

TOWN OF ESSEX
ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

REGULAR MEETING MINUTES – January 23, 2017

PUBLIC HEARINGS

Present: Alvin Wolfgram, Chairman
Larry Shipman, Vice-chairman
Jim Hill, Regular Member
Susan Uihlein, Regular Member
Adrienne Forrest, Alternate (for Bill Reichenbach)
Alternate members, Russ Smith and Jeffrey Lovelace

Absent: Bill Reichenbach, Secretary
Peter Sipples, Commission Legal Counsel

Also present: Joe Budrow, Zoning Enforcement Official

CALL TO ORDER: Alvin Wolfgram, Chairman called the Public Hearing to order at 7:00 PM. Seated for the public hearing were Regular Members Alvin Wolfgram, Larry Shipman, Jim Hill and Susan Uihlein. Alternate member Adrienne Forrest sat in for Bill Reichenbach.

Application 16-8(A) – Planning Commission – A petition for a text amendment to Section 45 (ACCESSORY APARTMENTS). Replacing existing section with new section.

Ms. Uihlein read into the record an Inter-Board Memorandum from Alan Kerr, Chairman, with comments from the Planning Commission.

Mr. Kerr spoke to the Zoning Commission about the revisions that the Planning Commission would like to make to modify Section 45 of the Regulations.

Mr. Wolfgram asked Mr. Budrow if he did any research on what the standards are for the minimum and maximum size of accessory apartments. Mr. Budrow compared the minimum and maximum sizes in five other towns in Connecticut.

It was mentioned that Regulation 45.4 will remain in effect.

Mr. Lovelace asked a question about Section 45-C.5 in the Regulations.

First Selectman Norman Needleman, ex-officio asked a question regarding detached apartments. He thinks people should be able to have an apartment above their garage even if the garage is detached, as long as there is a limit of two apartments allowed on the property.

Mr. Shipman has concerns about too many people having accessory apartments if the town makes it easy for them to do so.

Mr. Budrow will investigate this topic further for future discussion.

MOTION made by Larry Shipman, Vice-chairman to continue this application until the next scheduled meeting on February 27, 2017. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 16-14 – **Essex Boatworks, LLC, 9 Ferry Street**– A petition for Text Amendment to section 91 of the Essex Zoning Regulations.

Seated for the public hearing were Regular Members Alvin Wolfgram, Larry Shipman, Jim Hill and Susan Uihlein. Alternate member Adrienne Forrest sat in for Bill Reichenbach.

Ms. Uihlein read the public notice into the record.

Charles Mullen from Centerbrook Architects presented to the Commission and asked for a continuance.

Mr. Budrow entered five items into the record.

MOTION made by Larry Shipman, Vice-chairman to continue this application until the next scheduled meeting on February 27, 2017. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 16-15 – **Cellco Partnership d/b/a Verizon Wireless** – An application for special exception to co-locate 12 panel antennas attached to the water tower at 170 Main Street in Ivoryton.

Seated for the public hearing were Regular Members Alvin Wolfgram, Larry Shipman, Jim Hill and Susan Uihlein. Alternate member Adrienne Forrest sat in for Bill Reichenbach.

Ms. Uihlein read the public notice into the record.

Representatives from law firm Robinson & Cole were present. Attorney Ken Baldwin stood up to present to the Commission. He showed maps on how these antennas would extend coverage on the western side of Essex and surrounding towns and demonstrated four different levels of mhz.

Mr. Smith asked Attorney Baldwin a few questions in regards to the antennas.

Mr. Needleman requests that the Public Service Department is left some space on the tower in case it is needed to build out their public safety network.

Paul Fazzino, Jr. Essex Fire Chief does not foresee any problems with these antenna's being added.

The Commission asked Attorney Baldwin some additional questions.

Mr. Needleman spoke in favor of this application.

MOTION made by Larry Shipman, Vice-chairman to close this application. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

REGULAR MEETING

1. CALL TO ORDER

Alvin Wolfgram, Chairman called the Public Hearing to order at 7:00 PM. Seated for the public hearing were Regular Members Alvin Wolfgram, Larry Shipman, Jim Hill and Susan Uihlein. Alternate member Adrienne Forrest sat in for Bill Reichenbach.

2. APPROVAL OF AGENDA

MOTION made by Larry Shipman, Vice-chairman to approve the February agenda. Susan Uihlein seconded the motion. All in favor, **Motion carried, 5-0.**

3. NEW BUSINESS

Application 16-8A – **Planning Commission** – Continued to next meeting.

Application 16-14 – **Essex Boatworks, LLC** – Continued to next meeting.

Application 16-15 – **Cellco Partnership d/b/a Verizon Wireless** – An application for special exception to co-locate 12 panel antennas attached to the water tower at 170 Main Street in Ivoryton.

MOTION made by Larry Shipman, Vice-chairman to approve this application. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Appointment of a zoning commission member to be liaison to the Economic Development Commission – Russ Smith is considering the position.

4. **OLD BUSINESS**

Cumberland Farms Update – Cumberland Farms is working with the Department of Transportation regarding the roads and four changes that the DOT would like Cumberland Farms to make.

Essex Station Update – Everything is moving along nicely and they are working on meeting the conditions that the Zoning Commission has applied.

5. **RECEIPT OF NEW APPLICATIONS**

Application 17-1 – **CRR Main, LLC., 30 Main Street, Centerbrook** – An application to amend a previously-approved special exception to eliminate a condition that restricts the second floor to storage and an office.

No representatives were present. The owner and operator of the restaurant, Colt Taylor, would like to use the second floor as a mixed use. Half of the second floor will be office and storage space for staff, and the front of the second floor will be office space for rent.

The restaurant on the first floor will have reduced seating, changing the original plan of 130 seats to 102 seats.

MOTION made by Larry Shipman, Vice-chairman to accept this application as a site plan review (a minor modification to a site plan permit). Adrienne Forrest seconded the motion. All in favor, **Motion carried, 5-0.**

Application 17-2 – **River Properties, Inc., 37 Pratt Street** – A Petition for text amendment to the zoning regulations Section 71 to allow pre-existing residences as accessory use in the Waterfront District.

MOTION made by Larry Shipman, Vice-chairman to accept this application and put on the agenda for the next scheduled meeting on February 27, 2017. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 17-3 – **Essex Boatworks, LLC, 9 Ferry Street** – A Petition for text amendment to Section 71 to change the allowed building height to 35 feet.

MOTION made by Larry Shipman, Vice-chairman to accept this application and put on the agenda for the next scheduled meeting on February 27, 2017. Jim Hill seconded the motion. All in favor, Motion carried, 5-0.

Application 17-4 – **Teresa Patrick-Connell** – An application for Special Exception to approve a food service retail shop with seats to locate in a commercial space at 124 Westbrook Road.

MOTION made by Larry Shipman, Vice-Chairman to accept this application and put on the agenda for the next scheduled meeting on February 27, 2017. Susan Uihlein seconded the motion. All in favor, **Motion carried, 5-0.**

6. VISITORS AND GUESTS

None

7. REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT AGENT

Mr. Budrow is working on an updated zoning report to keep the Commission informed of all current affairs.

9. APPROVAL OF MINUTES

MOTION made by Larry Shipman, Vice-chairman to approve the minutes of the December 19, 2016 meeting with three corrections. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

10. CORRESPONDENCE AND PAYMENT OF BILLS

MOTION made by Susan Uihlein to approve a bill from Attorney Sipples, based on availability of funds. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

11. ADJOURNMENT

The next scheduled meeting is February 27, 2017.

MOTION made by Susan Uihlein to adjourn the meeting at 8:44 PM. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Shannon DeLorso,
Zoning Board Clerk