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June 27, 2022

Mr. Russell Smith, Chairman
Essex Planning and Zoning Commission
29 West Avenue
Essex, CT 06426

**SUBJECT: Special Exception Application for a 4,869sf Total Floor Area Residential Dwelling
14 Mill Road (Map 17, Lot 11)
Applicant: Jonathan and Kaitlyn Weiss**

Dear Mr. Smith:

The Essex Planning & Zoning Commission has submitted an application for a Special Exception in order to construct a 4,869 square foot (Total Floor Area) dwelling on a vacant property located at 14 Mill Road. The property is located on the south bank of Falls River Cove and is in the Gateway Conservation Zone. These advisory comments are provided to the Essex Planning & Zoning Commission for consideration at the public hearing scheduled for Tuesday, July 5, 2022.

Comments

The site in question is located at the southwestern end of the Falls River Cove and is characterized as being sloped, with the slope increasing as the property extends down to the cove. The proposed dwelling location complies with the Zoning Regulations of the Town of Essex and, as a result, complies with the Standards of the Gateway Commission adopted into Section 101 of the Zoning Regulations. No variances are required. Because the dwelling exceeds the 4,000 square foot measurement for Total Floor Area, the application must be approved through the Special Permit process pursuant to the Zoning Regulations.

The structure has been sited approximately 110 feet from the Coastal Jurisdiction Line on the upland side of an existing stone and mortar wall that extends laterally across the property and returns back away from the cove along the eastern property line. The property drops off waterward of the three to four-foot high wall where there is a path that crosses the property from west to east and extends down toward the cove. All of the development is shown to be on the upland side of the stone and mortar wall. The Gateway Commission is interested in limiting vegetation removal that is to occur waterward of the existing stone and mortar wall.

Several concerns have been expressed by members of the Gateway Commission and are addressed in the following conditions that are requested to be included in any approval:

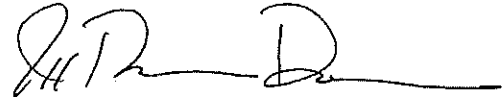
- (1) Before any further site work, vegetation clearing or any other activity is commenced at the site, the developer, the site engineer, the ZEO and a representative of the Gateway Commission shall meet on site to discuss the limits of vegetation clearing and removal. No work shall commence until such meeting has occurred.

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- (2) A brightly colored tape delineating the 50-foot line beyond which no vegetation cutting shall occur and no heavy equipment shall be operated shall be marked and confirmed adequate in writing by the ZEO before site work is commenced.
- (3) The developer shall have the height of the structure (peak of the main roof) surveyed as measured from the point where the foundation is exposed at natural grade before any backfilling occurs on the Falls River Cove side of the house to confirm that the height meets the 35-foot maximum height requirements of Section 101D, Building Height (Conservation District) and Building Height (Definition). This survey should occur when the framing of the roof allows for such measurement and not after completion of construction.
- (4) There shall be no excessive lighting of the site and the structure (architectural facade lighting) nor up-lighting of trees in order to minimize excessive lighting of the Falls River Cove, neighboring properties and the night sky in the area of the property. Only lighting required for safety purposes and incidental/customary use of the exterior of the property will be permitted at the site.

If there are any questions regarding these advisory comments and the requested conditions, please don't hesitate to ask. Thank you for your ongoing partnership in protecting the river scene along the Essex shoreline and thank you for submitting the petition for review.

Sincerely,



J. H. Torrance Downes, Deputy Director
Staff, RiverCOG/Gateway Commission

Copies via email to:

Ms. Claire Matthews, Essex Representative to the Gateway Commission

Mr. Misha Semenov, Essex Alternate to the Gateway Commission

Mr. Michael Ott, Site Engineer for the Applicant