

WESTBROOK PLANNING COMMISSION
REGULAR MEETING
Monday, December 13, 2010

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

Call to Order

Chairman Ozols called the meeting to order at 7:01 p.m.

A quorum was established with the following Commission members present: Marilyn Ozols, Chairman, Carole Ketelsen, Phillip Bassett, Libby Waldron (alt) Bob Furno (alt seated for Ashley Jones), Marie Farrell (alt seated for Bill Neale), Bill Neale (arrived at 7:05 p.m.).

Also present was Meg Parulis, Town Planner, Nancy Rudek, Zoning Official and Wendy Coffin, Town Engineering Consultant.

SUBDIVISIONS:

1. 2004-008-P Subdivision of 243 Grove Beach Rd. N (aka Fairway Estates), 3 lots on 6.69 acres including road construction, Assessor's Map 23, Lot W13. Conditional Approval granted 10/18/06 – expires 11/18/11. Request for Acceptance of Public Improvements (Fairway Lane) and Final Approval.

Chairman Ozols announced that discussion of this item is tabled until the next meeting to allow the applicant to respond to preliminary comments by the Town Engineer.

Discussion of item 2, Application of Michelle Morin, was deferred until after the Public Hearing to be held at 8:00 p.m.

At 7:05 Bill Neale arrived and Ms. Farrell was un-seated.

3. 2010-004-P-L Lot Line Revision of Wilson Riverview Estates, 2 Lots on .94 acres, located on 6 & 8 Osprey Circle, Assessor's Map 188, Lot 194 and Map 188, Lot 195. Date of Receipt 11/29/10. Decision by January 4, 2011.

Ms. Parulis explained that the Applicant desires to acquire a strip of land from the adjoining neighbor. The lots in question were created as part of Riverview Estates Phase II Subdivision. According to the definition of "Modification" in the Subdivision Regulations, subsequent changes to a lot's geometric configuration which differ from the approved subdivision map must be reviewed by the Planning Commission for compliance with applicable Zoning and Subdivision Regulations and must be approved by the Commission.

Ms. Parulis reported that the proposal has been reviewed by the Sanitarian for compliance with B-100a of the Health Code and also found to be compliant with the Zoning Regulations.

Ms. Ozols expressed concern over the lack of monumentation for the revised property line on the plan. Without these monuments, it is often difficult for property owners to determine property lines. She suggested that the applicant add three (3) concrete monument markers at the new lot corners.

The applicant, Mr. Moschella, questioned the necessity of monuments and expressed concern over the cost of same. He continued that the mylars and the deed clearly describe property lines. Ms. Ozols responded that the Subdivision Regulations require markers at all property corners. There was discussion on whether iron pins or concrete monuments would be required. Because of the irregular shape of the proposed property line, Ms. Ozols felt strongly that concrete markers would be appropriate to avoid future property line disputes. Commission members agreed that concrete markers would be prudent.

Mr. Neale made a motion to approve the application of J&R Moschella for a Lot Line Revision of Lots 4 & 5, Wilson Riverview Estates, located at 6 & 8 Osprey Circle, Assessor's Map 188, Lot 194 and Lot 195, with the condition that 3 concrete monuments at two outside corners and one inside corner are used to delineate the new lot lines.

This motion shall become null and void if the final plans and legal documentation necessary to carry this plan into effect are not delivered to the Town Planner within 65 days of this motion, in accordance with Section 2.9 of the Subdivision Regulations. Ms. Ketelsen seconded the motion.

Discussion followed.

Mr. Bassett commented that the use of monuments will make property line placement clear for the future.

The motion passed unanimously.

4. 2002-007-P Subdivision of Property of D'Aquila, 5 lots on 5.4 acres including road construction, located on Boston Post Rd. & Jakob's Landing, Assessor's Map 24, Lot N15. Conditional approval granted 12/16/02 – expires 12/16/12 – Modification of Final Approval to add drainage easement on Lot 4.

Ms. Parulis explained that in order to accommodate the actual drainage location, a drainage easement was added to Lot 4 after Final Approval but before the mylar was filed. In accordance with 2.10.1, the alteration of the plans requires re-approval by the Planning Commission.

Mr. Neale made a motion to grant Final Approval to the subdivision known as Property of D'Aquila, five lots, located on Boston Post Road, as shown on the plans prepared by Angus McDonald, Gary Sharpe & Associates, Inc. consisting of 3 sheets dated June 6, 2002, with revisions through October 27, 2010. This motion supersedes the approval granted September 13, 2010.

This action shall become null and void if the Final Subdivision Plan and other required documents are not delivered to the Town Planner within 65 days of this Motion, in accordance with Section 2.9 of the Subdivision Regulations.

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

TOWN AND GOVERNMENT AGENCY REFERRALS: None.

SELECTMAN'S REFERRAL: None.

ZONING REFERRALS:

1. Z2010-11 1333 Essex Rd. (CT Water Co.) –Special Permit Application for the replacement of an existing 10'x10' prefabricated building with a 12' x 16' prefabricated building and associated site improvements. Assessor's Map 68, Lot 120. Public Hearing scheduled 12/28/10.

Ms. Parulis reported that there appear to be no Plan of Conservation and Development issues with the proposal. The upgrade is required by CT Dept. of Public Health. The aesthetics of the building is not of concern since it is not highly visible from Essex Road. Members concurred.

Mr. Neale made a motion to find the application of CT Water Company (Z2010-11) to replace the existing 10'x10' prefabricated building with a 12' x 16' prefabricated building and associated site improvements at 1333 Essex Road consistent with the Plan of Conservation and Development goal to provide adequate water services to residents.

Ms. Ketelsen seconded the motion. The motion passed unanimously.

OLD BUSINESS:

Proposed Stormwater Regulations -

Chairman Ozols introduced Wendy Coffin, P.E. from Woodard & Curran. Ms. Coffin proceeded to review the proposed regulations with the Commission utilizing a powerpoint presentation showing the draft regulations in comparison with the existing regulations. The draft regulations (dated 12/8/10) were included in the Commission member packets.

Ms. Coffin noted that existing Section 2.2.6 entitled "Drainage Analysis" would be deleted and replaced with a new section entitled "Stormwater Management Plan" which outlines application requirements. Existing Section 4.12 through 4.12.14.2 would be deleted and replaced with a new section entitled "Stormwater Management" which outlines design standards. She noted that the proposed regulations are based on the 2006 DEP Stormwater Management Guidelines and good engineering practice. The next phase of the project will be to update road specifications to incorporate best management practices.

At the end of the presentation, based on Commission feedback, it was agreed that incorporation of some standard definitions would be helpful. Ms. Ozols felt that the bolded language in Sect. 4.12.2 needed some additional language to clarify intent. It was suggested that the words "from the site" be inserted after "runoff". Ms. Coffin offered that the location of required soil testing would be added to Sect. 4.12.4(8) based on comments received from Heidi Wallace. She will also revise Sect. 4.12.6 (2). Other editorial revisions include: Sect. 2.2.6(10) – replace the word "Town" with "Commission". Sect. 4.12.3(1)b. – add reference to Sect. 9.12 of the Zoning Regulation. Sect. 4.12.6(9) – add "in or within" in the second sentence after "Work".

The meeting was recessed at 8:00 p.m. to begin the Public Hearing for Application 2010-003-P-R.

The Regular Meeting resumed at 8:20 p.m.

2. 2010-003-P-R – Application of Michele Morin and the Town of Westbrook for a Re-Subdivision/Lot Line Revision involving a proposed land swap of .02 acres between property located at 497 Toby Hill Rand and land designated as Open Space for the Stannard Woods Subdivision, Assessor's Map 137, Lot 3 and Map 148, Lot 7.

Ms. Ozols asked if Commission members had any comments or questions regarding the application. There were no further questions.

Ms. Ketelsen made a motion to grant final approval to the application of Michele Morin for a Re-Subdivision/Lot Line Revision involving a proposed land swap of .02 acres between property located at 497 Toby Hill Rd. and land designated as Open Space for the Stannard Woods Subdivision, Assessor's Map 137, Lot 3 and Map 148, Lot 7 as shown on the plans entitled: Record Plan Resubdivision Land Conveyance Exhibit Prepared for Michelle M Daly #497 Toby Hill Rd., Westbrook, CT dated 11/22/10 revised through 12/8/10 prepared by Doane-Collins Engineering sht. No. 1 of 1 subject to the following:

1. Submission of a processing fee in the amount of \$50.00.

This action shall become null and void if the Final Re-Subdivision Plan and legal documents required to carry this plan into effect are not delivered to the Town Planner within 65 days of this Motion, in accordance with Section 2.9 of the Subdivision Regulations. Mr. Bassett seconded the motion. The motion passed 4 to 1 with Mr. Furno voting in the negative.

OLD BUSINESS:

Stormwater Regulations (Continued)

Ms. Parulis reported that these new regulations will allow for consistency between the Land Use Commissions. After the revisions discussed this evening are made, she will refer the regulations to the

Regional Planning Agency and adjoining municipalities for comments. The Planning Commission will have an opportunity to review the revised regulations at their next meeting.

The Commission thanked Ms. Coffin for her assistance in developing the regulations.

NEW BUSINESS:

Ms. Ketelsen made a motion to add Selection of a Consultant to conduct the Historic and Architectural Survey to the agenda. Mr. Neale seconded the motion. The motion passed unanimously.

Historic Survey

Ms. Parulis reported that a total of 7 proposals had been received in response to the RFP published in November. Copies of the top 5 proposals had been made available to the Commission members for review prior to the meeting through Google Docs. They included:

- Taylor & Taylor Assoc., DuBois, PA - \$18,000
- Epsilon Systems, Ridgecrest, CA - \$19,800
- Youngken Assoc., Wakefield, RI - \$19,500
- Heritage Partners, Redding, CT - \$18,300
- Heritage Resources, Norwalk, CT - \$20,000
- Associated Cultural Resource Consultants, Flushing, NY - \$20,000
- DMS Consulting Services, Mahwah, NJ - \$15,000

Firms were rated based on CT Experience, Writing Samples, References and the Overall Proposal including their understanding of the project. Amongst the top choices of the Commission members were Epsilon Systems, Youngken Assoc. and Heritage Partners. While members were impressed with the proposal submitted by Epsilon Systems, there was concern about the office being in California. Ms. Parulis noted that the historian that would be conducting the survey previously worked in CT and had the most experience conducting these types of surveys in CT. She also reported that the Town of Essex had recently hired Epsilon to conduct their survey. Mr. Bassett was impressed with the many years of experience of Youngken Assoc. and Mr. Furno favored Heritage Partners as the most local firm. Ms. Ozols noted that Epsilon Systems was the only firm to represent that a pedestrian survey would be conducted vs. a windshield survey. She also felt that their proposal demonstrated the best understanding of the project. While it was a difficult decision, Commission members agreed to award the contract to Epsilon Systems.

Mr. Neale made a motion to accept the proposal submitted by Epsilon Systems. Mr. Bassett seconded the motion. The motion passed unanimously.

BILLS:

General Accounts

WB Mason – Supplies	\$283.90
Suzanne Helchowski	\$100.00
Legal – Branse, Willis, Knapp	\$1,421.00
Legal Ad – Hartford Courant	\$51.48

Mr. Bassett made a motion to pay the bills as presented from the General Accounts. Mr. Furno seconded the motion. The motion passed unanimously.

Special Funds

Essex Printing – POCD Survey \$1,000.00

Mr. Neale made a motion to pay the bill as presented from the Special Funds. Mr. Furno seconded the motion. The motion passed unanimously.

MINUTES

Mr. Bassett made a motion to approve the minutes from the Regular meeting dated 11/8/10. Mr. Neale seconded the motion. The motion passed unanimously.

REPORTS:

POCD – Ms. Parulis reported that she is still receiving completed surveys. The deadline is December 15, 2010 and so far, approximately 100 surveys have been received. Ms. Parulis thanked Woodard and Curran for the use of their professional version of Survey Monkey to tabulate the surveys.

Inland Wetland – Did not meet.

CRERPA – Mr. Neale reported that “The Preserve” in Old Saybrook was discussed at the recent CRERPA meeting.

Harbor Commission – Ms. Parulis reported that work continues on developing a Harbor Management Plan. The state is reviewing the existing ordinance to determine what additional elements are needed to create a Harbor Management Plan.

Town Center Revitalization Committee – Ms. Ozols reported that the Board of Selectmen approved the request from TCRC to transfer \$19,000 from Capital Account to begin the preliminary plans and layout for the Town Center Parking Project funded by the STEAP grant.

CORRESPONDENCE:

Ms. Ozols reported that the Planning Commission was copied on a letter from the Westbrook Board of Selectmen to the Town of Old Saybrook regarding “The Preserve”. Copies of the letter to be sent were distributed but not discussed. Ms. Ozols explained that because the project might come before the Westbrook Planning Commission in the future, Commission Counsel has advised that there be limited discussion on the subject.

Mr. Neale commented on the benefits of a recent program he attended presented by the Connecticut Trust for Historic Preservation.

ADJOURNMENT

Ms. Ketelsen made a motion to adjourn the meeting at 9:10 p.m. Mr. Bassett seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Suzanne Helchowski