



**TOWN OF ESSEX**  
**Zoning Commission**  
 29 West Avenue  
 Essex, CT 06426  
 860-767-4340 x 115 Fax: 860-767-8509  
[www.essexct.gov](http://www.essexct.gov)

Fees: \$125.00 + \$60.00 (DEP)  
 Make check payable to the Town of Essex

PRINT OR TYPE  
 Please read Essex Zoning Regulations before completing this form.

**Application for Special Exception**

Owner(s) Name(s): Darshan, LLC

Address(es): P.O. Box 236, Essex, CT 06246

Phone No.: 860-235-0060 (c/o Atty. R. Avena) Email: ravena@sswbgg.com

Applicant Name(s): 35 Industrial Park, LLC, C.J. Bardy and Erik Schafer, Principals

Address(es): c/o Attorney Robert Avena, P.O. Box 1445, Pawcatuck, CT 06379

Phone No.: 860-235-0060 Email: ravena@sswbgg.com

Application is hereby made for amendment of a Special Exception under the provisions of the Essex Zoning Regulations for premises at:

Address: 35-41 Industrial Park Road, Essex, CT 06426

Tax Map No. 44 Tax Lot No. 019 Zoning District LI

The Commission is authorized to grant a Special Exception for the use and/or improvement herein proposed by the provisions of Section 90A.1(c) of the Essex Zoning Regulations.

Accompanying this application form are:

- A) A complete and comprehensive statement describing the proposed changes in use and/or improvements for which the amendment is requested;
- B) A complete legal description of the premises involved, identifying boundaries by metes and bounds or by courses and distances;
- C) A list of names and addresses, with Tax Map and Tax Lot Numbers of owners of all land abutting, and directly across the street from the land to which this application relates and;
- D) A Site Development Plan prepared or approved by a registered professional engineer or surveyor showing all information required to determine the compliance with the Zoning Regulations including lot area, distances of improvements from lot lines, area coverage, and building height.

~~I/We~~ certify that all the information on this application, including all accompanying documents, is correct as of the date below, and complete. ~~I/ We~~ certify that ~~I/ We~~ am/are the owner(s) of the premises described above, or the authorized agent of the owner(s) of said premises.

**FOR OFFICIAL USE ONLY:**  
 Application No. 20-04  
 Date received by ZEA: 11/20/2020

Signed: [Signature]  
 Applicant(s) or Agent Robert A. Avena  
 Dated: 11/20/2020

**Appendix A**  
**Application Checklist for Special Exception**

Applicant(s): 35 Industrial Park, LLC Date: 11/ / 2020

Address of Premises: 35-41 Industrial Park Road, Essex, CT 06426

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Tax Map No. 44/019 Lot No. 6

Briefly describe Special Exception request:

My client, 35 Industrial Park, LLC, has a written contract to purchase and renovate the above  
property into a self storage, climate controlled building. The enclosed site plan meets all  
special exception requirements of the regulations, and the renovations and use will compliment  
the existing Industrial Park uses and activities.

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This checklist is to be completed by the applicant(s) and submitted to the Commission along with a completed application for Special Exception. Information should also appear on the site development plan and within the support documents as appropriate. No section may be left incomplete. Where no area in the "waiver" category is provided for check-off, submission of information is always mandatory.

Waiver(s) may be granted by the Commission pursuant to Section 120C.8. for the furnishing of item(s) of information in which the Commission finds that such item(s) are not relevant to the proper disposition of an application. Such waiver(s) are limited to the furnishing of said information and do not include a request for delay in time to submit necessary items.

Nothing in this section shall prohibit an applicant(s) from requesting a waiver(s) in advance of submitting an application for Special Exception to the Commission.

This checklist shall be complete when signed and dated by the applicant(s) where such signatures and date shall be entered no later than the actual date of the submission of said application.



**NOTE: A SIGN IS REQUIRED TO BE POSTED ON THE PREMISES RE: SECTION 120F. STANDARDS OF THE ZONING REGULATIONS AS FOLLOWS:**

120F. PUBLIC HEARING. The Commission shall hold a public hearing on each application for a special exception. A copy of such application shall be filed in the office of the Town Clerk for public inspection at least ten (10) days before such hearing. Notice of the time and place of such hearing shall be published in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the Town, at least twice, at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days before the hearing. Such notice shall fairly and sufficiently apprise those who may be interested in the proceeding of the nature and character of the matter proposed in order that intelligent preparation for the hearing may be made. Such hearing shall commence within sixty-five (65) days after the receipt of the application. The hearing shall be completed within thirty-five (35) days after it commences. The commission shall render a decision on all applications within sixty-five (65) days after completion of such hearing. The petitioner or applicant may consent to one or more extensions of any period specified in this section, provided the total extensions all such periods shall not be longer than sixty-five (65) days, or may withdraw such petition or application.

**Not less than fifteen days prior to the commencement of the public hearing, the applicant shall post a notice of the hearing on the property involved.** Said notice shall be in the form of a freestanding sign, facing each adjacent public street, placed no more than thirty feet (30') from the public right-of-way and shall be clearly legible from the public street. **Said sign shall be produced of weather resistant material, shall be legibly lettered with a minimum letter size of two inches (2"). The sign shall not be greater than twelve square feet (12 sq. ft.).**

The sign shall contain the following text:

"Application pending on this property before the Zoning Commission for Special Exception approval for which a public hearing is being held:

Time:

Date:

Place: Town Hall, 29 West Avenue, Essex, CT 06426

For more information, call (860)767-4340 (or as said number is changed from time to time).


Said sign shall not be removed until after the public hearing has concluded. (August 1, 2007)

**Note:** If no required sanitary letter and data accompanies this application, a complete application shall be submitted to the Town Director of Health or the Town Sanitarian for review no later than the date of this completed application is received by the Commission. A letter from the Town Director of Health of the Town Sanitarian, along with a complete application, shall be filed in the office of the Town Clerk at least ten (10) days prior to the scheduled public hearing.

This checklist is a guide to assist the applicant(s). It does not relieve the applicant from the responsibility of being familiar with the Town of Essex Zoning Regulations and submitting a complete application.

Where the submission of information for a particular special exception application does not apply, the response in the 'provided' column may be checked off as "no" and such information shall not be required.

Signature of Agent/Applicant(s):

  
\_\_\_\_\_  
*Atty and Agent*  
\_\_\_\_\_

Date: 11 20, 2020

SECTION No.	DESCRIPTION	PROVIDED			WAIVER REQUEST
		YES	NO	N/A	
120A.1	Owner				
120A.2	Purchaser Owner's written consent				
120A.3	Lessee Owner's written consent				
120B	Application Documents- 15 copies				
120C.1	Description of Premises				
120C.2	List of Neighboring Owners				
120C.3	Statement of Use				
120C.4	Site Development Plan				
120C.4.a	Owner / Applicant Name				
120C.4.b	Plan Data				
120C.4.c	Roadways				
120C.4.d	Survey Monuments				
120C.4.e	Municipal / District Boundaries				
120C.4.f	Easements / R-O-W / etc.				
120C.4.g	Wetlands and Watercourses				
120C.4.h	Total Premise Area Use				
120C.4.i	Building / Lot Coverage				
120C.4.j	Location / Setback Data				
120C.4.k	Building / Structure Dimension Signs and Lighting				
120C.4.l	Roadways and Parking				
120C.4.m	Infrastructure Data				
120C.4.n	Access / Soil / etc.				
120C.4.o	Water Supply / Septic Systems				
120C.4.p	Land Contours / Topography (_____ foot intervals)				
120C.4.q	Wetlands / Watercourses				
120C.4.r	Soils Classifications				
120C.4.s	Grading / Filling Limits / Erosion and Sediment Control				
120C.4.t	Special Flood Hazard Area				
120C.4.u	Floor Area / Parking Calculations / Parking Spaces per section .110				
120C.5	Sanitation Letter & Data (see note below)				
120C.6	Multiple Dwelling Projects				
120C.7	Non-Commercial Timber Cutting				
120C.8	Waiver Requests (written)				
120D	Maps, Drawings, Certification				
101	Gateway Conservation District				
102	Coastal Management District				
103	Flood Plain District				
104	Water Resource District				
	Application submitted to town Director of Health or Town Sanitarian for review				

BOOK 189 PAGE 1088

WARRANTY DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, that **Apco Products, Incorporated**, a Connecticut corporation with a principal place of business in the Town of Essex, County of Middlesex and State of Connecticut (hereinafter referred to as "Grantor"), for the consideration of One Million Three Hundred Thousand Dollars (\$1,300,000.00) received to its full satisfaction of **Darshan, LLC**, a Connecticut limited liability company with a principal place of business in the town of Essex, County of Middlesex and State of Connecticut (hereinafter referred to as "Grantee"), does hereby give, grant, bargain, sell and confirm unto the said Darshan, LLC, and unto its successors and assigns forever, all that certain piece or parcel of land, with all improvements thereon, located in the Town of Essex, County of Middlesex, State of Connecticut, and more particularly described on Schedule A attached hereto and made a part hereof (the "Premises").

TO HAVE AND TO HOLD the above granted and bargained Premises, with the appurtenances thereof, unto the Grantee and the Grantee's successors and assigns forever, to them and their own proper use and behoof.

And also the Grantor does for itself, and its successors and assigns covenant with the Grantee, its successors and assigns that at and until the ensealing of these presents it is well seized of the Premises as a good indefeasible estate in FEE SIMPLE; and has good right to bargain and sell the same in the manner and form as herein written; and that the same is free from all encumbrances whatsoever, except as set forth on Schedule B attached hereto and made a part hereof.

AND, FURTHERMORE, the Grantor does by these presents bind itself and its successors and assigns forever to WARRANT AND DEFEND the above granted and bargained Premises to the Grantee, its successors and assigns, against all claims and demands whatsoever, except as herein stated.

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SCHEDULE "A"

The following described units with all appurtenances thereto:

Units No. 5, 6 and 7 of VALLEY INDUSTRIAL PARK CONDOMINIUM, Essex Connecticut, together with an undivided 7.698 percent, 6.894 percent and 6.836 percent interest respectively in the common elements appurtenant thereto, said units being more specifically designated and described in the Declaration Establishing the Plan for Unit Ownership under the Condominium Act of 1976 of the Connecticut General Statutes, Revision 1958, as amended, made by Herbert T. Clark, III, which plan is entitled: "DECLARATION OF CONDOMINIUM BY HERBERT T. CLARK, III" dated October 22, 1982 and recorded in Volume 86 Page 424 of the Essex Land Records. Reference is made to surveys and floor plans set forth in Exhibits B and C to said Declaration. Reference is also made to Exhibit D to said Declaration which sets forth inter-alia percentage undivided interest in the common elements appurtenant to each unit.

The aforescribed premises are commonly known as 6 Industrial Park Road, Centerbrook Connecticut 06409.

\$ 13,000.<sup>00</sup> State Conveyance Tax Received  
\$ 1,430.<sup>00</sup> Conveyance Tax Received

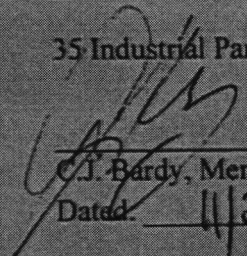
*Frances S. Darcy*  
Town Clerk of Essex



Letter of Authorization  
for property located at  
35-41 Industrial Park Road, Essex, CT 06426

I, C.J. Bardy of 35 Industrial Park, LLC, contract option holder and applicant,  
and I, \_\_\_\_\_ of Darshan, LLC, owner, do hereby authorize Attorney  
Robert Avena as agent for the purpose of applying for a Special Exception to the  
Essex Zoning Regulations under Section 90A to construct a self-storage, climate  
controlled building by renovating the existing building at the site.

35 Industrial Park, LLC

  
\_\_\_\_\_  
C.J. Bardy, Member

Dated: 11/20/20

Darshan, LLC

  
\_\_\_\_\_  
Owner

Dated: 11/20/20

ITS AGENT  
IN FACT