

**Westbrook Planning Commission  
Regular Meeting Minutes**

**January 14, 2019**

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

**MEMBERS PRESENT:** Marilyn Ozols, Chair; Phil Bassett, Secretary; Bill Neale (Regular Member), Tammy Niedzwicki (Regular Member)

Richard Newberg (Alternate Member) arrived at 7:03 p.m., seated for Eric Reeve

**MEMBERS ABSENT:** Eric Reeve

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

**SUBDIVISIONS:** none

**TOWN AND GOVERNMENT AGENCY REFERRALS:** none

**SELECTMEN REFERRALS:**

**1. Board of Selectmen C.G.S. 8-24 referral, Boundary Line Agreement, Town of Westbrook/Westbrook Land Conservation Trust, Tract 46, between Meadow Point Road and Big Creek.**

The purpose of this referral is to clarify an already existing boundary between the Land Trust owned parcel and the 2 Town owned parcels of land which comprise 3 small landlocked parcels in the tidal marsh. This land is separated by a wetland owned by the Stuart. B. McKinney Wildlife Foundation. Previously, the Town voted not to sell the 2 town owned parcels. This land has been surveyed and appraised. The Town Attorney Mike Wells has reviewed and approved this boundary agreement. This is being referred to the Planning Commission, the Board of Selectmen, and it will be going to Town Meeting as well.

The Westbrook Land Conservation Trust parcel is Map 186, Lot 030. The boundary line in question is in between the Town owned parcel which is Lot 031 and the Land Trust parcel, Lot 030, to its north. The land in the wetlands is part of parcel 29 which is owned by McKinney. This goes east to Big Creek.

**A motion was made by B. Neale to recommend approval of the deed as written for the Board of Selectmen C.G.S. 8-24 referral, Boundary Line Agreement, Town of Westbrook/Westbrook Land Conservation Trust, Tract 46, between Meadow Point Road and Big Creek as it is consistent with the Town Plan of Conservation and Development. The motion was seconded by P. Bassett and was approved unanimously.**

**ZONING REFERRALS:**

**A motion was made by P. Bassett to move item 2 under Zoning Referrals to item 1 under Zoning Referrals. The motion was seconded by B. Neale and was approved unanimously.**

**1. ZC2018-0017. 12/14 Westbrook Place, map 177, lot 007. Stephen Cline, Trustee, Owner: Jodi Iaccarino, applicant. Modification of existing Special Permit to allow space to be used for personal service/personal training in lieu of retail. ZC Public hearing 2-26-19.**

This is an application for a change of tenant. The Planning Commission was hopeful that this area could be used for retail for foot traffic.

Herb Clark, owner of the building, spoke. He said a lot of upgrades were made to the space to accommodate the kite store. Unfortunately, they weren't able to generate enough business.

J. Iaccarino, R.N. is looking to move into the space where the kite store was located. She does personal training and personal nutrition counseling and teaches Pilates, etc. She does training with body mechanics not machines. There is minimal equipment. She already has a very strong clientele and has been in business for 13 years. She is currently renting a space in the Gowrie building. She'd like to find a more permanent space.

E. Knapp explained that this use falls into the personal use category. It's not retail or commercial.

There is limited water flow, septic, etc. so this space has been difficult to fill. This use will generate some foot traffic and it is turning the area into a wellness area.

**A motion was made by B. Neale to find ZC2018-0017 consistent with the following recommendations of the Plan of Conservation and Development:**

- **Retail and service uses should be encouraged. Such uses can provide basic services, create a pedestrian-friendly ambiance which does not exist in a lot of other places and reduce the need to drive to suburban shopping destinations. (Page 107).**
- **Community character should be showcased through the preservation of historic buildings, the enhancement of streetscapes and overall good design. (Page 104).**

**The motion was seconded by T. Niedzwicki and was approved unanimously.**

**2. ZC2018-0016. Comprehensive Zoning Regulations amendment, affecting all parcels in Westbrook. Westbrook Zoning Commission, applicant. ZC Public Hearing 1/22/2019.**

B. Neale asked about whether or not the Plan of Conservation and Development should be referenced. He also asked about proposed blight regulations that could be added.

M. Ozols explained that everything regarding blight in the previous Zoning Regulations will be moved to these regulations.

There was discussion about how to handle Airbnb's in the Zoning Regulations. This is an issue that all shoreline towns are facing especially in beach associations. E. Knapp said some beach associations are better equipped to handle these situations through their regulations rather than the Zoning Regulations.

B. Neale also asked about enforcement for people who have chickens.

E. Knapp explained that you can't use wetlands when calculating acreage for the number of chickens. He also clarified definition of a "farm."

The Zoning Commission will be continuing the hearing because the regulations have to be reviewed by the CT DEEP for comments. They need more time to review it.

**A motion was made by T. Niedzwicki to approve ZC2018-0016 Comprehensive Zoning Regulations amendment, affecting all parcels in Westbrook. Westbrook Zoning Commission, applicant: ZC Public Hearing 1/22/2019 as written because it is consistent with the Plan and Conservation and Development. The motion was seconded by P. Bassett and was approved unanimously.**

**3. ZC2018-0018. 362 & 372 Boston Post Road, map 188, lots 181 & 182. 362 Post Road, LLC, owner; Black Hall Outfitters, LLC applicant. Modification of existing Special Permit to adjust/reduce boat slips, parking and add new building. ZC Public Hearing 1/22/2019.**

The applicant asked for more time, so this will be tabled to the next meeting of the Planning Commission.

**BILLS:**

GENERAL ACCOUNTS		SPECIAL FUNDS	
1. Recording Secretary – Sue Sprang	\$ 105.12		
2. Joseph Merritt & Company	\$ 88.11		

3.University of Connecticut	\$ 40.00		
Planimetrics (Sidewalk Plan)	\$3,000.00		

A motion was made by P. Bassett to pay the bills in the General Accounts as presented. The motion was seconded by B. Neale and was approved unanimously.

**MINUTES:**

**1. Regular Meeting – December 10, 2018**

A motion was made by B. Neale to approve the December 10, 2018 meeting minutes as presented. The motion was seconded by T. Niedzwicki and was approved unanimously.

**OTHER BUSINESS:**

**1. Review of Commission By-Laws-** M. Ozols said most aspects have been updated previously.

**2. Election of Commission Officers**

A motion was made by P. Bassett to continue the current slate of officers as follows: Marilyn Ozols as Planning Commission Chairman, B. Neale as Vice Chair and P. Bassett as Secretary. The motion was seconded by B. Neale and was approved unanimously.

**3. Sidewalk Plan - Status Update**

The draft Sidewalk Plan was distributed. She suggested that they schedule a Special Meeting with Mr. Chalder to review this probably around the end of February. Members suggested that John Riggio, Public Works Director be invited to the meeting.

**4. Plan of Conservation and Development (POCD) Implementation Status / Strategic Objective Management**

- a) **POCD Strategic Recommendations - POCD Implementation Status Management for Other Agencies**
- b) **POCD Updated Implementation Management Schedule**

M. Ozols explained that Commission members received a summary of changes and action items. Action items for other agencies need to be reviewed as well. This continues to be a work in process, but good progress is being made. M. Ozols thanked B. Neale for his work on this project.

**5. Community Connectivity Grant – Status Update**

E. Knapp has been trying to find an engineering firm that can do the work within the \$25,000.00 budget for the design portion. The engineering work cannot be included in the grant to be awarded. DTC Engineering has come in at \$25,000.00. E. Knapp will be going to the Board of Finance to review what he’s put together. He’s going to request to move forward with the contract with DTC. The letter from the CT DOT hasn’t been received yet. The letter needs to be received before the actual process can begin.

M. Ozols explained that part of the reason this is so expensive is because some of the sidewalks are in the State right of way. Therefore an Encroachment Permit is required. This is much more expensive than if the sidewalks were all being installed on town roads.

**REPORTS:**

- 1. Inland Wetlands and Watercourses Commission –** E. Knapp said the Vista plans are going through Inland Wetlands review.
- 2. RiverCOG –** There was nothing new to report.
- 3. Town Center Revitalization Committee –** M. Ozols reported that they received a one-year extension for the STEAP grant. The committee is making plans to maintain the plantings at the parking lot.
- 4. Coordinator**

There will be a meeting with the environment consultant to discuss the Hazard Mitigation Plan. There will be meetings with the Planning Commission, who will host the public hearings as well.

**CORRESPONDENCE:**

1. CT Bar Association Land Use Seminar, March 23, 2019 Wesleyan University, Middletown, CT

Every 2 years the CBA does a full day training that is very useful. M. Ozols encouraged Commission members to attend. The Planning Commission has a training budget which will cover the registration cost. T. Niedzwicki and R. Newberg indicated that they would like to attend.

**ADJOURNMENT:**

**A motion was made by B. Neale to adjourn the meeting at 8:13 p.m. The motion was seconded by P. Bassett and was approved unanimously.**

Respectfully submitted,

Kathleen King

Kathleen King, Recording Secretary