

TOWN OF ESSEX ZONING COMMISSION

29 WEST AVENUE – ESSEX, CT 06426

MEETING MINUTES – October 21, 2019

PUBLIC HEARING

Present: Larry Shipman, Chairman
Russ Smith, Vice-Chairman
Jim Hill, Regular Member
Mark Reeves, Regular Member
Jeffrey Lovelace, Alternate Member
Thomas Carroll, Alternate Member

Absent: Bill Reichenbach, Secretary
Robert Day, Alternate Member

Also Present: Joe Budrow, Zoning Enforcement Official

CALL TO ORDER: Larry Shipman, Chairman called the Public Hearing to order at 7:03 PM. Seated for the Public Hearing were Regular Members Larry Shipman, Russ Smith, Jim Hill and Mark Reeves. Alternate Member Tom Carroll was seated for Bill Reichenbach. Alternate Member Jeff Lovelace was also in attendance.

Application 19-16 – Nick Sapia, 130 Dennison Road – An application for a Special Exception to locate a 7,440 office building with associated development at 130 Dennison Road.

MOTION made by Larry Shipman to continue this application to the next meeting on November 25, 2019. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-18 – Scott Harger, 23 Saybrook Road – An application for a Special Exception to locate an indoor golf facility within a commercial space at 23 Saybrook Road.

Mr. Shipman read into the record a letter from the town Health Sanitarian. The Health Department supports the proposed change in use. Before the food truck is allowed to operate at the site, the manager must submit required information to the Health Department.

Mr. Budrow said that the parking computation for an indoor recreational facility is one spot for every three people. The Fire Marshall said that 208 will be allowed as a legal occupancy in this building, therefore needing 70 parking spaces. As of today there are 42 available areas to park

with another 28 spaces in reserve. Mr. Budrow will be asking the property owner to find a way to delineate the parking spaces. Mr. Shipman thinks that outdoor lighting, landscape screening and signage in the parking lot also need to be discussed. Mr. Reeves agrees. Mr. Carroll and Mr. Smith asked the applicant a few questions which he answered.

Questions and comments were opened up to the public. Susan Feaster, audience member, asked a question about alcohol being served on the premises. The applicant explained that there will be a small bar with beer and wine being served. The bar will have about ten to twelve seats.

Mr. Carroll asked if a letter was sent out to the abutters of the property. Mr. Budrow answered yes, they were notified. If the application is approved than the abutters will receive another notice.

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

Application 19-17 – Essex Zoning Commission – A Petition for a Text Amendment to allow a Customary Home Occupation to include a Cottage Food Operation.

Mr. Budrow read the public notice into the record.

Mr. Budrow read a letter into the record from the applicant, Mary-Beth Harrigan. She was not present at the meeting.

The Commission reviewed a handout regarding the state's cottage food laws plus discussed the town zoning regulations.

Audience member Susan Feaster spoke in favor of this application. No one spoke in opposition.

MOTION made by Russ Smith to close this application. Mark Reeves seconded the motion. All in favor, **Motion carried, 5-0.**

REGULAR MEETING

1. **CALL TO ORDER:** Larry Shipman, Chairman called the Regular Meeting to order at 7:20 PM. Seated for the Regular Meeting were Regular Members Larry Shipman, Russ Smith, Jim Hill and Mark Reeves. Alternate Member Tom Carroll was seated for Bill Reichenbach. Alternate Member Jeff Lovelace was also in attendance.

2. **APPROVAL OF THE AGENDA**

MOTION made by Larry Shipman to amend the agenda to discuss New Business first. Mark Reeves seconded the motion. All in favor, **Motion carried, 5-0.**

3. NEW BUSINESS

Application 19-16 – Nick Sapia, 130 Dennison Road – An application for a Special Exception to locate a 7,440 office building with associated development at 130 Dennison Road.

Continued to the next meeting on November 25, 2019.

Application 19-18 – Scott Harger, 23 Saybrook Road – An application for a Special Exception to locate an indoor golf facility within a commercial space at 23 Saybrook Road.

MOTION made by Mark Reeves to approve this application with two conditions: a lighting plan must be approved by the ZEO and the parking area must be delineated. Russ Smith seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-17 – Essex Zoning Commission – A Petition for a Text Amendment to allow a Customary Home Occupation to include a Cottage Food Operation.

MOTION made by Mark Reeves to approve this application as per compliance with the plan of Conservation and Development and conforming to the Connecticut General Statutes. Russ Smith seconded the motion. All in favor, **Motion carried, 5-0.**

4. RECEIPT OF NEW APPLICATIONS

Application 19-23 – Essex Planning Commission – A Petition for a Text Amendment to the Essex Zoning Regulations to add a Bokum Node Development Overlay District.

MOTION made by Russ Smith to accept this application and schedule for the hearing on December 16, 2019. Larry Shipman seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-24 – Essex Planning Commission – A Petition for a Text Amendment to the Essex Zoning Regulations to add an Ivoryton Node Development Overlay District.

MOTION made by Russ Smith to accept this application and schedule for the hearing on December 16, 2019. Larry Shipman seconded the motion. All in favor, **Motion carried, 5-0.**

5. OLD BUSINESS

Mr. Budrow said that there is a property on River Road that had an injunction with one of the neighbors which has now been settled. The property owners were proposing to have eight solar arrays but will now have six.

Mr. Budrow mentioned that tiny houses have been a subject in town. The zoning regulations

do not have a minimum house size. The ZBA is going to have an appendix in the next building code with exemptions on house sizes. Mr. Budrow is inquiring on whether we should update our regulations to have a 400 square foot minimum house size. Mr. Shipman does not think that there should be a regulation on a houses square footage.

6. **VISITORS AND GUESTS**

None.

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

None.

8. **OTHER BUSINESS**

Memorandum of Decisions:

Present for these applications were Larry Shipman, Russ Smith, Jim Hill and Jeff Lovelace.

Application 19-14 – Essex Zoning Commission. MOTION made by Mark Reeves to give approval for Larry Shipman to sign the Memorandum of Decision for Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-20 – Cecil Lyon, 59 Plains Road. MOTION made by Russ Smith to give approval for Larry Shipman to sign the Memorandum of Decision. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

Application 19-22 – Essex Glen, LLC, 14 Essex Glen Drive. MOTION made by Russ Smith to give approval for Larry Shipman to sign the Memorandum of Decision. Russ Smith seconded the motion. All in favor, **Motion carried, 5-0.**

9. **APPROVAL OF MINUTES**

July 15, 2019 Minutes – No corrections.

MOTION made by Russ Smith to approve the minutes of this meeting. Jim Hill seconded the motion. All in favor, **Motion carried, 5-0.**

September 16, 2019 Minutes – One correction:

Page 6, paragraph 2: Application 19-14 is approved with no conditions. (Minutes originally show that there are two conditions).

MOTION made by Russ Smith to approve the minutes of the September 16, 2019 meeting with one correction. Mark Reeves seconded the motion. All in favor, **Motion carried, 5-0.**

10. CORRESPONDENCE AND PAYMENT OF BILLS

None.

11. ADJOURNMENT

The next scheduled meeting is November 25, 2019.

MOTION made by Jim Hill to adjourn the meeting at 8:04 pm. Larry Shipman seconded the motion. All in favor, **Motion carried, 5-0.**

Shannon DeLorso,
Zoning Board Clerk