

TOWN OF ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

SPECIAL MEETING MINUTES – April 25, 2016

PUBLIC HEARINGS

Present: Alvin Wolfgram, Vice-chairman
Susan Uihlein, Regular Member
Jim Hill, Regular Member
Bill Reichenbach, Secretary
Alternate members, Adrienne Forrest, Russ Smith, Jeffrey Lovelace

Absent: Larry Shipman, Chairman

Also present: Joe Budrow, Zoning Enforcement Official
Peter Sipples, Commission Legal Counsel

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

Application 15-14 – Signature Contracting Group, LLC, 21, 27 and 29 Plains Road, Essex –
An application for site plan review to construct a multi-family affordable housing development consisting of 52 apartment units in three buildings.

Seated for the public hearing were Regular Members Alvin Wolfgram, Susan Uihlein, Jim Hill and Bill Reichenbach. Alternate Member Russ Smith sat in for Larry Shipman, Chairman.

Alvin Wolfgram, Vice-chairman submitted the following for the record:

Memo from Planning Commission dated January 19, 2010 regarding a review of the development of Incentive Housing Zones in Essex.

File information on the development of the business district.

Joe Budrow submitted the following correspondence:

Final submission from Lisa Fasulo, Health Director

Letter from Alvin Sarter, True Hold Essex LLC

Letter from Richard Kupchunos

Three letters from Malone & McBroom regarding traffic study

Mr. Budrow reviewed the dates that Signature Contracting Group has been on the Zoning Commissions agenda: 12/21, 1/25, 2/22, 3/21, 4/18, and 4/25.

Susan Uihlein reviewed the tapes from the April 18th meeting therefore making her eligible to sit for the April 25th meeting.

Attorney Joe Williams from Shipman & Goodwin presented in place of Attorney Tim Hollister. He did not have much to add since the April 18th meeting.

The public asked questions of fact:

Andrea Griffis-Inglis asked a question about the septic system and the sidewalk.

Wayne D'Amico asked a question about statute 8-30g and site plan approvals.

Dan McCurdy asked for clarification on when the commission's final decision needs to be made after extensions, etc. Mr. Wolfgram stated that the commission has 65 days from the close of the public hearing.

Gary Iadarola asked a question regarding health and safety.

Carol Linfield asked about if an impact study had been done within the fire department.

Dave Hertz asked if the commission had a legal memorandum regarding statute 830-g.

Kevin Dodd, President of Valley Railroad asked a question about public health and safety.

Mark Uihlein asked for the definition of affordable housing in Essex and what the current inventory is.

Jerri Macmillian asked a question about the three parcels of land.

Alan Field asked if the applicant had received state approval for this project.

Wayne D'Amico asked if we have a different zone in Essex that would permit this project.

Jackie Wolf asked if it was the town's idea or the developer's idea to go to the state. Mr. Wolfgram said that statute 830-g invites applicants to come in to a town that has less than 10% of affordable housing.

Kit Schellens asked if any inventory had been done on what the rental market is in town. Mr. Wolfgram said that the last study performed shows that there is a 1.56% affordable housing population in Essex.

Andrea Griffis-Inglis asked if we could go to the state and oppose the 830-g statute due to the railroad being located next door.

Elizabeth Bartlett asked a question on how the 1.56% affordable housing population is calculated.

Another resident asked if there is a limit as to the number of people per apartment. Attorney Williams stated that there may be something about that in the health code but he was not sure.

Wayne D'Amico asked a question about the neighboring property.

Ken Bombaci made a statement about the number of low income rentals in Essex and thinks the states study is incorrect.

Doug Johnson asked how the project is being funded and asked if any projections on crime have been done.

Jackie Wolf mentioned how worried she is if the economy or another unforeseen circumstance does not support this project in the future, therefore leaving the town of Essex with a vacant complex.

Wayne D'Amico asked what expertise and analysis had been done at the town's expense.

Andrea Griffis-Inglis had a question about the fire study and the occupancy of the buildings.

Another resident made a comment about the septic systems in the area.

Alan Field asked a question on how the Zoning Commission will make their decision. He also mentioned that he thinks changing a zone from commercial to residential is a serious matter.

The public in favor of the project made comments:

Marilee Mackinnon thinks having affordable housing in our area would help bring vitality to the town for a number of reasons.

Elaine Erdman also thinks it is important to offer affordable housing in our area, even if the population will be renters and not home owners.

Karen Burzin thinks that as long as this project is safe for all, she sees this as being an asset for this area.

Marilee McKinnon mentioned that this is not the historical area of Essex therefore no one should not be worried about this complex being an eyesore to the town.

The public in opposition of the project made comments:

Dan McCurdy does not feel that this project is suitable for this area. The housing would be located only 70 steps away from the railroad. It is only 30 to 40 steps away from an active

parking area. The scale of the project will alter the “step back in time” feeling of the railroad, and 50 foot tall buildings will loom over the steam train property. Mr. McCurdy is also concerned about the health of people living here because of the train smoke and the impact of noise on cardiovascular systems.

Kevin Dodd spoke about this property and why the railroad was not able to make it work for them when they looked into purchasing it in the past. He expressed his health and safety concerns.

John Senning made a comment that if Brooks and Rite Aid pharmacies got turned down in the past for safety issues, then why wouldn't this project get turned down? He does not feel that this is the proper location for this project.

Dave Harfst is concerned about the safety of the tenants.

Rob Galiette spoke about what the motivations are of the property owner and developer. He wondered if the developer would consider looking at a different piece of property in Essex that would be more suitable for a project such as this.

Wayne D'Amico made a statement that the project could be perfect for this area if at the proper scale, density, and design. He suggested that the zoning commission thinks this through very carefully.

Andrea Griffis-Inglis again expressed her concern with safety and traffic. She doubts the property tax would be sufficient to cover the additional police and fire personnel that would be needed plus teachers for the schools, etc.

Paul Scarparone, Chairman of the board of Valley Railroad and Principle of Acoustics LLC wanted to clarify a previous comment that had been made about his analysis. He stated that his analysis was based on the number of decibels of their trains from 100 feet away.

Alan Field believes that some towns have an ordinance of 45 decibels. Essex does not presently have any ordinance of this kind.

Theresa Lak does not think that having a housing complex next to a railroad is appropriate.

Ron Fortuna does not think that the fire department could handle a complex of this size if an emergency were to arise.

Ralph Herman is concerned if the train is blocking the road and fire fighters are not able to reach the apartment building in a timely manner should an emergency arise.

Dan McCurdy asked if the commission has asked the applicant why they want two buildings that are almost 50 feet high and 3 stories. Susan Uihlein said that the applicant previously stated that it is based on a financial consideration by the developer.

Andrea Griffis-Inglis thinks we should be getting a second opinion from a Fire Chief outside of Essex.

Mr. Williams wrapped up his presentation stating that there is no evidence to prove that building an apartment complex in this area is not a good idea. He thinks that this is a good developer that will provide something good to the community.

The commission made comments and asked questions:

Russ Smith asked how long the geometrics system has been around. Mr. Handfield said that the system has been there for at least two years.

Jeffrey Lovelace asked Paul Scarparone if the noise would be comparable to a chain saw. Mr. Scarparone commented that it would be twice as loud as a typical canister vacuum cleaner if sitting 10 feet away from it.

Jim Hill asked if the apartments will be equipped with all appliances. Mr. Williams said yes.

Attorney Williams mentioned that the zoning commission has a petition seeking intervention under the CT Environmental Protection Act. He suggested that the commission make a separate finding and vote on that petition, being that there is no evidence to support it.

MOTION made by Susan Uihlein to close the public hearing. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

SPECIAL MEETING

1. **CALL TO ORDER:** Vice-chairman Alvin Wolfgram called the special meeting to order at 9:28 PM. Seated for the Special Meeting were Regular Members Alvin Wolfgram, Susan Uihlein, Jim Hill and Bill Reichenbach. Alternate Member Russ Smith sat in for Larry Shipman, Chairman.

2. **APPROVAL OF AGENDA**

Agenda was approved with no changes or modifications.

3. **NEW BUSINESS**

Application 15-14 – Signature Contracting Group, LLC, 21, 27 and 29 Plains Road, Essex – An application for site plan review to construct a multi-family affordable housing development consisting of 52 apartment units in three buildings.

It was decided to move the discussion to the next regular meeting on May 16, 2016 so that Larry Shipman, Chairman can review the recording and be part of the discussion.

MOTION made by Susan Uihlein to extend the Public Hearing to May 16, 2016. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

4. ADJOURNMENT

The next scheduled meeting is May 16, 2016.

MOTION made by Jim Hill to adjourn the meeting at 9:33 PM. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

Shannon DeLorso,
Zoning Board Clerk