

# TOWN OF ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

**REGULAR MEETING MINUTES** – October 16, 2017

## **PUBLIC HEARINGS**

Present: Alvin Wolfgram, Chairman  
Larry Shipman, Vice-chairman  
Bill Reichenbach, Secretary  
Jim Hill, Regular Member  
Alternate Member Jeffrey Lovelace  
Alternate Member Russ Smith  
Alternate Member Adrienne Forrest (sitting in for Susan Uihlein)

Absent: Susan Uihlein, Regular Member  
David Royston, Commission Legal Counsel

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Also present: Joe Budrow, Zoning Enforcement Official

**MOTION** made by Larry Shipman to modify the agenda by placing **Application 17-12** before **Application 16-8A**. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

**CALL TO ORDER:** Alvin Wolfgram, Chairman called the Public Hearing to order at 7:01 PM. Seated for the public hearing were Regular Members Alvin Wolfgram, Larry Shipman, Bill Reichenbach and Jim Hill. Alternate Members Adrienne Forrest, Jeffrey Lovelace and Russ Smith were also in attendance.

**Application 17-12** – **Gary Dayharsh** – A Petition for a change to the Town zoning map proposing to add two Ivoryton properties to the RUM District.

Seated for the public hearing were Regular Members Alvin Wolfgram, Larry Shipman, Bill Reichenbach and Jim Hill. Alternate Member Jeffrey Lovelace sat in for Susan Uihlein. Alternate Members Adrienne Forrest and Russ Smith were also in attendance.

Mr. Budrow spoke about Section 123 of the Zoning Regulations and that all neighboring properties within 500 feet must be notified of the project.

Mr. Budrow said that due to a staff shortage, the abutter letters were not mailed out in time for this application, therefore the people who live in Falls River Condominiums have not yet been notified of this.

It was decided to open up the application now, get the abutter letters out in the mail, and call a Special Meeting to further discuss.

Mr. Reichenbach read a letter from Alan Kerr, Chairman of the Planning Commission in which he finds the approved map change to be in harmony with the goals of the Essex Plan of Conservation & Development, but would encourage an increased allowable density for the RUM district (is currently one unit per acre).

Mr. Reichenbach then read into the record the public notice.

**MOTION** made by Bill Reichenbach to continue this application to a Special Meeting, scheduled for October 30, 2017 at 7:00 pm. Larry Shipman seconded the motion. All in favor, **Motion carried, 5-0.**

**Application 16-8A – Planning Commission** – A petition for a text amendment to the zoning regulations Section 45. Replacing existing section with new section.

Seated for the public hearing were Regular Members Alvin Wolfgram, Larry Shipman, Bill Reichenbach and Jim Hill. Alternate Member Adrienne Forrest sat in for Susan Uihlein. Alternate Members Jeffrey Lovelace and Russ Smith were also in attendance.

Mr. Budrow distributed a revised text amendment to Section 45. He reviewed the changes with the Commission members and they agreed on what should be changed in the amendment.

There were no questions or comments from the audience.

**MOTION** made by Larry Shipman to approve this application and make the new regulations effective as of November 15, 2017. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

## **REGULAR MEETING**

1. **CALL TO ORDER:** Alvin Wolfgram, Chairman called the Public Hearing to order at 7:41 PM. Seated for the public hearing were Regular Members Alvin Wolfgram, Larry Shipman, Bill Reichenbach and Jim Hill. Alternate Members Adrienne Forrest, Jeffrey Lovelace and Russ Smith were also in attendance.

2. **APPROVAL OF AGENDA**

No changes or modifications were made to the agenda.

3. **NEW BUSINESS**

**Application 16-8A – Planning Commission** – A Petition for a text amendment to the zoning regulations Section 45 (ACCESSORY APARTMENTS). Replacing existing section with new section.

The old and new regulations for Section 45 were reviewed by the Commission. Three changes were made.

**MOTION** made by Larry Shipman to approve the new regulations with an effective date of November 15, 2017. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

**Application 17-12 – Gary Dayharsh** – A Petition for a change to the Town zoning map proposing to add two Ivoryton properties to the RUM District.

Application was extended to a Special Meeting scheduled for October 30, 2017.

**4. OLD BUSINESS**

None

**5. RECEIPT OF NEW APPLICATIONS**

**Application 17-13 – Cellco Partnership d/b/a Verizon Wireless** – An application for a Special Exception to locate equipment for a telecommunications facility.

**MOTION** made by Larry Shipman to receive this application and schedule for a Public Hearing on November 20, 2017. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

**Application 17-14 – The Griswold Inn, LLC** – A Petition for a Change to the Zoning Map to get 47 and 51 Main Street, Essex, entirely within the Essex Village District.

**MOTION** made by Larry Shipman to accept this application and schedule for a Public Hearing on December 18, 2017. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

**6. VISITORS AND GUESTS**

None

**7. REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT AGENT**

None

**8. OTHER BUSINESS**

Mr. Budrow discussed a potential applicant, The Clark Group. Currently, within the limited industrial district and the business district, we allow accessory retail as a use in those zones, even though we don't allow any for any principal retail due to regulations in those zones.

The Commission is to decide if this change should be a text amendment or go into the current draft of language for the Regulations, which are currently being worked on. This application will be put on the agenda for the next scheduled meeting on November 27, 2017.

Mr. Smith spoke for the Economic Development Commission. He mentioned that the EDC would like to eliminate the parking requirements in Essex Village, and would also like to allow for accessory apartments on the second floor of buildings in the Essex Village District. New regulations could possibly be drawn up by the EDC to present to the Zoning Commission in the near future.

The Commission discussed the old Benny's Market property on Main Street in Centerbrook. It was mentioned that at this time the property still remains vacant.

## **9. APPROVAL OF MINUTES**

Some corrections were made.

For the Public Hearing and Regular Meeting, under "Seated", Jim Hill should not be shown as being absent from the September hearings, and Russ Smith should be listed as being absent.

Page two, seventh paragraph from bottom- clarify the context to say, "the accessory apartments are limited to detached structures built prior to 1999 on the existing regulations".

Page two, eighth paragraph, instead of "they've given out", should say "Zoning Enforcement Officer has given out".

Page three, first paragraph- The sentence, "The Commission decided it would be kept separate." should be eliminated.

**MOTION** made by Larry Shipman to approve the minutes of the September 18, 2017 meeting, with corrections. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

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

None

## **11. ADJOURNMENT**

The next scheduled meeting is October 30, 2017.

**MOTION** made by Alvin Wolfgram to adjourn the meeting at 8:13 pm. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Shannon DeLorso,  
Zoning Board Clerk