



ESSEX PLANNING COMMISSION

**Regular Meeting
February 21, 2013
RiverCOG Office Meeting Room
145 Dennison Road, Centerbrook**

MINUTES

1. **Call to Order and Seating of members:**

Chairman Tom Danyliw called the meeting to order at 7:30 p.m. In attendance was Commissioner Alan Kerr. Seated for Linda Herman was Alternate Neil Nichols. Seated for Ralph Monaco was Alternate Claire Tiernan. Seated for Carla Feroni was Alternate Bob Laundry.

Also in attendance were Jeremy DeCarli, RiverCOG staff; Bob Doane, PE; property-owners Roberta Bosworth and Mike Peretti, and Town Planner John Guskowski.

2. **Approval of Minutes:**

Motion to approve minutes of Regular Meeting of January 10, 2013 by Alan Kerr, **Seconded** by Claire Tiernan. **Motion carried unanimously.**

3. **New Business**

a. Preliminary Discussion – Potential Subdivision, Laurel Road/Grandview Terrace

Bob Doane, PE of Doane-Collins Engineering presented on behalf of property-owners Roberta Bosworth and Mike Peretti. He described the owners' intention to divide a 2.82 acre property with frontage on Laurel Road and an easement to Grandview Terrace. The current property is the result of a 1993 free-split of 5.6 acres and several lot-line adjustments that brought the resulting lot down to 2.82 acres. There is one house on this 2.82 acres, with a driveway off of Grandview Terrace (via 20' easement). A further split into two parcels of approximately 60,000 square feet (minimum in the VR District) would require Subdivision approval. The existing house would retain the ROW and driveway to Grandview Terrace, and the new lot would have frontage Laurel Road.

The purpose of the preliminary discussion was to gauge the Commission's receptivity to flexibility on issues of open space and rear lots. While the current lot has frontage on Laurel Road, it functions as a rear lot, using an easement off of Grandview Terrace. This house would continue to use the easement, and the new lot would take over the Laurel Road frontage. This division would technically create one rear and one front lot, which

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exceeds the 1/5 rear-lot cap in the Subdivision Regulations. Bob Doane stated that his clients would request a waiver of this provision, and discussed how this would be the only rear lot of the five total lots created from the original parcel since the 1960's. The Commission generally agreed that as there was no new rear-lot access being proposed, the waiver did not seem unreasonable.

The other issue to be discussed was the open space provision. As the 2.82 acre property could not set aside 20% of land for conservation and still accomplish a subdivision, Bob Doane proposed that the applicants would request the payment of a fee in lieu of open space.

Alan Kerr asked questions of clarification on property history and why the easement existed to Grandview Terrace. Bob Laundry sought confirmation that the Laurel Road frontage was accessible and the soils were favorable. Bob Doane confirmed both of these points, though soil testing for septic systems had not been done on this lot yet. Surrounding properties had acceptable soils.

b. Natural Hazard Mitigation Plan Update – Report from RiverCOG

Jeremy DeCarli from RiverCOG provided a summary to the Commission of the Natural Hazards Mitigation Plan that is being undertaken on a town-by-town basis by RiverCOG. He described the purpose of the Plan, which is largely to identify critical properties and resources and secure eligibility for FEMA grants for Hazard Mitigation and pre-disaster planning. Such projects as elevation of roadways, acquiring flood-prone properties, and purchase of emergency equipment were all tied to the presence of a Hazard Mitigation Plan.

Jeremy DeCarli described the process that Old Saybrook is completing and sought guidance from the Commission on their interest in guiding and developing a plan for Essex. He stated that he had started a draft update, based on the 2006 Regional Hazard Mitigation Plan, which contained an Essex appendix. Chairman Danyliw asked who should be involved in this project, and suggested that John Guskowski be the point person for the Commission. Emergency Management Director Bill Buckridge, Public Works Director Dave Caroline, Town Engineer Bob Doane, and Selectman Stacia Libby were all suggested as key individuals to assist in plan review and development.

Jeremy DeCarli stated that the overall plan needed to be complete by August 2014, but the RiverCOG sought to shorten that deadline. He suggested that he and John Guskowski would distribute the draft plan to the key individuals and the Commission and would seek comments by mid-April. He thanked the Commission for their interest and help.

Motion to add agenda item 3c to discuss re-naming Earl Street Extension by Neil Nichols, **seconded** by Claire Tiernan. **Motion carried unanimously.**

c. Referral from Traffic Authority – Proposed Change of Name of “Earl Street Extension”

John Guskowski explained that the Traffic Authority (the Board of Selectmen) had received a request to change the name of Earl Street Extension, which is a short dead-end road south of the Earl Street/View Street intersection, to “Earl Street.” The mapping

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confusion between Earl Street and Earl Street Extension caused an emergency responder to be delayed in locating the proper house. There are 10-12 houses that would be affected by this change, which would involve some re-numbering of houses. The Commission agreed that this was an appropriate change, but the property-owners should be kept closely involved.

Motion to recommend to the Essex Traffic Authority that “Earl Street Extension” be re-named “Earl Street,” subject to input from residents of Earl Street Extension by Claire Tiernan, **seconded** by Bob Laundry. **Motion carried unanimously.**

4. Old Business

a. Zoning Referral – Proposed Text Amendment, Section 90 (Limited Industrial)

John Guskowski re-introduced the proposed zoning amendment to the Commission, stating that an applicant sought to add several uses to the permitted list in the Limited Industrial District, including offices and boat repair (in addition to construction). Relevant sections of the current Zoning Regulations and the Plan of Conservation & Development had been included in the agenda packet for the Commission’s review. Chairman Danyliw asked if any of the Commissioners had comments. Alan Kerr stated that the proposed changes seemed fairly benign and in keeping with the intent of the regulations. John Guskowski stated that visual screening/landscaping could be a concern, but the existing District did have some regulations covering this issue. Chairman Danyliw stated that the definition of “screening” and the standards for ensuring a visual barrier were not clear.

Chairman Danyliw polled the Commission and stated that there was a consensus of the Commission that the proposed Zoning Amendment was appropriate, with the additional recommendation that the Zoning Commission review its Regulations to consider adding language to define “screening” in such a way that the public view is shielded from external storage of products, vehicles, and equipment.

At the request of John Guskowski, Chairman Danyliw amended the agenda to proceed to item **5f. Planner’s Report** to accommodate a request that arose from a meeting between John Guskowski and resident/consultant Rob Shickel.

5. Reports of Committees and Officers

f. Planner’s Report

John Guskowski introduced Rob Shickel, with whom he met earlier in the week to discuss potential docks at the recently-approved Foxboro Subdivision. Rob Shickel stated that he was retained by Sciam Development to pursue the permitting of several docks associated with the newly-created building lots on Foxboro Road. He stated that this would require amendment of the Conservation Easements for that subdivision. Chairman Danyliw invited Mr. Shickel to prepare a short presentation and specific request to the Planning Commission for inclusion at the March 21, 2013 meeting, where it would be an item of New Business. Mr. Shickel thanked the Commission for its time.

The meeting returned to the regular agenda at item **4b.**

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4. Old Business

b. PoCD Updates – Preliminary Discussion

John Guskowski noted that he had included in the Commission's agenda packet a summary of the Recommendations for Implementation from the 2005 Plan of Conservation & Development. He discussed his collaboration with RiverCOG on establishing an approach to the PoCD update. The first step, he suggested, would be a review of the goals and implementation steps from the existing PoCD and a determination if the tasks were still relevant, had been initiated, completed, or should be eliminated for other reasons. This would help determine how dramatically the new PoCD needed to be changed. Chairman Danyliw and Alan Kerr agreed that this list was something the Commission should be reviewing on a regular basis.

Chairman Danyliw stated that the Commission will begin its review of the Task List. John Guskowski stated that he could convert the task list to an interactive survey on SurveyMonkey so that Commissioners could review and rank existing tasks for relevance, completeness, and priority.

c. Discussion of Subdivision Regulations – Conservation Land Provisions

John Guskowski discussed the sample regulations from Woodbury, CT, which establishes a hierarchy of preferences for open space dedication. These sample regulations provide guidance on when fee-simple dedications vs. easements are preferred, as well as the ownership and control of the easement, if applicable. Noting that several key members of the Planning Commission were absent, Chairman Danyliw suggested reviewing these sample regulations at the next meeting.

d. Ivoryton and STEAP Grant Updates

John Guskowski updated the Commission on these active and pending grants. The STEAP grant committee has selected a project designer and will be proceeding to contract, and design will take place in the next few weeks. There is still no news from the State on the Ivoryton Main Street Investment Fund grant application.

Neil Nichols and John Guskowski reported that consultant Phil Esser had completed his initial research on the proposed National Register application for Ivoryton. They both have received very positive feedback from Ivoryton residents, who are actively participating in this process and seem to be in consensus in support of the project. The nomination package will be submitted to the State in March. Neil Nichols reinforced that the project was for the creation of a National Register of Historic Places participant, not an Historic District or Village District.

5. Report of Committees and Officers

a. Report from TOPPS (Traffic Calming) Subcommittee

Claire Tiernan reported that the TOPPS subcommittee had a very poorly-attended meeting earlier in the day, and the subcommittee seems to be a bit uncertain as to next steps. It was

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felt that a lot of work was spent on Grove Street, with recommendations being accepted by Planning and forwarded to the Traffic Authority, but with no clear action, other than the crosswalk sign. She suggested that the subcommittee should re-examine its charge and possibly move its focus to another street. Chairman Danyliw requested that John Guskowski re-send the Grove Street recommendations to the Traffic Authority and request a more formal response.

b. Report from Inland Wetlands Representative

Claire Tiernan reported that the Inland Wetlands Commission had been dealing with one property owner in particular, Mr. Picard, who had been conducting demolition at 141 Saybrook Road. More updates will follow.

c. Report from RiverCOG Representative

Alan Kerr stated that there was no additional report from RiverCOG.

d. Report from Economic Development Commission Representative

Bob Laundry had no report from EDC.

e. Chairman's Report

Chairman Danyliw stated that the Selectmen approved the Planning Commission's proposed budget. He had no other report.

f. Planner's Report

John Guskowski had no additional report.

6. Correspondence and Invoices

Chairman Danyliw reviewed the correspondence, which included invoices from Dzialo, Pickett, and Allen, CME Associates, and Halloran & Sage.

Motion to pay invoices by Neil Nichols, **seconded** by Bob Laundry. **Motion carried unanimously.**

7. Adjournment

Motion to adjourn by Neil Nichols, **Seconded** by Bob Laundry. **Motion carried unanimously.** Meeting adjourned at 8:55 p.m.

Respectfully submitted,

John Guskowski
Consulting Town Planner