



ESSEX PLANNING COMMISSION

REGULAR MEETING

Thursday, July 12, 2018
7:30 p.m.

Essex Town Hall – Meeting Room A

DRAFT MINUTES

1. Call to Order and Seating of Members

Chairman Alan Kerr called the meeting to order at 7:30 p.m. In attendance for the meeting were Members George Sexton and Ralph Monaco. Seated for Member Erin Bogan was Al Wolfgram, and seated for Member Gary Riggio was Hope Proctor. Also in attendance was Alternate Jane Siris, Attorney Chris Smith, and petitioner Tom Evans. Town Planner John Guskowski participated via conference call.

2. Approval of Minutes – June 14, 2018 Regular Meeting

Motion to approve minutes of June 14, 2018 by Al Wolfgram, **seconded** by Ralph Monaco.
Motion carried unanimously.

3. New Business

a. Zoning Map Amendment Referral – Placing 26 Main Street, Essex entirely within the Essex Village District

Attorney Chris Smith of Shipman & Goodwin spoke on behalf of the applicant, Tom Evans, who owns the property at 26 Main Street. This property is currently split between the Essex Village District (along Main Street) and the Village Residence District (backing up to Middle Cove). He is seeking to move the zone line to make the entire property Essex Village District, which would provide smaller setbacks, increased coverage, and a wider variety of potential uses. Attorney Smith noted the Planning Commission's charge relative to CGS §8-3a and stated that the Plan of Conservation & Development was supportive of this proposal, as it opened up the potential of more activity in the Village Node. Tom Evans discussed his appreciation of the property and the potential for adding to the building or property.

Al Wolfram led a discussion about the changes in lot coverage based on the proposed zone, which is 10% for VR and 25% for EV, noting that this would allow for substantial expansion. The Commission discussed concerns about the sensitive residential character of the properties along Middle Cove as contrasted with the higher density of activity along Main Street. Jane Siris noted that she believed that a variance obtained through the ZBA would be a more appropriate path for the applicant. Attorney Smith questioned and Al Wolfram confirmed that because of the zone split, the setbacks and coverage of the more restrictive zoning district are applied. This would create a difficulty in doing any development wider than 15-20' in the front portion of the property. The Commission discussed the possibility of subdividing the land.

John Guskowski noted to the Commission that their task in this consideration was the goals and intent of the Plan of Conservation & Development, and discussions of setbacks and coverage ought to be zoning considerations that flow from the PoCD. He stated that it was his belief that the PoCD was unambiguously supportive of encouraging increased activity and a variety of uses in this area. Chairman Kerr noted that while the frontage did have EV zoning designation, the historic use was comparable with VR usage. Hope Proctor agreed that a variance would address the property owner's concern. Ralph Monaco inquired about neighbor concerns, to which Attorney Smith noted that there was a separate zoning process which included neighbor notifications. Chairman Kerr sought some consensus on the Commission's position. Attorney Smith reminded the Commission of their charge regarding the PoCD and the change to the Zoning Commission's vote requirements should the Planning Commission issue a negative recommendation. He proposed that the Planning Commission could issue a finding of compatibility with the PoCD, but expressing several concerns as discussed. John Guskowski noted the split in responsibility between the Planning and Zoning Commissions and the limit of the Planning Commission's charge on this matter. Ralph Monaco and Jane Siris expressed concerns about pushing a commercial-use district into established residential areas.

Chairman Kerr noted that the PoCD didn't necessarily have the correct answer to this matter, but acknowledged that the overall goal of the PoCD in this area was to promote more activity. He stated that the proposal was not inconsistent with the PoCD, but there were significant concerns. Al Wolfram stated that the PoCD should not apply to expansions of the EV district into VR areas. Chairman Kerr called for a motion.

Motion to issue an unfavorable comment on this referral by George Sexton, **seconded** by Al Wolfram. Ralph Monaco proposed the following amendment: **for reason that the proposal is not consistent with the Plan of Conservation & Development** and the amendment was accepted by both George Sexton and Al Wolfram. **Motion carried, with Ralph Monaco, George Sexton, and Al Wolfram voting in favor and Hope Proctor and Alan Kerr voting in opposition.**

b. Zoning Regulations Amendment Referral – Section 45, Accessory Apartments

The Commission reviewed the proposed amendment revision, focusing on the additional language included since the prior approved Regulation concerning Accessory Apartments. The Commission noted that nearly all of the areas of concern that the Planning Commission raised in the prior version had been addressed and the amendment was ready to proceed.

Motion to issue a favorable comment on the proposed amendment by Ralph Monaco, **seconded** by Hope Proctor. **Motion carried unanimously**

4. Old Business

a. Ad-Hoc Committee on Housing Options

Chairman Kerr stated that the Committee met on Tuesday, though announced guest Henry Resnikoff was unable to attend. He did send in some notes and responses to the Committee's questions, and would join them at a future meeting. The Committee did agree to put together an Affordable Housing Plan, and wished to discuss this with John Guskowski, particularly about identifying potentially developable properties. Chairman Kerr stated that Mr. Resnikoff offered to put the town in contact with potential developers if they were to assemble some property options and other source material about development in Essex. John Guskowski stated that he would meet with Chairman Kerr very soon to discuss the Committee's next steps. Chairman Kerr stated that the August meeting would be cancelled.

b. PoCD Implementation – Development Node Mapping & Regulations

John Guskowski stated that, given the discussion about the potential zone line adjustment, it was perhaps too soon in the PoCD implementation process to talk about a comprehensive overhaul or addition of an overlay. He provided an updated map of potential parcels to be included in any node-based overlay and discussed the overlay process. Al Wolfgram asked about how the map was generated, and John Guskowski stated that it was taken as a first step from the more free-form node area outlines in the PoCD. Ralph Monaco asked about environmentally or historically sensitive areas, and John Guskowski responded that the overlay was designed to be property- and project-specific and the two-step master plan/overlay process was meant to be very protective of sensitive character issues.

5. Report of Committees and Officers

a. Report from RiverCOG Representative

Chairman Kerr stated that the COG reviewed several inter-municipal zoning referrals, including a building height change in Cromwell along Route 372 and an agricultural use expansion in Durham. He stated that service to Shore Line East rail had been preserved, and that a new Nine-Town Transit bus route had been started up Route 81 between Clinton and Middletown.

b. Report from Economic Development Commission Representative

George Sexton noted that the former Wright's Restaurant was under new ownership and changes were proposed. There have been several interested requests for the former Bennie's Market, and that 5 North Main Street was under a new tenancy contract. Finally, the Marina was looking for a new restaurant tenant.

c. Planner's Report

John Guskowski reported that he had been requested by the First Selectman to proceed with applying for a moratorium from the Department of Housing for affordable housing appeals. The Commission discussed the requirements and goals of qualifying for a moratorium and agreed that this was an appropriate step to take. John Guskowski also reported that he would be meeting with Joe Budrow to discuss future Zoning directions.

6. **Correspondence & Invoices**

There were no items of correspondence or invoices.

7. **Adjournment**

Motion to adjourn by Hope Proctor, seconded by George Sexton. Chairman Kerr polled the Commission and determined that the August Planning Commission meeting would be cancelled. Motion carried unanimously. Meeting was adjourned at 9:14 p.m.

Respectfully submitted,

John Guskowski
Consulting Town Planner

RECEIVED FOR RECORD
7/17/2018 at 12:50
ESSEX, CT TOWN CLERK P.M.