



## ESSEX PLANNING & ZONING COMMISSION

### REGULAR MEETING

Tuesday, May 4, 2021  
7:00 p.m.  
Meeting Held Via Zoom Video Conference

### DRAFT MINUTES

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

Chairman Russ Smith called the meeting to order at 7:01 p.m. In attendance, via videoconference, for the meeting were Members Jane Siris, Erin Borruso, Robert Day, Ralph Monaco, and Mark Reeves; Alternate Jeff Lovelace was seated for Gary Riggio. Also in attendance were Land Use Official Carey Duques, Consulting Planner John Guskowski, and Commission Counsel Larry Shipman. Alternate Tom Carroll arrived at 7:03 p.m.

#### 2. Approval of Minutes

April 6, 2021 Regular Meeting

Motion to approve minutes of April 6, 2021 by Jane Siris, seconded by Ralph Monaco.  
Motion carried unanimously as amended.

#### 3. Public Hearing

There were no public hearings.

#### 4. New Business

There was no new business.

#### 5. Receipt of New Applications

- a. PZC Application 21-3, Text Amendment to the Zoning Regulations, Section 40I.2, Accessory Buildings - Essex Planning & Zoning Commission proposing text amendment to allow detached accessory structures 15 feet in height or less to be located not less than five (5) feet from a side or rear lot line and no less than ten (10) feet from side and rear lot lines for parcels deemed rear lots.

**Motion to receive the application by Mark Reeves, seconded by Jane Siris. Motion carried unanimously.**

**Motion to hold a public hearing on Application 21-3 to open on June 1, 2021 by Jane Siris, seconded by Ralph Monaco.** Carey Duques noted that the proposal would modify the regulations for accessory buildings, which mentions rear yards but not side yards, and has created uncertainty in implementation and has also resulted in numerous recent variances. Ralph Monaco believes that the language could be worked on and clarified the size of structures that could be placed in the reduced setback. **Motion carried, with Jeff Lovelace in opposition.**

6. **Old Business**

- a. **Modification to Subdivision Plan – Planning Commission Application No. 2-07 – Landmark Interests, LLC, 3-Lot Subdivision, property now owned by Essex Glen, LLC.** Modification pertains to the “as-built” drainage in the right-of-way for Essex Glen Road. Removal of condition requiring a sidewalk in lieu of turnaround at the cul-de-sac at Essex Glen Drive. The modification is to be provided to Robert Doane, designated Agent for the Planning Commission (now Planning & Zoning Commission) for his recommendation to the Commission. *(Continued on March 2 and April 6, 2021)*

Carey Duques reported that there is still some reporting and communication that needs to take place and recommended that the item be tabled. Robert Day asked about the expiration of the bond for public improvements, which Carey Duques noted would be expiring in October. She also noted that the work isn’t complicated, but they just need to complete it. Mark Reeves and Robert Day both indicated that they were inclined to try to require the sidewalks when the sight-line improvements were completed. Carey will continue to communicate with Bob Doane and Attorney Lomme. Robert Day asked if the Town could withhold building permits until compliance is achieved, and Larry Shipman said that it could, but the issue of the two approved plans (one by Planning, one by Zoning) has not been totally resolved. The Commission had a general discussion about resolving the question of improvements.

**Motion to authorize Attorney Shipman to find out, prior to the June meeting, if the Town can withhold building permits until the issue of public improvements is resolved by Robert Day, seconded by Mark Reeves.** Larry Shipman discussed the question of town acceptance of the roadway in the future with the Commission. **Motion carried unanimously.** Chairman Smith asked Carey Duques to invite both Bob Doane and Attorney Terry Lomme to the next meeting.

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

- a. **Report from Lower CT River Valley Council of Governments**

Jane Siris stated reported that the Committee met last week and approved the draft of the Regional Plan of Conservation & Development, which is now open for comments. Apparently, the “existing conditions” report was not included in the first link, which will be corrected. She then noted that there was an article in the Valley Courier about a local group joining a national movement of people meeting called “Our Towns.” She stated that 33% of Essex residents would be considered “ALICE,” which stands for “Asset Limited, Income Constrained, Employed” and called for more

awareness of the working poor or struggling families even in relatively wealthy communities such as Essex. Carey Duques stated that she believed that the RPoCD presentation was done well and accurately.

**b. Report from Economic Development Commission Representative**

Robert Day reported that he had missed the prior EDC meeting. John Guskowski reported that he and Carey Duques met with EDC Chair Janet Peckinpaugh and offered to coordinate with them on the development of a business owner email database to begin regular outreach and communications on relevant events, news, and updates.

**c. Report of Committee on Plan of Conservation & Development**

Carey Duques noted that the Committee had not been established but was a standing item for future meetings.

**8. Staff Reports**

- Town Planner

- o Review Route 9 Gateway Development District Overlay Zone: John Guskowski presented the concept of a Special Development District as a master-planned flexible re-zoning process. He noted that the Plan of Conservation & Development recommended several development nodes for flexible development and redevelopment in Essex, and Route 9 is one of them. The Commission asked several questions about the proposed regulatory approach, including: which other towns have considered and applied these regulations; could the town simply create new “one size fits all” zoning districts for each focus area; how do developers avoid spending significant money on proposals that are ultimately rejected; what an appropriate mix of use is; how to allow market solutions; and how to balance development in certain areas and conservation in other areas. John Guskowski provided responses to these questions and encouraged the Commissioners to review the proposed language, focusing particularly on the Purpose and Intent of Sections 105.A and 105.B, as well as the review process that gives the Commission significant leverage over the process.

Chairman Smith asked about the scheduling for the proposed amendment and requested that the Commission review the proposed regulations over the next two months and would plan to receive the text as an application in July for a hearing in August. John Guskowski requested that the Commissioners forward any questions or proposed edits to himself and Carey Duques.

John Guskowski then discussed recent potential funding opportunities for a new sidewalk on River Road, replacement of the River Road bridge, and a sidewalk on Plains Road. Jeff Lovelace noted that Westbrook Road between Centerbrook and Bokum should also be a priority.

- Land Use Official Carey Duques presented on several topics:

- o Discussion regarding text amendment for parking requirements for transient boaters. Carey Duques reported on recent discussions with marina owners about parking requirements for visitors who arrive without a car and how to address that. Doug Domenie from Essex Island Marina discussed his proposed improvements and DEEP

applications that have been complicated by local parking regulations. The initial proposal to address this matter would be reducing requirements to 0.75 car spaces per boat slip or mooring. Robert Day asked about the point in the process of this request, which is not yet an official application, as well as the location of current Essex Island Marina parking. Mr. Domenie detailed parking locations. The Commission discussed the enforcement of parking in the marina areas and distinguishing between slip rental owners and transients, as well as the process for determining a number based on each of the marinas. Mr. Domenie will work with Carey Duques and return with a more formal proposal.

- o Discussion regarding Accessory Dwelling Units and the zones that permit them. Carey Duques pointed out a minor issue in Section 45 of the Zoning Regulations, which currently provide for an accessory dwelling unit in all residential zoning districts except for River Road Residential, and it is not clear why that district was excluded when the regulation was adopted. Larry Shipman believed that it was probably a drafting error. The Commission generally agreed that a text amendment proposal would correct this.

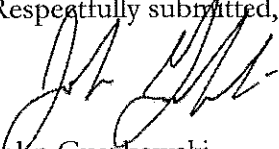
**9. Correspondence and Invoices**

Carey Duques reported a query about a property in the Light Industrial Zone for selling vehicles (automotive) within buildings, which is currently not clearly allowed. Boat sales are allowed, but not automotive. The Commission discussed the matter as well as the history of vehicle dealers in Town and the difference between external display and sales internal to the buildings, and how to prevent external storage and appearance. The Commission was generally open to hearing more about the proposal for discussion purposes.

**10. Adjournment**

Motion to adjourn by Robert Day, seconded by Jeff Lovelace. Motion carried unanimously.  
Meeting was adjourned at 8:34 p.m.

Respectfully submitted,

  
John Guskowski  
Consulting Town Planner

Received For Record  
*Gyome M. Rozia*  
05/06, 2021  
Assist. Town Clerk, Essex, CT

@ 10:04  
A.M.