

TOWN OF ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

MEETING MINUTES – Monday, July 20, 2020

PUBLIC HEARING

Present: Larry Shipman, Chairman
Jim Hill, Regular Member
Mark Reeves Regular Member
Alternate Member Robert Day III
Alternate Member Jeffrey Lovelace
Alternate Member Thomas Carroll

Also present: Joe Budrow, Zoning Enforcement Official

CALL TO ORDER: Larry Shipman, Chairman, called the public hearing to order at 7:00 p.m. Seated for the public hearing were regular members Larry Shipman, Jim Hill, Mark Reeves, Tom Carroll and Jeff Lovelace.

Application No. 20-4 – Wildwood Medical Center Association, Inc., 35 Saybrook Road, Essex, Ct. - A Petition for a Text Amendment to the Zoning Regulation requesting that Business and Professional offices be allowed in the Village Residence Districts as a Special Principal Use.

Mr. Budrow read the legal notice into the record. Mr. Shipman asked if there was any correspondence. An opinion from the Planning Commission was recognized, as well as an opinion from the Lower Connecticut River Valley Council of Governments. Both opinions were in favor of the text amendment.

Attorney John Bennet presented and reminded the Commission that the proposed language came from some proposed language that was crafted by the Zoning Commission. He expressed that some clients at Wildwood would like to be able to offer space to non-medical uses and allow some diversity.

Mr. Shipman asked the Commission if there were any questions from the Commission. Mr. Hill asked if there was a plan to expand a building. Mr. Bennet said there was no virtual plan to do so. He stated any plans to make changes would have to pass the Association unit owners. Mr. Lovelace asked if there were vacancies at the property. Mr. Bennet did not know. Mr. Carroll asked who Mr. Bennet represented. He answered he represented the Association. Mr. Hill mentioned that the parking at the property was difficult.

Mr. Budrow mentioned that Mr. Raymond Ryan of 41 Saybrook inquired if there was going to be construction. He was in support of the amendment if there was no construction. Mr. Budrow recommended some conditional language such as a 1-acre requirement for any future proposals. Also, he shared some language that would protect existing office uses per an effective date. Mr. Bennet did not object. He showed the Commission a list of properties in the VR Districts that have office uses.

Mr. Shipman asked if there were any comments or questions from the public. Mr. Nicholas Cardulis spoke in support.

Mr. Budrow stated the new language will be sent to the Zoning Commission and the Planning Commission.

Mr. Shipman asked for a motion to continue the public hearing to August.

MOTION made by Mark Reeves to continue the public hearing for **Application No. 20-4 – Wildwood Medical Center Association, Inc**, 35 Saybrook Road, Essex, CT. Jeff Lovelace seconded the motion. All in favor, **Motion carried, 5-0.**

REGULAR MEETING

1. **CALL TO ORDER:** Larry Shipman, Chairman called the regular meeting to order at 7:22 p.m. Seated for the public hearing were regular members Larry Shipman, Jim Hill, Mark Reeves, Tom Carroll and Jeff Lovelace.

2. **APPROVAL OF THE AGENDA**

The agenda had no changes made.

3. **RECEIPT OF NEW APPLICATIONS**

Mr. Shipman introduced four new applications submitted by the Essex Zoning Commission. All were text amendments. Mr. Budrow described that Application No. 20-6 was to add a number of definitions to Section 20 of the Zoning Regulations. Many of the definitions already were in the current regulations, just not in Section 20. The definitions were in the sections of the Gateway Conservation District and the Flood Plain District. This application would consolidate. Mr. Carroll pointed out a typo within the proposed definition for “Nonconforming Lot”.

MOTION: Mr. Shipman made a motion to schedule **Application No. 20-6 – Essex Zoning Commission**, for a public hearing for August 17, 2020. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Mr. Budrow described Application No. 20-7 as a way to add some accessory improvements to require a zoning permit. The accessory improvements already have setback requirements yet as written the regulations state that these improvements do not require zoning permits. He stated

that zoning permits are a way to regulate location and maximum lot coverage. Mr. Reeves expressed concern that this could be a slippery slope that such improvements would require new surveys. Mr. Budrow stated that the land use office does a good job to help applicants use site plans that already exist in a property file. There was clarification on the difference between building coverage and lot coverage.

MOTION: Mr. Shipman made a motion to schedule Application No. 20-7 – Essex Zoning Commission, for a public hearing for August 17, 2020. Tom Carroll seconded the motion. All in favor, **Motion carried, 5-0.**

Mr. Budrow described a text amendment to add language to Section 140 where the ZBA shall receive commentary from the Inland Wetlands Commission when Variances are requested to the Gateway Buffer Zone.

MOTION: Mr. Shipman made a motion to schedule Application No. 20-8 – Essex Zoning Commission, for a public hearing for August 17, 2020. Mark Reeves seconded the motion. All in favor, **Motion carried, 5-0.**

Mr. Budrow stated that this proposed text amendment is best to be an open discussion about properties in two different districts. Commissioner Robert Day's idea was introduced as an idea.

MOTION: Mr. Shipman made a motion to schedule Application No. 20-9 – Essex Zoning Commission, for a public hearing for August 17, 2020. Mark Reeves seconded the motion. All in favor, **Motion carried, 5-0.**

4. NEW BUSINESS

There was no new business discussed.

5. OLD BUSINESS

There was no old business discussed.

6. VISITORS AND GUESTS

Attorney Christopher Smith appeared to discuss potential language concerning lots in two different districts. His client, Tom Evans, owns 26 Main Street in Essex Village. He described that property as Essex Village in the front and Village residential in the rear. He mentioned an amendment could occur within Section 70 when these properties abut the EV Zone. He described splitting the difference in setback numbers. He stated that this averaging could also relate to building coverage. He requested that Section 70 be added to the legal notice. He also mentioned that Mr. Evans had a front are of the lot not utilized. He shared an idea to allow mixed uses on a lot like this. He shared that he would craft some language on both ideas. Mr. Budrow asked the Commission if the mixed use idea should be a separate application submitted by Attorney Smith. It was agreed that was the way to go.

Mr. Peter Glyman and Ruthann Paulin spoke and were hopeful of progress on the split zone language.

7. REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT OFFICIAL

There was no report from legal counsel or the ZEO.

8. OTHER BUSINESS

No other

9. APPROVAL OF MINUTES

MOTION made by Larry Shipman to approve the minutes of the June 15, 2020 meeting. Mark Reeves seconded the motion. All in favor, **Motion carried, 5-0.**

10. CORRESPONDENCE AND PAYMENT OF BILLS

Mr. Budrow stated he hadn't seen any invoices.

11. ADJOURNMENT

MOTION made by Jim Hill to adjourn the meeting at 7:58 pm. Mr. Day seconded the motion. All in favor, **Motion carried, 5-0.**

Respectfully submitted,

Joseph Budrow
Certified Zoning Enforcement Official