

TOWN OF ESSEX PLANNING and ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426
Essex Town Hall

REGULAR MEETING

Tuesday, December 5, 2023 7PM

Meeting held both in person and via zoom.

In person meeting will be held at Essex Town Hall in Conference Room A located on the 3rd floor.

DRAFT MINUTES

1. Call to Order and Seating of Members

Chairman Smith called the meeting to order at 7:02 p.m. Seated for the meeting were Members Jane Siris, Gary Riggio, Chris Riley, Mark Reeves, Robert Day, and Peter Fleischer. Also in attendance was Alternates David Rosengren, Jeff Lovelace, Land Use Official Carey Duques, Commission Counsels Larry Shipman, David Royston, and Town Planner John Guszowski.

Motion to amend the agenda to add Election of Officers to the end off the agenda by Mark Reeves, seconded by Peter Fleischer. Motion carried unanimously.

2. Approval of the Minutes

- November 8, 2023 Regular Meeting
- November 16, 2023 Special Meeting

Motion to approve the Minutes of November 8, 2023 PZC meeting by Gary Riggio, seconded by Robert Day. Motion carried unanimously.

Motion to approve the Minutes of November 16, 2023 PZC special meeting by Mark Reeves, seconded by Gary Riggio. Motion carried unanimously, with Mark Reeves abstaining.

3. Public Hearings

There were no public hearings.

4. Unfinished Business/Action Items

There was no unfinished business or action items.

5. Receipt of New Applications

- **PZC Application 23-12 Proposed Zone Change** under Section 123 of the Essex Zoning Regulations to change the zoning of **11 and 15 Old Deep River Road Centerbrook** Map 44 Lot 1 and Map 34 Lot 3, respectively, from Rural Residential (RU) to Commercial (C) *Applicant and Owner: Essex Steam Train Events LLC*

Motion to receive Application 23-12 and schedule the public hearing to open on January 2, 2024 by Mark Reeves, seconded by Robert Day. Motion carried unanimously.

6. **New Business**

- Discussion Re: 10 Foster Lane and Conservation Easement.

Cary Duques noted that this matter is still pending, and the owner is developing a survey to provide more information on the existence of mylar or easement documentation. She recommended the matter be tabled. Larry Shipman stated that the easement is noted on the official mylar, but there is no clear intent of the easement, and there appears to be no maintenance or enforcement undertaken. Robert Day asked about the possibility of public access on easement area, and Larry Shipman stated that each easement is unique and does not necessarily carry access. The Commission discussed the matter briefly, and whether the Conservation Commission's input should be sought. This matter will be discussed further at the January meeting.

- CGS Sec 8-24 Referral from the BOS regarding the Town of Essex receiving 51 Main Street Centerbrook as a donation.

Carey Duques noted that two members of the Board of Selectmen were present, along with Attorney Royston, to answer any questions. She reviewed the Statutory responsibility of the Planning Commission under Section 8-24 to review and comment on any municipal acquisitions. Selectman Bruce Glowac presented some history of the Centerbrook Meeting House as an important part of Essex's heritage. The building is currently owned by Norman Needleman and Herb Clark, but continues to have extensive public use. Because he is an owner of the property to be donated, Selectman Norm Needleman has not been involved in any formal discussions on the Board of Selectman. Selectman Glowac stated that the cost/benefit is very favorable to the Town should the building continue to be used for public activities, including Park & Recreation and Senior uses. Commissioners discussed the potential of the building be a minor profit center as a rental facility for outside groups in addition to the public use. The maintenance would take place under the authority and management of the Board of Selectmen. The Commission had a general discussion about the history and use of the Meeting House, including the potential use by the Ivoryton Playhouse or future disposition of the building. Carey Duques focused the discussion on the goals and recommendations of the Plan of Conservation & Development, which includes improving the Village Center in Centerbrook and highlighting the Town's history and heritage. The statutory requirements of 8-24 and parking were discussed.

Motion to issue a positive referral of the proposed acquisition of the Centerbrook Meeting House by the Town of Essex by Robert Day, seconded by Mark Reeves. Motion carried unanimously.

- Discussion of additional boat rack and parking at Bushnell St.

Carey Duques stated that she was contacted by the Harbor Management Commission about adding a boat rack at the Bushnell Street launch, and noted questions of whether the rack is a structure, whether additional parking would be needed. She stated that the boat racks are temporary structures. Paul Riggio from the Harbor Management Commission was in attendance and confirmed that only small craft like canoes and kayaks were stored on the rack. He stated that the launch area is neither a marina nor a park, but just a public access point, which has no specific regulations about use or parking requirements. The racks are just six feet in height, and should not require a zoning permit. Carey Duques stated that there was no real parking concerns. She stated that unless there were strong objections from the Commission, this is not a matter that needs to be formally permitted and additional parking was not required. The Commission, by consensus, agreed with this position.

- Discussion of a possible text amendment regarding housing in Essex.

Carey Duques and John Guskowski discussed the ongoing conversation about potential housing amendments to the Zoning Regulations and reviewed the existing sections of the Zoning Regulations that already dealt with multifamily housing and affordability. Carey Duques discussed the apartment regulations in the Mixed-Use section as well as the multifamily housing in the Route 9 Gateway Special Development District. John Guskowski stated that the Route 9 Gateway Special Development regulations were already vetted and approved, and could be applied to the other development nodes identified by the PoCD. Jane Siris wanted a focus on both affordability and diversity of housing types. David Rosengren and Carey Duques discussed the specifics and purpose of the Route 9 Gateway regulations, and he noted that the regulation needed to make development attractive to builders. Mark Reeves discussed incentivizing developers to build in specific areas. Robert Day stated that the removal of the arbitrary density cap provided that incentive, and the Commission discussed the matter generally. John Guskowski discussed how the options and possibilities of redevelopment will be able to be shared with developers when they inquire about properties. The Commission discussed the mapping of the development nodes. Carey Duques and John Guskowski will prepare a draft regulation for the January or February PZC meeting. Jane Siris suggested that Bokum Center was the best area to focus on to start.

- Election of Officers, 2024

Alternate David Rosengren moderated the nomination process. He asked for nominations for Chairman. **Robert Day nominated Russ Smith for Chairman and Mark Reeves seconded.** There were no other nominations. **Nomination was approved unanimously.**

David Rosengren asked for nominations for Vice-Chairman. **Chairman Russ Smith nominated Jane Siris for Chairman and Gary Riggio seconded.** There were no other nominations. **Nomination was approved unanimously.**

7. **Appointments/Reports from Committees and Officers**

- Lower CT River Valley Council of Governments Regional Planning Committee
 - o Regional Housing Committee – Carey Duques reported that the Housing Committee was discussing accessory apartments and conversions of existing structures into multifamily. David Rosengren discussed the 8-30g application that was approved in Chester.
- Economic Development Commission- Robert Day had no report.
- Plan of Conservation and Development- No updates.
- VR Zoning Text Amendment Committee- Carey Duques reported that the Committee continues to meet, and anticipates a report and recommendation in February. David Rosengren requested that when the recommendations are made, the proposal is presented in markup version so it's easier to understand what is being changed.

8. **Staff Reports**

- Town Planning Consultant – John Guskowski reported that the Harbor Management Plan was in a complete draft form but a few maps were being updated. He also noted that after a rather significant delay, work was being completed on a nomination of Essex Village to the National Register of Historic Places. Finally, we noted that the

Town was approached by UConn-CIRCA about possibly leading a three-town application for Sea Grant funds and technical assistance to do a resilience/coastal climate change preparedness study for Essex, Deep River, and Chester. He will work with First Selectman Needleman to coordinate with the other two towns on an application.

Motion to support an application for a three-town Coastal Resilience Study by Robert Day, seconded by Mark Reeves. Motion carried unanimously.

- Land Use Official

- o Essex Glen Update – Carey Duques reported that the acceptance of the Town Road will be voted on at the Selectmen’s meeting to refer to a Town Meeting later in December, and inspections have been done by Town Engineer and Public Works Director. There are some minor checklist items yet to be completed, and they are being addressed. Attorney Royston added clarification about the Town Road approval process, and preparedness to do any snowplowing in the interim. The Road performance bond is still in place. He discussed some of the Special Exception conditions that were required for completion. He recommended a specific authorization of the homeowners association to perform some necessary maintenance within the Town’s ROW. Ben Bossi, an owner at Essex Glen stated that the wall is still a concern but that the Town was working with the HOA on an agreement for maintenance within the Road right-of-way.

Motion to authorize the Essex Glen Homeowners Association to perform necessary drainage and landscape maintenance within the Road right-of-way subject to the approval of the Board of Selectmen providing for insurance by Robert Day, seconded by Mark Reeves. Motion carried unanimously.

Michael Miller, an owner at Essex Glen stated that the missing landscaping had been a concern, and some progress was made, but the soil establishment elements was still incomplete. The Commission and the other members of the HOA present discussed the list of improvements yet to be completed and the process to finish the project.

- o Short Term Rentals – Carey Duques reported that there were three public hearings on the proposed ordinance, which is still in draft form. The current required minimum night stay was 2-3, and still requires owner presence or proximity to the rental. There would be a registration and fee, though enforcement is still being discussed.

9. Correspondence

There was no correspondence.

10. Adjournment

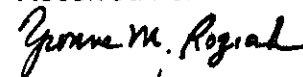
Motion to adjourn by Mark Reeves, seconded by Robert Day. Motion carried unanimously.

Meeting adjourned at 8:32 p.m.

Respectfully submitted,
John P. Guskowski, Town Planner (consulting)



Received For Record



12/06, 2023

Assist. Town Clerk, Essex, CT

4
9:03 A.M.