



# TOWN OF ESSEX PLANNING and ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426  
Essex Town Hall

## SPECIAL MEETING

Thursday, November 16, 2023 5PM  
Meeting was held remotely via Zoom.

## DRAFT MINUTES

### 1. Call to Order and Seating of Members

Chairman Smith called the meeting to order at 5:02 p.m. Seated for the meeting were Members Jane Siris, Gary Riggio, Mark Reeves, Chris Riley, and Peter Fleischer. Seated for Robert Day was Jeff Lovelace. Also in attendance were Land Use Official Carey Duques and Commission Counsel Larry Shipman.

### 2. Unfinished Business/Action Items

- **PZC Application 23-12 Proposed Text Amendment** under Section 123 of the Essex Zoning Regulations to change the text of the Zoning Regulations in Section 60A.2(H) to permit family day care homes, as a general principal use. Proposed amendment is to comply with Public Act 23-142. *Applicant: Essex Planning and Zoning Commission* (Application received 10/3/23, Public hearing opened and closed 11/8/23, Discussion continued on 11/8/23).

Land Use Official introduced the topic, which is a mandatory regulatory change as a result of a recent State legislative change. After review and discussion with Town Attorney Larry Shipman, she presented a revised amendment draft that extensively references definitions within the revised State Statutes concerning Family Day Care and Group Child Care as a permitted uses in residential zones. The Commission discussed different residential scenarios in nonresidential districts and pre-existing uses. Attorney Shipman discusses the potential over-ride of local regulations if the Town does not change their Regulations. Carey Duques also reviewed the proposed new and revised definitions. The Commission discussed enforcement by both Town and State. Carey Duques recommended that the amendment be effective on November 27<sup>th</sup>. Peter Fleischer asked about the definitions and age-range for child care, and the Commission discussed potential applicants.

**Motion to approve Application 23-12 with an effective date of November 27, 2023 by Mark Reeves, seconded by Jeff Lovelace. Motion carried unanimously.**

### 3. Adjournment

**Motion to adjourn by Jeff Lovelace, seconded by Peter Fleischer. Motion carried unanimously.**

Meeting adjourned at 5:23 p.m.

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