



ESSEX PLANNING COMMISSION

REGULAR MEETING

Thursday, November 12, 2015
7:30 p.m.
Essex Town Hall – Meeting Room A

DRAFT MINUTES

1. Call to Order and Seating of Members

Chairman Tom Danyliw called the meeting to order at 7:30 p.m. In attendance were Members Alan Kerr and George Sexton. Seated for Carla Feroni was Alternate Bob Laundy, and seated for Ralph Monaco was Alternate Gary Riggio.

2. Approval of Minutes: October 8, 2015

Chairman Danyliw noted that Carla Feroni emailed him with a proposed correction, noting that she did not make the motion to nominate herself as Vice-Chair. John Guszowski stated that he would review the tape and correct this motion.

Motion to approve minutes of October 8, 2015 as amended by Alan Kerr, seconded by Bob Laundy. Motion carried unanimously.

3. New Business

a. Conservation Easement Request – Essex Land Trust

Chairman Danyliw introduced the Essex Land Trust request, noting that he had been in conversation with Town Attorney David Royston via email today following Attorney Royston's submitted opinion on the request, which was not formally requested by the Commission. John Guszowski stated that following discussion with the Land Trust, it was his understanding that the Land Trust's attorney and Attorney Royston had reviewed the proposal and Attorney Royston was prepared to provide an opinion if asked. He stated that, given this discussion, he requested the opinion from Attorney Royston and apologized for subverting Commission process.

Chairman Danyliw stated that he disagreed with Attorney Royston's findings, and did not believe a preliminary discussion providing the opinions of the Commission was appropriate without a preliminary plan. He was concerned primarily about approving something and binding the decisions of a future Planning Commission. He indicated that it would be his

general inclination to turn down the Land Trust's request. Noting the absence of the Commission Vice-Chair that would otherwise allow him to step aside and make a motion himself, he stated that he would entertain a motion to discuss this issue among the Commission.

Motion to discuss the Essex Land Trust's request by Alan Kerr, **seconded** by Gary Riggio. **Motion carried unanimously, with Tom Danyliw abstaining.**

Alan Kerr stated that the request itself as presented by the Land Trust made some sense and could be a "win" for the three parties involved, but that he shared the concerns about deciding a matter without an application. Gary Riggio stated that given his experience in developing subdivisions, a decision about conservation land prior to laying out a potential development was problematic. George Sexton and Bob Laundy noted their agreement with this position. Chairman Danyliw stated that without a preliminary site layout, the Commission ought not consider the matter. He welcomed the possibility of a preliminary discussion as enabled by the Subdivision Regulations that included a preliminary layout. By consensus, Chairman Danyliw stated that the Commission would not discuss this matter further.

4. Old Business

a. Subdivision Application: Ed Cook, Hunter's Trail Extension, Map 76, Lot 011

Bob Doane of Doane Engineering Associated represented the application. He stated that Mr. Cook had received approval for this same subdivision plan in 2009, but the plan was not filed, and so Mr. Cook is seeking a re-approval. The plans are unchanged, though several of the comments presented in review engineer Tom Metcalf's letter of February 10, 2009 were not incorporated into the Commission's original approval, and the requests could be incorporated into final construction drawings for Mr. Cook's project. He also noted the Town Planner's comments about dead-end streets and public safety access. He stated that it would be possible to widen the currently proposed 15' emergency access strip between lots 1 and 2 to a 25' strip by taking a narrow strip of lot 2, which would not compromise its regulatory conformity. Chairman Danyliw and John Guszowski confirmed that, given the Regulations had not changed, that this was not a demand the Commission could make of the applicant. Bob Doane stated that applicant was willing to make that accommodation.

Motion to approve subdivision application subject to the modifications that the 15' emergency access strip to be dedeed to the Town be widened to 25', that the Town Attorney approve the final legal documentation, and that the recommendations of Tom Metcalf's review letter of February 10, 2009 be incorporated into final construction plans by Bob Laundy, **seconded** by Alan Kerr. **Motion carried unanimously.**

b. Plan of Conservation & Development – Adoption Discussion

John Guszowski presented the edits to the Plan of Conservation & Development based on public hearing input. He also noted that Carla Feroni's implementation matrix rankings were still pending, and that Frank Hall of Essex Energy Committee corrected the name of the state agencies in charge of the Clean Energy goals. He also stated that Susan Malan of the Essex Historical Society wished to include more mention of the EHS museums and resources in the Cultural Resources portion of the Plan. Chairman Danyliw and George Sexton noted that this language was not specific enough to be incorporated into the current Plan, but the PoCD could

be amended to include it. Alan Kerr clarified the recommendation about discouraging multi-family development in the northern-central portion of the Town that is currently zoned for multi-family.

Motion to approve the Plan of Conservation & Development as amended, and with an effective date of November 12, 2015 by Bob Laundry, **seconded** by George Sexton. **Motion carried, with Gary Riggio abstaining.**

c. Code of Ethics Ordinance

Chairman Danyliw distributed the Ethics Ordinance for signatures of the Commissioners verifying that they had received the Ordinance.

5. Report of Committees and Officers

a. Report from Inland Wetlands Representative

The Planning Commission has no active representative to the Wetlands Agency.

b. Report from RiverCOG Representative

Alan Kerr reported that the RiverCOG meeting had been cancelled.

c. Report from Economic Development Commission Representative

Bob Laundry presented a brief report of EDC activities, including noting that the Commission would be compiling an email database of town businesses. There was no update on the signage regulation changes.

d. Chairman's Report

Chairman Danyliw noted the receipt of a letter of resignation from Bob Laundry, and thanked him for his excellent and thoughtful service to the Commission. He also indicated that he would not be seeking to continue as Chairman at the December meeting, but indicated that he would be nominating Alan Kerr as Chairman and George Sexton as Vice Chair, stating that they would be excellent choices. He further stated that during the beginning of 2016, his schedule would not allow him to participate in Commission meetings as ordinarily slated. The Commission agreed that with many new members, it would be a reasonable idea to examine alternative standing dates going forward.

e. Planner's Report

John Guszowski stated that Cumberland Farms had received approval of a number of variances from ZBA, and that he would try to work with Joe Budrow on planning design in advance of the Special Permit process. He also noted that the Zoning Commission had established a small subcommittee or working group to revise the Zoning Regulations, but there appeared to be no outside participation by other Commissions or consultants. The PoCD strongly recommended a collaboration between Planning and Zoning on revisions, and suggested that following the appeal

period of the PoCD, the Planning Commission should reach out to Zoning on this matter.

Alan Kerr noted that the improvements at the Blue Hound, new tap room, and Ivoryton Inn seem to have addressed some of the major septic concerns in Ivoryton.

6. **Correspondence & Invoices**

Chairman Danyliw noted the RiverCOG regional economic development forum taking place on Thursday, November 19.

7. **Adjournment**

Motion to adjourn by Alan Kerr, **seconded** by George Sexton. **Motion carried unanimously.** Meeting was adjourned at 8:41 p.m.

Respectfully submitted,

John Guskowski
Consulting Town Planner

RECEIVED FOR RECORD
11/13 2015 at 3:03 P.M.
Chonnet Kozak
ESSEX, CT TOWN CLERK