

**ECONOMIC DEVELOPMENT COMMISSION  
REGULAR MEETING  
April 13 2022  
Zoom virtual meeting and in person at Essex Town Hall**

**Present:** Chairman Susan Malan, Robert Day, Tom Nichols, Jim Vineburgh, Tom Pinkowish, Brian Weinstein, Mary Ellen Barnes and Peter Decker.

**Absent:**

**CALL TO ORDER:**

The meeting was called to order by Chair Malan at 4:02 p.m.

**APPROVAL OF MINUTES:**

Motion made by Tom Nichols to approve the March 2022 minutes. Jim Vineburgh seconded.

**INTRODUCTION:**

Meeting was held virtually on Zoom and in person at the Essex Town Hall.

**Visitors:** None

**Updates:** Covid-19 update- no updates since last meeting.

**Planning and Zoning Report:**

The following applications relating to businesses have seen activity since the last submission to the Essex EDC:

**Approved Zoning Permits:**

*March*

**35-41 Unit #6 Industrial Park Rd**, approval for wayfinding signs for storage unit facility.

*April*

**64 South Main Street, Essex**, approval for signage for Rowman and Littlefield Publishing Group- discussion on the smaller building approved for residency? It might have been but not sure.

**6 Main Street, Centerbrook**, approval for signage for Surfridge Brewery and other tenants at Witch Hazel Works- discussion on the sign location.

**107 Main Street, Ivoryton**, approval for walls between existing granite posts located at Blue Hound to enclose existing outdoor seating.

**Special Exception Applications:**

**Application withdrawn- 35-41 Industrial Park Road Units 23 and 24 aka 40 Main Street, Centerbrook.** Applicant: MPower Health and Fitness, LLC c/o David Mulford; Owner:

*Herbert T. Clark III*; proposing a fitness center to occupy approx. 4,250 sq ft of the 16,000 sq ft building.

**APPROVED - 35-41 Industrial Park Road Units 22, 25 and 28 aka 40 Main Street, Centerbrook.** *Applicant: RX Specialty Consulting, dba Nutmeg Pharmacy; Owner: Herbert T. Clark III*; proposing Nutmeg Pharmacy to occupy approx. 5,000 sq ft of the 16,000 sq ft building.

**PUBLIC HEARING SCHEUDLED FOR MAY 3- 45 Plains Road** *Applicant: Meagan Foley; Owner: Ken Bombaci* proposed barber shop to occupy approx. 1,500 sq ft of existing space. Discussion on this business should be open by the end of the month.

**Site Plan Review Application:**

None at this time

**Approved Text Amendments and Zone Changes:**

**APPROVED- Text Change** under Section 123 of the Essex Zoning Regulations changing **Section 40.L** omitting the carve out for maximum building coverage for industrial and commercially zoned parcels and still requires a special exception permit *Applicant/Owner: Piage Management Corp.* **Effective April 29, 2022.**

**APPROVED- Zone Change Bushnell Management, LLC** under Section 123 of the Essex Zoning Regulations proposing a zone change for **3 Pratt Street** from Village Residence District (VR) to Essex Village District (EV). **Effective April 29, 2022.**

**DENIED- Zone Change Annelisa Santoro** under Section 123 of the Essex Zoning Regulations proposing a zone change for **54 Main Street** from Waterfront Business District (WF) to Essex Village District (EV).

**APPROVED- Text Change- Planning and Zoning Commission** under Section 123 of the Essex Zoning Regulations proposing a **text amendment to Section 45** Accessory Dwelling Units to ensure compliance with Public Act 21-29. **Approved. Effective April 29, 2022.**

**Other updates:**

*Cannabis Subcommittee:* This subcommittee has landed on three different options; prohibition; allowing sale of medical cannabis only; or sale of both medical and recreational cannabis. The PZC will discuss next steps at their May meeting. A moratorium is in place until December 31, 2022.

*Regional Housing Plan:* On March 17<sup>th</sup> the Regional Council of Governments held a meeting with Essex specifically to get input and feedback regarding the housing plan for Essex. A draft plan is expected to be received and reviewed at the May PZC meeting.

*Outdoor Entertainment:* The attached letter was sent to restaurants with outdoor seating to reiterate that the zoning regulations do not allow for outdoor music, despite the extension of the executive order for allowing outdoor seating through a simple site plan and zoning permit. It is

critical that restaurants work with the health department to ensure that they are not exceeding the number of permitted seats by adding seats outside while maintaining indoor seats as well. Surpassing the number of permitted seats could result in septic systems failing. We do not want anyone to have their septic system fail.

April 8, 2022

*Dear Business Owner:*

*With the Spring and Summer months rapidly approaching we would like to update you on the status of the Governor's extension of certain Executive Orders and to refresh you on certain rules related to outdoor dining and entertainment in the Town of Essex.*

*The Governor has extended the term of Executive Order 7mm as it relates to outdoor dining. This will allow you to continue to operate your business with regard to outdoor food and liquor service in the manner you have conducted business since the onset of the Covid-19 pandemic, with the submittal of an updated zoning permit. There is no fee associated with this permit, but you will need to submit a current plot plan showing the outdoor seating*

***Please note, the extension of this permissive order does not permit or in any way reduce, amend or eliminate the Town's regulations regarding outdoor entertainment and live music at any establishments within the Town of Essex.***

*Section 40A of the Zoning Regulations of the Town of Essex specifically states, "Except as expressly and specifically permitted by these regulations, no land or improvement thereon within the Town shall be used for any purpose".*

*This shall serve as a reminder that **outdoor entertainment is not a permitted use within the Town of Essex** as a use primary or accessory to your use as a restaurant, bar and/or food service establishment.*

*Nonetheless, the Town Planning and Zoning Commission has, in an attempt to assist the recovery of local restaurants, allowed for certain accessory outdoor entertainment which may consist solely of **non-amplified acoustic music** provided in a manner such as to not disturb surrounding residences and or businesses. Such use shall be limited to a defined patio area serving the establishment and described on a zoning permit to be reviewed and approved by the Zoning Enforcement Officer*

*This limited exception is in keeping with Section 40K of the Regulations provides that **"... no building, structure or improvement shall be erected, used or maintained or no lot shall be used or maintained for any use, trade or business or process which is obnoxious or offensive by reason of gas, odor, dust, smoke, vibration, illumination or noise ..."***

*These regulations are in place to ensure that all businesses conduct their operations in a manner which is consistent and in harmony with its surrounding neighbors.*

*Please be advised that any failure to comply with the regulations may result in fines and further referral to the Department of Consumer Protection Liquor Control Division which oversees your liquor permits.*

*You may direct any questions you have to:*

*Carey Duques, Land Use Official – (860) 767-4340- x115*

*Thank you for your cooperation and consideration of your neighbors. We wish you well in the upcoming season.*

**ACTION ITEMS:**

Susan wants to keep the review of the POCD on the agenda. She asked everyone to continue reviewing it and looking over what needs to be tweaked.

**OLD BUSINESS:**

Harbor Management Commission- the plan is almost complete. Working on final draft- this plan should strengthen things so that it keeps the character of the coves. Right now, if something does not get approved, it can be sent to DEEP to see if they will approve it. This plan should be more specific, not as open for interpretation.

Sidewalk project- discussion on the sidewalk project. Susan asked if everyone wanted her to reach back out to UCONN to see about restarting this project. Maybe we need to circle back to see if we can get the sidewalks approved. Discussion about exactly what the project was, how it was going to be done with planters as a temporary walkway to see how it works. All thought that we don't need UCONN at this point, we just need to reach back out to the Public Works department to see where this was at. Last we had heard; it was a go for the temporary one to start with.

**NEW BUSINESS:**

River Road- last update that we heard was that they were trying to find money for the vehicle bridge, they have the money for the pedestrian bridge and sidewalk. Some have heard they found the money for the vehicle and pedestrian bridge- that it would be one bridge for both but not nailed down yet. Close to it though.

Boat House was not approved to residential – they had said they didn't want to change anything but wanted to get the approval. Big question as to why you would want to go through the approval process if you don't want to change anything.

Anyone heard about the update for Centerbrook roads? Discussion on what roads have been done already and what are coming up. MaryEllen said it is on the main page of the Town of Essex website under News and Announcements.

Susan asked the opinion of everyone- The Board of Trade has asked businesses on Main Street in Essex to encourage their employees to stay away from parking in the spaces right on Main St. Leave those spaces open for tourists and shoppers. Plenty of parking around the area, should not need to park right on Main St. Susan asked if all thought it was a good idea to spread the word

through the commission. All thought that we could ask as a courtesy. Most people probably don't think about that. Will check to see if there are signs that say 2-hour limit. There should be, but not sure if they are still there. Susan will craft a letter for everyone to review before sending it.

**Upcoming Guests and Meeting Locations:**

The next meeting will be Wednesday, May 11, 2022.

**ADJOURNMENT:**

The meeting was adjourned at 4:35 p.m.

Respectfully Submitted,  
Cindy Sadlowski, Commission Clerk