

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

**Monday, June 17, 2013
Town Hall – Meeting Room A
7:00 p.m.**

MINUTES

PUBLIC HEARING

Chairman Al Wolfgram called the meeting to order at 7:00 p.m.

Seated for the Public Hearing were: Al Wolfgram, (Chair), Susan Uihlein (Vice Chair), Jim Hill, Alternate Jeffrey Lovelace for Bill Reichenbach, Barbara Zernike for Larry Shipman and Alternate Adrienne Forrest. Absent: Larry Shipman (Secretary) and Bill Reichenbach. Also in attendance was Zoning Enforcement Officer – Joe Budrow and Attorney Peter Sipples.

Joe Budrow noted on the first two applications if we approve of the building height change with regards to Application No. 12-19 and Application No. 12-20, then the Gateway Commission will need to Vote on what we approve.

Al Wolfgram read the last paragraph of Gateway's letter dated 6/17 with regards to the reduction in the allowable height of structures located within the Gateway Conservation District of Essex. Al then asked the Commission their thoughts on how to proceed.

Al Wolfgram asked for a motion to send to Gateway Section 40J for review and comment on Application No. 12-19 and Application No. 12-21 and to extend public hearing to July 15, 2013.

Susan Uihlein made a motion to send 40J to Gateway and to extend public hearing on Application No. 12-19 and Application No. 12-21 to July 15, 2013. Motion also includes sending Gateway the building height definition in Section 20. Jim Hill seconded the motion. Passed unanimously. Motion carried.

Susan Uihlein read the notice of public hearing on Application No. 13-10 – Essex Fire Department – An application to amend the text of Section 90 of the Town's zoning regulations to add "Fire Training Facility" to Section 90A.3 (D) as an allowed use in a Limited Industrial District.

Joe Budrow distributed a new application replacing the special exception application that they previously filed replacing with a text amendment application. Attorney Sipples indicated that we can go forward with the new application and a revised memo dated 6/14/13 to Al Wolfgram was read and distributed to the Commission. The revised memo from Tom Danyliw, Chairman, Essex Planning Commission indicates the apparent misconceptions on their original opposition of the proposed amendment are now corrected and understood and they are recommending approval of this proposed Zoning Amendment.

Fire Chief Steve Olson spoke on behalf of the Essex Fire Department as to what the facility is going to be and is currently used for. Mr. Olson distributed pictures of a current facility in Colchester as an example of another similar training facility. Al Wolfgram ask what types of drills are currently being done on site and Mr. Olson

responded with car extractions, etc., but no firefighting. Jeffrey Lovelace asked if other local fire departments would be using this facility to train their staff and Mr. Olson stated yes, but on a very limited use.

Michael Ballinger, 70 Plains Road (next to Grieder Field) asked a few questions with regards to EFD using the field for junk storage and would like to know who is responsible for taking care of it. He feels it is also a recreation area and should be maintained accordingly. He's placed several calls complaining about vandalism on the property and Al Wolfram suggested he bring these issues up at the special exception meeting when we get into certain specifics about a certain sites. Susan Uihlein suggested to Mr. Ballinger to get a copy of the application and review it in advance.

Susan Uihlein made a motion to close Application No. 13-10 – Essex Fire Department. Seconded by Jim Hill. Passed unanimously. Motion carried.

Susan Uihlein read notice of public hearing on Application No. 13-12 – Standard Petroleum. An application to modify a special exception previously approved in May with a plan to expand the existing convenience store and relocate the Dunkin Donuts operation within same building.

Joe Budrow submitted additional correspondence from the Health Department stating their approval of the current renovation plans with the stipulations outlined in the memo dated June 6, 2013 to the Essex Zoning Commission.

Attorney Ed Cassella representing the tenant reviewed the site plan and the planned renovation to the existing building. Notice of Decision from ZBA indicated they have approved the additional square footage.

Al Wolfram requested “no parking signs” be posted on Dennison Road so that delivery trucks do not block any portion of the street across from the Ambulance station in case of an emergency.

Timothy Row, 129 Dennison Road, inquired about plantings being added or a fence to block noise and lights to his property. Tenant will put in arborvitaes or evergreens on northwest of the seven parking spaces.

Alison from Ashleigh's Garden (current tenant) spoke on behalf of this application and will give Dunkin Donuts more space allowing for less traffic issues.

Resident of Dennison Road expressed her concerns about the amount of traffic at this intersection and sees this Dunkin Donuts relocation will increase congestion and asks the Commission to look at it. This resident is also concerned that Essex is getting away from its historical heritage and getting too many convenience stores.

Al Wolfram made a motion to close Application 13-12, seconded by Jim Hill. Passed unanimously. Motion carried.

REGULAR MEETING

Called to order at 8:16 p.m.

APPROVAL OF AGENDA:

Joe Budrow indicated there are two slight modifications under Old Business on Application 13-10 and Application 13-12.

NEW BUSINESS: None

OLD BUSINESS:

Application No. 12-19 and Application No. 12-21 and extend to public hearing on July 15, 2013.

Discussion and possible vote on Application No. 13-10 and Application No. 13-12 as they are not petitions to amend Section 40, and to note change to public hearing language.

Seated to vote Al Wolfgram, Susan Uihlein, Barbara Zernike for Larry Shipman, Jim Hill and Jeffrey Lovelace for Bill Reichenbach.

Application No. 13-10 – Essex Fire Department

Motion was made by Jim Hill to approve Application No. 13-10 – Essex Fire Department with effective date of July 12, 2013. Seconded by Barbara Zernike. Passed unanimously. Motion carried.

Application No. 13-12 – Standard Petroleum

Motion made by Barbara Zernike to approve Application No. 13-12 – Standard Petroleum with conditions outlined at this meeting. Seconded by Jim Hill. Passed unanimously. Motion carried.

RECEIPT OF NEW APPLICATIONS:

Application No. 13-11 – Corporate Row Associates – An Application to allow a physical fitness studio at 26 Saybrook Rd.

Susan Uihlein motioned to accept Application No. 13-11 and to go to public hearing on July 15, 2013, seconded by Jim Hill. Passed unanimously. Motion carried.

Application No. 13-13 – Alan R. and Faith B. Kerr – An application to allow an attached accessory apartment to be located at 44 Summit Street, Ivoryton. This application went to ZBA first to get variance for 25 feet and both variances were accepted. Soil waiver should go to sanitarian.

Susan Uihlein motioned to accept Application No. 13-13 and to go to public hearing on July 15, 2013, seconded by Barbara Zernike. Passed unanimously. Motion carried.

Application No. 13-14 – Connecticut River Foundation and Steamboat Docks, Inc. – An application to move a district line in order to include 57 Main Street, Essex into the Waterfront District. This application will also be referred to planning and CT Gateway Commission.

Susan Uihlein motioned to accept Application No. 13-14 and to go to public hearing on August 19, 2013, seconded by Al Wolfgram. Passed unanimously. Motion carried.

VISITORS AND GUESTS: None

REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT OFFICER:

Motion to accept Memorandum of Decision for Special Exception regarding text amendment on Application No. 13-7 – NairCo, LLC – by Jim Hill, seconded by Jeffrey Lovelace, Passed by Al Wolfgram, Jim Hill and Jeffrey Lovelace. Motion carried.

Motion to accept Memorandum of Decision for Special Exception for the consolidation of signs on Application No. 13-7 – NairCo, LLC – by Jeffrey Lovelace seconded by Jim Hill. Passed by Al Wolfgram, Jim Hill and Jeffrey Lovelace. Motion carried.

OTHER BUSINESS:

APPROVAL OF MINUTES:

Motion made by Jeffrey Lovelace to approve the minutes of May 13, 2013. Jim Hill seconded the motion. Passed unanimously. Motion carried.

CORRESPONDENCE AND PAYMENT OF BILLS:

Motion made by Susan Uihlein to approve payment of legal fees in the amount of \$1,813.24 based on availability of funds. Jeffrey Lovelace seconded the motion. Passed unanimously. Motion carried.

ADJOURNMENT:

Motion to adjourn meeting was made by Jim Hill at 8:55 p.m. Jeffrey Lovelace seconded the motion. Passed unanimously. Motion carried.

Respectfully submitted.

Yvonne Roziak