



ESSEX PLANNING COMMISSION

SPECIAL MEETING

Thursday, September 18, 2014

7:30 p.m.

Essex Town Hall – Auditorium

DRAFT MINUTES

1. Call to Order and Seating of Members

Chairman Tom Danyliw called the hearing to order at 7:30 p.m. Seated for the hearing were Vice Chairman Linda Herman, regular members Carla Feroni, and Alan Kerr. Seated for member Ralph Monaco was Claire Tiernan. Also in attendance were alternates John Ackermann, and Bob Laundry, Town Planner John Guskowski, Economic Development Coordinator Susan Malan, and several members of the public. First Selectman Norm Needleman joined the meeting at approximately 8:45 p.m.

2. Approval of Minutes: July 10, 2014

Motion to approve Minutes of July 10, 2014 by Claire Tiernan, seconded by Linda Herman.
Motion carried unanimously.

3. New Business

a. Public Forum on Plan of Conservation & Development Update – Centerbrook

Town Planner John Guskowski and Economic Development Coordinator Susan Malan updated the Commission on the work of the Centerbrook Visioning group, which was organized through a grant from the Connecticut Main Street Center. Susan Malan commended the group and the coordination of Annie Kline of CME Associates, and stated that the intent of the group was to continue meeting regularly to push forward with Village improvement projects. The final recommendations of the Visioning project were presented to the Planning Commission structured as draft language that could be included in the Plan of Conservation & Development. Chairman Danyliw stated that he would like to keep Centerbrook Village updates as a standing item of Old Business on Planning agendas.

Carla Feroni asked about some of the recommendations of the Visioning group and clarified that any sidewalk or crosswalk improvement would meet ADA requirements. The Commission discussed the idea of on-street parking in the area of the Centerbrook Plaza and agreed that the major purpose should focus on traffic calming and minimizing dangerous traffic and parking conditions. John Guskowski stated that the Selectmen had asked him and Susan Malan to work on a STEAP grant to implement some of the Vision's recommendations. He asked Planning to consider and comment on the recommendations of the report.

Chairman Danyliw asked about affordable housing at Spencer's Corner. Robin Andreoli of the Community Music School stated that the building had substantial vacancy and had several "loft" spaces that would fit well as residential units. The Commission discussed the concept of housing in this location and reached a consensus that this would be strongly supported by PoCD goals.

The Commission discussed implementation of the recommendations of the Centerbrook report relative to other potential STEAP projects. Linda Herman stated that Planning and EDC should have a list of priority projects to recommend to the Selectmen, and Alan Kerr suggested that the Planning Commission add this idea to a future agenda for discussion, including the 8-24 referral process.

John Ackermann stated that the Visioning process was very well conducted, and was a very efficient way to provide input to the Planning Commission. Carla Feroni stated that public input at Commission meetings was also critical. Chairman Danyliw thanked Susan Malan and her committee for their excellent work.

b. Subdivision Approval Modification – Donald Meyer, 5 Rosewood Lane

Attorney Alex Tighe represented Mr. Meyer and explained that a strip of land at the end of Rosewood Lane that was originally intended to be a continuation of the road never was constructed and became a piece of town-owned land. Because of wetland issues and confusion about process, Mr. Meyer constructed a driveway across this land without clearance by the Town. He had been working with the Selectmen to acquire an easement to allow his driveway and utilities across the Town property. The Selectmen approved the easement pending the Planning Commission's approval. Linda Herman discussed the history of the subdivision and how the roadway was intended to continue, and Attorney Tighe stated that this easement wouldn't prevent any future road development. Chairman Danyliw asked if there was formal correspondence from the Town Attorney or the Selectmen. John Guskowski stated that the Selectmen's minutes were available, but no letter had come from them or from Attorney Royston. The formal request was being made by Mr. Meyer, the applicant. Chairman Danyliw polled the Commission and determined that they would delay action on this issue until more formal correspondence explaining the request was provided from the Selectmen or Attorney Royston.

c. Driveway Easement – Petersons, Rosewood Lane

John Guskowski explained that the Peterson property abutted the same strip of Town land on Rosewood Lane and Attorney Royston suggested via email that when Planning approves of an easement for Mr. Meyer, they should consider authorizing the Petersons to access their property across this land as well. The Commission will await formal correspondence and request from the Selectmen on this easement as well.

d. Zoning Referral: Proposed Amendment to Lot Coverage and Minimum Lot Sizes, RU and RUM Districts

John Guskowski discussed the regulatory background for this amendment, which resulted from an attempt in 2000 to reduce overall town density but was incompletely done. The reduction in maximum lot coverage immediately made hundreds of smaller parcels nonconforming and has resulted in repeated ZBA applications whenever a property-owner sought an addition or a driveway reconfiguration, etc. This amendment sought to correct this oversight and return the maximum lot coverage for smaller lots to

15%. First Selectman Needleman clarified that this was a regulatory fix, not a new policy direction. Chairman Danyliw stated that he understood the short-term fix, but wished to make it clear to the Zoning Commission that the overall policy direction of the Zoning Regulations should be changed. The new PoCD will be recommending increased densities in the Village centers to promote walkability, economic vibrancy, and community vitality. It should be made clear that larger lot size requirements in Village areas is not acceptable to Planning. The Commission, by consensus, agreed to support the proposed amendment but request that a broader Zoning overhaul be undertaken.

e. **§ 8-24 Referral: Transfer of Ownership of Land between Hickory Lane and Carol Drive to Town of Essex**

John Guszkowski and Norm Needleman explained this request from the Selectmen to approve the Town accepting ownership of a strip of land that was set aside for emergency access connecting Hickory Lane and Carol Drive. The original subdivision approvals required the homeowners' association to own, pay taxes on, and manage this piece, but that had fallen off over the years. Norm Needleman stated that it was in the Town's interest to own this strip and ensure that emergency access was maintained. John Ackermann stated that he was concerned about the precedent that this set relative to homeowners' association responsibility. The Commission discussed the sorts of easements and responsibilities that associations are required to take on in the subdivision process and how ongoing enforcement and management of these commitments is handled. Attorney Jeff Beatty, on behalf of the homeowners' association, stated that the back taxes have been paid on the land but the association was agreed that the Town should have the ownership and control of the emergency access. Carla Feroni noted that the Commission should proceed very carefully in the future when assigning ownership of subdivision elements in the future.

Motion to recommend transfer of ownership of the emergency access land to the Town of Essex, with the request that pedestrian access be maintained by Carla Feroni, seconded by Claire Tiernan. Motion approved 4-1, with Alan Kerr in opposition.

4. **Old Business**

a. **PoCD Updates and Next Steps**

John Guszkowski requested that the Commission review the content of the Centerbrook recommendations for suitability for insertion into the draft PoCD. Chairman Danyliw reviewed several pending topics for discussion by Planning, which include: Sustainability/Resiliency; Economic Development; Zoning; Conservation/Open Space; and Tax Abatement for Open Space. The Commission agreed that both Sustainability and Conservation discussions could take place in the same meeting, which will be October. The Tax Abatement discussion will be scheduled for November. John Guszkowski will invite the Land Trust and Conservation Commissions for next meeting, and will print copies of the Natural Hazard Mitigation Plan for review.

b. **Ivoryton MSIF Grant Update**

John Guszkowski presented the draft concept plan for Ivoryton Village developed by Anchor Engineering. He stated that the original street pavement treatment was reconsidered and was presented as a sidewalk treatment. There will be several new crosswalks, two of which will have elevated speed humps. New lighting will be added along Main Street to Gather, and in the Park as well. The seal of the Village will be

moved from the roadway to the curb nearest to the Playhouse. The Commission confirmed that the Fire Department will be consulted on the revision to the Main Street/Summit Street intersection. Carla Feroni noted that she would encourage the use of Low Impact Development stormwater management techniques. John Ackermann asked whether additional parking could be added to the Park lot, perhaps by modifying the planted island between the lot and Main Street. Linda Herman suggested this could be done with parallel spaces or by shifting the parking area slightly into the Park. Carla Feroni expressed concern about that and stated that the landscape island and Park land should not be reduced. John Guskowski noted that there is a net increase of parking in the Village in the proposed layout, though only by two or three spaces. He also discussed with the Commission the use of landscape plantings along the Echtman parking lot and the need to coordinate with ownership of that property to install and maintain the landscaping. He stated he would convey the Commission's comments to the designer.

4. Report of Committees and Officers

a. Report from Inland Wetlands Representative

John Ackermann stated that the Wetlands Commission had taken a site walk to examine a proposed shed location on Westbrook Road, and was working with the Ivoryton Land Trust to regulate some land clearing along the Falls River in Ivoryton. He reported that the Wetlands Commission stated that all Town Commissions should be cautious about granting property rights without giving enough thought to enforcement or ongoing management.

b. Report from RiverCOG Representative

Alan Kerr stated that the Regional Planning Commission had dealt with a number of minor zoning referrals, and had spent much of their time discussing a strategy for approaching the update of the regional PoCD, which they have targeted for completion in mid-2016.

c. Report from Economic Development Commission Representative

Bob Laundry stated that the EDC had a meeting with ZEO Joe Budrow to review the revised Zoning Regulations proposal regarding signage. He stated that progress had been made, but they anticipate an additional iteration of the proposal.

d. Chairman's Report

Chairman Danyliw had no additional report.

e. Planner's Report

John Guskowski noted that he included the Connecticut State Statutes concerning Planning Commissions in the mailing packet, as well as a notification of UConn Land Use Training taking place at Middlesex Extension Center on November 1. He stated that he had been working with Selectman Bruce Glowac on the Walnut Street Bridge replacement project, and the Town should be under contract with the engineers (WMC) soon. He reported that he had met with representatives of Cumberland Farms, who plan to apply for a site renovation of their Centerbrook location, and he and Susan Malan would be working with them to ensure that the new design was appropriate, pedestrian-friendly, and in keeping with the goals of the Centerbrook Vision. Finally, he and Carla Feroni reported that the Harbor Management Commission had given tentative approval for a dock with eight slips to the developer of the Foxboro Point

subdivision, but the dock would be associated with the “windmill” property, and thus was not technically subject to the terms of the subdivision approval. He stated that the DEEP had not yet permitted this application, and that he would research any statutory overlap between Planning and Harbor Management Commission oversight.

6. Correspondence & Invoices

Motion to pay invoice from CME Associates by Carla Feroni, seconded by Linda Herman.
Motion carried unanimously.

7. Adjournment

Motion to adjourn by Claire Tiernan, seconded by Linda Herman. Motion carried unanimously.
Meeting was adjourned at 9:52 p.m.

Respectfully submitted,

John Guskowski
Town Planner (Consulting)

RECEIVED FOR RECORD
09/22 2014 at 10:45 A.M.
Therese M. Fernald
ESSEX, CT TOWN CLERK ASSIST.