

APPROVED

WESTBROOK PLANNING COMMISSION
REGULAR MEETING
Monday, November 9, 2009

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

Call to Order

Chairman Ozols called the meeting to order at 7:05 p.m.

A quorum was established with the following Commission members present: Marilyn Ozols, Chairman, Phillip Bassett, Carole Ketelsen, Libby Waldron (seated alt), Marie Farrell (alt), Bob Furno (alt), and Bill Neale. Also in attendance included Meg Parulis, Planner.

Audience: Isabella Fusillo, David Royston

SUBDIVISIONS:

- 1. 2009-003-P-M1 – Modification of Subdivision of Gary & Patricia M. Widlitz to allow Lot 1 to be served by private well instead of public water. Property of Isabella Fusillo located at 170 Fiske Lane, Assessor's Map 27 Lot SF1B.**

Ms. Parulis reported that the subdivision referenced was approved in 1984. When the subdivision was approved, the intent was to use public water to serve the lots. However, in this instance, due to the length of the extension, a private well is being requested. If a private well is used it would be considered a modification from the original approval. Ms. Parulis continued that the plans have been reviewed by the Sanitarian and found to comply with Public Health Code. In addition, the Sanitarian felt that the well location would not adversely impact the adjoining property due to the fact that the proposed well radius overlaps more or less with the existing well radius on the adjoining property and would therefore not limit the area available for a septic system upgrade.

Ms. Fusillo reported that the public water line to the house on the other subdivision lot was constructed several years ago and runs under wetland areas. The water company will no longer run lines under wetlands and in order to use the public water, she would need an easement from the neighbor to the west. Thus far, she has been unable to obtain such an easement; therefore, she is requesting to use a well.

Ms. Ozols expressed concern that the proposed well radius would not be contained on the property and could impact adjoining properties both presently and in the future. Upon further inquiry, it was revealed that the well on the adjoining property was no longer in use and could be abandoned which would change the Sanitarian's assumptions.

Mr. Royston, Attorney for the applicant, presented a map of the 1984 approved subdivision which included the water lines. He reiterated that the original intent was to extend the water line to serve the property in question. However, the CT Water Company will not extend the line due to the wetlands and lack of an easement.

Mr. Royston reported that negotiations with Robert Landino (neighbor) are on-going. Mr. Landino is doing due diligence with the water company as he is concerned that extending the water main could negatively affect the water pressure on his property.

Ms. Ozols suggested the possibility of locating the well where it would have less of an impact on the adjoining property. She added that since discussions/negotiations with the neighbor are on-going perhaps granting approval for a private well is not appropriate at this time. Mr. Neale concurred.

Ms. Ozols reported that in 1984, the intent was to have all of the lots serviced by the water line. She requested a more accurate area map, the proposed well radius and proof that it is not possible to extend the existing water main.

This matter will be continued to the December Planning meeting.

Ms. Farrell suggested that the POCD could address water line issues. Ms. Parulis responded that the standard procedure calls for water main work when roads are being re-paved. The location of the waterlines on private property poses a challenge.

2. 2001-005-P-R – Brittney Lane Re-Subdivision – Blue Point Construction – Road Acceptance

Ms. Parulis reported she has not yet received the updated legal documents necessary to accept the road. She anticipates receipt of same in time for the December meeting.

TOWN AND GOVERNMENT AGENCY REFERRALS: None.

ZONING REFERRALS: None.

OLD BUSINESS:

1. Plan of Conservation and Development Update

Ms. Parulis reports that the Committee continues to meet monthly. They are currently discussing the Affordable Housing Study and considering identifying sites for further study. They intend to meet with the local marina owners to solicit input on issues of concern that could be addressed in the POCD.

Ms. Ketelsen inquired on the criteria used to determine the Affordable Housing sites. Ms. Parulis responded that accessibility to public transportation, proximity to services and adequate infrastructure were considered. She continued that they have identified 6 sites for further study and have been approached by a few of those property owners interested in this type of development.

NEW BUSINESS: None.

BILLS:

General Accounts

Legal - Branse, Willis & Knapp - \$565.50

Engr. - Woodward Curran - \$1,927.50

Mr. Bassett made a motion to pay the above bills from the General Accounts. Mr. Neale seconded the motion. The motion passed unanimously.

Special Funds

POCD – Planimetrics - \$6,000.00

AH Study – Planimetrics - \$3,000.00

Brittney Lane - Talpey Construction, LLC – sidewalks - \$900.00

Ms. Ketelsen made a motion to pay the above bills from the Special Funds. Mr. Neale seconded the motion. The motion passed unanimously.

MINUTES – Regular Meeting – October 19, 2009

Ms. Ketelsen made a motion to approve the October 19, 2009 minutes, with amendments. Mr. Neale seconded the motion. The motion passed unanimously.

Amendment: Page 2 – Motion to be expanded to include reason the application is consistent with the Master Plan.

REPORTS:

Inland Wetlands and Watercourses Commission – Ms. Ketelsen reported that work on the Miele property is progressing. There is a Public Hearing scheduled for January.

CRERPA – Mr. Neale reported that the agency is still trying to deal with budget cuts, noting that the State Funds for Regional Planning Agencies were cut by 85%. He went on to explain that there are talks about consolidating regions. CRERPA towns could possibly be combined with either New Haven or Middletown.

Harbor Commission – The meeting is scheduled for the week of November 16.

Town Center Revitalization Committee – No report at this time.

CORRESPONDENCE:

Ms. Parulis reported that a Land Use Academy Commission Training session is scheduled for 11/14/09.

Ms. Parulis reported that the state will soon be requiring that all returns of record be digital. In anticipation of this requirement, the Commission should consider requiring that subdivision applications and plans be submitted in a pdf format as well as paper copies. Ms. Parulis continued that the Land Use Department is exploring document management systems to create digital files for all applications.

Mr. Furno inquired about enforcement procedures as they pertain to the Wilcox property discussed at the October meeting. He reported that the lights remain on when the property owner informed the Commission that the lights were on a timer. Ms. Parulis responded that there is one light on the property that remains on. She continued that Zoning made the approval conditional on the lights being shielded. She added that this property has not yet received a CO and is still working on compliance. Ms. Parulis will bring the matter to the attention of the Zoning Official.

ADJOURNMENT

Ms. Ketelsen made a motion to adjourn the meeting at 8:22 p.m. Mr. Bassett seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Suzanne Helchowski