



TOWN OF ESSEX PLANNING and ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426
Essex Town Hall

REGULAR MEETING

Tuesday, February 6, 2024 7PM

Meeting held both in person and via zoom.

In person meeting 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, Mark Reeves, Robert Day, and Chris Riley. Seated for Gary Riggio was Alternate David Rosengren. Also in attendance were Alternate Jeff Lovelace, Land Use Official Carey Duques, Commission Counsel Larry Shipman, and Town Planner John Guskowski.

2. Approval of the Minutes

- January 2, 2024 Regular Meeting

Motion to approve the minutes of January 2, 2024 by Jane Siris, seconded by Mark Reeves. Motion carried unanimously, with Chris Riley abstaining.

3. Public Hearings

- **PZC Application 23-14 Special Exception** under Section 101E.1 of the Essex Zoning Regulations to remove existing driveway pavement and install new gravel drive for access to boat slips at 13 Novelty Lane Essex. *Applicant and Owner: Essex Yacht Club*

Kenneth Thomsen, past Commodore of the Essex Yacht Club, presented the application. He reviewed a site plan of the Essex Yacht Club, pointing out that historically, the “north lawn” area was used for special events and entertainment. Since that time, there was a need for a septic system update that required raising the grade of the area and installing aeration systems which eliminated the potential of using that area for tents or events. The Club has been looking for an area to hold such special events. He noted some existing paved driveway area that would be converted to gravel and used for temporary loading/unloading of passenger vehicles. There would be an area then set aside, with an approximate 40’ x 80’ dimension. Carey Duques noted that this activity was taking place within the Coastal Jurisdiction area, and involved an area connected to boat slips (water dependent activity) and required a Special Permit. She noted that Erosion & Sedimentation Control would be in place, but no structures were involved, and the gravel would be pervious. She did not note the need for any special conditions. Jane Siris asked about the one-way direction and potential traffic concerns. Mr. Thomsen stated that they wanted to keep the driveway narrow and limited. Attorney Terry Lomme, a former neighbor to the Yacht Club, stated that he supported this proposal and believed the improvements would help minimize the noise on special events.

Motion to close the public hearing by Robert Day, seconded by Mark Reeves. Motion carried unanimously. Jane Siris recused herself from voting on this matter.

4. **Unfinished Business/Action Items**

- **PZC Application 23-14 Special Exception** under Section 101E.1 of the Essex Zoning Regulations to remove existing driveway pavement and install new gravel drive for access to boat slips at **13 Novelty Lane Essex**. *Applicant and Owner: Essex Yacht Club*

Motion to approve PZC Application 23-14 by Robert Day, seconded by Mark Reeves. Motion carried unanimously. Jane Siris recused herself from voting on this matter.

5. **Receipt of New Applications**

- **PZC Application 24-1 Special Exception** under 80A.2(D) and 80A.2(T) of the Essex Zoning Regulations to conduct seasonal outdoor events at **11 and 15 Old Deep River Rd Centerbrook**. *Applicant and Owner: Essex Steam Train Events, LLC.*

Motion to receive application PZC 24-1 and schedule public hearing to open on March 5 by Mark Reeves, seconded by Jane Siris. Motion carried unanimously.

Carey Duques asked if the Commission wished to conduct a site visit in advance of the public hearing, perhaps during the week of February 26th. They would access the site via Steam Train. The Commissioners were largely available at 1:00 p.m. on Friday, February 23rd. The visit will be advertised as a public meeting.

- **PZC Application 24-2 Text Amendment** under Section 123 of the Essex Zoning Regulations to create the Bokum Corner Development District (BCDD). *Applicant: Essex Planning and Zoning Commission.*

Motion to receive application PZC 24-2 and schedule public hearing to open on March 5 by Mark Reeves, seconded by Robert Day. Motion carried unanimously.

- **PZC Application 24-3 Text Amendment** under Section 123 of the Essex Zoning Regulations to create parcel standards for nonconforming non-waterfront parcels located in the Village Residence Zone. *Applicant: Essex Planning and Zoning Commission.*

Motion to receive application PZC 24-3 and schedule public hearing to open on March 5 by Mark Reeves, seconded by Jane Siris. Motion carried unanimously.

6. **New Business**

- Section 8-24 referral to transfer 0.31 acres of land located off Pond Meadow Road Map 88 Lot 3-05 from the Town of Essex to the Essex Land Trust.

Carey Duques introduced the topic. This is a request from the Board of Selectmen to transfer a property's title to the Land Trust. This is a 50' wide strip of land that was acquired as part of a subdivision that was technically never accepted by the Town, but the Land Trust is interested in acquiring the entire subdivision (former Vumbaco subdivision), which would include the Town's 50' ROW strip.

Motion to issue a positive referral to the proposal of having the Town of Essex transfer the 50' strip of land, totaling 0.31 acres to the Essex Land Trust by Robert Day, seconded by Mark Reeves. Motion carried unanimously.

Motion to add an Agenda Item to discuss Floor Area Ratio text amendment during Staff Reports by Mark Reeves, seconded by Robert Day. Motion carried unanimously.

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

- Lower CT River Valley Council of Governments Regional Planning Committee

o Regional Housing Committee

David Rosengren reported that there were ongoing interesting conversations concerning Affordable Housing. Carey Duques stated that she would be sharing the Node Text Amendments with the group as an example of regulations moving forward on the issue of housing promotion. David Rosengren stated that the devotion to single-family larger lot zoning was a substantial barrier to increased opportunities.

- Economic Development Commission:

Robert Day stated that the Commission was discussing recent developments, including the conversion of the former Benny's and the pending opening of the DG Market grocery.

- Plan of Conservation and Development:

No updates

8. **Staff Reports**

- Town Planning Consultant:

John Guskowski reported that he and Carey Duques had been working on a climate resilience assessment grant with the Towns of Deep River and Chester that would be provided by UConn CIRCA. This would be announced within a few months. He also reported that the Harbor Management Plan was currently under review by the DEEP and would then be adopted by the Harbor Management Commission.

- Land Use Official:

Carey Duques provided a few updates, including the potential changes to Floor Area Ratio regulations. Architect Hope Proctor discussed how Floor Area Ratio regulations prevent the over-sized bulk of new buildings. She stated that it was possible to be conforming to setbacks and coverage, but still construct a building of such bulk that it disrupts the architectural flow and comfort of the building. She described the math of a floor-area ratio (FAR) relative to coverage. The Commission discussed the details of Old Saybrook's and other area communities' current FAR regulations. David Rosengren led the discussion about the Commission drawing lines and the ZBA deciding on when to allow development outside of those boxes. Jane Siris expressed support for the idea. Robert Day asked about doing some baseline analysis, via GIS, about existing FAR of Essex Village properties. David Rosengren suggested waiting on text amendments until after the update of the Plan of Conservation & Development.

- o Essex Glen Update: Carey Duques reported that the Road was accepted by the Town, and the Town is working on a maintenance agreement with the Association residents to allow them to maintain the common facilities with greater frequency. The wall is being monitored by the Town Engineer, and Carey Duques will keep the Commission posted.

- Short Term Rentals: Carey Duques is working on Ordinance revisions that would reduce the required length of stay to two nights and the expanded proximity of owners (to be in-town rather than immediately proximate). This revision will return to the Board of Selectmen in advance of a Town Meeting.
- Discussion regarding livestock in VR District: This was a follow-up to the horse facility amendment that was approved two years ago, and whether the Commission wished to retain the change despite the fact that the principal applicant was no longer interested in the use. The Commission discussed being pro-active and making changes at individual property-owners' behest, and the pros and cons of removing an amendment such as this.

9. Correspondence

Carey Duques proposed a letter of support to the Essex Land Trust for their re-accreditation.

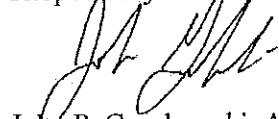
Motion to issue a letter of support to the Essex Land Trust by Chairman Smith, seconded by Jane Siris. Motion carried unanimously.

Larry Shipman presented a short primer on recusals vs. abstentions and when they are appropriate, and how for Text or Map amendments, a majority of Commissioners were needed, not simply the majority of those voting.

10. Adjournment

Motion to adjourn by Jane Siris, seconded by Mark Reeves. Motion carried unanimously.
Meeting adjourned at 8:30 p.m.

Respectfully submitted,



John P. Guskowski, AICP, CZEO
Town Planner (Consulting)

Received For Record
Yvonne M. Rozia
02/07, 2024
Assist. Town Clerk, Essex, CT
(2) 9:12 A.M.