ESSEX PLANNING COMMISSION

REGULAR MEETING
Thursday, November 14, 2013
7:30 p.m.
Essex Town Hall – Room A

DRAFT MINUTES

1. **Call to Order and Seating of Members**
Chairman Tom Danyliw called the meeting to order at 7:30 p.m. Seated for the meeting were Regular members Linda Herman, Carla Feroni, Alan Kerr, and Ralph Monaco. Also in attendance were Alternates Claire Tiernan and Robert Laundy, Town Planner John Guszkowski and Attorneys Michele Maresca and Charles Rothenberger.

2. **Approval of Minutes:**
Motion to approve minutes of October 10, 2013 Regular Meeting by Ralph Monaco, seconded by Linda Herman. There were no corrections. Motion carried, with Alan Kerr abstaining.

Motion to approve minutes of November 4, 2013 Special Meeting by Linda Herman, seconded by Ralph Monaco. Alan Kerr noted that his name was spelled wrong at the end of page 2. Motion carried, with Carla Feroni and Ralph Monaco abstaining.

3. **New Business**
   a. **Proposed Settlement for River Sound Development (Ingham Hill Road) Subdivision Appeal**
   John Guszkowski gave an overview of the proposed settlement of the appeal, which had been developed and agreed upon by attorneys for all parties. He confirmed that he spoke with Commission Counsel Ken Slater that afternoon, who is in favor of the settlement, and read an email from Attorney Chris Smith, representing the plaintiffs, stating that they were also in favor of the settlement. The Planning Commission is essentially being asked to allow the mylars to be filed as a Conditional Approval, allowing for the postponement of any land transfer to the Essex Land Trust, posting of erosion/sedimentation bonds. No construction activities would be allowed and no building permits could be issued until all of those bonds and legal documents were in place. The Trust of Public Land has an option on the entirety of The Preserve, including this subdivision land, with the intention of protecting the entire property. There is a five-year statutory timeframe on converting the Conditional Approval to a full approval. Attorney Michele Maresca, for River Sound Development, confirmed that the terms of the settlement track State Statutory timeframes. John Guszkowski stated that this decision (if the Commission chooses to endorse the settlement) is not an appealable action of the Commission and does not require similar public notification as

a standard subdivision approval. Linda Herman confirmed that all legal fees are paid by the individual parties, and no other money is changing hands as part of the settlement.

Linda Herman made the following motion: Having placed consideration of the proposed settlement agreement in the case of *Evelyn B. Fortier; Kenneth Bombaci And Judith Bombaci v. Planning Commission Of The Town Of Essex*, Et. Al., DOCKET NO. MMX-CV 12-6008739-S on the agenda of this meeting of the Commission as required by Section 14-7a of the Rules of the Connecticut Superior Court and having reviewed the proposed settlement agreement, I move that it be approved by the Commission as a fair and reasonable resolution of the litigation. Motion seconded by Ralph Monaco. There was no additional discussion. Motion carried unanimously.

b. Route 9 Gateway Study

John Guszkowski referred to the GIS maps in the agenda packet and reminded the Commission that they had been interested in focusing on the Gateway area for its redevelopment and enhancement potential. Chairman Danyliw stated that given the Commission is in the process of updating the PoCD in a much broader and comprehensive way, perhaps it was not appropriate to spend a lot of time focusing too narrowly on this specific area. He stated that other Commissions, and the general public should be brought into the discussion about the Town's master plan.

The Commission began a general discussion on the best ways to obtain public input on the PoCD. It was agreed that the working draft of the Plan should be put on the Town website. Ralph Monaco suggested that an online survey would be useful, and John Guszkowski confirmed that this was a relatively simple process to put together. Carla Feroni stated that the Commission should go out to stakeholder groups to seek their input, including business owners, Essex Elementary School community, etc. Chairman Danyliw pointed to the success of the Ivoryton Village Study led by Linda Herman and Alan Kerr as an example of the successful involvement of stakeholders. Claire Tiernan pointed out that First Selectman Needleman was very interested in having Commissions working closely together and being on the same page. John Guszkowski pointed out that the pending Preservation of Place grant application would seek to do this sort of outreach and coordination in Centerbrook Village, and the results of this visioning exercise could be included in the PoCD update. Carla Feroni stated that it would be very important to have a strong Planning Commission presence on the Centerbrook project. Bob Laundy stated that Economic Development Commission is very supportive of the Centerbrook project and will be involved.

Ralph Monaco stated that for the last PoCD update, the Commission held six public forum sessions to gather public input, and CRERPA helped with surveys. Chairman Danyliw suggested holding workshops focused either on topics or on geographical areas. Alan Kerr suggested that geographic sessions, one focused on each of the five "nodes" in the draft Plan, would be the better approach. Claire Tiernan suggested that outreach should include making sure the Libraries had copies of the current PoCD. Ralph Monaco suggested methods for contacting property owners in the village cores and inviting them to the discussion sessions. Chairman Danyliw suggested holding the discussions in conjunction with regular Commission meetings in 2014.

Each of the three villages of Essex, Centerbrook, and Ivoryton, plus the development nodes of Bokum and the Gateway would be the session topic, and the Commission would bring in issues of housing, economic development, transportation, natural resources, etc. There was a discussion among the Commission about advertising the sessions to different generations and the impact of terminology like "affordable housing."

John Guszkowski stated he would work with Marianne Sullivan of the Valley Courier and Charles Stannard of ValleyNewsNow.com on promotion and advertising of these sessions. He will present a proposed schedule of discussions at the December Commission meeting. Ralph Monaco suggested that the Town Historian should be involved as well. The Commission had a general discussion about recent developments in a proposed fish ladder at Tiley-Pratt Pond and the Energy Sustainability supplement of the current PoCD.

4. **Old Business**

a. **Final Endorsement – Orchard Heights Road (Riggio) Subdivision**
John Guszkowski stated that Attorney Royston had approved all of the legal documentation concerning Tom and Sally Riggio's approved subdivision off of Orchard Heights Road, and the mylars would be available for Chairman Danyliw's signature after the meeting.

b. **Natural Hazards Mitigation Plan**
John Guszkowski presented the final draft of the NHMP that was updated following the completion of the online survey by a dozen residents and the addition of some references to evacuation routes. The Plan is ready to be endorsed by the Commission and forwarded to the Board of Selectmen. He reminded the Commission that this Plan is an important administrative element to eligibility for pre-and post-disaster funding from FEMA.

Carla Feroni suggested that the Commission should review the Plan one more time before acting on endorsement in December. John Guszkowski reminded the Commission that the Plan has been available on the Town website for several months, and asked them to take one more look.

c. **PoCD Updates – Statement of Intent and Goals**
Chairman Danyliw stated that the Commission had completed its discussion of this topic during its consideration of the Route 9 Gateway project.

d. **Ivoryton and STEAP Grants**
John Guszkowski updated the Commission on the STEAP grant project, which was nearing completion at the Town Hall parking lot. The tennis courts would be completed in the spring, and the playscape should be installed this month. He stated that First Selectman Needleman will be moving forward with the Ivoryton Main Street grant project after the STEAP grant is complete. He will have a steering committee led by Selectwoman Stacia Libby. Alan Kerr and Linda Herman reiterated their interest in participating on the steering committee.

e. **Economic Development/Main Street Center**

Chairman Danyliw and Bob Laundy reported on the recent Main Street Center presentation at the Elementary School, and John Guszkowski described how it led to the decision to proceed with a Preservation of Place grant application, which will be due next week. Chairman Danyliw stated that he participated in a meeting with First Selectman Needleman and strongly advocated for the development of a vision and stakeholders group for Centerbrook Village. Bob Laundy stated that the Economic Development Commission will be writing a letter of support, and Chairman Danyliw confirmed that the Planning Commission's consensus was also in favor, and will work with John Guszkowski to submit a letter of support.

5. **Report of Committees and Officers**

a. **Report from Inland Wetlands Representative**

Claire Tiernan reported that there were no major applications before Wetlands, but several residents have experienced localized flooding from poorly-maintained culverts and stormwater catch basins. Wetlands Officer Joe Budrow and Public Works Director Dave Caroline will be following up. Linda Herman stated that Public Works responsiveness and service delivery, particularly during snow events, has been declining.

b. **Report from RiverCOG Representative**

Alan Kerr reported that the RiverCOG was still organizing itself around its goals and looking to formulate a comprehensive planning approach. He also reported the establishment of a Regional Agriculture Council, which would be meeting monthly at RiverCOG. John Guszkowski stated that David Sousa of Essex Garlic was the Town of Essex's representative.

c. **Report from Economic Development Commission Representative**

Bob Laundy reported that the EDC had been discussing the Town's Plan of Conservation and Development and was eager to participate in the update process. They also generally agreed that Zoning had not been doing a very good job in reflecting the goals of the PoCD through their regulations. There was also discussion about wayfinding signage and a branded signage look for Essex. John Guszkowski stated he could work with Susan Malan on seeking grant funds for this project.

d. **Chairman's Report**

Chairman Danyliw reiterated his commitment to reporting on meetings or communications he has on behalf of the Commission. In addition to the meeting with First Selectman Needleman about the Preservation of Place grant and his attendance at the Main Street Center presentation, he participated in a meeting with First Selectman Needleman and Zoning Chairman Al Wolfgram that encouraged the Planning & Zoning Commissions to work more closely together.

Bob Laundy suggested inviting other Commission members to upcoming Planning Commission meetings. Claire Tiernan added that the Town Energy Sustainability group would be receiving a presentation from Solarize Essex, a group seeking to help reduce costs of solar installations for individual residents.

e. **Planner's Report**
John Guszkowski reported that he was working with the Selectman's Office and the Capital Improvements Committee on developing cost estimates for municipal improvements, and specifically would be working on an application for Federal Bridge Program funding for the replacement of the Walnut Street bridge over the Falls River, which had been given a recent "poor" rating by the DOT.

6. **Correspondence & Invoices**
Motion to pay invoices from CME Associates and Dzialo, Pickett & Allen by Linda Herman, seconded by Alan Kerr. Motion carried unanimously.

7. **Adjournment**
Motion to adjourn by Linda Herman, seconded by Carla Feroni. Motion carried unanimously. Meeting was adjourned at 9:12 p.m.

Respectfully submitted,

John Guszkowski
Town Planner (Consulting)

RECEIVED FOR RECORD
11-15 2013 at 12:55 PM
Frances D. Nolin
ESSEX, CT TOWN CLERK