directed Ms. Parulis to write a letter summarizing the Planning Commission comments to the Board of Selectmen.

**ZONING REFERRALS:** None

**BILLS:**

GENERAL ACCOUNTS		SPECIAL FUNDS	
1. Rec. Sec. – Stella Beaudoin	\$165.00	1. Historic Survey	\$4,000.00
2. Engr. – Woodard & Curran	\$1,289.01	2. Aerial Buy-up GIS	\$
3. Legal – Branse, Willis, Knapp	\$		
4. Legal Ads – Hartford Courant	\$79.20		
5. Supplies – Enterprise Computer	\$199.00		
WB Mason	\$259.35		
Cleverbridge	\$37.90*		
6. GIS - AppGeo	\$1,525.00		
7. Conferences – Meg Parulis-Hot Topics in Land Use Law	\$35.00		
8. Mileage – Meg Parulis	\$512.27		

\*FY 12/13

**Ms. Ketelsen made a motion seconded by Mr. Bassett to pay the FY 11/12 bills from the General Account. The motion was unanimously approved.**

**Ms. Ketelsen made a motion seconded by Mr. Neale to pay the FY 12/13 bill (Cleverbridge) from the General Account. The motion was unanimously approved.**

Ms. Ozols noted that the amount for the Historic Survey should be \$1,000 instead of \$4,000 because payment of \$3,000 was authorized at the last meeting. This is the final payment for the Historic Survey.

**Ms. Ketelsen made a motion seconded by Mr. Reeve to approve the final payment of \$1,000 for the Historic Survey from the Special Fund. The motion was unanimously approved.**

**MINUTES:**

**Mr. Neale made a motion, seconded by Ms. Ketelsen to approve the regular meeting minutes of June 11, 2012. The motion was unanimously approved.**

Mr. Neale made note of the fact that the minutes from April 9, 2012 have not yet been approved and should be included on the next meeting agenda.

**OLD BUSINESS:**

**1. Historic and Architectural Survey Update**

Ms. Parulis reported that the final paperwork had been submitted to the state for reimbursement and she was awaiting confirmation on a date for a public presentation by the consultant and a representative from the State Historic Preservation Office in Sept. or Oct.

**NEW BUSINESS:**

**1. Proposed Amendment to Sections 2.11.6 and 5.4 of the Subdivision Regulations concerning Maintenance Bonds and Width of Sidewalk.**

Ms. Parulis explained that the proposed amendment concerning Maintenance Bond requirements is in response to P.A. 12-182 which reinstated the ability of towns to require Maintenance Bonds (previously prohibited in P.A. 11-79). The language proposed is the same language that was deleted from the regulations when P.A. 11-79 was enacted. She called to the Commission’s attention a communication from Atty. Branse on the subject.

The second amendment increases the required width of sidewalks from 4’ to 5’. The wider sidewalk is needed to accommodate the equipment used to clear the sidewalks. She noted that the Zoning Regulations governing commercial development refer to the Subdivision sidewalk specifications. For this reason, she felt it necessary to act on this now rather than wait until the full Road Specifications were complete. She indicated that there had been two commercial developments on Boston Post Road that called the requirement for 5’ sidewalks into question. While they agreed to provide the 5’ sidewalk, they were not required to do so under the existing regulations.

Mr. Bassett expressed concern that the sidewalk specifications included in the proposed amendment did not include sufficient detail. Ms. Parulis responded that those details are included in the existing regulations and they were not included in the proposed amendment because they are not being changed.

Ms. Ozols suggested that a public hearing be scheduled for October to allow time for legal review and required referrals. Ms. Parulis indicated that there might be some additional changes recommended by Atty. Branse as a result of P.A. 12-182 and that she would report back at the next meeting.

### **REPORTS:**

1. Inland Wetlands – Ms. Parulis reported that the Inland Wetlands had approved the Middlesex Hospital application and continued the public hearing for the mini-golf application on Boston Post Road.
2. CRERPA – Mr. Neale reported that the merger of the Midstate Regional Planning Agency and CRERPA has been approved and the new organization will be called the Lower CT River Valley Council of Governments. The new office will be in Centerbrook. Ms. Ozols reported that a letter had been received requesting that a representative and alternate be appointed for the Town of Westbrook. Since there is no ordinance in place for the new Regional Planning Commission, the statutes will govern the appointment of new members. As with the previous agency, the regular member needs to be a member of the Planning Commission but the alternate does not. Ms. Ozols expressed her desire for Mr. Neale to continue to represent Westbrook on the new Regional Planning Commission. Mr. Neale indicated that he was willing to continue his service in that capacity.

**Ms. Ketelsen made a motion seconded by Mr. Bassett to nominate Bill Neale as the Planning Commission representative to the Regional Planning Commission. The motion was unanimously approved.**

Ms. Ozols asked Ms. Parulis to determine if the Board of Selectmen needed to endorse the appointment of Mr. Neale, and if so, to send a letter requesting such. She noted that an alternate member was still needed and asked if anyone from the Commission was interested. No one else from the Commission came forward, so a candidate will be sought from outside the Commission. Appointment of an alternate member will be carried to the next agenda.

3. Harbor Commission – Ms. Parulis reported that work was still underway on the Harbor Mgmt. Plan.
4. TCRC – Ms. Ozols reported that the remediation work had been completed under budget and that another STEAP grant application had been submitted by Ms. Parulis for additional funding to complete the project. Work has begun with the UCONN Community Research and Design Collaborative and a meeting will be scheduled with some key property owners in September.

### **CORRESPONDENCE:**

Ms. Ozols reported that the only correspondence were the memo from Atty. Branse and the letter from RiverCOG.

**Ms. Ketelsen made a motion seconded by Mr. Bassett to adjourn at 8:35 p.m. The motion was unanimously approved.**

Respectfully Submitted,

Meg Parulis, Town Planner