

**ESSEX ZONING COMMISSION**  
29 WEST AVENUE – ESSEX, CT 06426

**Monday, October 17, 2011**  
**Town Hall – Conference Room A**  
**Essex, Connecticut**  
**7:00 PM**

**PUBLIC HEARINGS**

1. None

**REGULAR MEETING**

Chair Al Wolfgram called the regular meeting to order at 7:00 p.m. Seated were Chair Al Wolfgram, Susan Uihlein, Larry Shipman, Jim Hill, and Bill Reichenbach for absent member Lillian Mosa. Also in attendance were alternates Bob Connally and Jeff Lovelace, Attorney Peter Sipples, and ZEO Joe Budrow. New alternate to the Zoning Commission, Jeff Lovelace, was introduced and welcomed.

**Motion by Jim Hill and seconded by Larry Shipman to change the agenda to have Receipt of New Applications first and then Item 5. Motion carried.**

**1. RECEIPT OF NEW APPLICATIONS**

ZEO Joe Budrow explained the new Application 11-6. It is to convert single family home to multi family on 69 North Main St. in Ivoryton. Multi-family is allowed by special exception. It is recognized as multi-family but has been converted back to a single home. They now want to convert back to multi-family.

**Motion was made by Larry Shipman to receive Application 11-6 and set the date for the Public Hearing on November 28, 2011. Seconded by Susan Uihlein. Motion carried unanimously.**

The application was reviewed. It has been submitted to the Sanitarian. Joe Budrow noted that in the statement of use, “apartment” will be replaced with “separate dwelling”.

**2. REPORT FROM LEGAL COUNSEL**

**-Discussion of possible settlement regarding 45 Plains Rd., LLC; Kentwood, LLC and Kenneth Bombaci v. Zoning Commission of the Town of Essex for applications #11-1, 11-2, 11-3.**

**Motion to go into Executive Session by Larry Shipman and Attorney Sipples and Joe Budrow were invited into the discussion. Seconded by Bill Reichenbach. Motion carried.**

**Motion was made by Susan Uihlein and seconded by Bill Reichenbach to approve the three conditions read by Attorney Sipples for settlement purposes only. The Zoning Commission is authorizing Attorney Sipples to state 1) the Zoning Commission is not willing to make any changes to the definition of farm in Section 20, 2) that as far as the Business District is concerned, rather than adding Section S, Section R already does what the applicant is requesting, and 3) as far as the Limited Industrial Section 90 a.1.1, Zoning is not willing to make any change based on what was stated at the Public Hearing. Motion carried unanimously.**

### **3. NEW BUSINESS**

None

### **4. OLD BUSINESS**

### **5. VISITORS AND GUESTS**

### **6. REPORT FROM ZONING ENFORCEMENT AGENT**

#### **Enforcement Updates**

Zoning Enforcement Officer Joe Budrow will meet with Attorney Peter Sipples regarding the Gualazzi property to review opinion as to whether his property is in compliance with zoning regulations. There are 2 businesses but Mr. Gaulazzi should have a partnership. The letter states that he should and should register them to be compliant. The property should not be leased to anyone.

Brookside Lane resident is about to get a final notice to stop working on cars in the right of way.

Zoning permits are up.

### **7. OTHER BUSINESS**

- Discussion of the current zoning regulations: Signs

Scott's Greenhouses has reduced signage. Going forward, he will be advised as to what signage is acceptable. Freestanding signs should be limited.

This issue will be addressed in the upcoming petition to limit freestanding signs to one per property.

Susan Uihlein asked about the train station. Some improvements will be coming through the Zoning office in the near future. The restaurant is more like a snack bar. It should still be under the jurisdiction of the Health Dept. Al Wolfgram noted that Attorney Sipples gave an opinion that there is no state regulatory authority on that

property. CT Valley Railroad is a tenant of the site. It has a dining car and there is also seating in the building. Jurisdictional issues need clarification.

Joe Budrow will draw up a petition to accept the new computer map for the new zone. Paper maps are being used but the digital map needs to be formally approved as the vehicle for Zoning.

Al Wolfgram questioned what is happening with Gateway. It will be discussed at the public meeting to be held on December 19.

A petition for abutter letters will also be developed as the State says abutter letters are not required for public hearings. Al Wolfgram noted there has been a long standing policy that ZBA sends out letters. Joe Budrow feels this should be in the regulations.

Al Wolfgram attended the EDC meeting and they have an issue with signs. Vehicles for signs and enforcement were discussed. There is time to craft an effective ordinance for signs. This could include lighting. Current regulations are outdated and scattered.

When the sign ordinance is drafted, the Board of Selectmen and the resident trooper could be invited to help craft and support the regulation. It is an administrative issue particularly with regards to enforcement.

Joe Budrow was asked to send a letter to those 6 additional lots that wanted to be converted to the Business zone.

The new bakery downtown was discussed. There is no approval because it is retail replacing retail. Joe Budrow was asked to check on the increased flow.

## **8. APPROVAL OF MINUTES**

- September 19, 2011

**Motion by Larry Shipman to approve the minutes of the September 19<sup>th</sup> meeting. Seconded by Bill Reichenbach. Motion carried.**

## **9. CORRESPONDENCE AND PAYMENT OF BILLS**

No bills. Correspondence from Attorney Sipples was reviewed.

## **10. ADJOURNMENT**

**Motion by Susan Uihlein to adjourn at 7:55 p.m. Seconded by Bill Reichenbach. Motion carried.**

Respectfully submitted,  
Sandra Meinsen, Recording Secretary