



TOWN OF ESSEX PLANNING and ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426
Essex Town Hall

REGULAR MEETING
Tuesday, December 6, 2022 7PM

DRAFT MINUTES

1. Call to Order and Seating of Members

Chairman Russ Smith called the meeting to order at 7:00 p.m. Seated for the meeting were Members Robert Day, Peter Fleischer, and Chris Riley. Seated for absent members were Alternates David Rosengren and Jeff Lovelace. Also in attendance were Land Use Official Carey Duques and Counsel Larry Shipman.

2. Approval of the Minutes

- November 1, 2022 Regular Meeting

Motion to approve minutes of November 1, 2022 by Chris Riley, seconded by Peter Fleischer. Motion carried unanimously.

3. Public Hearings

- **PZC Application 22-18 Special Exception** under Section 101J of the Essex Zoning Regulations to build a new detached one-story barn 22' X 32' at **47 River Road**
Essex Applicant/Owner: Michael Rice

Michael Fox represented the applicant. He stated that a barn was built on the property many years ago, and desired to add an addition for extra storage. This application was necessary because of its location within the Gateway Conservation District, and the property is near a cove of the Connecticut River. This application was reviewed by the Gateway Commission, who determined there was no adverse impact. The project won't be seen from the River. The Commission discussed the overall building square footages and zoning compliance. There was no testimony from the public.

Motion to close public hearing by Chris Riley, seconded by David Rosengren. Motion carried unanimously.

4. Unfinished Business/Action Items

- **PZC Application 22-18 Special Exception** under Section 101J of the Essex Zoning Regulations to build a new detached one-story barn 22' X 32' at **47 River Road**
Essex Applicant/Owner: Michael Rice

Motion to approve application #22-18 by David Rosengren, seconded by Robert Day. David Rosengren reviewed the specific location and access to the property. **Motion carried unanimously.**

Motion to amend the agenda to add receipt of new applications received after publication of agenda by Robert Day, seconded by Jeff Lovelace. Motion carried unanimously.

5. **Receipt of New Applications**

- **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.

Peter Fleischer requested some clarification of the proposed use and impact. Carey Duques referred to the statement of proposed use that she circulated following submission of the application, as well as some notes about prior improvements and pending traffic and stormwater analysis. Attorney Shipman reviewed the necessary administrative procedures for application receipt. The Commission discussed maximum lot coverage.

Motion to receive application 22-19 and schedule the public hearing to open in January 3, 2023 by Robert Day, seconded by David Rosengren. Motion carried unanimously.

- **Modification of PZC Application 19-26 Site Plan** to add parking to the approved plan for a 20,000 sq ft building approved in 2019 at **83 Westbrook Road Centerbrook**

Carey Duques distributed some information to the Commission and had emailed the documents prior to the meeting, including a staff report. The property is on the curve of Westbrook Road near Nalas. This site had been approved for a new building in 2019, but no end-use was identified at the time. Now they know that the tenant will be Home Field, which is a commercial recreation facility/gym currently in the Industrial Park. The parking therefore needs to be increased by four spaces, which represents a minor modification of the approved site plan. The Special Exception is essentially unchanged. The use is permitted within the district via Special Exception, and no initial land use was known at time of original approval. Attorney Shipman stated that while the building was approved, the use had not been reviewed and approved, and therefore needed to have a full Special Exception review to assess issues of noise, traffic, wastewater, parking, etc.

Motion to receive application to modify Special Exception 19-26 and schedule the public hearing to open in January 3, 2023 by Jeff Lovelace, seconded by David Rosengren. 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*

Motion to receive application 22-20 and schedule the public hearing to open in January 3, 2023 by Robert Day, seconded by David Rosengren. Motion carried unanimously.

- **PZC Application 22-21 Special Exception** under Section 105 of the Essex Zoning Regulations to have an event facility at **6 Main Street Centerbrook** *Applicant: Shannon Dolan Owner: MacBeth Ventures, LLC*

Motion to receive application 22-21 and schedule the public hearing to open in February 7, 2023 by Chris Riley, seconded by Jeff Lovelace. 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 receive application 22-22 and schedule the public hearing to open in January 3, 2023 by Jeff Lovelace, seconded by David Rosengren. Motion carried unanimously.

6. New Business

- Review and Approval of 2023 Meeting Schedule

Motion to approve 2023 Meeting Schedule by Chris Riley, seconded by Robert Day. Motion carried unanimously.

- Election of Officers

Jeff Lovelace, conducting the nomination process, requested nominations for P&Z Chairman for 2023. Robert Day nominated Russ Smith if he was willing to continue, and Chairman Smith stated he was willing. David Rosengren seconded.

Jeff Lovelace then requested nominations for Vice Chair, and Chairman Smith stated that Jane Siris should be re-elected. David Rosengren seconded.

Motion to elect Russ Smith as Chairman and Jane Siris as Vice Chairman of the Essex Planning & Zoning Commission for 2023 by Robert Day, seconded by David Rosengren. Motion carried unanimously.

7. Appointments/Reports from Committees and Officers

- Lower CT River Valley Council of Governments Regional Planning Committee

Carey Duques reported that DEEP was looking to modify their septic system regulations concerning reserve septic areas in order to facilitate higher density development. She also reported that RiverCOG finalized and printed the Regional Plan of Conservation & Development, and a copy is available in the Land Use Office. She also noted a zoning referral from Old Saybrook for a new grocery store and fast food on Spencer Plains Road. The Commission discussed the proposed development.

- Economic Development Commission

Robert Day had no major report, but did note that there is a wastewater treatment facility in Deep River and at some point the Town of Essex had an option to hook in, but did not do so.

- Plan of Conservation and Development

There was no update on this item.

8. Staff Reports

- Town Planning Consultant – John Guskowski was absent from the meeting.

- Land Use Official

o **Essex Glen Update** – Carey Duques noted a significant amount of progress on completion of outstanding items, and several Certificates of Occupancy had been issued. She will be meeting with Town Engineer Bob Doane to review the remaining punch-list in the next few weeks, recognizing that some final planting and landscape details may need to wait until the spring. Attorney Terry Lomme, on behalf of the developer, discussed the potential of removing the island in the center of the cul-de-sac to allow for a better parking access for the property owners. The homeowners will need to meet with the Fire Marshal and may propose a site plan modification at an upcoming meeting. James Vineburgh, a representative of the homeowners association stated that they were meeting with the Fire Marshal to discuss the matter and were generally interested in seeing some sort of landscaped island remain. The Commission discussed the current design of the island in the cul-de-sac, and then discussed additional details concerning the procedure of accepting the road as a Town road.

o **Short Term Rentals** – Carey Duques reported that she had been working on a draft Town Ordinance that has been developed with Town staff and would be coming to Planning & Zoning most likely in February. The Commission discussed the necessary safety elements that need to be considered, as well as enforcement mechanisms. The ordinance would need to be approved first, followed by Zoning Regulations.

9. Correspondence

Carey Duques noted an article in Zip06 about Essex's decision on cannabis facilities.

10. Adjournment

Motion to adjourn by Chris Riley, seconded by David Rosengren. Motion carried unanimously.

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

John Guskowski, AICP

RECEIVED FOR RECORD

12/09 2022 at 1:36 P.M.

Erin M. Rozick
ESSEX, CT TOWN CLERK

(amit)