



## ESSEX PLANNING COMMISSION

REGULAR MEETING  
Thursday, December 11, 2014  
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 hearing to order at 7:30 p.m. Seated for the meeting were Vice Chairman Linda Herman and member Carla Feroni. Seated for member Alan Kerr was John Ackermann, and seated for member Ralph Monaco was Bob Laundy. Also in attendance were Town Planner John Guskowski, Attorney Terry Lomme, and Mark Bombaci.

2. **Approval of Minutes:** Planning Commission Meeting, November 13, 2014

Motion to approve Minutes of November 13, 2014 by John Ackermann, seconded by Linda Herman. Motion carried, with Carla Feroni, Bob Laundy, and Linda Herman abstaining

Chairman Danyliw opted to revise the order of the agenda to address items **3e, 3f, 3g** first.

3. **New Business**

e. **Zoning Referral – Text Amendment, Section 63 (RLC District)**

f. **Zoning Referral – Text Amendment, Section 63-2 (AAC District)**

g. **Zoning Referral – Map Amendment, Bokum Road (RU to RLC)**

Town Planner John Guskowski introduced the issue of two separate property owners on opposite sides of Bokum Road in different zoning districts interested in very similar development approaches. The Bombaci family and Essex Glen, LLC are each interested in developing Active Adult (55+) condominium projects using detached units, as opposed to either a subdivision or a larger, multifamily building. The Bombaci family is proposing to extend the boundaries of the existing RLC District, which includes Essex Meadows, to their property on the west side of Bokum Road. The text change to the RLC District itself would enable the specific development characteristics and density. Similarly, Essex Glen, LLC wishes to change its currently-approved development from a single, large multifamily building to a smaller, distributed community of free-standing single dwelling units. The proposed text change to AAC would enable this. Attorney Terry Lomme discussed this history of the zoning districts and the approval process for the original Essex Glen plan.

Chairman Danyliw stated that in the 2005 Plan of Conservation & Development (PoCD), this area of Bokum Road is identified as higher-density residential, and these Zoning changes and potential developments would be supportive of that goal. Linda

Herman reviewed the approval history of Essex Glen and questioned the proposed densities. It was determined that in either case, the gross potential density was five units per acre, with a maximum of 100 units per development, but neither property nor potential development would likely result in more than 25-40 units. There was discussion among the Commission about the traffic capacity of Bokum Road and its suitability for this level of development.

Chairman Danyliw polled the Commissioners about their comments, and determined that all three Zoning applications could be commented upon together. It was the consensus of the Planning Commission that all three applications were in harmony with the PoCD's goals of higher residential density on Bokum Road, but requested that the Zoning Commission carefully consider the sightlines and traffic safety impacts when considering development applications in this area, as well as encouraged the Zoning Commission to seek developments that used sustainable design and low-impact stormwater management techniques, as well as considered inclusion of affordable housing.

**a. Public Forum on Plan of Conservation & Development Update – Open Space Tax Abatement Policy**

Chairman Danyliw introduced the topic and reviewed the procedure of the Commission establishing a policy on Open Space Tax Abatements (OSTA) that would be part of the PoCD and then ratified by Town Meeting. The existing 2005 PoCD had a very clear map of priority properties, but the policy was not ratified. John Guskowski and John Ackermann reviewed the list and map of current town- and land trust-owned properties and those approximately 16 properties receiving OSTA. John Ackermann discussed the deliberations and consideration for abatements undertaken by the Open Space Plan working group in 2000. The primary goals were preservation of community character, protection of natural resources, and encouragement of passive recreation. Linda Herman stated that in the 1990s and early 2000s, there was a subdivision boom and the Commission's fear was that open space would be lost and some incentive should be provided to keep land open.

Chairman Danyliw stated that he believed the current open space target map (Map Plate 6) in the PoCD provided a good first step. It identified specific properties and areas that should be eligible for OSTA. The Commission then discussed the possibility of other parcels being added to eligibility, and agreed that if a parcel was contiguous with existing open space, provided a connection between open space areas or natural resource corridors, and presented no physical hindrance to wildlife passage, it could be considered eligible, but the Commission would have to verify those details.

Carla Feroni discussed the issue of minimum acreage. The Commission agreed that the existing policy of a property needing to be at least twice the minimum lot size for the underlying zone was still appropriate, and at least half of the property (a contiguous area of at least the minimum lot size) would have to be free of any improvements. Carla Feroni also pointed out the policy of the Town of Tolland only reviewing petitions for properties to be OSTA eligible at the June Commission meeting, and the Commission supported that concept.

John Guskowski stated that he would draft up a proposed policy for the next Commission meeting, but verified that it would state that to be eligible for OSTA, a property must:

- Be included on the 2005 PoCD Map Plate 6 (Open Space);
- Be at least twice the minimum size of a lot in the underlying zoning district; and
- Contain a contiguous undeveloped portion of at least the minimum size of a lot in the underlying zoning district.

If a property was not on the 2005 PoCD Map, the property owner must demonstrate to the Commission that the property was either:

- Adjacent to an existing open space property; or
- Part of a critical natural resources or greenway corridor.

The applicant property could not be created by aggregating two or more adjacent pieces of property under common ownership. Requests for OSTA eligibility of property not on Map Plate 6 will only be considered at the June Planning Commission meeting each year.

**b. Election of Commission Officers**

Chairman Danyliw asked for nominations of Chair and Vice-Chair to serve for 2015.

**Motion to elect Tom Danyliw Chairman of the Essex Planning Commission** by Carla Feroni, **seconded** by John Ackermann. **Motion carried unanimously**

**Motion to elect Linda Herman Vice-Chairman of the Essex Planning Commission** by Carla Feroni, **seconded** by Bob Laundry. **Motion carried unanimously**

**c. Adoption of 2015 Meeting Schedule**

The Commission reviewed the proposed calendar of meetings for 2015 and noted potential scheduling conflicts. It was decided to retain the schedule of meeting on 2<sup>nd</sup> Thursdays, with the exception of February (moved to Feb. 5), March (moved to Mar. 19) and April (moved to Apr. 16).

**Motion to approve 2015 Calendar of Meetings as amended** by Carla Feroni, **seconded** by Linda Herman. **Motion carried unanimously**

**d. §8-24 Referral from Board of Selectmen: Capital Improvement Bond**

John Guskowski presented an overview of the elements of the proposed Capital Improvements Plan, which include improvements to both Town Hall and Essex Elementary School roofs, interior improvements at Town Hall, replacement of bridges on Walnut Street and Ivory Street, and facility upgrades at the Town Garage. The vote is scheduled to take place on December 15.

Chairman Danyliw determined that it was the consensus of the Planning Commission that the proposed Capital Improvement Bond was consistent with the Town of Essex Plan of Conservation and Development.

#### 4. Old Business

##### a. PoCD Updates and Next Steps

John Guskowski stated that the remaining forum to be held in conjunction with the PoCD update was a discussion with the Zoning Commission, and suggested that the focus of the discussion be on increasing density and mixing of uses in the five proposed development nodes. Linda Herman suggested that the issue of coordinating on subdivision easements and how this was a “Planning enforcement” vs. a “Zoning enforcement” question.

##### b. Ivoryton MSIF Grant Update

John Guskowski stated that the preliminary plan had been finalized and was being developed as full engineering plans, which should be complete in January. The Commission discussed Chairman Danyliw’s conversation with the First Selectman regarding his decision to remove the proposed elevated crosswalks/speed tables along Main Street. Linda Herman asked about parking adjustments, and John Guskowski stated that the overall plan added a small number of parking spaces, but no additional spaces were added in the Park’s lot.

##### c. Centerbrook Village & STEAP Grant

John Guskowski stated that the STEAP grant was submitted and is pending decision by the State.

#### 5. Report of Committees and Officers

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

John Ackermann stated that the Wetlands Commission had not met, and reminded the Planning Commission that he would not be serving as representative to Wetlands going forward. Chairman Danyliw asked Carla Feroni to consider this position, and Carla expressed reluctance based on her employment with the Department of Energy and Environmental Protection. John Guskowski stated that he strongly disagreed with the Town Ordinance requirement of having a member of the Planning Commission be a voting member of another regulatory Commission. Chairman Danyliw stated that for the time being, Planning would not appoint anyone.

##### b. Report from RiverCOG Representative

Alan Kerr was absent, so there was no report.

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

Bob Laundry reported that the EDC was working on participation in a statewide RFQ for towns to upgrade broadband data; that the EDC had renewed its membership in the Connecticut Main Street Center; that the EDC had submitted letters to Rep. Phil Miller and Sen. Art Linares concerning the shabby appearance of the Route 9 bridge area in the Exit 3 Gateway area; that EDC will be reviewing and commenting on the draft PoCD; and will seek to keep informed about ZBA applications well before they are decided.

##### d. Chairman's Report

Chairman Danyliw had no further report

e. **Planner's Report**

John Guskowski updated the Commission on pending contract negotiations for the design of the Walnut Street bridge replacement; he commended Alan Kerr on his excellent support of Town Hall and Land Use Department efforts to create a digital archive of land use records and establish an electronic permitting system; and discussed a recent meeting with a developer who is interested in developing multifamily housing on and adjacent to the former Iron Chef restaurant on Plains Road. Several significant zoning regulations would need to be changed to accommodate this.

6. **Correspondence & Invoices**

Motion to pay invoice from CME Associates by Linda Herman, seconded by Bob Laundy.  
Motion carried unanimously.

7. **Adjournment**

Motion to adjourn by Linda Herman, seconded by Bob Laundy. Motion carried unanimously.  
Meeting was adjourned at 9:35 p.m.

Respectfully submitted,

John Guskowski  
Town Planner (Consulting)

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12/15 20 14 at 9:13 A.M.

Carrie M. Royal

ESSEX, CT TOWN CLERK

*assist*



## ESSEX PLANNING COMMISSION

### CALENDAR OF MEETINGS

January 2015-January 2016

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Thursday, January 8, 2015	7:30 p.m.	Town Hall Room A
Thursday, February 5, 2015	7:30 p.m.	Town Hall Auditorium
Thursday, March 19, 2015	7:30 p.m.	Town Hall Auditorium
Thursday, April 16, 2015	7:30 p.m.	Town Hall Room A
Thursday, May 14, 2015	7:30 p.m.	Town Hall Room A
Thursday, June 11, 2015	7:30 p.m.	Town Hall Room A
Thursday, July 9, 2015	7:30 p.m.	Town Hall Room A
Thursday, August 13, 2015	7:30 p.m.	Town Hall Room A
Thursday, September 10, 2015	7:30 p.m.	Town Hall Room A
Thursday, October 8, 2015	7:30 p.m.	Town Hall Room A
Thursday, November 12, 2015	7:30 p.m.	Town Hall Room A
Thursday, December 10, 2015	7:30 p.m.	Town Hall Room A
Thursday, January 14, 2016	7:30 p.m.	Town Hall Room A

For questions about these meetings, please contact  
John Guskowski, Town Planner (Consulting) at [planner@essexct.gov](mailto:planner@essexct.gov)

APPROVED BY ESSEX PLANNING COMMISSION

12/11/2014

RECEIVED FOR RECORD  
12/15 2014 at 9:12 P.M.  
*Yvonne M. Royal*  
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