



ESSEX PLANNING COMMISSION

PUBLIC HEARING & REGULAR MEETING

Thursday, March 13, 2014

7:30 p.m.

Essex Town Hall – Auditorium

DRAFT MINUTES

PUBLIC HEARING

1. Call to Order and Seating of Members

Chairman Tom Danyliw called the hearing to order at 7:30 p.m. Seated for the hearing were Regular members Carla Feroni and Alan Kerr. Seated for Regular Member Linda Herman was Robert Laundy and seated for Regular Member Ralph Monaco was Claire Tiernan. Also in attendance was Alternate John Ackermann, Town Planner John Guskowski, RiverCOG Planner Torrance Downes, and several members of the public.

Regular Members Linda Herman arrived at approximately 7:33 p.m.

2. Public Hearing for Proposed Supplement to 2005 Plan of Conservation & Development to Adopt December 2011 Recommendations of Architectural Design Review Subcommittee

Chairman Danyliw opened the hearing with an overview of the purpose and work of the Architectural Design Review Subcommittee, chaired by Neil Nichols in 2010-2011, and their recommendations for several changes to regulatory approach for architecturally-relevant and historically important structures. He pointed out that the Subcommittee did not recommend any drastic changes. He opened up the discussion to the public for comment. There was no comment from the public.

Motion to close the Public Hearing by Bob Laundy, seconded by Claire Tiernan. Motion carried unanimously. The hearing closed at 7:35 p.m.

REGULAR MEETING

1. Call to Order and Seating of Members

Chairman Tom Danyliw called the hearing to order at 7:35 p.m. Seated for the hearing were Vice Chairman Linda Herman, Regular members Carla Feroni and Alan Kerr. Seated for member Ralph Monaco was John Ackermann. Also in attendance were Alternates Claire Tiernan and Robert Laundy, First Selectman Norman Needleman, Town Planner John

Guszkowski, RiverCOG Planner Torrance Downes, and several members of the public. Member Ralph Monaco arrived at approximately 7:36 p.m.

2. **Approval of Minutes: January 9, 2014**

Motion to approve Minutes of January 9, 2014 by Alan Kerr, seconded by John Ackermann. Motion carried unanimously.

Motion to add item of New Business (3e) for discussion of PoCD supplement by Ralph Monaco, seconded by Linda Herman. Motion carried unanimously.

3. **New Business**

a. - **Public Forum on Plan of Conservation & Development Update – Ivoryton Village**

Chairman Danyliw introduced the topic and stated that the Commission was interested in public input on the pending update to the Plan of Conservation & Development (PoCD), and this evening's session would focus on Ivoryton. He introduced Torrance Downes from RiverCOG, who gave a brief discussion of the public input process, and asked John Guszkowski to provide a quick overview of the planning process thus far.

John Guszkowski described the format of the PoCD and how there would be a special focus on five "development nodes" in Essex, Centerbrook, and Ivoryton Villages, as well as Bokum Center and the Route 9 Gateway area. He discussed the 2009 supplement to the current PoCD concerning Ivoryton, and how the three key issues were Economic Growth and Vitality, Wastewater Disposal Capacity, and Parking Availability. These topics were carried forward into the draft PoCD. Chairman Danyliw invited the public to add their thoughts about these priorities and about the Village.

First Selectman Needleman presented an overview of several updates that have occurred in Ivoryton since the 2009 supplement was written. The new restaurant (Blue Hound) that replaced Aggie's is successful, increasing evening parking conflicts. The full occupancy of the Ivoryton Inn has created a de-facto public utility in the shared septic system that involves the Inn, the Blue Hound, the Blake House, and Moeller Instruments. Work is being done to explore separating these systems. He updated the group on the use of the Piano Factory, which is now a "Demolition Depot" storage for reclaimed historic furniture and building components. He stated that the growth of the Ivoryton Playhouse has made the center of the Village the key to Ivoryton.

Chairman Danyliw stated that the PoCD should be an effective, actionable document that is specific, but not bogged too deeply down into details. He stated that the current policy of sewer avoidance is a major hindrance to development in Ivoryton. Linda Herman discussed the potential for parking expansion on the Mertz property (Moeller Instruments), and how parking should not take away from the focus on economic revitalization of the Village. First Selectman Needleman updated the group on efforts to secure permanent access to the Echtman lot, and the challenges surrounding that effort, which include environmental issues and ownership concerns.

The Commission and First Selectman Needleman had a general discussion of parking options, the status of the Echtman property, applicable health code review at the Ivoryton Inn, and the need for the Ivoryton Fire Department to build a new facility that could store their larger equipment. First Selectman Needleman stated that he believed that parking was the top priority for immediate action in Ivoryton. Chairman Danyliw suggested, and First Selectman Needleman agreed, that a new discussion should be convened to brainstorm ideas for parking in the Village.

The Commission agreed that while parking was a pressing concern, economic revitalization and wastewater were critical priorities and would likely remain as such in the PoCD. Claire Tiernan noted that the Ivoryton Village Alliance should be included in discussions and Planning initiatives. Chairman Danyliw stated that the Commission was well on track, and thanked everyone for their input.

b. Zoning Amendment Referral – Proposed changes to Section 60 (Village Residence) for Family Day Care Uses

John Guskowski introduced the proposed amendment, which would allow Family Day Care facilities (as defined by state statute) in existing residence as-of-right, and in new or expanded buildings as a special exception. Noting concerns over property values and potential neighbor conflicts, the Commission reached consensus that the public should have the opportunity to review and comment on proposed Family Day Care uses in residential areas. The Planning Commission will comment to Zoning that it believes that all proposed Family Day Care uses in the Village Residence Zone should be Special Exception application processes.

c. Zoning Amendment Referral – Proposed changes to Sections 70 (Essex Village District) and 80 (Commercial District)

John Guskowski introduced the proposed amendment, which made several of the recommended changes from the first Planning Commission review of this proposal. John Ackermann pointed out that the elimination of “but not including” at the introduction to Section 70.A.3 seems to reverse the permitting and thus making animals not permissible. It is also unclear why “Livestock” was changed to “Animals.” These issues should be clarified before proceeding. The Commission agreed by consensus to forwarding these as formal comments.

Motion to suspend discussion on Zoning Referral to proceed to New Business 3e by John Ackermann, seconded by Linda Herman. Motion carried unanimously

e. Proposed Supplement to 2005 Plan of Conservation & Development to Adopt December 2011 Recommendations of Architectural Design Review Subcommittee

Motion to adopt recommendations of December 2011 report of Architectural Design Review Subcommittee as a supplement to the 2005 Essex Plan of Conservation & Development by John Ackermann, seconded by Alan Kerr. Motion carried, with Linda Herman, Alan Kerr, Ralph Monaco, and John Ackermann voting in favor and with Carla Feroni opposed.

Discussion then continued on Zoning Referral concerning Section 80. Chairman Danyliw noted that the proposed changes eliminate the opportunity for buildings to exceed 30' in height for specific reasons of architectural or design integrity were in direct conflict with the recommendations of the ADRS, which were now adopted as part of the Plan of Conservation & Development. This supplement specifically recommends allowing commercial buildings to exceed 30' in height "to encourage more attractive facades and streetscapes in keeping with its neighborhood" as well as for residential structures as a variance when design is appropriate. The Commission was agreed that this should be noted in the comment to the Zoning Commission.

Claire Tiernan pointed out that 80A.2(V) has several question marks at the end of the section. These should be eliminated in any final adopted changes.

d. Zoning Amendment Referral – Proposed changes to Section 60 (Village Residence) for Municipal Uses

John Guszkowski introduced the proposed amendment, which would permit Town Hall as an allowed use in its current zone. He stated the current proposed language seems to require a police station if a municipal office building is proposed. The Commission agreed that this should be changed simply to "Municipal buildings, parks, and playgrounds," as police stations would certainly qualify as a municipal building.

4. Old Business

a. PoCD Updates and Next Steps

John Guszkowski stated that the next month's discussion would focus on Bokum Center. The Commission agreed that it would not request further participation from RiverCOG in these forum discussions, as the Commission and staff felt able to handle the process without engaging further time and resources from the COG.

b. Ivoryton and STEAP Grants

John Guszkowski stated that the first organizational meeting on the Ivoryton MSIF grant had been held earlier in the week, among Town Hall staff, to discuss Town financial commitment to paying for engineering design. First Selectman Needleman had also invited Carl Echtman to this meeting to discuss parking issues. John Guszkowski stated that he would keep Linda Herman and Alan Kerr in the loop and invited to all further meetings of this group, and would keep the Ivoryton Village Alliance involved as well.

John Guszkowski then reviewed options for potential applications for the next round of STEAP grants, which included Westbrook Road sidewalks, Town Hall and Public Works garage improvements, and a wastewater facilities plan. He stated that the Westbrook Road sidewalks project was most application-ready and best fit for the grant round, as it would cover design costs that other funding options would not.

c. Centerbrook Visioning Project

John Guszkowski noted the flyer advertising the kick-off event for Centerbrook Visioning scheduled for Tuesday, March 25. CME's Annie Kline would be managing

this visioning process. The Commission encouraged wider distribution and advertising for the event.

d. Apple Woods Road (Riggio) Subdivision Legal Fee Update

The Commission reviewed the correspondence from Attorney Royston concerning the fee reduction on the Riggio subdivision review. John Guskowski noted that Attorney Royston was reducing fees as a courtesy and agreed with him that his original review billing was not excessive. There was a general discussion about the magnitude and appropriateness of the increase in legal review fee rate to the Town, which was generally felt to be reasonable.

5. Report of Committees and Officers

a. Report from Inland Wetlands Representative

John Ackermann noted that while he hadn't been formally sworn in as a member of Wetlands yet, he attended the last meeting, which was uneventful.

b. Report from RiverCOG Representative

Alan Kerr stated that RiverCOG reviewed several referrals, including Essex's recently adopted PoCD supplement, and a potential medical marijuana production amendment in Haddam. He also stated that received a very interesting presentation from Margot Burns, RiverCOG staff, on land trust and conservation efforts. The RiverCOG staff will be updating their regional PoCD, and would be visiting all of the region's Planning Commissions over the next several months for coordination discussions.

c. Report from Economic Development Commission Representative

Bob Laundry stated that EDC heard two recent presentations, one from the regional Workforce Alliance, and one concerning Brownfield redevelopment.

d. Chairman's Report

Chairman Danyliw reported that he had been asked by the Essex Land Trust to send a letter of support for the DEEP funding of the permanent protection of "The Preserve," and presented a draft letter for the Commission's review. The Commission was agreed that the letter was appropriate and should be sent.

e. Planner's Report

John Guskowski reported that he had been working on putting together applications for regional funding (via LoTCIP) of the Westbrook Road sidewalks, which will involve several road crossings and substantial ROW acquisition. He also met with the DOT to kick off the project to replace the Walnut Street Bridge.

6. Correspondence & Invoices

John Guskowski noted that in two invoices from CME, additional services had been provided from CME's engineering staff to help develop a cost estimate for Westbrook Road sidewalks and, at Bob Doane's request, to prepare a preliminary project description of the Safe Routes to School sidewalk project. It was noted that the Commission has a line item in its budget for engineering services, and these amounts did not exceed that allocation.

Motion to pay invoices from CME Associates by Carla Feroni, seconded by Alan Kerr. Motion carried unanimously.

7. **Adjournment**

Motion to adjourn by Carla Feroni, seconded by Linda Herman. Motion carried unanimously.
Meeting was adjourned at 10:28 p.m.

Respectfully submitted,

John Guskowski
Town Planner (Consulting)

RECEIVED FOR RECORD
03/19 2014 at 10:14 a.m.
Theresa R. Rind
ESSEX, CT TOWN CLERK *assist*