

Approved

WESTBROOK PLANNING COMMISSION
PUBLIC HEARING MINUTES
Monday, October 18, 2010
Multi-Purpose Room, Mulvey Municipal Center, 866 Boston Post Road

Chairman Ozols opened the Public Hearing at 8:04 p.m.

A quorum was established with the following Commission members present: Marilyn Ozols, Chairman, Carole Ketelsen, Libby Waldron (alt), Marie Farrell (alt), and Bill Neale. L. Waldron and M. Farrell were seated.

Also in attendance: Meg Parulis, Town Planner

1. 2010-001-P Re-subdivision Land of Paul J. Vumbaco, 7 lots on 35.52 acres including road construction, located on Toby Hill Road, Assessor Map 117, Lot 6 (formerly Assessor's Map 77, Lot E105). Waivers requested. Site walk conducted 9/8/10.

Attorney Edward Fitzpatrick, representing the applicant, stated all documents requested by the Town Planner have been submitted. He proceeded to enter the documents as exhibits into the record. These documents included: temporary turnaround easements over lots 6 & 7 (exhibit ZZ), Open Space A deed with temporary turnaround easement (exhibit YY), and while he stated they were not a requirement of the regulations, Transportation Guidelines of the Westbrook Board of Education regarding bus routes (exhibit AAA). Ms. Parulis noted the addition of the following two documents as exhibits: the letter from the Planning Commission to the Board of Selectmen re: discontinuance of Toby Hill Rd. in Westbrook dated 5/10/10 (exhibit TT) and a letter from Atty. Royston to the Essex Board of Selectmen re: discontinuance of Toby Hill Rd. in Essex dated 9/23/10 (exhibit UU).

Mr. Bob Doane reported on his meeting with the bus company and the Superintendent. Based on this meeting, it was agreed that the bus stop would be located on E. Pond Meadow Road, approx. a ½ mile from the subdivision. The bus currently turns around in this area, but has to back up. The Superintendent requested that the boulders currently restricting access to a dirt road be moved back by the Public Works Dept. so that the bus could make a full turn without backing up. The following note was added to the plans with regard to the bus stop: *"THE BUS STOP AVAILABLE TO RESIDENTS SHALL BE LOCATED AT EAST POND MEADOW ROAD APPROXIMATELY ONE HALF MILE FROM THE PROPOSED RE-SUBDIVISION OR AT ANOTHER LOCATION AS MAY BE ESTABLISHED BY THE WESTBROOK BOARD OF EDUCATION, PURSUANT TO ITS TRANSPORTATION POLICY #5131.1"* Ms Ozols stated she would be happier if it is additionally noted, with clear wording, that *"THERE WILL BE NO SCHOOL BUS SERVICE ON TOBY HILL RD OR ON JOSEPH'S CIRCLE"* in order to alert prospective buyers. Atty. Fitzpatrick and Mr. Doane agreed to clarify the wording.

Mr. Doane pointed out on a revised plan (exhibit EEE) where monuments had been added at all the lot corners adjacent to the open space, the private driveway improvements to the Wills property and the temporary cul-de-sac. Ms. Ketelson asked if the parking spaces would remain when the road goes through to Essex. Mr. Doane replied that they would remain along with the pavement extending to the roadway when the temporary cul-de-sac is removed. It was requested that a note be added to this effect. The discussion moved on to exploring the possibility of eliminating the sidewalk on the east side of Toby Hill Road and instead, creating a walking path behind the stone wall in order to minimize re-grading and preserve the stone wall. To accommodate this, the property line for the road would be moved approx. 10' behind the stone wall. Mr. Doane suggested a bark mulch path to avoid cutting trees. Commission members felt that a more permanent surface would be desirable. When asked about maintenance and

constructability, Mr. Doane explained that bark mulch would have to be replaced every three years, stone dust has a tendency to get lost to organics and a bituminous walkway would last approx. 20 years. Both stone dust and bituminous surface would require an 8" base which might disrupt the wall and adjacent trees. Ms. Ozols was concerned that no one will know the path is there if it is just bark mulch. Ms. Farrell suggested a path similar to the one north of Pequot Park Road. Ms. Parulis suggested that some kind of pervious geotextile be considered. The path would be owned and maintained by the Town. Ms. Ozols directed Ms. Parulis to research possible options and report back to the Commission with a recommendation. Ms. Parulis noted that in the event the Commission approves the walkway in lieu of a concrete sidewalk, a waiver request (exhibit BBB) has been submitted, and the plans would need to be modified accordingly including a detailed cross section of the walkway.

Mr. Doane went on to discuss the width of Joseph's Circle. Presently it is designed as a permanent cul-de-sac at a 20 foot width. Ms. Ozols stated that 20 feet is probably adequate for a cul-de-sac, but in light of the possibility of Toby Hill Rd. being discontinued and the poor intersection with E. Pond Meadow Road, it makes sense to plan for a possible through road, in which case the road should be at least 22'. Ms. Parulis confirmed with the Essex Planner that, if the road were extended into Essex, 22' would be acceptable. Mr. Doane agreed that 22' was an appropriate width and indicated that the change of width from 20' to 22' would not affect the current layout. He submitted a revised cost estimate for a 22' wide road (exhibit CCC & DDD).

Ms Ozols stated for the record, that since land in Essex was used to satisfy the Westbrook Open Space requirements, the land must be transferred to the Land Trust prior to Final Approval.

Noting that there were no members of the public present, Ms. Ozols closed the Public Hearing and directed Ms. Parulis to prepare a draft motion itemizing conditions of approval based on the items in the record and discussed at the hearing for the next meeting for possible action. The Commission must render a decision by Dec. 22.

The public hearing was closed at 8:54 p.m.

Respectfully Submitted,
Lisa DeMaria, Recording Secretary