

# **ESSEX PLANNING COMMISSION**

**September 8, 2011**

**7:30 p.m.**

**Essex Town Hall – Meeting Room A**

## **REGULAR MEETING**

### **1. Call to Order and Seating of Members:**

Chair Tom Danyliw called the meeting to order at 7:30 p.m. In attendance were Tom Danyliw, Vice Chair Linda Herman, regular members Carla Feroni, and Ralph Monaco. Alternate Bob Laundry was seated for Alan Kerr. Absent were: Regular member Alan Kerr, alternates Claire Tiernan and Neil Nichols.

### **2. Approval of Minutes - July 14, 2011**

**Motion was made by Ralph Monaco to approve the minutes of the July 14, 2011 meeting. Seconded by Tom Danyliw. Carla Feroni, Linda Herman, and Bob Laundry abstained. Motion carried.**

### **3. New Business**

#### **a. Receipt of Application – Vumbaco, Toby Hill Road**

John Guskowski reviewed the time line for a subdivision application and subsequent public hearing. This application has been referred to CRERPA because it is on a town boundary. It will be discussed next Tuesday at the CRERPA meeting. Discussion took place on procedure for the receipt of a subdivision application and timelines.

John Guskowski reviewed the application as including resubdivision of land on Toby Hill Road, with 3 lots in Essex, and 7 in Westbrook. Westbrook has approved this subdivision conditionally. Toby Hill from the East Pond Meadow intersection will be repaved and widened, and a new road, Joseph's Circle, will be built. Vumbaco can't proceed with the lots until the road is completed. The bulb of the cul de sac will be in Essex with 3 lots off of that. The waiver is for the rear lot off the "bulb" that will be in Essex. Vumbaco will upgrade Toby Hill to town standard. Part of the open space is in Essex and some is in Westbrook. Both land trusts are being asked to grant easements. Tom Danyliw asked John Guskowski to look into who would grant permission to bring in the equipment to upgrade the road. The application will be sent out to the Commission members in the next 2 weeks.

#### **b. Receipt of Application – Peterson, Rosewood Lane, Re-Subdivision**

This is a waiver of a rear lot.

This application is a lot line adjustment, which will create a new lot. The property backs up to a large piece off of Summit St. Peterson is hoping to waive the rear lot cap and is looking to increase the size of the subdivision lot on Rosewood. It is creating 1 new lot, going from 2 to 3, by reconfiguring the existing undeveloped lots. A site walk was suggested after the public hearing is opened. If a waiver is granted then he doesn't need to construct an additional 150 ft. of Rosewood Lane. A previously approved lot accesses off Summit St. Discussion on conditions for a waiver, "unique" vs. hardship.

**Motion was made by Ralph Monaco to receive both applications, Vumbaco-Toby Hill Rd. and Peterson – Rosewood Lane, for Public Hearing, Seconded by Linda Herman. Motion carried unanimously.**

### **c. Parking Ordinance**

The Board Of Selectmen is the traffic authority in town. There has been a request from a selectman for John Guskowski to spend some time in developing a more effective parking ordinance.

Discussion ensued as to whether the reduction in the Planner's time due to budget allows for this, in addition to current Planning obligations. There is potential that this will take time away from the current needs of Planning priorities. This is also outside the scope of their Planning jurisdiction. Bob Laundry shared that EDC has requested enforcement of the current parking regulations and for the Selectmen to enforce the existing ordinance. He would like to see everyone working together and raised the possibility that the Board of Selectmen could be billed for the work. Tom Danyliw recommended that it be put on the priority list.

## **4. Old Business**

### **a. Safe Routes to School**

No real update

### **b. Transportation Study – Implementation Discussion**

The Planning Commission doesn't have any real authority to move items or locations to top of the priority list regarding Transportation under the Board of Selectmen's umbrella. Planning should be consulted, but the Board of Selectmen is the traffic authority. They tend to be reactive rather than proactive. Who decides transportation improvements? Traffic calming is an example from the Transportation Study. The Board of Selectmen could widen the net of who participates in the traffic authority of the town for improvements and has the ear of the traffic authority. The Board of Selectmen should hear recommendations for Town and village enhancements, utilizing the Plan of Conservation and Development, and the Transportation Plan. It may be as simple as a regular update or recommendation but there needs to be a vision and implementation authority.

Discussion on the most effective way to proceed. Does it benefit to have another layer? Linda Herman reviewed the creation of EDC, and it was developed to attract businesses to the area and to take pressure off the Selectmen. With Transportation issues, they are reactive when things are falling apart. Linda Herman suggested it be put on their agenda so it is addressed each month. It is incumbent on them to invite Planning or EDC or citizen groups to meetings to help steer.

Discussion on how to get from the Transportation Study to implementation in town. Carla Feroni doesn't feel we need another group, the Board of Selectmen have all the people and resources they need, DPW, Planning, police. They need a place on their agenda and it will take money to implement. CRERPA has the Transportation Plan and is incorporating it into their 8 town Transportation Plan. They are useful in helping to put the money (federal and state funds) into place. The question was raised as to where Transportation is on the Selectmen's list of priorities.

Tom Danyliw suggested having a discussion with the Selectmen to voice concerns and see where their priorities are. There is some prioritization within the Study. A good first step would be to meet with the Selectmen. There was some investment on the part of the Selectmen to finally get the Transportation Study and the scope that was included. This implies a commitment and investment in its results. It was decided to hold a special meeting to review and discuss the Transportation Study.

#### **c. Subdivision Fee Ordinance**

The Subdivision Fees Ordinance was approved at a town meeting and will be effective on September 16, 2011.

Tom Metcalf will review the applications that were received tonight.

#### **d. EPA Sustainable Communities – Update**

This will be put on the Zoning Commission agenda.

#### **e. Affordable Housing – Update**

Accessory apartments were discussed. There is a major statutory obligation for Affordable Housing under the Plan of Conservation and Development. Accessory apartments could be a piece of the puzzle. The Planning Commission could develop an accessory apartment ordinance or zoning regulation and present it to the town. There is potential to make a notable difference. Tom Danyliw would like Planning to begin a draft and start pushing the issue since it relates to the vision for the town. Carla Feroni agreed, as it is Planning's purview and responsibility. The survey that was done in 2005 on this issue was reviewed. Ralph Monaco questioned whether there have been any accessory apartments since 1999. Current regulations essentially don't allow new apartments. There was consensus for John Guskowski to look at ordinance possibilities. He will look at towns that encourage this growth.

## **5. Report of Committees and Officers**

### **a. Report from Inland Wetlands Representative**

none

### **b. Report from CRERPA Representative**

none

### **c. Report from Economic Development Commission - no meeting**

### **d. Report from Architectural Design Review Subcommittee**

Tom Danyliw reported on Architectural Design Review. They are moving along and making progress. Focus groups have been held with a commercial group meeting to be held soon. They will be making a report and hold a public meeting in the near future.

### **e. Chairman's Report–**

Tom Danyliw presented to the Board Of Selectmen on the fee ordinance. Upon review of the Plan of Conservation and Development, he feels that priorities should continue to be Affordable Housing, Transportation, and to keep eye on the mixed-use village character issue.

Architectural Design and the economic base of the town are within Planning Commission's purview.

Ralph Monaco brought up Oliver's Corner and asked what is happening, with the concern of that property being vacant.

The need for economic vibrancy in this town and concern for vacant downtown properties were mentioned. Carla Feroni feels it needs to be approached holistically. The Planning Commission will review the Economic Development Plan.

### **f. Planner's Report**

John Guskowski reported that Highland Hall will be taken down. It is private property. Renovation costs are prohibitive. Demolition has been delayed but it is not feasible to save.

A property on Westbrook Rd. that connects Centerbrook and Bokum Rd., a piece of land /75 ft strip of road that is a conservation easement was presented. There is a question as to whose authority it comes under. The Conservation Commission holds the easement, but they say they don't have the authority. Planning Commission can't approve the driveway cut unless they agree to release the easement.

The Mazda dealership property had been the basis for a hazard mitigation grant application. The grant was not received because of lack of documentation on the property and paperwork. Money is available on a non-competitive basis and will be

applied for. A benefit cost analysis is required (software) which John Guskowski will be working on. These are flood mitigation assistance funds.

## **6. Correspondence and Invoices**

Cook subdivision invoice– This has expired as a subdivision. Attorney Royston has signed off on all of the legal documentation. Cook will have to reapply for the subdivision.

Carla Feroni reported that Disaster Relief Center for Middlesex County opened in Old Saybrook.

**Motion to adjourn by Ralph Monaco and seconded by Bob Laundry at 9:25 p.m.  
Motion carried.**

Respectfully submitted,

Sandra Meinsen  
Recording Secretary