

TOWN OF ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

REGULAR MEETING MINUTES – August 20, 2018

PUBLIC HEARING

Present: Larry Shipman, Chairman
Jim Hill, Regular Member
Jeffrey Lovelace, Alternate Member
Robert Day, Alternate Member
Thomas Carroll, Alternate Member

Absent: Russ Smith, Vice-Chairman ^[P]_[SEP]
Bill Reichenbach, Secretary
Susan Uihlein, Regular Member
Joe Budrow, Zoning Enforcement Official

CALL TO ORDER: Larry Shipman, Chairman called the Public Hearing to order at 7:03 PM. Seated for the public hearing were Regular Members Larry Shipman and Jim Hill. Alternate Members Rob Day, Jeffrey Lovelace and Tom Carroll were seated for Russ Smith, Bill Reichenbach and Susan Uihlein.

Application 17-18 – Essex Zoning Commission – A Petition for a Text Amendment of the Zoning Regulations section 45 adding language to allow residential apartments on the same property as commercial uses.

Application 18-8 – Essex Zoning Commission – A Petition for a Text Amendment to introduce a new, formatted book of regulations with some additions and deletions of the current zoning regulations.

MOTION made by Rob Day to continue both applications (17-18 and 18-8) to a Special Meeting on September 10, 2018. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 18-13 – Tom Evans, 26 Main Street, Essex – A Petition for a Change to the Town zoning map to allow 26 Main Street, Essex, to be entirely within the Essex Village District.

The applicant's attorney has requested an extension.

MOTION made by Jim Hill to continue this application until the next Regular Meeting on September 17, 2018. Robert Day 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 7:08 PM. Seated for the regular meeting were Regular Members Larry Shipman and Jim Hill. Alternate Members Rob Day, Jeffrey Lovelace and Tom Carroll were seated for Russ Smith, Bill Reichenbach and Susan Uihlein.

2. **APPROVAL OF THE AGENDA**

Approved.

3. **RECEIPT OF NEW APPLICATIONS**

Application 18-15 – **Essex Zoning Commission** – A Petition for a Change to the Town Zoning Map proposing a changing of the River Road Residential District to a Rural Road Residential District. Also, to expand the Heritage Gateway District.

Seated for this application were Regular Members Larry Shipman and Jim Hill. Alternate Members Rob Day, Jeffrey Lovelace and Tom Carroll were seated for Russ Smith, Bill Reichenbach and Susan Uihlein.

MOTION made by Jeffrey Lovelace to accept this application and schedule for a public hearing on September 17, 2018. Tom Carroll seconded the motion. **Motion carried, 5-0.**

4. **NEW BUSINESS**

Application 17-18 – **Essex Zoning Commission** – A Petition for a Text Amendment of the Zoning Regulations section 45 adding language to allow residential apartments on the same property as commercial uses.

Continued to a Special Meeting on September 10, 2018.

Application 18-8 – **Essex Zoning Commission** – A Petition for a Text Amendment to introduce a new, formatted book of regulations with some additions and deletions of the current zoning regulations.

Continued to a Special Meeting on September 10, 2018.

Application 18-13 – Tom Evans, 26 Main Street, Essex – A Petition for a Change to the Town zoning map to allow 26 Main Street, Essex, to be entirely within the Essex Village District.

Continued until the next Regular Meeting on September 17, 2018.

Application 18-14 – MacBeth Ventures, LLC, 6 Main Street, Centerbrook – An application to modify a previous approval. A request to allow a new floor plan that contains an event space that could seat up to 100 patrons on any given date. This application was deemed as a minor modification not requiring a public hearing.

Russell Campaign from CK Architects represented on behalf of the client. The applicant has decided to get the beer and tasting room running before working on the full service restaurant.

The existing septic was driven by the restaurant use, but since the applicant has decided to hold off on operating the restaurant portion of the project at this time, town regulations now allow for double the capacity of patrons in that space. (Initially the restaurant seating count set them back). Therefore, the applicant is now requesting to modify their special exception to allow for a higher capacity of patrons.

Mr. Campaign presented their revised plans. He pointed out the parking area on the map and explained the few minor changes that the applicant is proposing to make. They would like to add 45 additional usable spaces that aren't being used on the property at the current time. They are also proposing to have an above grade propane tank installed.

Lighting, signage, etc. will remain the same as in the original special exception.

Mr. Lovelace asked if the propane tank was being used for heat. Mr. Campaign said that it is being used for heating and cooling as well as for the brewing facility.

The brewing will be done on-site. Mr. Campaign demonstrated on the map where each room will be located. There will be a designated event space that may be used for private parties, in-house events, corn hole tournaments, etc.

Mr. Day asked where the outdoor seating is. Mr. Campaign showed the area on the map and said that there will be seating for 30 people outside.

Mr. Day had concerns about outdoor seating being near the propane tank. Mr. Campaign explained that the propane tank is about 80 feet away and shouldn't cause any interference.

Mr. Shipman asked Mr. Campaign if the seats for the restaurant are based on septic flow. He had a concern that if there is a special event that is being catered, what would the effects of that be. Mr. Campaign stated that if there is any catering done on the premises, all preparation will be done off-site and therefore will not require the same kind of septic use as a full service restaurant.

Foods that are being offered to patrons will be pre-packaged foods. No food will be made on-site. Mr. Campaign mentioned that if the applicant does decide to expand the kitchen at a later date, there's a good possibility that the kitchen will go into an adjacent space and the septic system will need to be expanded to handle the capacity.

Mr. Lovelace asked if the event space is limited to 100 people or 100 seats. Mr. Campaign said that its limitations are based on the fire code.

The applicant is currently waiting on a letter of approval from Lisa Fasulo, Town Sanitarian.

Mr. Campaign mentioned that the applicant is hoping to open sometime around the new year.

Mr. Lovelace asked if there were any concerns about parking and the entry/exit to the parking lot. Mr. Campaign does not have any concerns at this time. Mr. Shipman mentioned that he feels the new parking lot access, for a business such as this, is much better now than it previously was.

Mr. Lovelace asked why the propane tank is not being buried. Mr. Campaign said that is a matter of cost for the applicant. He explained that its located off to the corner of the property and shouldn't be very visible to the public.

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

MOTION made by Jeffrey Lovelace to approve this application, with one condition of obtaining an approval letter from the Town Sanitarian. Rob Day seconded the motion. All in favor, **Motion carried, 5-0.**

Application 18-16 – Keith and Jane Bolles, 33 Foxboro Road, Essex – An application for a Site Plan Review to locate an accessory dwelling unit within an unfinished space over an attached garage.

The Commission reviewed the blueprints together and agreed that the prints comply with their regulations.

The applicant was not present at the meeting.

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

MOTION made by Rob Day to approve this application under the condition that the applicant will be in compliance with Section 45 of the Zoning Regulations. Larry Shipman seconded the motion. All in favor, **Motion carried, 5-0.**

5. **OLD BUSINESS**

Mr. Shipman mentioned that there is an application for a map amendment to amend the Heritage Gateway District by allowing them to expand it to include an additional 13 properties.

MOTION made by Larry Shipman to add The Gateway Commission to the agenda for the Special Meeting on September 10, 2018. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

6. **VISITORS AND GUESTS**

Doug Domenie, Regional Manager for Safe Harbor and General Manager of Dauntless Shipyard spoke to the Commission about a concept for Essex Island that he has been researching.

Now that Dauntless Shipyard owns Essex Island, he feels the island can offer a lot more than it does now. He explained that in the boating community, there used to be a lot of larger boats with accommodations on them, but now he is seeing a lot of day boats that have no or limited accommodations on them. He has thought about building cabins on the island but thinks it will be too troublesome with zoning and septic concerns. He does not feel that glamping (glamorous tents) would be a good option because if a storm was to hit, then furniture would have to be taken out of the tents, etc. Therefore, he feels the best option would be tiny houses. They would be kept on trailers and would not have to comply with building codes.

Mr. Domenie asked for the Commission's informal opinion on having tiny houses for boaters with overnight accommodations on the island. Something to attract more boaters to the area.

The tiny houses would be on a trailer and have a maximum width of around 11 ½ feet. They would have separate, contained restroom facilities. (They would still need to have holding tanks).

The property is already approved for restroom facilities for the number of boats that come to the island.

The beach area has been cleaned out this year so that it can be used by boaters.

Mr. Carroll had concerns of the area looking unpleasant with trailers being there, etc. Mr. Domenie assured him that it would have character but not be an eye sore.

Mr. Shipman is in support of this concept for Essex Island.

Mr. Lovelace is also in support of this concept. He asked Mr. Domenie if he has seen a change in the market in terms of what size boat people are renting. Mr. Domenie said that they are not seeing a big change in this part of the Connecticut River, but they are seeing changes in a lot of lower Connecticut areas and the Long Island area, plus other coastal areas where they do a lot of fishing (such as Florida).

Mr. Shipman thought it may be benefiting to them for Mr. Domenie to present to the Commission an informal layout of their plan.

This application would also need to go through The Gateway Commission.

7. **REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT OFFICIAL**

None.

8. **OTHER BUSINESS**

Application 18-5 – Janice Liscinski – An application for a Special Exception to locate a Dog Day Care Facility within a commercial space at 23 Saybrook Road.

Seated for this application were Larry Shipman, Jim Hill and Rob Day.

MOTION made by Rob Day to allow for Larry Shipman to sign a Memorandum of Decision for this application. Jim Hill seconded the motion. All in favor, **Motion carried, 3-0.**

Application 18-9 – HOPE Partnership, Inc. – An application for a Site Plan review to locate a 17-unit multi-family dwelling development, known as “Spencer’s Corner”, at 90 Main Street, Centerbrook. Application submitted under State Statute 8-30g.

Seated for this application were Larry Shipman, Jim Hill and Rob Day.

MOTION made by Jim Hill to allow for Larry Shipman to sign a Memorandum of Decision for this application. Rob Day seconded the motion. All in favor, **Motion carried, 3-0.**

Application 18-11 – Joseph and Karen DiRenzo, 3 New City Street – An application for a Site Plan review to locate an accessory dwelling unit within an existing detached garage.

Seated for this application were Larry Shipman, Jim Hill and Jeffrey Lovelace.

MOTION made by Jim Hill to allow for Larry Shipman to sign a Memorandum of Decision for this application. Jeffrey Lovelace seconded the motion. All in favor, **Motion carried, 3-0.**

Application 18-12 – Dong Kim, 31 Main Street, Centerbrook – An application for a Special Exception to locate a dry cleaning drop-off /pick-up facility.

Seated for this application were Larry Shipman, Jim Hill and Rob Day.

MOTION made by Jim Hill to allow for Larry Shipman to sign a Memorandum of Decision for this application. Rob Day seconded the motion. All in favor, **Motion carried, 3-0.**

9. APPROVAL OF MINUTES

MOTION made by Larry Shipman to approve the minutes from the July 16, 2018 meeting with no changes. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

10. CORRESPONDENCE AND PAYMENT OF BILLS

None

11. ADJOURNMENT

The next scheduled meeting is September 17, 2018.

MOTION made by Larry Shipman to adjourn the Regular Meeting at 8:08 pm. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Shannon DeLorso,
Zoning Board Clerk