



TOWN OF ESSEX PLANNING and ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426
Essex Town Hall

REGULAR MEETING
Tuesday, August 2, 2022 7:00PM

DRAFT MINUTES

1. Call to Order and Seating of Members

Chairman Smith called the meeting to order at 7:03 p.m. In attendance at the meeting were Regular Members Mark Reeves, Jane Siris, Gary Riggio, Robert Day, and Chris Riley. Seated for the open member seat was Alternate Jeff Lovelace. Also in attendance were Alternates Tom Carroll and David Rosengren, Land Use Official Carey Duques, Commission Attorney Larry Shipman, and Consulting Planner John Guskowski.

2. Approval of the Minutes

- July 5, 2022 Regular Meeting

Motion to approve the minutes of July 5, 2022 by Chris Riley, seconded by Mark Reeves. Motion carried unanimously.

3. Public Hearings

- **PZC Application 22-14 Special Exception** under Section 80A.2(E) and 130 of the Essex Zoning Regulations to locate a fitness center (Pilates studio) at **90 Main Street Unit 108A Centerbrook** (Map 43 Lot 39-108A). *Applicant/Owner: Essex Pilates and Wellness LLC*

The applicant was represented by Celeste Etlinger, the owner of Essex Pilates and Wellness. She started her business in Essex in 2014. She described her business operation and hours, which would be open in the Spencer's Corner building complex. She noted that there was ample parking for the relatively small class sizes. Carey Duques noted that any fitness centers in the Business Zone required a public hearing. The Commissioners had no questions.

Motion to close the public hearing by Jeff Lovelace, seconded by Mark Reeves. Motion carried unanimously.

4. Unfinished Business/Action Items

- **PZC Application 22-14 Special Exception** under Section 80A.2(E) and 130 of the Essex Zoning Regulations to locate a fitness center (Pilates studio) at **90 Main Street Unit 108A Centerbrook** (Map 43 Lot 39-108A). *Applicant/Owner: Essex Pilates and Wellness LLC*

Motion to approve Special Exception 22-14 to allow for a fitness center at 90 Main Street, Unit 108A as being consistent with Sections 80A.2E and 130 of the Zoning Regulations by Mark Reeves, seconded by Chris Riley. Motion carried unanimously.

5. **Receipt of New Applications**

- **PZC Application 22- 15 Special Exception** under Section 90 (E) 1) of the Essex Zoning Regulations to locate a wellness studio at **23 Saybrook Road** (Map 46 Lot 2)
Applicant: Angela Stevens; Owner: 23 Saybrook Road LLC

Motion to receive the application and schedule a public hearing on September 6, 2022 by Mark Reeves, seconded by Robert Day. Motion carried unanimously.

6. **New Business**

- Possible Exemption from 101J Additional requirements for residential structures over 4,000 sq ft in total area (112 North Main Street, Essex)

Carey Duques stated that the regulations required the Commission to review structures of 4,000 square feet in the Gateway area. In this case, however, the location is quite remote from the River and would not be visible from the River. The regulations to allow for an exception to be made from formal review under these circumstances. Town Engineer clarified that this project was at least 1,000 feet away from either the Connecticut River or the Falls River. Carey Duques stated that the Gateway Commission deferred to the Planning & Zoning Commission's judgement on this matter. Her recommendation was that it was sufficiently distant from the River such that it should be exempt. The Commissioners discussed the potential visibility and the proposed renovation. Jane Siris noted that the proposed building height was not dimensioned in the plan.

Move to approve the Gateway Review Special Permit exemption under Section 101J with the condition that the proposed building height not exceed 35' by Mark Reeves, seconded by Jeff Lovelace. Motion carried unanimously.

- Discussion of Cannabis Regulation

Carey Duques noted that a draft of a proposed Zoning Text Amendment was circulated to the Commission and has tentatively filled out a formal text amendment application for receipt. Chairman Smith opened the floor to Commissioner comment. Chris Riley stated that the text could be shortened to simply reference the Public Act (not bills) and also questioned the language about negatively affecting business or quality of life and stated that if the language was not included for restaurants or bar, it should be removed from the proposal. Tom Carroll stated that the goal this evening would be to set a general direction for the public hearing and proceed from there. Robert Day agreed that there were some minor edits, but suggested the hearing just be set. Mark Reeves asked whether the police or state troopers have been consulted. Carey Duques stated that once the hearing date was set, she would refer this to all relevant officials. Jeff Lovelace noted a potential typographical error in the document.

Motion to receive the text amendment application #22-16 and schedule a public hearing on October 4, 2022 by Jane Siris, seconded by Robert Day. Motion carried unanimously.

Jeff Lovelace handed out a packet of information to the Commission about the issue of cannabis. Attorney Shipman cautioned the Commissioners against prejudgment and discussion with the public in advance of the hearing.

7. Reports from Committees and Officers

- Lower CT River Valley Council of Governments Regional Planning Committee- Carey Duques reported that the Regional Housing Plan was approved on July 25, 2022. David Rosengren questioned how the recommendations would get implemented. Carey Duques stated that it was largely a locally-implemented process and local Commissions or bodies to act. John Guskowski stated that the COG would be convening a regional housing committee to assist towns with implementation.
- Economic Development Commission – Robert Day stated that the EDC met with the Clark Group and there was discussion about a potential UConn student engineering project.
- Plan of Conservation and Development – No update

8. Staff Reports

- Town Planning Consultant – John Guskowski reported that he has been working with Town officials on completing a STEAP grant application for the improvement of the Civic Campus recreational facilities and connections between Grove Street Park and Hubbard Field.
- Land Use Official – Carey Duques reported that she anticipated Attorney Terry Lomme joining the Commission meeting shortly to discuss the updates on Essex Glen. She has been working with the key project stakeholders to address the remaining improvement items. Two of the larger to-do items, including paving and the guiderail, should be completed before October. She noted that the bond would automatically renew after October 30 in the amount of \$188,000. Robert Day questioned about the process of calling the bond in October. The Commission discussed the adequacy of bond amounts with Town Engineer Bob Doane, who stated he was comfortable with the value. Bob Doane and Carey Duques discussed the bond reduction and release process. He also noted that a site visit might be appropriate. Attorney Terry Lomme reiterated that paving and guardrail contracts had been signed and a site walk would be welcome. He and Bob Doane discussed bonding and improvement details at some length, and the Commission discussed bond release and adjustment process. Bob Doane will update cost estimates to increase the bond in a way that would allow the Town to release Certificates of Occupancy on properties. Ben Bossi, the chairman of the Essex Glen Homeowners' association, spoke and encouraged the Commission to get documentation that would guarantee the completion of improvements that would allow the Commission to release Certificates of Occupancy. Resident Sandra Beckman also spoke about the several unfinished details and unfulfilled promises by the developers. The Commission decided by Consensus to request Bob Doane to revise the proposed bond amount, which would be increased by the developer. The Commission will revisit the issue at the September meeting, as well as a request, per David Rosengren, on whether the developer has sufficient funds to complete the project or if there is concern of default.

Move to table discussion until September meeting by Mark Reeves, seconded by Jeff Lovelace. Motion carried unanimously.

Carey Duques also discussed the question of short-term rentals which may be revisited by the Commission at an upcoming meeting. She also distributed an article about a potential short-term rental ordinance in the Town of Groton that would be managed by both the Town Council and the Zoning Regulations. She then noted an application to extend the exiting cell tower in Ivoryton (on the existing water tower) that would increase the height of the tower approximately 20', and there was a public comment period for the Connecticut Siting Council. Finally, she discussed the compliance of local restaurants with outdoor dining provisions and specifically about some noise concerns at Scotch Plains Tavern. She was investigating the issue and is in contact with the owners. The bands and music are inside the building but music is extending to the outside seating area.

9. Correspondence

There was no additional correspondence.

10. Adjournment

Motion to adjourn by Jeff Lovelace, seconded by Robert Day. Motion carried unanimously.

The meeting adjourned at 8:46 p.m.

Respectfully submitted,



John Guskowski, AICP
Consulting Planner