



## ESSEX PLANNING COMMISSION

### REGULAR MEETING

Thursday, April 10, 2014

7:30 p.m.

Essex Town Hall – Auditorium

### DRAFT MINUTES

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 Vice Chairman Linda Herman and regular member Carla Feroni. Seated for member Ralph Monaco was John Ackermann and seated for member Alan Kerr was Bob Laundry. Also in attendance were Town Planner John Guskowski, and approximately 12 members of the public.

2. **Approval of Minutes:** March 13, 2014

Motion to approve Minutes of March 13, 2014 by Bob Laundry, seconded by John Ackermann.  
Motion carried unanimously.

3. **New Business**

a. **Public Forum on Plan of Conservation & Development Update – Bokum Centerr**

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 Bokum. He discussed the five development nodes and how the Planning Commission wished to focus development in those areas and work on interconnecting them with sidewalks and bicycle routes. A member of the public sought to clarify the "boundaries" of Bokum, which the Planning Commission agreed were not rigid, but were centered around the Plains Road/Westbrook Road/Bokum Road intersection, and included Essex Meadows and portions of Route 153. Chairman Danyliw then invited commentary from the public.

One property owner in Bokum stated that the area should remain friendly to the commercial uses and owners to maintain property values and grow existing businesses. Other members of the public stated that Bokum should not seek to change much, and should avoid the spread of larger-scale commercial development along Route 153. They warned against turning Route 153 into a "Berlin Turnpike"-style sprawl. It was suggested that the development focus should be more on the three Village centers and less on Bokum, though many of the commercial opportunities in Bokum, such as the grocery store, were convenient and useful. Parking at the Colonial Market Plaza was identified as a problem. Development was felt to be limited by a high water table in the area. The intersection and traffic volumes on Route 153 were identified as concerns.

John Guskowski discussed the visioning process and distributed the redevelopment concept for Bokum Center that was presented in the Town-wide Transportation Plan. The members of the public and the Commission agreed that widening roadways or making other major changes, aside from sidewalks or bike lanes, were not preferred. The specific scale of commercial development or redevelopment was a question, though it was agreed that large-scale commercial was not appropriate for this area. Maintaining a human scale was a priority. One property owner restated that Bokum Center could easily accommodate more activity and the regulations should be in place to support business development. Linda Herman stated that the Commission sought to reflect community input and opinions in the Plan, and she frequently hears the goal of maintaining community character. She agreed that Town goals should be more clearly stated. Chairman Danyliw thanked everyone for their input.

**b. “Open Space” Tax Abatements and PoCD**

John Ackermann introduced this topic and expressed his concern over changes to the assessment of properties and open space following the latest reevaluation of properties in Essex. The value of excess land had dropped from \$8,000/acre to \$6,000/acre, but there are several multipliers that varied depending on property location and amenity. He referred to Connecticut General Statutes 12-107 and the procedure for granting tax abatements for Open Space land. The Statutes authorize the Planning Commission to identify areas in Town, as part of the Plan of Conservation & Development, which would be eligible for tax abatements. The Statutes also require a process of authorization/ratification by a Town Meeting. John Ackermann referenced the 2005 Plan of Conservation & Development, which has an Existing and Proposed Open Space Map on Page 40 that designates specific areas in Town for protection. He questioned whether tax abatements could be given anywhere in Town, assuming adequate excess acreage, or if the properties indicated on this Map were the only eligible properties. Both John Ackermann and Chairman Danyliw believed that the Map was the determining factor, and the text of this section of the Plan was supportive of this position. John Guskowski disagreed, stating that he believed the 1981 Town Meeting gave the Planning Commission more blanket authority to identify properties and policies in the Plan, and there was supportive text in the 2005 Plan of encouraging private land conservation and promotion of tax incentives.

It was agreed that the procedure for adopting the policy in the PoCD and the Town Meeting authorization was quite unclear. The Commission was concerned that the current open space tax abatement policy and procedure in Essex may be at odds with the spirit and policy of the 2005 Plan. In addition, the Commission was not certain that the Town’s administration of the tax abatements have appropriate statutory authority.

Chairman Danyliw requested that John Guskowski draft a memo raising this issue to the Board of Selectmen and the Town Attorney as quickly as possible. It was agreed that the Commission would be more explicitly clear about this policy in its update of the PoCD.

**4. Old Business**

**a. PoCD Updates and Next Steps**

John Guskowski stated that the next month’s discussion would focus on the Route 9 Gateway/Train Station area.

**b. Ivoryton, LoTCIP, and STEAP Grants**

John Guskowski stated that the next meeting of the Ivoryton Main Street Investment Fund (MSIF) steering committee was held on Tuesday, April 8, and the committee was identifying key components of the scope that would be included in an RFP for a design engineer. Linda Herman stated that the committee was well on track and intended to keep the scope as close as possible to the original concept, which was reflected in the Ivoryton Village Study and the Transportation Study. John Ackermann sought clarification on the process and timeframes, and John Guskowski stated that the design would be complete in the summer or early fall and construction would most likely be done in early 2015.

John Guskowski then discussed the recently-submitted LoTCIP (local transportation improvements) grant for the installation of sidewalks on Westbrook Road between Centerbrook and Bokum. He discussed the challenges of Westbrook Road relative to right-of-way, crossings, and ledge. He stated that the best available approach was to have one mid-road crossing in the area between the cemetery and the Industrial Park. The grant would require the Town to pay for design, but would cover construction and right-of-way acquisition costs.

Several members of the Commission and the public expressed concerns about pedestrian and traffic safety on Westbrook Road, and the advisability of adding sidewalks in this area. The potential of keeping the sidewalk just on one side of the road, and possibly running a trail across the Doane's Airport property as an alternative were discussed. Chairman Danyliw stated that this sidewalk project was an explicit recommendation of both the Safe Routes to School Plan and the Town-Wide Transportation Study, which was vetted by a public involvement process.

John Guskowski then discussed the decision that the Board of Selectmen and the Capitol Improvements Committee to pursue STEAP funding for the improvement of the Public Works complex. He explained the Committee's multi-project approach to municipal improvements, including bridge replacements, Town Hall and Essex Elementary School repairs, and the Public Works facility improvements. The Committee decided to remove the Public Works project from the proposed municipal bond request and seek funding through STEAP. John Guskowski asked if the Commission was interested in writing a letter of support for the grant application. The Commission discussed their role in the prioritization of projects and identification of key improvements. Chairman Danyliw, Linda Herman, and John Ackermann agreed that the Planning Commission should have a list of priority projects, as well as potential funding approaches, as part of the PoCD. John Guskowski stated he would provide the Commissioners with copies of the State Statutes relevant to Planning authorities and responsibilities prior to the next meeting.

**c. Centerbrook Visioning Project**

John Guskowski stated that the project kick-off session was held the previous week and read the following report from Alan Kerr, who attended on behalf of the Commission: "It was attended by perhaps twenty people. There was a general lament for how things used to be, mainly, less traffic. One person expressed the opinion that maybe leaving things as they are is better than making improvements that make things worse. There was some concern about protecting trees. No grand vision was expressed and there was little discussion of the recommendations of the traffic study. But, on the

positive side, there were definitely some among the group who want to be involved and perhaps form a core of concerned citizens.” John Guskowski reported that the next, small-group meeting would be held on April 15.

**5. Report of Committees and Officers**

**a. Report from Inland Wetlands Representative**

John Ackermann noted that he had not been formally approved by Town Meeting as a member of the Wetlands Agency.

**b. Report from RiverCOG Representative**

Alan Kerr emailed the following report to John Guskowski: “For RiverCog, nothing of significance in the referrals. Much discussion around the fact that Linda Krause is having heart surgery and will be sidelined for a while. How to keep up the momentum of getting RiverCog out to meet with town commissions and spread the gospel of regionalism? There was discussion of inviting all towns to a meeting at the UConn Extension Center, in Haddam to introduce RiverCog to all. But the agenda of the meeting could not be agreed to among the members, and ultimately, a decision was put off until the next meeting.”

**c. Report from Economic Development Commission Representative**

Bob Laundry stated that EDC had written a letter of support for the STEAP grant application, and had discussed their interest in having a series of wayfinding signs designed and branded to identify the villages of Essex and key attractions and destinations. John Guskowski stated he was talking with Susan Malan and Norm Needleman about this, and he suspected there were other grant funds available for this purpose.

**d. Chairman's Report**

Chairman Danyliw reported that he had noticed that the public access easement area at the Foxboro Point subdivision was blocked by the pre-existing fence, and he had been in communication with John Guskowski, ZEO Joe Budrow, and Norm Needleman about this matter. John Guskowski stated that after reviewing the easement documents, it appeared to be the developer’s responsibility to maintain accessibility to the easement area, but the Town’s responsibility to maintain it or upgrade it with a walking path and benches. He exchanged messages with Attorney Terry Lomme, who represents the owner, and Attorney Lomme indicated that they would be removing the fence section to make accessible the area. The Commission had a discussion about enforcement and monitoring, and it was agreed that John Guskowski would work with Joe Budrow would work on monitoring of the compliance with approval conditions.

**e. Planner’s Report**

John Guskowski had no further report.

**6. Correspondence & Invoices**

Motion to pay invoices from CME Associates and Halloran & Sage by Carla Feroni, seconded by Bob Laundry. Motion carried unanimously.

A member of the public questioned why the Commission did not include a public comment item on the regular agenda, and requested clarification on the grant application for the Westbrook sidewalk project relative to the Centerbrook Visioning session, at which it was her impression that the implementation of the Transportation Study recommendations (including the Westbrook Road sidewalks) were not going to be implemented without additional public comment. Chairman Danyliw stated that he would make himself and John Guskowski available after the meeting to discuss the matter, but the Commission would not be adding a new agenda item for discussion given the lateness of the hour.

7. **Adjournment**

Motion to adjourn by Bob Laundry, seconded by Linda Herman. Motion carried unanimously.  
Meeting was adjourned at 10:38 p.m.

Respectfully submitted,

John Guskowski  
Town Planner (Consulting)

RECEIVED FOR RECORD  
04/14 2014 at 3:15 p.m.  
*Yvonne M. Bonet*  
ESSEX, CT TOWN CLERK *assist*