

Essex Zoning Commission

29 West Avenue - Essex, CT 06426
Regular Meeting Minutes – February 23, 2015

Public Hearings

Seated: Larry Shipman, Chairman
Alvin Wolfgram, Vice-chairman,
Bill Reichenbach, Secretary
Regular members, Jim Hill, Susan Uihlein
Alternate member, Adrienne Forrest.
Joe Budrow, Zoning Enforcement Official.

Absent: Jeffrey Lovelace, Alternate
Attorney, Peter Sipples

CALL TO ORDER: Larry Shipman, Chairman called the Public Hearing to order at 7:05 p.m.

Application No. 14-06 Essex Zoning Commission – A petition to amend Section 111 (Signs and Lights) of the Essex Zoning Regulations.

Commission Comment (s):

Mr. Shipman stated that the Commission decided not to discuss this application tonight. He mentioned that a workshop will be scheduled soon.

Application No. 14-15 – CT River Foundation at Steamboat Dock, Inc. – An application for a Special Exception to change the use of a residential property at 57 Main Street, Essex from residential to a use related to a non-profit Maritime Museum.

Applicant comments:

Chris Dobbs further described the activities of the museum. He addressed the recently-submitted parking plan. He addressed the recently-submitted site plans in which there were four. He addressed the memorandum submitted by health director, Lisa Fasulo. He issued a final statement.

Commission comments:

ZEO, Joe Budrow entered items into the record along with six letters of support. Mr. Reichenbach expressed concern that overflow parking may become paved areas and urged not to pave. Mr. Hill wanted assurances that multiple event with tents would not occur simultaneously. Ms. Uihlein asked if there were rules for using off premises areas such as Town Hall or the post office for parking. She asked if a condition capping events at one tent could be done. Mr. Wolfgram stated that the number of guests is more important rather than number of tents. Ms. Uihlein asked about a parking contingency for parties over 150 guests.

Public comments:

Rick Weiner confirmed that parking is not an issue for the museum.
Dick Levene of the rotary club supported the museum application.

Meghan Stewart, the new director of the Essex Board of Trade, supports the museum application as business in the Village will be boosted by the added tourists.
Mike Peck, an abutter to an abutter, sees the museum as a good neighbor.

Motion made by Alvin Wolfgram to close the public hearing for **Application 14-15- CT River Foundation at Steamboat Dock, Inc.** Bill Reichenbach seconded the motion. All were in favor.

Application No. 14-17 – **Mark Bombaci, 80 Bokum Road, Essex.** A petition to change the Town's zoning map to include two Bokum Road properties into the Residential Life Care District.

and...**Application No. 14-18** – **Mark Bombaci, 80 Bokum Road, Essex.** A petition to amend the Town's Zoning Regulations section 63 (Residential Life Care District).

Applicant comments:

Attorney W. Campbell Hudson mentioned that Wayne Bombaci was representing the Bombacis tonight. He responded to a question from Alvin Wolfgram about changing the properties to Active Adult Community District instead of RLC and Atty. Hudson said the RLC District offers more options in uses. Atty. Hudson referred to a recently-submitted memo from Mark Bombaci stating that there is now no intent to eliminate the 100 unit maximum. Also, a 100 square foot minimum per dwelling unit was added to the proposal. He stated now there are relatively few changes.

Commission Comments:

Mr. Wolfgram asked if it would be better to withdraw the application and go ahead with a special exception first. Atty. Hudson answered that the Bombacis favor the text change even though there is no firm plan for development at this time. Mr. Wolfgram pointed at section 63-2C as maybe being a cause for continuing the hearing but Atty. Hudson didn't agree that it was. Mr. Wolfgram asked if the proposed waiver language had to be included. Atty. Hudson agreed that it didn't have to be.

Motion made by Alvin Wolfgram to close **Application 14-17** and **Application 14-18**– Mark Bombaci, 80 Bokum Road, Essex. Susan Uihlein and Jim Hill seconded the motions respectively. All were in favor.

Application No. 14-19 – **Essex Glen, LLC.** A petition to amend the Town's Zoning Regulations Section 63-2 (Active Adult Community District).

Applicant comments:

Attorney Terrance Lomme confirmed the applicant's intent for the changes stating the language in section 63 will move to section 63-2 with no changes.

Commission Comments:

Mr. Wolfgram mentioned that the prior applicant's changes to section 63 make section 63-2C a benefit to the Essex Glenn application and asked if they would withdraw. Atty. Lomme agreed that the changes were beneficial but did not want to withdraw at that time and requested extending the public hearing to March. Ms. Uihlein mentioned the minimum dwelling sized carrying over to the AAC district.

Motion made by Alvin Wolfgram to continue **Application 14-19** – Essex Glen, LLC to March 16, 2015. Jim Hill seconded the motion. All were in favor.

Special Meeting

Seated: Larry Shipman, Chairman
Alvin Wolfgram, Vice-chairman,
Bill Reichenbach, Secretary
Regular members, Jim Hill, Susan Uihlein
Alternate member, Adrienne Forrest.
Joe Budrow, Zoning Enforcement Official.

Absent: Jeffrey Lovelace, Alternate
Attorney, Peter Sipples

1. **CALL TO ORDER:**

Larry Shipman, Chairman called the Meeting to order at 8:05 p.m.

2. **APPROVAL OF THE AGENDA:**

Mr. Wolfgram requested adding discussion on the marijuana moratorium and Bestway. Mr. Norm Needleman addressed the Commission regarding the commission approving a plan to do a rewrite of the Town zoning regulations. The money will be found. Mr. Wolfgram noted that a number of towns are doing it also. Mr. Shipman stated that this commission is taking too much time changing the regulations rather than addressing zoning issues.

3. **NEW BUSINESS:**

No new business was discussed.

4. **OLD BUSINESS:**

Application No. 14-15 – **CT River Foundation at Steamboat Dock, Inc.** An application for a Special Exception to change the use of a residential property at 57 Main Street, Essex, from residential to a use related to a non-profit Maritime Museum. Mr. Wolfgram stated that his issues were addressed. Mr. Shipman stated that the applicant is an asset to the town. Ms. Uihlein agreed. The Commission just wanted to get the CRM history on record. **Motion** made by Alvin Wolfgram to approve **Application 14-15- CT River Foundation at Steamboat Dock, Inc.** Susan Uihlein seconded the motion. Mr. Wolfgram referred to sections 120 and 130 of the regulations. All were in favor.

Application No. 14-17 – **Mark Bombaci, 80 Bokum Road, Essex, and...**

Application No. 14-18 – **Mark Bombaci, 80 Bokum Road, Essex.** A petition to amend the Town's Zoning Regulations section 63 (Residential Life Care District). **Motion** made by Alvin Wolfgram to approve **Application 14-17- Mark Bombaci, 80 Bokum Road, Essex.** Susan Uihlein seconded the motion. Mr. Wolfgram referred to a 2009 memorandum from Attorney Sipples. Mr. Wolfgram mentioned that the application 14-18 was approved by the Planning Commission and that the Plan of Conservation of Development calls for higher

residential density. He stated the character of Essex is enhanced. All were in favor. Application 14-17 APPROVED. **Motion** made by Alvin Wolfgram to approve **Application 14-18- Mark Bombaci, 80 Bokum Road, Essex**. Susan Uihlein seconded the motion. Mr. Wolfgram stated that the changes to the text should adhere to the most recent changes submitted on 2/12/2015. He mentioned that the Planning Commission approved the changes and that they go in line with the Plan of Conservation and Development. All were in favor. Application 14-18 APPROVED.

5. **RECEIPT OF NEW APPLICATION(S):**

No new applications.

6. **VISITORS AND GUESTS:**

No visitors or guests.

7. **REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT OFFICIAL:**

No reports.

8. **OTHER BUSINESS:**

Mr. Wolfgram feels like the Commission should extend the moratorium for six more months and to address the issue during the spring. The commission agreed. **Motion** made by Alvin Wolfgram to extend zoning regulation section 40A.1 for six more months. Seconded by Jim Hill. All in Favor. Opposed none. **Motion carried**. There was also discussion about signage on Route 9 for Bestway when they were not allowed to have any. ZEO was asked to take a look. Other signage was addressed as well with regard to State ROWs.

9. **APPROVAL OF MINUTES:** February 9, 2016. – Ms. Uihlein mentioned that maybe she should not have motioned to approve the December meeting minutes since she was not there. **Motion** made by Alvin Wolfgram to approve the minutes of February 9, 2015. Seconded by Susan Uihlein. All in Favor. Opposed none. **Motion carried**.

10. **CORRESPONDENCE AND PAYMENT OF BILLS:**

Motion made by Susan Uihlein to recommend payment for submitted legal bills. Seconded by Alvin Wolfgram. All in favor. Opposed none. **Motion carried**.

11. **ADJOURNMENT:**

Motion made by Alvin Wolfgram to adjourn meeting at 8:35 p.m. Seconded by Bill Reichenbach. All in favor, Opposed none. **Motion carried**.

Respectfully submitted,

Joseph Budrow
Certified Zoning Enforcement Official