

**ESSEX ZONING COMMISSION  
29 WEST AVENUE**

Monday, October 22, 2012  
Town Hall – Conference Room A  
Essex, Connecticut 06426

**MINUTES**

**PUBLIC HEARING**

Chair Al Wolfgram called the meeting to order at 7:02 pm.

Seated for the public meeting were Al Wolfgram (Chair) Susan Uihlein (Vice-Chair), Larry Shipman (Secretary), Jim Hill, Bill Reichenbach. In attendance were alternates Rob Connelly, Barbara Zernike, Jeff Lovelace. Also in attendance were Attorney Peter Sipples, and Zoning Enforcement Officer Joe Budrow.

**1. Application No. 12-15 – Frank Sciame, Jr. 1 Foxboro Road.**

**Attorney Terrance Lomme spoke on behalf of the applicant.**

Notice for Public Hearing was read at the previous meeting. Attorney Lomme stated the application is a request to move zone line 280 feet to east. An 8"x10" map was shown with proposed line change. Believe change helps open space. Property currently in 2 zones. VR and RU. Attorney Lomme stated if the line gets moved, it cannot become two lots. Proposed change is to have the lot be entirely RU Zone.

**Chair opened Floor to questions:**

1. Why is the line the way it is? No one knows
2. Does one zone override another? More restrictive zone dictates.
3. Lines moving which way? Move the line east towards the river.
4. Classified as farmland? Won't affect taxes.

**Audience, any questions of fact:**

1. still can be 60,000ac lot even though runs into RU zone
2. Impact on number of lots in neighborhood?. No
3. Benefit? Help with open space? Eastern portion of property in RU zone.
4. Would reclassification affect frontage? 120' in VR, 150' in RU

**Received letters were read:**

1. CT Dept of Envir. Protection Office of Long Island Sound letter dated Aug 14, 2012.
2. David Harfst letter dated Oct 22, 2012
3. Andrea and Peter Woolston, Elizabeth Smith, George Paul, and Thomas Pinkowish letter dated Sept 17, 2012
4. David Harfst letter dated Aug 23, 2012
5. William and Norma Solberg email dated October 21, 2012

Minutes of Meeting from Planning Commission were read in regards to Application 12-15. The Essex Planning Commission minutes dated August 23, 2012 recommends the request be denied. Discussion regarding Consistency vs. Inconsistency with plan of development. Representative stated that either zone for whole piece, will not be able to get more lots. Will not affect density.

Anyone speak in favor of application? No

Anyone speak against application? yes

David Harfst - Request to offer a petition to reclassify entire piece at RU.

Thomas Pinkowish - Suggest approval could open for other surrounding lots to get reclassified.

Discussion: An Essex Planning Commission letter was not been able to be read at tonight's public hearing. Attorney Lomme is OK with that. However, Zoning Commission request to postpone hearing until next meeting so the Essex Planning Commission letter can be read. Attorney Lomme is OK with the Public Hearing to be continued.

**Motion** by Chair Al Wolfgram to continue public hearing for Application No 12-15 to November 26, 2012 and **seconded** by Susan Uihlein. All in favor. None opposed. **Motion carried.**

## **2. Application No. 12-16 – Michael Belanger, 70 Plains Road**

**Michael Belanger represented himself.**

Notice of Public hearing for Application No. 12-16 was read.

No correspondence has been received regarding application.

Applicant wants to change to current structure to multifamily. Lot is non-conforming.

History: Memo April 21, 2009 was read. A previous variance was granted to expand with a 2<sup>nd</sup> floor.

Conversion is to make building a two family residential. No proposed construction to the outside of the building. Lot is about 0.5 acre.

### **Question from Commission:**

Could owner put up another building? Would have to come in for formal review by Town of Essex.

Comment: Commission would like to view previous history of approvals on the lot.

### **Questions of Fact from audience:**

Any future impact from future owner? Not able to answer.

Possible garage? Has to come in for formal review by Town of Essex

Anyone speak in favor of application? No

Anyone speak against application? No

**Motion** made by Susan Uihlein to close public hearing for Application No. 12-16. **Seconded** by Larry Shipman. All in favor. None opposed. **Motion carried.**

## **REGULAR MEETING**

### **1 NEW BUSINESS**

A. Discussion and possible vote on **Application No. 12-15 – Frank Sciame, Jr.** Public Hearing on application has been extended to Nov 26, 2012. No action taken at this time.

B. Discussion and possible vote on **Application No. 12-16 – Michael Belanger**

**Motion** made by Larry Shipman to approve Application No. 12-16 to convert single family to multifamily consisting of 2 units. **Seconded** by Jim Hill. All in favor. None opposed. **Motion carried.**

## 2. OLD BUSINESS

Gateway Commission wants to come to Zoning in December instead of November.

## 3. RECEIPT OF NEW APPLICATIONS

### A. Application No 12-17 – Connecticut Resource Recovery Authority, Dump Road. Peter Egan represented CRRA

Application is asking for special acceptance with the CRRA facility operations on Dump Road. Discussion of history of facility. CRRA leases about 4.2 acre piece of the property. Note: New Haven does not deliver. Is a typo in application.

Application asks to modify permit in 3 areas:

1. Expand the Towns that deliver. Requests not to restrict who delivers. Would not be taking in transfer trailers.
2. Increase daily amount to be delivered. Though CRRA doesn't exceed limits on an average overall amount, CRRA at times, may exceed the daily amount (after long weekends).
3. Time period to store waste. Request storage to be consistent with what DEP allows.

Comment by Chair Al Wolfram: application is considered an amendment to special acceptance. Can consider application as a minor modification/minor change. Zoning Commission can act on the application at this meeting.

**Motion** by Larry Shipman to treat Application No 12-17 as a minor application to special acceptance. **Seconded** by Susan Uihlein. All in favor. None opposed. **Motion carried.**

Discussion on other CRRA operations throughout CT. Discussion on what CRRA's purpose is.

### Commission questions:

Driveway can handle extra vehicles? Yes, do not foresee a problem

Are other CRRA locations asked to increase their usage, towns and quantity? Yes.

Is there a revenue increase for this? For the future, Essex will get rent on the land, and also paid an amount per ton that goes through the facility.

### Audience questions:

Anticipate any future delivery from many other outside towns? Do not anticipate due to it is not economically feasible for them to do so. Really would be used for an "emergency" situation.

Where does ash from facility go? Goes to another waste management in Putnam CT

Comments in favor? None

Comments against? None

**Motion** made by Larry Shipman to approve Application No 12-17 with the special conditions consisting of the maximum tonnage per day as stated in the application, only open 6 Saturdays a year, and trucks must use Route 9 Exit 4 to enter and exit. **Seconded** by Bill Reichenbach. All in favor. None opposed. **Motion carried.**

**B. Application No. 12-18 - Brewer Dauntless Shipyard**  
**Doug Domenie represented BrewerDauntless Shipyard**

Minor modification to a previously approved special acceptance. Request for 2<sup>nd</sup> floor allowed to be used as a superintendent/care-taker apartment.

**Commission Question:** how many people? Caretaker and family.

Any comments in favor of application? None

Any comments against application? None

**Motion** to approve Application No. 12-18 by Susan Uihlein as submitted with approval to be effective November 2, 2012. **Seconded** by Larry Shipman. All in favor. None opposed. **Motion carried.**

**4. VISITORS AND GUESTS**

a. Discussion on procedures for the Dec 16<sup>th</sup> with Gateway Meeting.

b. Clinton Brown represented DiCesare-Bentley and spoke regarding proposal at 1 Saybrook Road. Previously has been a gas station. Presented idea/discuss use of building. Footprint would remain same. Improve landscape. Keep as gas station but remove service bays. No sale of cars or repairs. Here to review certificate of appropriateness.

**Motion** made by Susan Uihlein to authorize certificate of appropriateness for sale of gasoline. **Seconded** by Larry Shipman. All in favor. None opposed. **Motion carried.**

**5. REPORT FROM LEGAL COUNCIL and ZONING ENFORCEMENT AGENT**  
**Review of Memorandum of Decision.**

**Motion** to accept Memorandum of Decision made by Rob Connelly. **Seconded** by Barbara Zernick. All in favor. None opposed. **Motion carried.**

**6. OTHER BUSINESS:** None at this time.

**7. APPROVAL OF MINUTES**

**Motion** made by Bill Reichenbach to approve minutes dated September 17, 2012. **Seconded** by Susan Uihlein. All in favor. None opposed. **Motion carried.**

**8. CORRESPONDENCE and PAYMENT OF BILLS**

**Motion** made by Susan Uihlein to approve all bills as funds will allow. **Seconded** by Bill Reichenbach. All in favor. None opposed. **Motion carried.**

**9. ADJOURNMENT**

**Motion** made by Jim Hill to adjourn meeting at 9:27 pm. **Seconded** by Susan Uihlein. **Motion carried unanimously**

Respectfully submitted,

Michelle Roise