

TOWN OF ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

REGULAR MEETING MINUTES – November 28, 2016

PUBLIC HEARINGS

Present: Larry Shipman, Chairman
Alvin Wolfgram, Vice-chairman
Jim Hill, Regular Member
Bill Reichenbach, Secretary
Adrienne Forrest, Alternate Member (sitting in for Susan Uihlein)

Absent: Susan Uihlein, Regular Member
Russ Smith, Alternate Member

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

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

Application 16-8(A) – Planning Commission - An application for a text amendment to Section 45 (ACCESSORY APARTMENTS). Replacing existing section with new section.

Alan Kerr, Chairman of the Planning Commission spoke about the changes to the regulations that him and the Town Planner, John Guskowski have been working on, in hopes of making it easier for people to apply for an accessory apartment. Mr. Budrow and Mr. Kerr discussed the changes that they made to the commission.

Mr. Shipman mentioned that these apartments need to remain as such and not become rooming houses or hotels. They should be an accessory use to the property- not a new use.

Nancy Fischback from the Gateway Commission stated that their needs to be an annual affidavit by the owner saying that it is to be an accessory unit and nothing more.

Mr. Reichenbach read a letter from Mr. Kerr into the record.

Mr. Shipman opened up the meeting up to the public. One resident asked a question.

Mr. Wolfgram thinks we need some clarification on the regulation regarding story versus story grade.

Mr. Budrow and Mr. Guskowski will be meeting to work on the final re-write of the regulations.

MOTION made by Alvin Wolfgram, Vice-chairman to extend to the next scheduled meeting on December 19, 2016. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 16-12 – **Michael Belanger** – A petition for a Text Amendment to section 91 of the Essex Zoning Regulations.

Application 16-13 – **Essex Zoning Commission** – A Petition for Zoning Map Change.

Mr. Reichenbach read the following into the record:

- A public notice to open Application 16-12 and Application 16-3.
- A notice that was published in the Hartford Courant on November 24, 2016.
- An Inter-Board Memorandum from Alan Kerr.

Mr. Belanger is looking to have an inland marine storage facility, with RV storage as well.

Mr. Wolfgram asked a question to the applicant on how to access the rear lot of the property. Mr. Belanger mentioned there would be an easement coming in the driveway allowing for access to the rear lot.

Mr. Budrow mentioned that Mr. Belanger is planning on merging his two lots to make one big lot.

Mr. Belanger is looking to have a small marina with a specific amount of clientele to keep things clean and moving. He would like to include boats as well as RV's.

The Planning Commission recommended an 8-foot-high fence, which Mr. Belanger plans on doing.

Mr. Wolfgram has a concern that if Mr. Belanger also stores RV's (which are not part of a marina), would he want to sell cars etc. as well. Mr. Belanger assured that he would only be storing boats and cars.

The Commission had a concern with Mr. Belanger selling RV's that are being stored on his property. Mr. Belanger assured that he may do some sales of boats, but not RV's.

A town resident had a question about the registration of trailers in town.

A neighbor to the property spoke of no opposition. He does not think a fence is necessary and has no issue with looking at the boats being stored. The Commission agreed that a fence is most

likely necessary for security reasons. He also had a concern regarding the value of his property. Mr. Budrow referred him to the Town Assessor.

MOTION made by Alvin Wolfgram to close **Application 16-12** – **Michael Belanger**. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

MOTION made by Alvin Wolfgram to close **Application 16-13** – **Essex Zoning Commission**. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

REGULAR MEETING

1. **CALL TO ORDER**: Larry Shipman, Chairman called the Regular Meeting to order at 8:08 PM. Seated for the public hearing were Regular Members Larry Shipman, Alvin Wolfgram, Bill Reichenbach and Jim Hill. Alternate member Adrienne Forrest sat in for Susan Uihlein.

2. **APPROVAL OF AGENDA**

MOTION made by Alvin Wolfgram to approve the November agenda. Adrienne Forrest seconded the motion. All in favor, **Motion carried, 5-0.**

3. **NEW BUSINESS**

Application 16-8(A) – **Planning Commission** – An application for a text amendment to Section 45 (ACCESSORY APARTMENTS). Replacing existing section with new section.

Continued until next meeting on December 19, 2016.

MOTION made to amend the November agenda and put **Application 16-3** before **Application 16-2** for deliberation.

Application 16-13 – **Essex Zoning Commission** – A Petition for Zoning Map Change.

MOTION made by Mr. Wolfgram, Vice-Chairman to approve this application, effective December 28, 2016. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

Mr. Wolfgram read a Memorandum of Decision from March 17, 2008 written from Attorney Sipples.

MOTION made by Mr. Shipman to amend the approval of **Application 16-13** for consistency with the March 17, 2008 Memorandum. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

Application 16-12 – Michael Belanger, 70 Plains Road – A petition for Text Amendment to section 91 of the Essex Zoning Regulations.

MOTION made by Alvin Wolfgram to approve **Application 16-12** to be consistent with Attorney Sipples Memorandum of March 17, 2008 as applicable and with the following modifications:

- Storage of the boats to be to rear of property.
- Permission for the storage of registered RV's without the sales or service of RV's.
- Looking to amend this to remove the term "occasional" and say the brokering of sales of boats and boat trailers, no other vehicles.
- Change the wording to be an "inland marine and RV facility".

MOTION made by Larry Shipman to continue this application until the next public hearing on December 19, 2016. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

4. OLD BUSINESS

Gateway Commission - Nancy Fischback discussed the changes that they made based on what was discussed at the October Zoning Commission meeting. The goal is to craft language to accommodate Essex residents needs and accommodate Gateway as well. They will draft new regulations and the Zoning Commission will make a text amendment to the Zoning regulations.

The Zoning Commission must have a public hearing to adopt the new standards once all is finalized.

5. RECEIPT OF NEW APPLICATIONS

Application 16-14 – Essex Boat Works LLC, 9 Fairy Street – A petition for a text amendment within the zoning regulations to add a restaurant as an accessory use within the waterfront district.

Looking to amend Sections 20 (definitions) and Section 71 (waterfront district) of the zoning regulations.

MOTION made by Alvin Wolfgram to accept this application while referring it to the Planning Commission and Gateway Commission. The hearing is set for January 23, 2017. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

6. VISITORS AND GUESTS

None

7. REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT AGENT

Mr. Budrow submitted a handout to the Commission with a list of updates regarding past Commission approvals and current enforcements.

8. OTHER BUSINESS

MOTION made by Alvin Wolfgram to approve the 2017 Zoning Commission meeting schedule. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

The Commission discusses talking to the First Selectman and the Planning Commission to have someone from the Essex Economic Development Commission act as a liaison between The Zoning Commission and Planning Commission.

9. APPROVAL OF MINUTES

MOTION made by Mr. Shipman to approve the minutes of the October 17, 2016 meeting with two corrections. Mr. Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

10. CORRESPONDENCE AND PAYMENT OF BILLS

None

11. ADJOURNMENT

The next scheduled meeting is December 19, 2016.

MOTION made by Larry Shipman to adjourn the meeting at 8:56 PM. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

Respectfully Submitted,

Shannon DeLorso
Zoning Board Clerk