

TOWN OF ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

MEETING MINUTES – June 17, 2019

PUBLIC HEARING

Present: Russ Smith, Vice-Chairman
Bill Reichenbach, Secretary
Jim Hill, Regular Member
Jeffrey Lovelace, Alternate Member
Robert Day, Alternate Member

Absent: Larry Shipman, Chairman
Mark Reeves, Regular Member

Also Present: Joe Budrow, Zoning Enforcement Official

CALL TO ORDER: Russ Smith, Vice-Chairman called the Public Hearing to order at 7:00 PM. Seated for the Public Hearing were Regular Members Russ Smith, Bill Reichenbach and Jim Hill. Alternate Member Jeff Lovelace was seated for Larry Shipman and Alternate Member Rob Day was seated for Mark Reeves.

Application 19-10 – Essex Zoning Commission – An application for a text amendment to the zoning regulations adding “golf center” and “batting cages” to the LI District.

Mr. Budrow read the legal notice into the record.

Mr. Budrow explained that there is a person interested in conducting this business at a location on Saybrook Road.

The Commission asked some questions which Mr. Budrow addressed.

There were no questions or comments from the audience.

MOTION made by Bill Reichenbach to close this application. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

REGULAR MEETING

1. **CALL TO ORDER:** Russ Smith, Vice-Chairman called the Regular Meeting to order at 7:05 PM. Present were Regular Members Russ Smith, Bill Reichenbach and Jim Hill. Alternate Member Jeff Lovelace was seated for Larry Shipman and Alternate Member Rob Day was seated for Mark Reeves.

2. **APPROVAL OF THE AGENDA**

MOTION made by Bill Reichenbach to approve the agenda. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

3. **RECEIPT OF NEW APPLICATIONS**

Application 19-9 – MacBeth Ventures, LLC c/o HT Partners, LLC 6 Main Street, Centerbrook – A minor modification to a previously approved Special Exception to allow for changes to the concept of a brewpub that includes a taproom, kitchen and on-site manufacturing of beer.

Russ Campaigne, Engineer, presented a revised blueprint explaining the changes that the applicant is inquiring to make.

Being that a neighboring unit has become available, therefore allowing the applicant an additional 2,000 square feet of space, the applicant is looking to have a restaurant facility in addition to the brew pub.

This application has a preliminary approval from Lisa Fasulo, Health Director, for 146 seats in the restaurant. 106 of the seats will be located inside and 40 seats will be located outside. Primary parking is existing and there is an additional area in the back that can be expanded on if necessary.

The applicant is planning on removing four parking spaces to allow for the new septic system.

There are currently two door entrances that will turn into windows in kitchen area.

Mr. Smith asked a question about the waste from the brewery. Mr. Campaigne has a letter from the Deep River disposal facility agreeing to take the brewery's waste.

Mr. Reichenbach read a portion of a letter into the record from Ms. Fasulo, Health Director. She said that the Health Department has not yet received a B100A plan review application to coincide with the new plans however they have received a waste water utility layout from Harking Engineering. The Health Department has conducted a preliminary review. A plan review application must still be submitted to the Health Department and a separate application must be submitted to CTDPH for review.

MOTION made by Bill Reichenbach to accept this application as a minor modification and place under New Business on the June agenda. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-11 – Essex Glen, LLC – A minor modification to a previously approved Special Exception to allow for less landscaping in the common area.

Attorney Terry Lomme presented on behalf of the applicant and explained the three minor changes that they would like to make.

Craig Dillon from Seacoast Design presented before the Commission. The original landscape plan is no longer accurate in order for plants to grow properly and allow for runoff. He showed the landscaping changes on their revised plan.

Mr. Smith asked how many houses are built at the present time. Attorney Lomme said that 11 out of 26 houses are completed.

Mr. Budrow mentioned that the road work where there's gravel instead of grass is due to massive erosion problems this past year. He also stated that the size of the decks or patios is not an issue as long as they meet the setback requirement.

Mr. Budrow and the Commission asked some questions of Mr. Dillon in regard to the landscape plans which Mr. Dillon answered.

MOTION made by Bill Reichenbach to accept this application as a minor modification and place under New Business on the June agenda. Jeff Lovelace seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-12 – Connecticut Coastal Academy– A Special Exception to locate a private school for special education within a 10,873 square foot commercial space at 192 Westbrook Road.

Dr. Pamela Potemri presented on behalf of the school. They service a population of special needs adolescents ranging from grade 6 through age 21. Their school focuses on job acquisition skills, maintaining high school graduation requirements, and transitioning students from childhood to adulthood. Dr. Potemri explained that their organization has been in the Mount Saint John's building in Deep River, but they are now looking for a new facility. Dr. Potemri thinks that this building in Essex would be the perfect location for their school. Site plans and building plans are still being worked on. The school does not advertise, rather their students find them by word of mouth. There are approximately 25 students and 15 staff at a time.

Rusty Malik from Quisenberry Arcari Malik Architects presented. The existing Essex facility has about 52 regular parking spaces and 6 handicap spaces. There is a large septic capacity at this site and the building is equipped with a full sprinkler system.

Mr. Malik reviewed the map and where each department would be located. All fire codes have been met.

The Commission asked a few questions which Mr. Malik answered.

MOTION made by Jeff Lovelace to accept this application and schedule for the next meeting on July 15, 2019. Bill Reichenbach seconded the motion. All in favor, **Motion carried, 5-0.**

4. NEW BUSINESS

Application 19-10 – Essex Zoning Commission – An application for a text amendment to the zoning regulations adding “golf center” and “batting cages” to the LI District.

MOTION made by Bill Reichenbach to approve this application, consistent with section 90 and section 120 of the zoning regulations. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-9 – MacBeth Ventures, LLC c/o HT Partners, LLC 6 Main Street, Centerbrook – A minor modification to a previously approved Special Exception to allow for changes to the concept of a brewpub that includes a taproom, kitchen and on-site manufacturing of beer.

MOTION made by Rob Day to approve this application. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-11 – Essex Glen, LLC – A minor modification to a previously approved Special Exception to allow for less landscaping in the common area.

MOTION made by Jim Hill to approve this application. Jeff Lovelace seconded the motion. All in favor, **Motion carried, 5-0.**

5. OLD BUSINESS

Application 18-8 – Zoning Regulations Update

Mr. Budrow said that Attorney Mark Branse is working on the zoning regulations. 5 sections have been annotated, discussed and corrected. He’s currently working on article 6 and Mr. Budrow will bring copies of these sections to the next meeting. Mr. Budrow is hoping to have the review done by August.

Discussion about the Bokum Node Development Overlay

Alan Kerr, Chairman of the Planning Commission was present to discuss this and answer any questions of the Commission.

Mr. Budrow gave an overview of what the Planning Commission is inquiring to do. The Planning Commission would like to submit an application, but first wanted to address any concerns from the Zoning Commission. Mr. Kerr said that if this application turns out to be a success, the Planning Commission is hoping to have the same kind of overlay in other nodes in town. The Zoning Commission agreed that the Planning Commission should move ahead with this application.

6. VISITORS AND GUESTS

Norm Needleman, First Selectman was present. He explained that the Board of Selectman have discussed that due to the stage of development for the town, the Planning and Zoning Commissions may combine in the near future. The town has no sub-dividable land anymore, therefore there is no longer a need for a separate Planning Commission.

7. REPORT FROM LEGAL COUNSEL AND ZONING ENFORCEMENT OFFICIAL

None

8. OTHER BUSINESS

Memorandum of Decision – Application 19-8, Gary Dayharsh

Present for this application were Russ Smith, Jim Hill, Bill Reichenbach, Mark Reeves and Tom Carroll.

MOTION made by Russ Smith to give approval for Larry Shipman to sign the Memorandum of Decision for Application 19-8. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

9. APPROVAL OF MINUTES

Three corrections were made:

- Page 1, last paragraph, revise sentence to say that “Ms. Fasulo approves of this project”.
- Page 1, 2nd paragraph from the bottom, replace the word “mediation” with “meditation”.
- Page 4, item 4, replace “Application 19-9” with “Application 19-19”.

MOTION made by Rob Day to approve the minutes of the May 20, 2019 meeting with three corrections. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

10. CORRESPONDENCE AND PAYMENT OF BILLS

None.

11. ADJOURNMENT

The next scheduled meeting is July 15, 2019.

MOTION made by Jim Hill to adjourn the meeting at 8:38 pm. Rob Day seconded the motion. All in favor, **Motion carried, 5-0.**

Shannon DeLorso,
Zoning Board Clerk