

**ESSEX ZONING COMMISSION
29 WEST AVENUE – ESSEX, CT 06426**

**Monday, September 17, 2012
Town Hall – Conference Room A
Essex, Connecticut
7:00 PM**

The meeting was held in Conference Room A. Present were Chair Al Wolfgram, Vice Chair Susan Uihlein, regular member Bill Reichenbach, alternates Barbara Zernike and Robert Connelly. Also in attendance were Attorney Peter Sipples and Zoning Enforcement Officer Joe Budrow.

PUBLIC HEARING

Application 12-15 – Frank Sciame, Jr.

A petition to amend the zoning map by relocating a district line on the property of 1 Foxboro Road. This application proposes to extend the district line farther along Foxboro Road to the northeast corner of the property line and then to run southward along the property line to North Cove. (Public Hearing to be opened by September 19, 2012)

Notice was read into the record by Susan Uihlein.

Seated were Chair Al Wolfgram, Vice Chair Susan Uihlein, Bill Reichenbach, alternate Robert Connelly for absent member Larry Shipman, and alternate Barbara Zernike for absent member Jim Hill.

Also in attendance were Zoning Enforcement Officer Joe Budrow and Attorney Peter Sipples.

Because two regular members were absent and there is an issue with the Planning Commission, it was determined to open the Hearing but continue it to next month.

Motion to continue the hearing to October 22 by Barbara Zernike and **seconded** by Susan Uihlein. **Motion carried unanimously.**

REGULAR MEETING

1. NEW BUSINESS

Discussion and possible vote on **Application 12-4 – River Properties** - A petition to amend the zoning text to Zoning Regulation Section 71 by adding a new section, 71 A.5

Because the Planning Commission rejected it, four members were required to vote.

Seated were Chair Al Wolfgram, Bill Reichenbach, Susan Uihlein and Barbara Zernike.

- **Discussion and possible vote on Application 12-15** – A petition to amend the town Zoning map by relocating a district line on the property of 1 Foxboro Road. This application proposes to extend the district line farther along Foxboro Road to the northeast corner of the property and to then run southward along the property line to North Cove.
This was continued until October.

2. OLD BUSINESS

- Al Wolfgram met informally with the Vice Chair of the Gateway Commission and Torrance Downes and it was decided that it would be productive to have one or two members come to a meeting of the Zoning Commission on a workshop basis to discuss Zoning's comments and how it would affect the regulations and review Gateway's response to them. It was decided to put this on the November agenda.

3. RECEIPT OF NEW APPLICATIONS

Resubmission of Application 12-16 – in the Business District, this application was regarding the conversion of a building back to a multi-family dwelling at 17 Plains Rd. The applicant is Michael Belinger.
The checklist was reviewed. Soil testing was done.

Motion by Barbara Zernike to accept **Application 12-16** and set the Public hearing for next month. **Seconded** by Bill Reichenbach. **Motion carried unanimously.**

4. VISITORS AND GUESTS

There were none.

5. REPORT FROM LEGAL COUNSEL

Attorney Sipples -nothing to report

REPORT FROM ZONING ENFORCEMENT AGENT

Joe Budrow reported that he is closer to getting Calamari to modify a previous approval, which requires a new site plan.

Many signs have had to be removed from public land.

Dunkin Donuts is working to keep delivery trucks off the road.

The letter to the railroad is almost completed stating that they are non-conforming and they must abide by regulations going forward.

Robert Connelly asked about Ivoryton Inn. There have been meetings to monitor what they can do, along with the Health Department and Fire Marshall.

Motion by Susan Uihlein and **seconded** by Robert Connelly to return to **Application 12-4. Motion carried unanimously.**

Seated were Al Wolfgram, Barbara Zernike for Jim Hill, Susan Uihlein, Bill Reichenbach and Robert Connelly for Larry Shipman.

The proposed amendment was a result of the Planning Commission's issue with lack of clarity regarding the size of dwelling and definitions. This was reviewed and clarified in a proposed amendment to Zoning Regulation Section 71. A separate section was proposed. Three sections of the Accessory Apartment regulations are applicable 45 C.3, 45 D.3, and 45 D.4 The proposed text was reviewed and discussed.

Susan Uihlein reviewed past minutes and was sufficiently informed to vote on the matter.

Motion by Al Wolfgram to approve **Application 12-4** with the amendment to paragraph 71.A.3; any accessory use or improvement including one dwelling, of a guard, caretaker or superintendent and his or her family. Said use shall comply with Section 45 C, 45 D.3, and 45 D.4. In the waterfront district, a minimum floor space of 1200 sq. ft. is need for any building in which a guard, caretaker or superintendent apartment is proposed but not including, the dwelling of either guard, caretaker or superintendent. This has the condition of the following definition: Guard, Caretaker or Superintendent is a person in charge of the protection, maintenance and/or care of a premise. This is effective November 11, 2012.

Seconded by Bill Reichenbach. **Motion carried unanimously.**

6. APPROVAL OF MINUTES

Motion to approve the minutes of the August meeting by Bill Reichenbach and **seconded** by Al Wolfgram. **Motion carried unanimously.**

7. CORRESPONDENCE AND PAYMENT OF BILLS

Correspondence and invoices were reviewed.

Motion by Susan Uihlein and **seconded** by Robert Connelly to approve payment invoices pending availability of funds. **Motion carried unanimously.**

Memorandum of decision for Essex Glen, Application 12-1, was reviewed.

8. ADJOURNMENT

Motion by Barbara Zernike and **seconded** by Susan Uihlein to adjourn at 8:00 p.m. **Motion carried unanimously.**

Respectfully submitted,

Sandra Meinsen
Recording Secretary