

TOWN OF ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

REGULAR MEETING MINUTES – November 27, 2017

PUBLIC HEARING

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

Absent: Alvin Wolfgram, Chairman
Susan Uihlein, Regular Member

Also present: Joe Budrow, Zoning Enforcement Official

Application 17-13 – **Cellco Partnership d/b/a Verizon Wireless** – An application for a Special Exception to locate equipment for a telecommunications facility at 6 Methodist Hill.

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

Mr. Reichenbach read the legal notice into the record.

Attorney Ken Baldwin from Robinson and Cole first presented on behalf of Verizon Wireless.

He explained that the other two sites that hold equipment are at their capacity and Verizon Wireless is in need of an additional location in town.

Attorney Baldwin presented plans to show the location of the church and the bell tower. The proposed equipment is to the rear of the church. Antennas are to be installed inside the bell tower structure. Radio heads are all located on the interior to the bell tower, and electric boxes are to be installed as part of the system of the facility. Antennas will be located to the south and equipment will be located on a platform to the rear of the church. The platform would be surrounded by wall type units and have a roof to help with blending in with this area of the church. Two 120-gallon propane fuel tanks will also be in the back portion of this area.

Attorney Baldwin said that this is a similar installation to what Verizon Wireless proposes in many towns across the state; cell phone companies utilize many tall structures and install their equipment inside the bell tower so as to allow the equipment to be easily hidden.

Ms. Forrest asked a question on whether the water tower at the Witch Hazel Factory would still be holding equipment. Attorney Baldwin said yes it would. However Verizon Wireless is in need of additional space, as per the proposal.

Attorney Baldwin demonstrated where the lines are on the town map.

Mr. Smith asked about the louvers and what the material is. Scott Chassie from All Point Technology Corporation explained what the louvers are made of and how the antennas can transmit through.

Mr. Smith asked if the generator is only for Verizon Wireless or if it is a shared piece of equipment. Mr. Chassie said that it is his belief that it will be shared.

Mr. Shipman asked if the company would generally lease their equipment to other phone companies. He said that their company would not. The church could if they choose to.

Mr. Budrow said that there's a chance that the propone tanks may not comply with the building code because of their close proximity to the building. Mr. Chassie addressed this issue and said that he doesn't think it will be a problem.

Mr. Budrow asked their team to go over the guidelines of compliance within the FCC standards. Attorney Baldwin reviewed these standards.

Richard McGrath, House and Grounds Representative from the church answered a question of Mr. Smith's regarding the existing scaffolding now at the church.

Mr. Smith asked how Verizon Wireless can access this equipment in the tower. Mr. Chassie said that it will be accessed from the existing stairwell on the property.

Public in favor of the application:

Richard McGrath, House and Grounds Representative from the church.

MOTION made by Larry Shipman to close this application. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

REGULAR MEETING

1. **CALL TO ORDER:** Larry Shipman, Vice-Chairman called the Regular Meeting to order at 7:19 PM. Seated for the meeting were Regular Members Larry Shipman, Bill Reichenbach and Jim Hill. Alternate Member Russ Smith sat in for Alvin Wolfram, Chairman. Alternate Member Jeffrey Lovelace sat in for Susan Uihlein. Alternate Member Adrienne Forrest was also in attendance.

2. APPROVAL OF AGENDA

No changes or modifications were made to the agenda.

3. NEW BUSINESS

Application 17-13 – **Cellco Partnership d/b/a Verizon Wireless** – An application for a Special Exception to locate equipment for a telecommunications facility.

Seated for the meeting were Regular Members Larry Shipman, Bill Reichenbach and Jim Hill. Alternate Member Russ Smith sat in for Alvin Wolfgram, Chairman. Alternate Member Jeffrey Lovelace sat in for Susan Uihlein. Alternate Member Adrienne Forrest was also in attendance.

The Commission had no additional questions or comments for this application.

MOTION made by Bill Reichenbach to approve this application. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

4. OLD BUSINESS

None

5. RECEIPT OF NEW APPLICATIONS

Application 17-15 – **Essex Economic Development Commission** – A Petition for a Text Amendment of the Zoning Regulations to Section 110 requesting off-street parking exemptions within the Essex Village District.

Mr. Budrow explained this application to the commission. Two referrals have been sent to the Planning Commission and the State of Connecticut being that it is a waterfront area.

Norman Needleman, First Selectman joined the board as Ex-Officio. He suggests having a text amendment for all three villages (Main Street in Essex, a section of Main Street in Centerbrook and a section of Main Street in Ivoryton). He also recommends withdrawing this application from the Economic Development Commission and amending it to include all three villages. He believes we need to lighten up on our regulations to coincide with the current times and make it easier for businesses in our area.

MOTION made by Bill Reichenbach to accept this application and schedule for a Public Hearing on January 22, 2018. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

6. VISITORS AND GUESTS

Norman Needleman, First Selectman and Ex-Officio stated that Mr. Wolfgram will not be rejoining the Zoning Commission as of December 1, 2017 and will instead be initially acting

as an Alternate Member for the Planning Commission. A replacement will need to be found for the Zoning Commission.

Mr. Needleman would like for John Guskowski from the Planning Commission to act as a consultant for the Zoning Commission.

Mr. Needleman and Mr. Budrow think that the sub-committee is probably 90% of the way through finishing the updated Zoning regulations.

An Attorney for the Commission will need to be decided upon by early next year, as Attorney Royston is only helping the Zoning Commission on an interim basis. The attorney fee may not be more than \$170 per hour. The attorney should only be used when needed. Mr. Guskowski will be available to act as a consultant for the Zoning Commission during the times when an attorney is not present.

The Board of Selectman met and is considering combining the Planning Commission and Zoning Commission being that Essex is primarily a fully developed town now and there will not be much subdivision left, therefore changing the role of the Planning Commission. They will be doing further research on this topic before any final decisions are made.

7. REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT AGENT

None

8. OTHER BUSINESS

Accessory retail use within the Limited Industrial District and the Business District will be discussed at a later date.

Election of 2018 Officers will be held at the next scheduled meeting.

Updates from Mr. Budrow:

Essex Station is working on submitting reports to Attorney Royston regarding language as conditioned in the Memorandum. Mr. Budrow thinks that the applicant is hoping to find renters in January or February of 2018.

Scotch Plains Tavern is coming to the Zoning Department soon to initiate the CO process and get signed off on by the Health Department, Zoning Department, and Building Official.

Wright's Grille has gone out of business.

Gary Dayharsh will be coming to the Zoning Commission soon for a change of use on his application.

The Commission members asked questions of Mr. Needleman regarding attendance of board members and what is considered acceptable.

9. APPROVAL OF MINUTES

MOTION made by Mr. Shipman to approve the minutes of the October 16, 2017 meeting with no corrections and the October 30, 2017 meeting with two corrections. Mr. Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

Corrections from October 30, 2017 minutes:

Page 2, 1st paragraph – under Questions of Fact”, the sentence should say that Mr. McGovern asked a question about how the pond will be protected. Not how the residences will be protected.

Page 3, 2nd paragraph – the word “form” should be ‘from’.

10. CORRESPONDENCE AND PAYMENT OF BILLS

None

11. ADJOURNMENT

The next scheduled meeting is December 18, 2017.

MOTION made by Jim Hill to adjourn the meeting at 8:10 pm. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

Shannon DeLorso,
Zoning Board Clerk