

SCANNED

RECEIVED
FEB 16 2022

TOWN OF ESSEX
LAND USE APPLICATION
PART ONE

BY:

PLEASE CHECK THE APPROPRIATE LINE(S) AND ATTACH THE APPROPRIATE APPLICATION(S):

SPECIAL EXCEPTION	<input checked="" type="checkbox"/>	VARIANCE / APPEAL	_____
SITE PLAN REVIEW	<input type="checkbox"/>	APPROVAL OF LOCATION	_____
INLAND WETLANDS PERMIT	<input type="checkbox"/>	REGULATION TEXT AMENDMENT	_____
INLAND WETLANDS PERMIT - AGENT APPROVAL	<input type="checkbox"/>	ZONE CHANGE	_____
	<input type="checkbox"/>	COASTAL SITE PLAN REVIEW	_____
WETLAND PERMIT TRANSFER	<input type="checkbox"/>	MODIFICATION OF PRIOR APPROVAL	_____
SUBDIVISION OR RESUBDIVISION	<input type="checkbox"/>	SPECIAL FLOOD HAZARD AREA PERMIT	_____

PROJECT DESCRIPTION: A Fitness Center to occupy approximately 4,250 square feet of a 16,000 square foot building. Signage to include approximate 4 square foot hanging sign replacing prior occupant's sign plus signage on building in accordance with zoning regulations.

PROJECT NAME: MPower Health & Fitness, LLC

STREET ADDRESS OF PROPERTY: 35-41 Industrial Park Road, Units #23 & 24, Centerbrook, CT a/k/a 40 Main Street, Centerbrook

27-23 + 27-24

ASSESSOR'S MAP: 44 LOT: 36 LOT SIZE: N/A DISTRICT: Commerical

APPLICANT: MPower Health & Fitness, LLC c/o David Mulford
83B Main Street, Deep River, CT 06417 PHONE 860-304-5685

APPLICANT'S AGENT (if any) _____ PHONE _____

ENGINEER.SURVEYOR/ARCHITECT: N/A PHONE: N/A

Note:

- 1) TO BE ACCEPTED BY THE LAND USE OFFICE. THIS APPLICATION MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH THE REQUIRED FEE(S) AND MAP(S) PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS.
- 2) THE SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE COMMISSION OR ITS STAFF TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.



TOWN OF ESSEX
Planning and
Zoning Commission
 29 West Avenue
 Essex, CT 06426
 860-767-4340 x 115 Fax: 860-767-8509
www.essexct.gov

✓
 Fees: \$135.00 + \$60.00 (DEEP)
 Make check payable to the Town of Essex

RECEIVED
 FEB 16 2022
 BY: KFB

Application for Special Exception
PART TWO

Owner(s) of Property : Herbert T. Clark III D/B/A Clark Development
 Address): PO Box 995, Essex, CT 06426
 Phone No.: 860-767-0000 Email: htcessex@prodigy.net

The Commission is authorized to grant a Special Exception for the use and/or improvement herein proposed by the provisions of Section 80 of the Essex Zoning Regulations.

Accompanying this application form is:

- 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, the undersigned, certify that all the information on this application, including all accompanying documents, is correct as of the date below, and conforms with Town's zoning regulations. I/ We certify that I/ We am/are the owner(s) of the premises described above and are aware of and understand the above referenced zoning regulation(s).

<p>FOR OFFICIAL USE ONLY:</p> <p>Application No. <u>PZC: 22-05</u></p> <p>Date received by ZEO: _____</p>
--

Signed: [Signature]
 Property owner

Dated: 2/15/2022

Appendix A

Application Checklist for Special Exception

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.

completed by CD, Land Use Official

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)	see 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	✓			

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 Planning and Zoning Commission for Special Exception approval for which a public hearing is being held:

Time: *7pm*
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 Property Owner



Date:

2/15/2022

MPower Health & Fitness, LLC

Statement of Use

**35-41 Industrial Park Road, Units #22 & #23, Centerbrook a/k/a 40 Main Street,
Centerbrook**

MPower Health & Fitness, LLC will occupy a portion (approximately 4,295 square feet) of space formerly occupied for over 20 years by FTD.com.

MPower Health & Fitness, LLC, currently operating in Deep River, provides a variety of unique fitness programs, including:

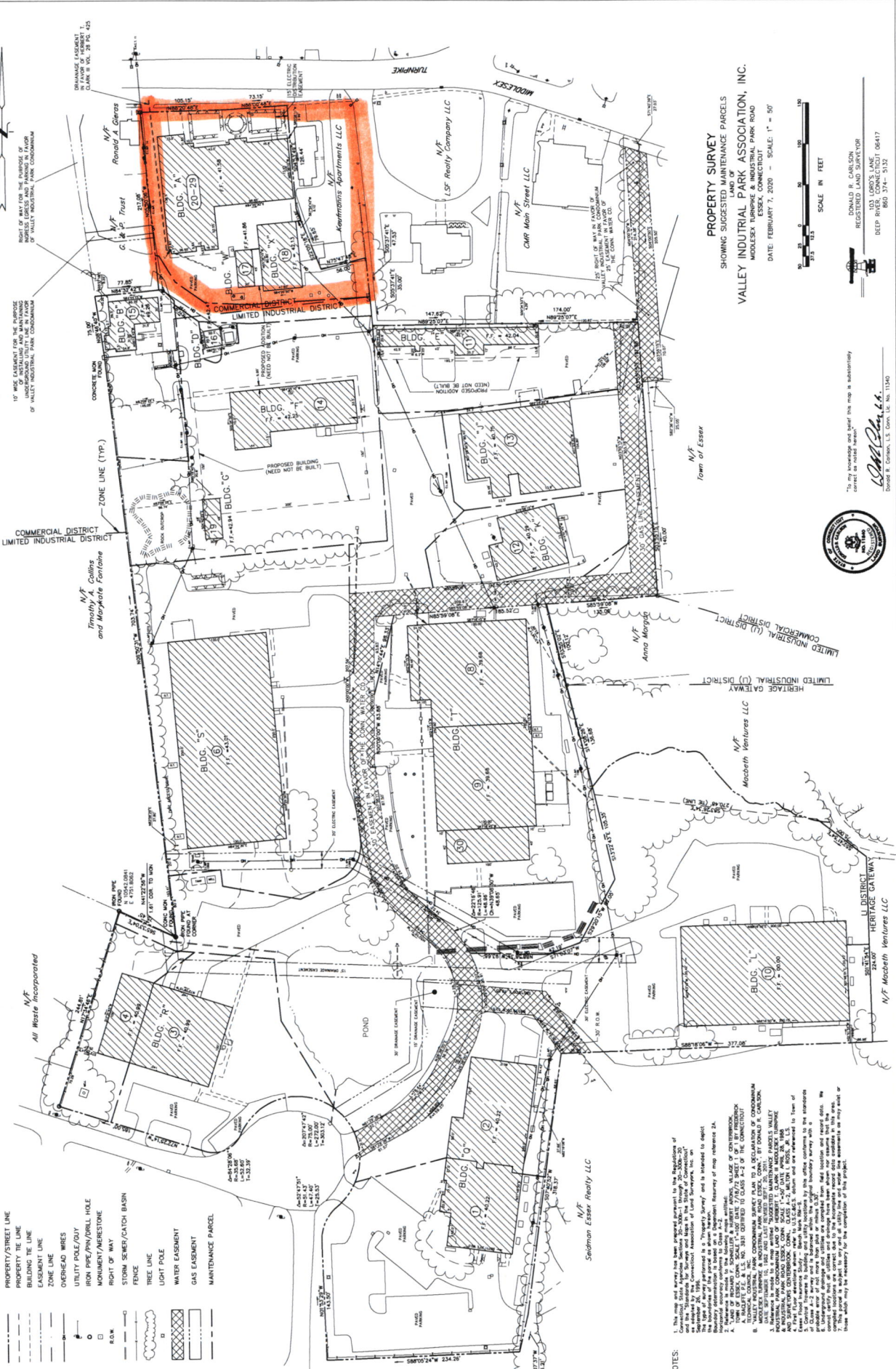
- Traditional and Therapeutic Boxing
- Circus Arts and Flexibility
- Specialized Individual Personal Training
- Athletic Strength and Conditioning
- Surgical Pre and Post Rehab Recovery
- Traditional Cardio
- Strength Training Equipment
- Group Classes
- Nutritional Consultation

There are no improvements being considered for the premises as MPower Health & Fitness, LLC will utilize the space in the current layout.

MPower Health & Fitness, LLC expects maximum occupancy to be approximately 25 people. This includes 5 staff members and 20 clients.

LEGEND

- PROPERTY/STREET LINE
- PROPERTY TIE LINE
- BUILDING TIE LINE
- EASEMENT LINE
- ZONE LINE
- OVERHEAD WIRES
- UTILITY POLE/DRILL HOLE
- IRON PIPE/PW/DRILL HOLE
- MONUMENT/NERESTONE
- RIGHT OF WAY
- STORM SEWER/CATCH BASIN
- FENCE LINE
- TREE LINE
- LIGHT POLE
- WATER EASEMENT
- GAS EASEMENT
- MAINTENANCE PARCEL



PROPERTY SURVEY
 SHOWING SUGGESTED MAINTENANCE PARCELS
 LAND OF
VALLEY INDUSTRIAL PARK ASSOCIATION, INC.
 MIDDLESEX TOWNSHIP & INDUSTRIAL PARK ROAD
 ESSEX, CONNECTICUT
 DATE: FEBRUARY 7, 2024 - SCALE: 1" = 50'



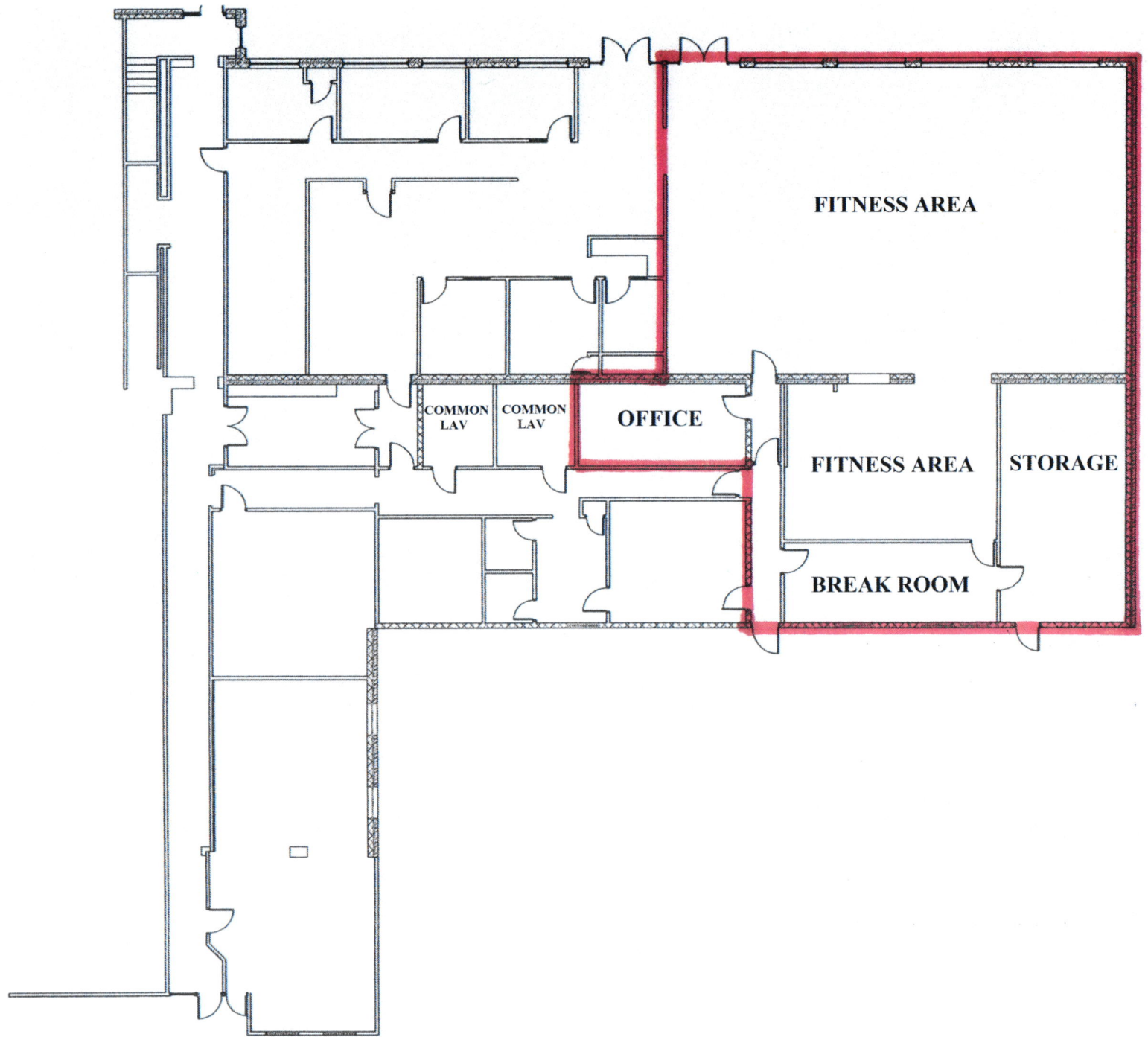
DONALD B. CARLSON
 REGISTERED LAND SURVEYOR
 103 LORD'S LANE
 DEEP RIVER, CONNECTICUT 06417
 860-247-3124



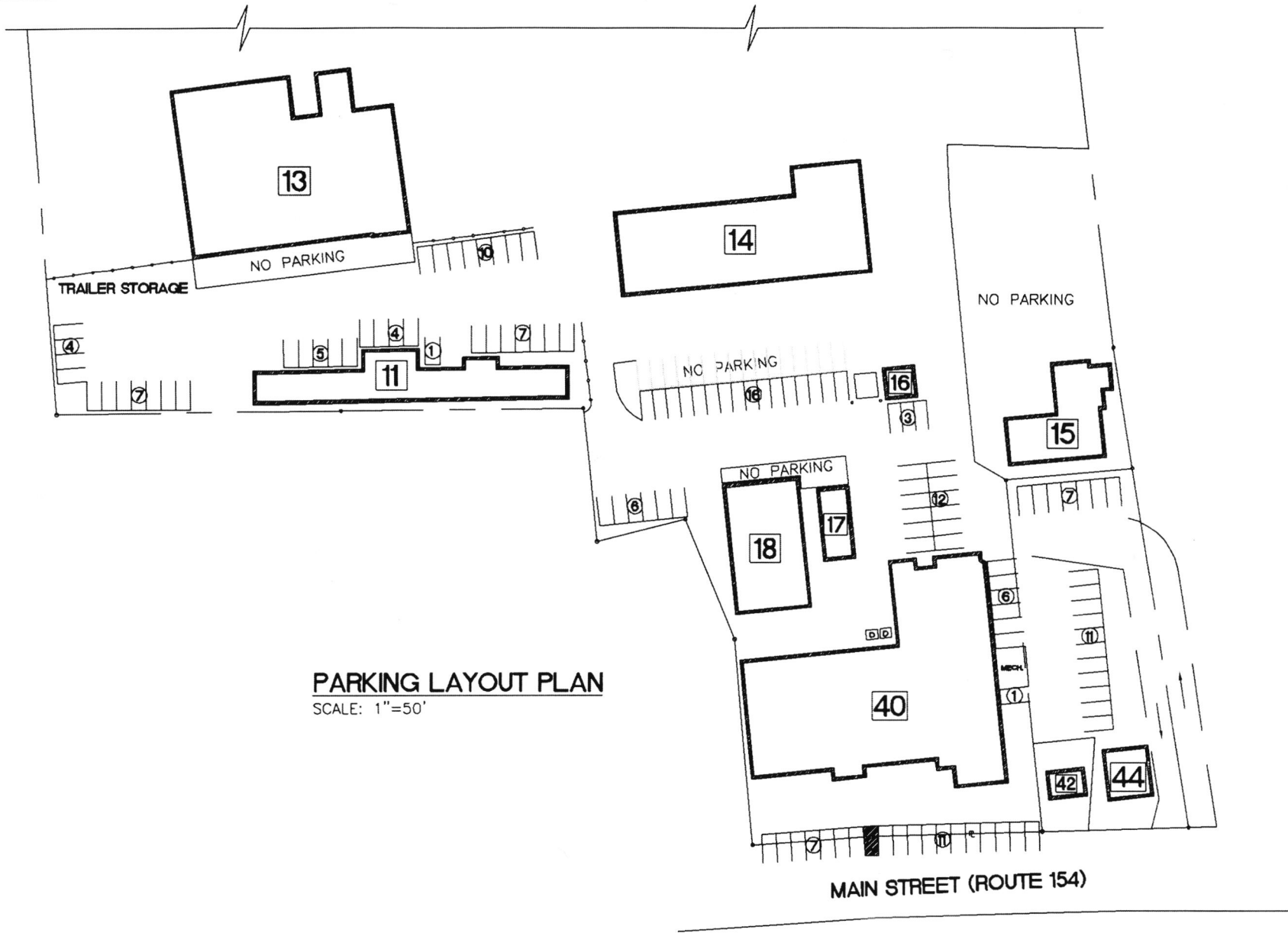
"To my knowledge and belief this map is substantially correct as noted herein."
Donald B. Carlson, L.S.
 DONALD B. CARLSON, L.S. (CONN. LIC. NO. 11440)

NOTES:

1. This map and survey have been prepared in accordance with the provisions of the Connecticut General Statutes, Chapter 56-100, and the Rules and Regulations of the State Board of Surveyors, as amended by the Connecticut Association of Land Surveyors, Inc. on 01/01/2024.
2. The type of survey performed is an "as-shown" survey and is intended to depict the location of the structures and other improvements shown on the plan.
3. Boundary dimensions are shown to the nearest 0.01 foot.
4. A STATE OF CONNECTICUT PLAT MAP, NO. 3811 DATED TO CLASS A-2 OF THE CONNECTICUT PLAT MAP ACT, IS REFERRED TO AS "PLAT MAP NO. 3811" THROUGHOUT THIS SURVEY.
5. "VALLEY INDUSTRIAL PARK CONDOMINIUM SURVEY PLAN TO A DECLARATION OF CONDOMINIUM AND DECLARATION OF CONDOMINIUM INTERESTS IN THE VALLEY INDUSTRIAL PARK CONDOMINIUM, ESSEX, CONNECTICUT, CLASS A-2, MIDDLESEX TOWNSHIP, ESSEX COUNTY, CONNECTICUT, IS REFERRED TO AS "DECLARATION OF CONDOMINIUM" THROUGHOUT THIS SURVEY.
6. "VALLEY INDUSTRIAL PARK CONDOMINIUM SURVEY PLAN TO A DECLARATION OF CONDOMINIUM AND DECLARATION OF CONDOMINIUM INTERESTS IN THE VALLEY INDUSTRIAL PARK CONDOMINIUM, ESSEX, CONNECTICUT, CLASS A-2, MIDDLESEX TOWNSHIP, ESSEX COUNTY, CONNECTICUT, IS REFERRED TO AS "DECLARATION OF CONDOMINIUM" THROUGHOUT THIS SURVEY.
7. "VALLEY INDUSTRIAL PARK CONDOMINIUM SURVEY PLAN TO A DECLARATION OF CONDOMINIUM AND DECLARATION OF CONDOMINIUM INTERESTS IN THE VALLEY INDUSTRIAL PARK CONDOMINIUM, ESSEX, CONNECTICUT, CLASS A-2, MIDDLESEX TOWNSHIP, ESSEX COUNTY, CONNECTICUT, IS REFERRED TO AS "DECLARATION OF CONDOMINIUM" THROUGHOUT THIS SURVEY.
8. "VALLEY INDUSTRIAL PARK CONDOMINIUM SURVEY PLAN TO A DECLARATION OF CONDOMINIUM AND DECLARATION OF CONDOMINIUM INTERESTS IN THE VALLEY INDUSTRIAL PARK CONDOMINIUM, ESSEX, CONNECTICUT, CLASS A-2, MIDDLESEX TOWNSHIP, ESSEX COUNTY, CONNECTICUT, IS REFERRED TO AS "DECLARATION OF CONDOMINIUM" THROUGHOUT THIS SURVEY.
9. "VALLEY INDUSTRIAL PARK CONDOMINIUM SURVEY PLAN TO A DECLARATION OF CONDOMINIUM AND DECLARATION OF CONDOMINIUM INTERESTS IN THE VALLEY INDUSTRIAL PARK CONDOMINIUM, ESSEX, CONNECTICUT, CLASS A-2, MIDDLESEX TOWNSHIP, ESSEX COUNTY, CONNECTICUT, IS REFERRED TO AS "DECLARATION OF CONDOMINIUM" THROUGHOUT THIS SURVEY.
10. "VALLEY INDUSTRIAL PARK CONDOMINIUM SURVEY PLAN TO A DECLARATION OF CONDOMINIUM AND DECLARATION OF CONDOMINIUM INTERESTS IN THE VALLEY INDUSTRIAL PARK CONDOMINIUM, ESSEX, CONNECTICUT, CLASS A-2, MIDDLESEX TOWNSHIP, ESSEX COUNTY, CONNECTICUT, IS REFERRED TO AS "DECLARATION OF CONDOMINIUM" THROUGHOUT THIS SURVEY.
11. "VALLEY INDUSTRIAL PARK CONDOMINIUM SURVEY PLAN TO A DECLARATION OF CONDOMINIUM AND DECLARATION OF CONDOMINIUM INTERESTS IN THE VALLEY INDUSTRIAL PARK CONDOMINIUM, ESSEX, CONNECTICUT, CLASS A-2, MIDDLESEX TOWNSHIP, ESSEX COUNTY, CONNECTICUT, IS REFERRED TO AS "DECLARATION OF CONDOMINIUM" THROUGHOUT THIS SURVEY.
12. "VALLEY INDUSTRIAL PARK CONDOMINIUM SURVEY PLAN TO A DECLARATION OF CONDOMINIUM AND DECLARATION OF CONDOMINIUM INTERESTS IN THE VALLEY INDUSTRIAL PARK CONDOMINIUM, ESSEX, CONNECTICUT, CLASS A-2, MIDDLESEX TOWNSHIP, ESSEX COUNTY, CONNECTICUT, IS REFERRED TO AS "DECLARATION OF CONDOMINIUM" THROUGHOUT THIS SURVEY.



EXISTING CONDITIONS FLOOR PLAN
SCALE: 1/8"=1'-0"



PARKING LAYOUT PLAN
 SCALE: 1"=50'

VALLEY INDUSTRIAL PARK CONDOMINIUM

9/13/2018
 NOT TO SCALE

**SITE PLAN
 PARKING LAYOUT
 PARK-1**

Site Address	Owner Name	Owner Address	Owner City	Owner State
35-41 INDUSTRIAL PARK RD Unit #11	CENTERBROOK PROPERTIES LLC	P.O. BOX 354	CENTERBROOK	CT 06409
36 Main Street CTBK	Kaufmanns Apartments LLC c/o Karl Kaufmann	34 Warsaw Street	Deep River	CT 06417
42 Main Street CTBK	Ronald Gieras	6 Gerard Avenue	Westbrook	CT 06498
37 Main Street CTBK	Michael & Anna Albanis	139 Shore Road	Clinton	CT 06413
46 Main Street CTBK	Richard Farndell	46 Main Street	Centerbrook	CT 06409
35-41 INDUSTRIAL PARK RD Unit #16	Herbert T Clark III	PO Box 995	Essex	CT 06426
35-41 INDUSTRIAL PARK RD Unit #16	Herbert T Clark III	PO Box 995	Essex	CT 06426
35-41 INDUSTRIAL PARK RD Unit #16	Herbert T Clark III	PO Box 995	Essex	CT 06426
34 MAIN ST CTBK	LSF REALTY COMPANY LLC	PO BOX 105	CENTERBROOK	CT 06409
31 MAIN ST CTBK	JMB PROPERTY LLC	55 HIDDEN PLACE	CHESHIRE	CT 06410
31A MAIN ST CTBK	SOUTHERN NEW ENGLAND TEL CO C/O FRONTIER COMMS TAX DEPT	PO BOX 2629	ADDISON	TX 75001