



# TOWN OF ESSEX PLANNING and ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426  
Essex Town Hall

**REGULAR MEETING**  
Tuesday, January 3, 2023 7PM

## DRAFT MINUTES

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

Chairman Russ Smith called the meeting to order at 7:05 p.m. Seated for the meeting were Members Jane Siris, Mark Reeves, Gary Riggio, Robert Day, and Peter Fleischer. Seated for Chris Riley was Alternate Jeff Lovelace. Also in attendance was Alternate Tom Carroll, Land Use Official Carey Duques, Town Planner John Guskowski, and Counsel Larry Shipman.

### 2. Approval of the Minutes

- December 6, 2022, Regular Meeting

**Motion to approve the minutes by Robert Day, seconded by Peter Fleischer. Motion carried unanimously.**

### 3. Public Hearings

- **PZC Application 22-19 Special Exception** under Section 90A.3(A) of the Essex Zoning Regulations to build 2 buildings, one 28,500 sq ft and one 21,700 sq ft, and associated building utility services and site improvements at **43 Bokum Road Essex**  
*Applicant/Owner: George C Field Co Inc.*

Engineer Bob Doane, PE, represented the application. Before his presentation, George Michael Furgueson, a resident of Essex Meadows rose to speak, claiming that the notification of abutting property owners was not undertaken correctly. Carey Duques stated that a mailing had been provided for the parent company of Essex Meadows on December 21, 2022. Attorney Shipman clarified that this indicated a proper mailing.

Bob Doane provided an overview of the site on Bokum Road, in the Limited Industrial District, and reviewed previous uses of the land. The larger of the two buildings (28,500 sf) will be built first, by George C. Field, Co., and will house Winair. He reviewed wetlands, stormwater, and septic system details. He discussed parking details, which exceed minimum standards in the Regulations. He presented architectural renderings for building #1, but as building #2 did not have tenants or final design yet, those renderings were not available. He reviewed truck circulation and parking through the site. He anticipated approximately three tractor-trailer loads per day, during working hours and weekdays. Building-mounted lights would be the only exterior lights, with no parking area poles, and all lighting would be full cut-off and downcast. He reviewed the landscape plans, including grassed shoulders and possibly evergreen plantings between neighboring properties. This would be somewhat limited because the access strip to this rear lot was only 50' wide, with a 24' paved driveway. He believed that the truck loading areas would not be visible from Bokum Road.

No hazardous materials will be allowed on-site, which is a term of the lease. Stormwater management techniques include hydrodynamic separators to treat parking lot stormwater.

Jane Siris stated that this is a complicated site with difficult grading. She stated that a cross-section from the building to the street would be much more useful to understand the development. Bob Doane noted that existing and proposed grades are shown. Sandra Huber, a neighboring resident asked about the proximity of the plantings. Bob Doane discussed the limited planting options due to the geometry of the site. The proposed height of the buildings is 24' to the eaves. There will be a limited mezzanine with office space, but the majority of the building is one-level. The use of the second building will have to come back to Planning & Zoning for a special permit. Ms. Huber asked about pavement and stormwater management, and Bob Doane reviewed the stormwater management plan.

Peter Fleischer asked if applicants such as this were generally requested to do a traffic study, and Carey Duques stated that it was in the discretion of the Commission. Peter Fleischer asked about traffic and circulation relative to neighboring uses and potential buffering. He also asked about notification of the many residents of Essex Meadows, and Carey Duques stated that the notification went to the ownership association, and the notification was not required, but rather was a courtesy. Peter Fleischer discussed potential buffering options. Bob Doane noted that there were excellent sight lines at the proposed driveway location. He stated that the amount of truck and pedestrian traffic generated by Winair at their other location was not significant and not dramatically above background levels. Gary Riggio asked about sizing of the secondary septic system when the end-user is not known. Bob Doane used a very conservative, maximum size based on office-use and the building square footages.

Bob Doane noted that the property would be accessed by a 50' strip with no possibility of a future through-road. He noted that this is a limited industrial use in a limited industrial zone, and meet all building layout, coverage, parking, stormwater management, and other regulatory requirements. He noted that Geoff Jacobson, a third-party engineer, reviewed the site plan for compliance. The stormwater management system has a maintenance schedule and clean-out process, to be managed by the site owner. Sandra Huber asked about the potential capacity for the new building. There is not enough parking for 100 potential employees in the second building, and Bob Doane noted that the second building is likely going to be a similar end use, but in either case, a new special exception application will be presented to the Commission. Finally, he noted that the site signage will be similar to Winair existing facility signage. Carey Duques confirmed that there would be no outdoor storage, which Bob Doane stated was prohibited by lease terms.

There were no further questions from the audience or Commission. Carey Duques confirmed that lighting was only building-mounted. Bob Doane, in response to a question from Robert Vitari about the 1982 flood, reviewed the stormwater management system. Jane Siris asked about a retaining wall on the site, which Bob Doane noted was offset from the roadway. Carey Duques noted that all of the properties in the immediate vicinity, including the Huber property, were zoned for Light Industrial uses. Accordingly, the landscape requirements are reduced from the circumstance when the use abutted residential districts. Chairman Smith asked whether Jane Siris felt there was enough information, and she reiterated that she believed that without cross-sections, the Commission didn't have enough information.

**Motion to continue the public hearing until February and request engineering cross-sections and fully dimensioned plans by Jane Siris, seconded by Chairman Smith. Motion carried unanimously.**

- **PZC Application 19-26 Modification of Special Exception** to have an indoor recreational facility in a 20,000 sq ft building approved in 2019 at **83 Westbrook Road Centerbrook** *Applicant/Owner: E.S.T. Irrevocable Trust*

Bob Doane, PE, represented the application. The building was approved in 2019 without an end user. The proposed end-user is indoor recreation, and he proceeded through the parking calculations, which, based on projections of the owners and building capacity, would call for 31 spaces. 35 spaces are provided, including an extra handicap space. Truck traffic will be managed by signage and DOT requirements. Nick Surdo, one of the owners of Homefield LLC, has been operating his business out of a nearby building, and this facility would give them an opportunity to expand. These facilities would include a gym, indoor basketball and volleyball courts, and batting cages. Most traffic is weekend and after-school hours, largely not interfering with standard working hours. Chairman Smith confirmed that there was no outdoor recreational activity. Mark Reeves asked about overflow parking access. Nick Surdo confirmed that there were options for overflow parking, but the through-put of tournaments helped to manage traffic flow. Bob Doane presented the building rendering relative to the site plan and discussed entrances and circulation. He also noted there were some remote parking facilities for employees.

Peter McAndrew, a resident of Dogwood Drive, made a couple of points about the application. He noted a traffic study was not done for this site or for the industrial area in general. He stated that traffic volumes and speeds on Westbrook Road were not safe. He stated that the residents of the properties accessed by Woodland Drive would be negatively impacted by this continued development. He further stated that there were dangerous hazardous materials stored nearby the proposed recreation facility. Jane Siris asked more information about the location and nature of the hazardous materials. Carey Duques stated that the Fire Marshall required a 50' separation between buildings but did not have a response on the specific material storage. Bob Doane responded to the concerns raised by Mr. McAndrew and deferred to the Fire Marshall on the hazardous materials. The expansion of the Nalas building was reviewed but was not pursued. They have the ability to relocate storage containers. He noted that she shared the concerns about safety on Westbrook Road and noted that they received approval from the CT-DOT for the driveway. The driveway would be combined with the existing driveway accessing the airport property. He noted the sufficient sight distances were achieved.

***Gary Riggio left the meeting at 8:35 p.m.***

Jeff Lovelace asked about the current use by Homefield, which is only about 7,000 square feet. He noted a prior approval had significantly higher parking requirements and asked about the proposed parking demand. Bob Doane confirmed that parking calculations as shown are accurate and sufficient. The capacity of the building will be 93 occupants, which calculates to 31 parking spaces. Homefield will have three employees, and occupancy will not exceed building capacity.

***Tom Carroll was seated by the Chairman in Gary Riggio's absence.***

Jane Siris asked about the floorplan, which is not yet finalized. The Commission discussed parking and attendance capacity. Mark Reeves stated he did not think that the parking necessarily reflected the likely surges of traffic for events. Peter Fleischer questioned the parking capacity as the popularity of the facility expanded, there would not be sufficient space should buses be involved, and the Westbrook Road pedestrian environment was unsafe. Larry Shipman reminded the Commission that they could request a traffic study. Mark Reeves and Jane Siris requested a floor plan. Chairman Smith requested more information from the Fire Marshall on the hazardous materials. Carey Duques noted that the Health Department is still reviewing the septic plan. Bob

Doane clarified that the public hearing would continue, in order to address the Fire Marshall's analysis, request a floor plan, get a report from the Health Department, and get a traffic study.

**Motion to continue the public hearing until February by Mark Reeves, seconded by Robert Day. Motion carried unanimously.**

- **PZC Application 22-20 Map Amendment** under Section 123 of the Essex Zoning Regulations to change the zoning from Heritage Gateway to Rt 9 Gateway Special Development District (R9SDD) at **6 Main Street Centerbrook** *Applicant: Peter Decker, Owner: MacBeth Ventures, LLC*

Peter Decker, owner of MacBeth Ventures, presented the application. He noted that he had worked with Town and Commission to create the Route 9 Gateway Special Development District and ensure that uses would be appropriate for the area. This map amendment would re-zone the Witch Hazel Works property from the Heritage Gateway. The proposed additional use would be for a lower-level facility that was not usable for office space, but instead would be used for special events. This was the first of two steps to enable additional uses in the Special Development District, and the end-users would return for special exceptions. Carey Duques stated that the map change decision would happen first. Peter Decker stated that the current Heritage Gateway had restrictive floor ratios for the potential uses, and the SDD was much more flexible. John Guskowski confirmed that the current master plan on file is the proposed master plan in support of the map change. Peter Fleischer confirmed the traffic and circulation through the site. He stated that traffic concerns would be strongly dependent on the scale of event space usage. Peter Decker noted that the proposed event space was quite small, and the end-user would be returning for a special exception application.

**Motion to close the public hearing by Mark Reeves, seconded by Robert Day. Motion carried unanimously.**

- **PZC Application 22-22 Special Exception** under Section 90A.3(G) of the Essex Zoning Regulations to use the designated area to store clean roll-offs and trash/recycle containers at **27 Industrial Park Road** *Applicant/Owner: All Realty LLC*

Attorney Terry Lomme and Joe Wren, PE represented the applicant, who discussed the proposed storage area that would be used for the roll-off containers. The proposed storage area will have no vehicular circulation nor washing facilities. Joe Wren discussed landscaping and stormwater management facilities, which had been reviewed by the Wetlands Commission. Bob Norton from All Waste was available to provide operational details. He noted the statement of use that was provided with the application. This facility was the same capacity of the existing facility on an adjacent facility, but this provided a better-screened and management storage arrangement. He discussed operational details, including hours of operation and contingency plans for short-term storage of full containers.

Eugene Baker, neighboring property owner, noted that he recently bought the adjacent property, and requested some additional landscape screening to separate his property from the visibility of the waste storage containers. Joe Wren noted a 25' wooded buffer area between the activity area and the property lines. Carey Duques confirmed that there were no plans to extend operations out toward Main Street. There were no available services to do this.

**Motion to close public hearing by Mark Reeves, seconded by Robert Day. Motion carried unanimously.**

**4. Unfinished Business/Action Items**

- **PZC Application 22-19 Special Exception** under Section 90A.3(A) of the Essex Zoning Regulations to build 2 buildings, one 28,500 sq ft and one 21,700 sq ft, and associated building utility services and site improvements at **43 Bokum Road Essex** *Applicant/Owner: George C Field Co Inc.*

The public hearing for this item was continued until February.

- **PZC Application 19-26 Modification of Special Exception** to have an indoor sporting business in a 20,000 sq ft building approved in 2019 at **83 Westbrook Road Centerbrook** *Applicant/Owner: E.S.T. Irrevocable Trust*

The public hearing for this item was continued until February.

- **PZC Application 22-20 Map Amendment** under Section 123 of the Essex Zoning Regulations to change the zoning from Heritage Gateway to Rt 9 Gateway Special Development District (R9SDD) at **6 Main Street Centerbrook** *Applicant: Peter Decker, Owner: MacBeth Ventures, LLC*

**Motion to approve Map Amendment application #22-20 with an effective date of January 20, 2023, finding the proposal in harmony with the Plan of Conservation & Development by Mark Reeves, seconded by Jane Siris. Motion carried unanimously.**

- **PZC Application 22-22 Special Exception** under Section 90A.3(G) of the Essex Zoning Regulations to use the designated area to store clean roll-offs and trash/recycle containers at **27 Industrial Park Road** *Applicant/Owner: All Realty LLC*

**Motion to approve application 22-22 with the condition that additional landscape plantings be added along the westerly property boundary by Jane Siris, seconded by Mark Reeves.** Robert Day noted that the applicant and abutter could work out the specific details. Jane Siris accepted this clarification. **Motion carried unanimously.**

**5. Receipt of New Applications**

- **PZC Application 22-23 Special Exception** under Section 90. A.1, 104.D.3 of the Essex Zoning Regulations to build a 10,125 sq ft building for expansion of the existing Boar's Head business at **49 Plains Road Essex** *Applicant/Owner: Piage Management Corp.*

**Motion to accept application and set the public hearing to open on February 7, 2023 by Robert Day, seconded by Mark Reeves.** Carey Duques noted that the Wetlands Commission was currently reviewing the application, as is a third-party

engineer. It is not certain that all reviews will be complete by the February meeting.  
**Motion carried unanimously.**

**6. New Business**

There was no new business.

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

- Lower CT River Valley Council of Governments Regional Planning Committee  
Carey Duques had no report.
- Economic Development Commission  
Robert Day had no report.
- Plan of Conservation and Development  
There were no updates on this matter.

**8. Staff Reports**

- Town Planning Consultant – John Guskowski reported that the River Road sidewalk and bridge project would be proceeding, with the sidewalk and pedestrian bridge to be constructed in 2023 and the bridge to follow in 2024 or 2025.
- Land Use Official – Carey Duques stated that Old Saybrook provided a referral to allow for cannabis micro-cultivators.
  - o Short Term Rentals – Carey Duques will be discussing a proposed Ordinance with the Board of Selectman on January 4<sup>th</sup> and will be proceeding with zoning regulations following the future passage of that.

**9. Correspondence**

Carey Duques noted the CT Bar land use training session to be held in March and recommended that the Commissioners participate.

**10. Adjournment**

**Motion to adjourn at 9:51 pm by Mark Reeves, seconded by Robert Day. Motion carried unanimously.**

Respectfully submitted,

  
John P. Guskowski  
Planning Consultant