

ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

Monday, March 19, 2012

Town Hall – Auditorium

Essex, Connecticut

7:00 PM

PUBLIC HEARINGS

Call to order and seating of Members:

Chair Al Wolfgram called the meeting to order at 7:00 p.m.

Seated for the Public Hearing were Chair Al Wolfgram, Regular Members Susan Uihlein, Larry Shipman, Bill Reichenbach and Jim Hill.

Attorney Peter Sipples, Zoning Enforcement Agent Joseph Budrow were also in attendance.

Application 12-1 – Petition to amend the text to Zoning regulations sections 63A.2(J), 63A2.(J)(1), 63B.1, 63B.3, 63B.3(D), 63B.3(H), 63-2 (title), 63-2A, 63-2A.2(A), 63-2B.1, 63-2B.3 (Public Hearing to be closed by April 23rd)

Secretary Larry Shipman read into the record the Notice published in the Hartford Courant on March 8 and March 15th.

An Inter-Board Memorandum from Planning Commission Chair Tom Danyliw to Zoning Chair Al Wolfgram re: Proposed “Targeted Adult” Zoning Regulation Amendment was read by Secretary Larry Shipman. At its March 8, 2012 Regular Meeting, The Essex Planning Commission voted 4-1 to recommend to the Zoning Commission approval of the proposed application by Essex Glen LLC to modify the terminology in the Essex Zoning Regulations from “Active Adult” to “Targeted Adult” for the Residential Life Care District.

Attorney Terry Lomme presented for the applicant. They are looking to change the language from “active adult” to “targeted adult” for the 11-acre parcel on the east side of Bokum Road. A traffic study, done in 2007, considered these units but also phase 2 for a total of 100 units. It was studied as if condo units and determined to have no adverse affect. A new traffic study has been done and the open space buffer has been addressed.

The object of the project is the same, 55 and over, and shouldn’t have any affect on the potential buyers. There are no changes from the previous approval. Attorney Letter entered a letter into the record.

Rob Phillips, certified town planner from Ellington was asked to present by the applicant. He discussed the “age-restricted” community experience in Ellington and reviewed trends based on a Rutgers study. The “age restricted” terminology has taken on a negative connotation.

David Sullivan, from Milone and MacBroom, presented an update to the traffic study. In 2006 it was determined that there would be no impact, even with non-age restricted. The site line has been resolved since 2006. At the recent look, it was again determined that additional traffic from this development will not affect traffic. Ed Hoberman, owner responded to the question of "targeted" vs. "age restriction". It affects the promotion and marketing of the property.

Lois Ely, Harbor View, questioned the number of units, sidewalks, and the right of way that connects to Cedar Grove Terrace.

Dennis Robida, Cedar Grove Terrace, also discussed the right of way from Cedar Grove Terrace to Essex Glen Rd.

The Chair noted that the site plan will be reviewed when Essex Glen comes back for a special exception. The site plan was entered into the record.

Kay Tucker asked about the transportation study. 55 and over was taken out of the original Transportation study.

Mark Uihlein questioned the season of the transportation data. Joe Budrow reported that it was done in June 2010.

Edward Bliss, Harbor View South, asked if this would make it easier to get a mortgage? Attorney Lomme responded that this would make it easier to get a mortgage. Ed Hoberman stated, "The design attracts the end user".

Al Wolfgram asked if it is possible to have both "names", "over 55" and "targeted adult" in regulation.

Bill Reichenbach feels the term "targeted" is vague. Susan Uihlein agreed.

Attorney Sipples referred to Section 63 B.3(B).

Motion by Susan Uihlein and **seconded** by Larry Shipman to extend the Public Hearing to April 16, 2012. **Motion carried unanimously.**

Application 12 – 2 – Application for an accessory apartment to be located at 23 Rosewood Lane, Ivoryton. Charlene Patrick is the applicant. (Public hearing to be closed by April 23rd)

Secretary Larry Shipman read the Notice. It was published in the Hartford Courant on March 8 and 15.

Seated for the Public Hearing were:

Chair Al Wolfgram, Regular Members Susan Uihlein, Larry Shipman, Bill Reichenbach, and Jim Hill.

This is a 660 sq. ft. 1BR, 1 bathroom, 1 level addition attached to the garage solely for the applicant's mother to live in. Discussion on accessory/mother-in-law apartments. No correspondence from Deep River was received. It is within the side yard setback, and variances were received.

Motion by Larry Shipman to close the Public Hearing. **Seconded** by Susan Uihlein. **Motion carried unanimously.**

Application 12-3 – Application to locate a barbershop within a space at 61 Main Street, Centerbrook. Meagan Wozniak is the applicant. (Public hearing to be closed by April 23rd)

Secretary Larry Shipman read the Notice into the record. It was published in the Hartford Courant on March 8 and 15th.

Seated for the Public Hearing were: Chair Al Wolfgram, Regular Members Susan Uihlein, Larry Shipman, Bill Reichenbach and Jim Hill.

There was no correspondence. A letter from the Sanitarian signed off and approved two chairs. There is parking for 2 chairs. John Beveridge, EDC representative, brought a letter dated March 17th from Lee Thompson endorsing the project.

Motion to close the Public Hearing by Larry Shipman and **seconded** by Bill Reichenbach. **Motion carried unanimously.**

REGULAR MEETING

Seated for the Regular Meeting were Chair Al Wolfgram, Regular Members Susan Uihlein, Larry Shipman, Bill Reichenbach and Jim Hill.

NEW BUSINESS

Discussion and possible vote on Application 12-2 - Application for an accessory apartment to be located at 23 Rosewood Lane, Ivoryton. Charlene Patrick is the applicant. (Public hearing to be closed by April 23rd)

Motion by Larry Shipman to approve **Application 12-2**, for an accessory apartment at 23 Rosewood Lane, Ivoryton. The application is consistent with Sections 45, 130 and 120 of the Zoning regulations. **Seconded** by Susan Uihlein. **Motion carried unanimously.**

Discussion and possible vote on **Application 12-3** – Application to locate a barbershop within a commercial space at 61 Main Street, Centerbrook. Meagan Wozniak is the applicant. (Public hearing to be closed by April 23rd)
This is a 2-chair shop; approval is consistent with the Sanitarians report and the information on parking by the Zoning Enforcement Officer.

Motion by Susan Uihlein and **seconded** by Larry Shipman to approve the application with the stipulation that it is 2 chairs and consistent with Sections 120G and 130 A of the Zoning Regulations. **Motion carried unanimously.**

The owner of the property made a request to approve the Memorandum of Decision.

Motion by Susan Uihlein authorizing Chair Al Wolfgram to sign the Memorandum of Decision as soon as available. **Seconded** by Larry Shipman. **Motion carried unanimously.**

OLD BUSINESS

Application 11-6 The applicant was John Carlson. It was granted for establishment of a one-bedroom unit to a multi dwelling unit.

Motion by Larry Shipman to approve the Memorandum of Decision for Application 11-6. **Seconded** by Jim Hill. **Motion carried unanimously.**

RECEIPT OF NEW APPLICATIONS

No new applications

VISITORS AND GUESTS

REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT OFFICER

Approval of Minutes

Motion by Bill Reichenbach and **seconded** by Larry Shipman to approve the minutes of the February 27, 2012. **Motion carried unanimously.**

OTHER BUSINESS

Correspondence was received from the Planning Commission to look at Architectural Design Review Subcommittee Recommendations and Recommended Revisions to Zoning Regulations for Accessory Apartments. The Planning Commission will be invited to the May 21st meeting to discuss these recommendations.

Payment of Bills

Bills were received from Legal Counsel.

Motion by Susan Uihlein and **seconded** by Larry Shipman to approve payment of bills pending availability of funds. **Motion carried unanimously.**

Motion by Larry Shipman and **seconded** by Larry Shipman to go into Executive Session to discuss pending litigation and invite Zoning Enforcement Officer Joe Budrow and Attorney Peter Sipples. Motion carried unanimously.

Motion to adjourn at 9:20 p.m. by Susan Uihlein and **seconded** by Bill Reichenbach. **Motion carried unanimously.**

Respectfully submitted,

Sandra Meinsen
Recording Secretary