



# TOWN OF ESSEX PLANNING & ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426  
Essex Town Hall

## Regular Meeting

Monday, February 2, 2021 7 p.m.

Meeting was held via Zoom Videoconference. Click link below for recording:

<https://www.dropbox.com/s/zj39tmflb2udp6f/P%26Z%2002%2002%2021%20video.mp4?dl=0>

### DRAFT MINUTES

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

The meeting was called to order by Chairman Smith at 7:00 p.m. In attendance for the meeting were Regular Members Jane Siris, Ralph Monaco, Mark Reeves, Erin Borruso, Robert Day III, and Gary Riggio; Alternates Jeff Lovelace and Tom Carroll. Also in attendance were Land Use Official Carey Duques, Commission Counsels Larry Shipman and David Royston, RiverCOG Representative Sandra Childress, and Consulting Planner John Guskowski

#### 2. Approval of the Minutes: January 11, 2021

John Guskowski explained that the original minutes of the January 11 meeting that had been submitted by the prior recording clerk had numerous issues, and he was asked to construct a new set of minutes based on the prior clerk's notes and the meeting recording. A revised set of minutes had been distributed earlier in the day. Jane Siris noted that there were still a few areas where notes from the December meeting had been included on the January minutes. The Commission discussed the available versions and agreed that they would allow for corrections and the revised minutes would be reviewed and approved at the March 2021 meeting.

#### 3. Public Hearing

There was no public hearing scheduled.

#### 4. New Business

##### a. Appointment of new Zoning Enforcement Agent

The Commission discussed the pending by-laws and whether the current by-laws allowed for the replacement of the Zoning Agent. Attorney Royston and John Guskowski confirmed that this authority stemmed from the Connecticut General Statutes, not strictly the by-laws. Land Use Official Carey Duques introduced

herself to the Commission and outlined her background, having most recently served the Town of North Branford.

**Motion to appoint Carey Duques as a Zoning Enforcement Officer of the Town of Essex** by Ralph Monaco, **seconded** by Robert Day. **Motion carried unanimously.**

- b. Discussion and possible vote on **Application No. 20-04 – Industrial Park, LLC, 35-41 Industrial Park Road** – An application for a Special Exception to locate a self-storage facility within an existing building.

Chairman Smith reviewed the status of this application, noting that while they had requested some updated facility plans from the applicant, they had inadvertently closed the public hearing prior to receiving these plans and thus could not formally put the revisions on the record. He noted that specific revisions reflected in a set of plans that had been included in the PZC meeting packet could be included as conditions of approval if the Commission so wished.

**Motion to approve Application No. 20-04 with the conditions: 1) the applicant shall provide a revised interior floor plan; and 2) a site plan with a revised parking plan per discussion at the January 11, 2021 meeting** by Jane Siris, **seconded** by Ralph Monaco. The Commission discussed the motion. Mark Reeves pointed out that this process was unfortunately backwards, as the hearing should have been held open until all plan revisions were submitted. Jane Siris noted that a list of hazardous materials to be banned from the storage facility should also be provided. Jeff Lovelace led a discussion about the number of units, which had been variously represented in different documents and plan versions. **Motion amended to add additional conditions: 3) the applicant submit a list of hazardous substances that are banned from the storage facility; and 4) the total number of storage units shall not exceed 250** by Jane Siris, **accepted** by Ralph Monaco. The Commission continued their discussion. Jeff Lovelace asked about the availability of restrooms to clients or the public. Jane Siris believed this was not a Zoning matter but was rather a building code issue. **Motion amended to add additional condition: 5) that the final plans provide bathroom facility per building code** by Jane Siris, **accepted** by Ralph Monaco. **Motion carried unanimously.**

Erin Borusso noted that the application review process was a bit haphazard and stated that she hoped with new staff and Commissioners, the PZC could increase their level of organization for future applications.

- c. **Discussion and possible vote on proposed Planning and Zoning Commission By-Laws.**

Chairman Smith asked if any changes had been made to the draft of the proposed by-laws since the last meeting, and John Guskowski stated that it had not changed. Jeff Lovelace asked about the portions of the by-laws dealing with the participation in discussions and votes by members and alternates who had not

attended public hearings. He suggested there was some disagreement in the language in the permissions between members and alternates. Attorney Royston and John Guskowski addressed this matter and agreed that the language regarding “discussion” of Commission matters could be clarified. Ralph Monaco noted that the terms “Zoning Enforcement Agent” and “Zoning Enforcement Officer” were both used in the document and suggested that they be unified.

**Motion to approve the by-laws subject to Commission Staff correcting and clarifying language concerning participation in discussions by members and alternates in Article II, Section 3 and changing all references to enforcement staff to be listed as “Zoning Enforcement Officer” by Robert Day, seconded by Mark Reeves. Motion carried unanimously.**

**5. Receipt of New Applications**

- a. **Application No. 21-1 – Connecticut Coastal Academy, 192 Westbrook Road.**  
Application for a Modification to Prior Approval to allow the location of an outdoor fenced-in recreation area and tables.

Applicant Dr. Pamela Potemri presented, describing the minor additions the Academy would like to make to the property, adding a fenced-in recreation area and picnic tables, but not changing anything structurally or functionally about the property. Jane Siris noted that the site plan submitted did not provide sufficient landscape details about plantings, existing conditions vs. proposed conditions, and details about the fencing. Dr. Potemri clarified that plantings would not be changed, so for the most part existing and proposed conditions were identical. Attorney Shipman noted that if the Commission would be holding a public hearing, they only needed to receive the application and schedule a hearing. John Guskowski clarified that if the Commission believed that this was a minor change to an existing approval, the review could be conducted via a Site Plan review without a hearing.

**Motion to consider Application No. 21-1 a “minor modification” and to delay consideration of approval until March 2, 2021 pending the submission of a fully detailed landscape plan** by Mark Reeves, **seconded** by Gary Riggio.  
**Motion carried unanimously.**

- b. **Application No. 21-2 – Bertie Deming Heimer, 17 Mack Lane** – An application for Special Exception to construct a single-family dwelling with over 4,000 square feet of floor area on a property within the Gateway Conservation District.

Joe Wren, PE, of Indigo Land Design presented for the applicant. He provided an overview of the project, which involved demolition of existing structures and replacing with a new single-family residence, garage, and pool. He stated that the project had received variances from the Zoning Board of Appeals and a positive review from the Gateway Commission. The Commission asked clarifying questions about building size, stormwater management, and septic system.

**Motion to receive application and schedule a public hearing to be opened on March 2, 2021** by Russ Smith, **seconded** by Mark Reeves. **Motion carried unanimously.**

**6. Old Business:**

There was no Old Business

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

- a. **Lower Connecticut River Valley Council of Governments:** John Guskowski read an email report from Sandra Childress, who had to leave the meeting. Jane Siris reported on the RiverCOG conference call concerning the Regional Plan of Conservation & Development and encouraged Commissioners to participate in the interactive PoCD map. She also reported on the goals and activities of DesegregateCT, which recently released a “Zoning Atlas” that details the location of exclusionary and inclusionary zoning across the state.
- b. **Economic Development Committee:** Robert Day stated that he attended the most recent EDC meeting and noted that, while they did not have any regulatory authority, they were highly collaborative and sought to be useful. They would be receiving a presentation with the owner of Safe Harbor Marina as part of their discussion on how to encourage boating visitors to Essex to stay longer and explore more of the Town.
- c. **Plan of Conservation & Development:** John Guskowski reminded the Commission that the last PoCD was approved in October, 2015 and needed to be updated by 2025. He will work with Carey to make sure all new Commissioners have a copy.

**8. Staff Reports**

- **Town Planner:** John Guskowski reported about the River Road sidewalks project that was not funded and the National Register of Historic Places nomination project for Essex Village that was funded. That project will involve public information sessions to ensure that the value of a NRHP district brings and how it differs from a Local Historic District in terms of regulatory burden.
- **Land Use Official:** Carey Duques continued her introduction to the Commission and will follow up with an email with her contact information. She asked Attorney Royston to address a few updates.

Attorney Royston discussed Essex Glen Drive, which was approved as part of a 2007 subdivision and which is intended to be a Town road. The approvals for the completion of public improvements will expire in April, 2021, but COVID-related Executive Orders will allow for some additional extensions. He anticipated that the developer will work with Town Engineer Bob Doane on the final “punch list” for public improvements and seek to get onto the March 2, 2021 PZC agenda for final approvals.

He also discussed the Spencer's Corner multifamily development, disclosing that he was making this update and request on behalf of the applicant, HOPE Partnership, on whose board he sits. He stated that the project was almost complete, and in order to get Certificates of Occupancy, they needed to complete the exterior site improvements or provide bonding for them. He requested that, in light of this, and recognizing that the Town is investing \$120,000 in site improvements via a STEAP grant, that Town staff and counsel could work on a recommended amount and structure of bond to be reviewed and approved at the March 2, 2021 PZC meeting.

**Motion to charge staff and counsel, upon receipt of written request by HOPE Partnership, with recommending the amount and form of a proposed bond for the remaining site improvements at Spencer's Corner in advance of the March PZC meeting** by Russ Smith, **seconded** by Robert Day. **Motion carried unanimously.**

9. **Correspondence and Invoices:** There was an invoice from Attorney David Royston of Dzialo, Pickett, & Allen in the amount of \$370.00 to wrap up his work for the Commission.

**Motion to pay the legal invoice for Attorney Royston** by Ralph Monaco, **seconded** by Jane Siris. **Motion carried unanimously.**

10. **Adjournment**

**Motion to adjourn** by Robert Day, **seconded** by Gary Riggio. **Motion carried unanimously.**

Meeting was adjourned at 8:23 p.m.

Respectfully submitted:  
John Guskowski  
Consulting Planner

RECEIVED FOR RECORD  
2/11/21 at  
ESSEX, CT TOWN CLERK

10:17  
AM