

**TOWN OF ESSEX
PLANNING COMMISSION
AGENDA
January 27, 2022-6:30 P.M.
MUNICIPAL CONFERENCE ROOM,
81 MAIN ST., ESSEX JCT., VT**

Anyone may attend this meeting in person at the above address or remotely through the following options:

- Zoom link: <https://www.essexvt.org/1043/8225/Join-Zoom-Meeting-Essex-PC>
- Call (*audio only*): [1-888-788-0099](tel:1-888-788-0099) | Meeting ID: 950 6840 0813 # | Passcode: 426269
- Public wifi: <https://publicservice.vermont.gov/content/public-wifi-hotspots-vermont>

1. **Public Comments**
2. **Discussion on Town Capital Plan: Dennis Lutz**
3. **Discussion/Work Session: Zoning Regulations**
 - Letter from Brian Bertsch, P.E. re: RPD-I uses.
4. **Minutes:** January 13, 2022
5. **Other Business**

Visit our website at www.essex.org.

Memorandum

TO: Evan Teich, Manager and the Selectboard

FROM: Dennis Lutz, PE, Public Works Director

Sarah Macy, Finance Director (ending Dec 2021)

Courtney Bushey, Acting Finance Director

DATE: December 9, 2021

SUBJECT: Proposed Capital Plan for FY23-FY27 and Schedule for Adoption

ISSUE: The issue is whether or not the Selectboard will approve the FY23-FY27 Capital Plan, schedule the public hearing and adoption date as proposed by staff., and initiate discussion on future funding for Capital Projects

DISCUSSION: Staff provided the Selectboard with a document dated Nov 19, 2021, titled "Status of Current Capital Projects" on December 6, 2021, which covered the current projects funded through the end of FY22.

Documentation covering the proposed FY23-FY27 Capital Plan is provided with this memorandum and includes:

- 1). Proposed FY23 Capital Plan Spreadsheet
- 2). Funding schedule of income from the "2-cents" Capital charge
- 3). Capital Fund Financials as of June 30, 2021
- 4). Status of Current Capital Projects as of November 19, 2021
- 5). Capital Projects Definitions
- 6). Project Summary Sheets

Staff recommends that four projects in FY23 be funded out of the Undesignated Capital Reserve. The four projects are the Fort Water Tower, the Library Deferred Maintenance, additional funding for PW Equipment Replacement and improvements to the radio infrastructure.

- 1) The Fort Water Tower roof, trim and upper window frames need to be preserved before the damage to the structure is irreversible. With the one-time availability of additional, undesignated funds, it is time to do the repairs on the structure that have been delayed.
- 2) The front brickwork on the library has deteriorated to the point where it needs to be repaired. The brickwork and mortar are failing on sections of the front side of the structure.
- 3) The Public Works Equipment Replacement Fund is not sufficiently funded to create a neutral or positive financial outcome and funds are needed to correct this deficiency.

4) The radio infrastructure needs to be updated to maintain effective communications with fire, police, rescue, and public works.

Needed long-term building projects have been added to the Capital Plan. They are not funded to any significant degree in the proposed FY23-FY27 Capital Plan but are identified in the Plan as current needs. Discussion needs to occur regarding these projects. In addition, the cost for future required stormwater projects to meet permit requirements has been estimated.

FUNDING of the CAPITAL PLAN:

Funding of the Town Capital Plan at the current level will not meet the needs that have been identified in the plan. While there are many sources of current Capital Project funding including but not limited to transfers from Operating Fund accounts, use of undesignated funds, grants, project impact fees and the two-cents Capital Tax, these funding sources are not and will not be sufficient to meet the needs of the community. This is an accurate statement whether separation occurs. The two critical drivers are future stormwater costs and building repair/replacement costs.

STORMWATER: Staff is currently working with a consultant to better estimate the costs of meeting the Phosphorus reduction targets required in the Towns MS4 NPDES Permit. Preliminary estimates indicate a total cost over the next 17 years. Even under the assumption that some grant funds will be available, the estimated yearly cost over the 17-year period is \$300,000 per year. This is double the amount now being obtained through the two-cent tax. Other items currently using the two -cents tax such as major roadway work, IT system upgrades, matching path money for future grants and a host of other needs cannot be unfunded at the expense of stormwater. More funds are needed.

BUILDINGS: The Town has many buildings that are old and in need of repair/replacement and buildings that need to be constructed to meet today's needs and not those of 50 years ago . Within the Capital Plan are the following identified building needs:

- 1) A two- bay addition to the highway garage to hold the water/sewer department equipment and staff...\$500,000.
- 2) Conversion of the old water-sewer building to a consolidated Public Works Administration Facility ...\$500,000
- 3) A new salt shed to replace the current shed that is too small and falling apart... \$500,000
- 4) A new Fire Station.... \$5.4 Million
- 5) New Parks and Recreation facilities to include offices, indoor activity space and anew pool complex... 7.8 million (total with phasing possible)

While all these building projects are needed, it is unrealistic to expect that all will be built at one time. However. the total cost is close to \$15 Million. If bonded today at 4% interest, the

annual debt repayment is \$867,000 per year. The need is there but the current funding level from all funding sources cannot support this need.

The purpose of bringing this issue to the attention of the Selectboard is to demonstrate that the current two-cents tax and other sources of capital funding are not sufficient to meet current and future needs. It is time to discuss how to fill this gap in funding.

RECOMMENDATION: It is recommended that the proposed FY23-FY27 Capital Plan be reviewed by the Selectboard, with a Public Hearing and adoption of the Plan to take place as proposed per the following schedule:

- 1). December 20, 2021 – Staff presentation of the proposed FY23-FY27 Capital Plan to the Selectboard
- 2). January 3, 2022 – Selectboard review and discussion of the FY23-FY27 Capital Plan.
- 3). January 18, 2022 – Selectboard hold a Public Hearing on the Plan at 6:35 pm.
- 4) January 18, 2022 – Selectboard adopt the FY23-FY27 Capital Plan with any changes

FY 22		FY 23								
CATEGORY	FY22 BALANCE (6/30/22 estimated)	FY23 Additions (CAPITAL TAX, budgeted)	FY23 Additions (Operating or Capital Equip Transfer, budgeted)	FY23 Additions (Grants / Developer Funds, budgeted)	FY23 Additions (Debt Proceeds, budgeted)	FY23 Additions (Transfer between projects, budgeted)	FY23 Additions (TOTAL NON- CAPITAL, budgeted)	FY23 ADDITIONS TOTAL, budgeted	ESTIMATED SPEND FY23	FY23 BALANCE (6/30/23 estimated)
<i>Buildings</i>	\$ 145,791	\$ 62,000	\$ 85,000	\$ -	\$ -	\$ 80,000	\$ 165,000	\$ 227,000	\$ 224,000	\$ 148,791
<i>Highways</i>	\$ 457,371	\$ 160,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 160,000	\$ 245,000	\$ 372,371
<i>Equipment</i>	\$ 313,907	\$ 60,000	\$ 455,000	\$ 175,000	\$ -	\$ 135,252	\$ 765,252	\$ 825,252	\$ 483,761	\$ 655,398
<i>Park Facilities</i>	\$ 649,607	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 82,000	\$ 567,607
<i>Paths/Walks/Trails</i>	\$ 117,912	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,000	\$ 55,000	\$ 122,912
<i>Stormwater</i>	\$ 554,138	\$ 150,000	\$ -	\$ 1,569,476	\$ -	\$ -	\$ 1,569,476	\$ 1,719,476	\$ 1,708,535	\$ 565,079
<i>Information Management</i>	\$ (3,476)	\$ 31,000	\$ 4,000	\$ -	\$ -	\$ -	\$ 4,000	\$ 35,000	\$ 30,000	\$ 1,524
<i>Natural Resources Management</i>	\$ 38,420	\$ 12,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,000	\$ 12,000	\$ 38,420
<i>Undesignated</i>	\$ 841,572	\$ -	\$ -	\$ -	\$ -	\$ (215,252)	\$ (215,252)	\$ (215,252)	\$ -	\$ 626,320
SUBTOTAL - GOVERNMENTAL ACTIVITIES	\$ 3,115,240	\$ 535,000	\$ 544,000	\$ 1,744,476	\$ -	\$ -	\$ 2,288,476	\$ 2,823,476	\$ 2,840,296	\$ 3,098,420

		FY 22			FY 23							
PROJECT NAME	PROJECT DESCRIPTION	TOTAL PROJECT COST	FY22 BALANCE (6/30/22 estimated)	FY23 Additions (CAPITAL TAX, budgeted)	FY23 Additions (Operating or Capital Equip Transfer, budgeted)	FY23 Additions (Grants / Developer Funds, budgeted)	FY23 Additions (Debt Proceeds, budgeted)	FY23 Additions (Transfer between projects, budgeted)	FY23 Additions (TOTAL NON- CAPITAL, budgeted)	FY23 ADDITIONS TOTAL, budgeted	ESTIMATED SPEND FY23	FY23 BALANCE (6/30/23 estimated)
Highway Garage Area Improvements	The major upgrade to the facility is a two-bay highway garage expansion. Funds should continue being set aside for future expansion of the garage or other site improvements. This expansion project could be for FY2023 - FY2024. By doing the expansion on the Public Works main garage, it will become the new home for the water/sewer maintenance personnel and equipment. This expansion begins the domino effect on the Public Works campus. By doing the garage expansion, the current water/sewer maintenance garage can be converted into a central, single Public Works Administration office building.	\$ 415,615	\$ 15,263	\$ -					\$ -	\$ -		\$ 15,263
Library deferred maintenance & expansion	Repair to front brickwork - need is very high (\$35k); installation of security systems (\$1,500); bathroom hand dryers (\$3k); floor covering on main floor (\$15k). The priority is brick work.	\$ 117,000	\$ -	\$ -				\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ -
Memorial Hall	Long term project is to add 1200.sq ft structure to the rear of the building for program space, restrooms and storage ~\$380k. Short term projects include HVAC work \$25k, address safety of front entrance \$8k. We are seeking capital funds from the 2 cents taxes of \$2000.00 to bring this account from the negative deficit to the positive side. Until separation is finalized, there is no need to spend any money on this building at this time. We are monitoring the floor at the inner wall (wall between the Lobby and the main meeting room) to verify that the wall is not sagging.	\$ 377,000	\$ -	\$ 2,000					\$ -	\$ 2,000	\$ 2,000	\$ -
Energy-saving projects	This fund helps to fund any energy projects that come up either from the Energy Committee or from the Facility Manager. Fund helps us to replace lights with LED lighting, or to replace old mechanical equipment with more modern energy efficient equipment. This is a revolving fund from year to year.	\$ 32,121	\$ 9,300	\$ -					\$ -	\$ -		\$ 9,300
Historic Water Tower	Structural analysis as done in FY10 revealing structural support problems with the Tower stairs and a long-term need for increased maintenance. Problems with the roof were revealed in an FY17 study. SLB has placed this project on hold but continues to set funding aside annually. Community historic committee is also fund raising. For FY23 the end goal is within sight and this budget has capital tax funds sufficient to allow the historical society to take action.	\$ 229,000	\$ 74,168	\$ -				\$ 45,000	\$ 45,000	\$ 45,000		\$ 119,168
Tree Farm Improvements	The existing buildings at the Tree Farm are in various stages of disrepair. Other than the large garage/storage building used for storage of records and equipment, there is no defined plan to utilize the site or the buildings. It is recommended that a committee be formed to determine uses for the site before more funds are expended to repair or demolish existing buildings or build new ones. The residential house needs to be completely redone with extensive interior work and a new roof, new water and sewer systems est. at \$250K. The large storage buildings need a new roof and paint. FY23 - Roof	\$ 185,000	\$ 27,791	\$ -					\$ -	\$ -	\$ 27,000	\$ 791
Clerk Records Preservation	Restore permanent records stored in the old vault at 2 Lincoln; some records preservation funds are available to support the project. Will start to do the work in phases ideally over three years.	\$ 233,070	\$ -	\$ -	\$ 85,000				\$ 85,000	\$ 85,000	\$ 85,000	\$ -
Essex Police Station	Issues with the heating/ventilation in the building have caused ongoing humidity and condensation problems. FY23 - Finish the ventilation on the remaining 21 windows and replace thermostats in the building.		\$ -	\$ 50,000					\$ -	\$ 50,000	\$ 50,000	\$ -

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Building Facilities Needs	Analysis for Public Works, Parks and Rec, and Fire. At this point it is proposed that the contract be cancelled and reevaluted in light of separation initiatives.	\$ 40,000	\$ 1,483	\$ -					\$ -	\$ -		\$ 1,483
Fire Department Building	This building is identified under the Buildings/Facilities Needs Study project. Building is too small. Programming of and for a new building requires more office space, staff quarters, and for the future needs of a limited staffed facility. Building needs a bigger foot print for the apparatus that would serve the Town of Essex and mutual aid to other communities. Building that would be built is programmed out as a 50 year investment. Starting in FY23-FY24 with a study and design portion of this project.	\$ -	\$ 17,785	\$ 10,000					\$ -	\$ 10,000	\$ 25,000	\$ 2,785
New Salt Shed	The current salt shed for the Town Public Works has started to produce some cracks in the concrete lower walls. It has been observed that the lower concrete walls have produced some cracks in them. With salt being stored there, and now cracks starting the salt will start to make those cracks get bigger over time. Also we are seeing that the cost of salt is less expensive to buy in bulk in the summertime. But given that the existing salt shed is of a certain size, we can only buy, and store so much.	\$ 750,000	\$ -	\$ -							\$ -	\$ -
New Sand Hill Park Main Office Bldg & Support Bldgs	This project is to bring the identity of the Sand Hill Park to the level that Maple Street Park has become. If there needs to be 2 separate pools, and offices, and Sand Hill Park is the place to do that. With the evacuation of the EPR staff from Maple Street Park office building, the EPR staff has inadequate staff office facilities and indoor recreation space. They have temporally moved back into 81 Main Street, but their main focus should be at Sand Hill Park. There are 3 phases to this project. First phase would be to create the main office building (5 offices and conference room) with a small (~2000 square foot) program space area. Second phase would be to create a gym building addition. Third phase would be to create a new enclosed pool and kiddy pool area, for year round swimming and pool time. Along with the third phase, the existing pool building and pool would be demolished and made way for a new parking lot.	\$ -	\$ -	\$ -								\$ -
SUBTOTAL BUILDINGS		\$ 2,378,806	\$ 145,790	\$ 62,000	\$ 85,000	\$ -	\$ -	\$ 80,000	\$ 165,000	\$ 227,000	\$ 224,000	\$ 148,790

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Road Reconstruction	Reconstruction of priority paved roads and intersections, a multi-year reconcstruction program to restore existing priority paved streets to an acceptable level and improve intersections. Reference the 2014 Highway Trasnportation Management Plan and the 2019 Road Analysis by CCRPC. FY23 will request the maximum amount for a Class II Paving Grant for Susie Wilson and possibly Kellogg Road.	\$ 1,439,940	\$ 182,663	\$ 150,000					\$ -	\$ 150,000	\$ 225,000	\$ 107,663
Gravel Roads Improvements	Gravel Road Improvements, 23 miles of Town gravel roads. Provide specific improvements to sections of gravel roads as outlined in the 2014 Town Highway Transportation Management Plan. Improvements will be made to satisfy the newest MS4 stormwater permit requirements.	\$ 237,000	\$ 44,931	\$ 10,000					\$ -	\$ 10,000	\$ 20,000	\$ 34,931
DESIGNATED FUNDS - VT15/Allen Martin Drive	Intersection layout changes to provide for improved turning movements; future improvements inclue turn lanes and a traffic signal. FY21 minor improvements planned. Funding source is developer fees	\$ 1,500,000	\$ -	\$ -					\$ -	\$ -		\$ -
DESIGNATED FUNDS - West Sleepy Hollow Rd - Paving	As development occurs along this Class 4 roadway, impact fees are paid toward paving. The account was completely spend plus a small amount from Town fund to payve a portion of the road. No more paving planned until sufficient additional impact fees are collected.		\$ 67,087	\$ -					\$ -	\$ -		\$ 67,087
DESIGNATED FUNDS - West Sleepy Hollow Rd - Gravel	Developments on this road are required to pay an impact fee to cover some of the improvement costs for the added traffic on the gravel portion of the road.		\$ 9,385	\$ -					\$ -	\$ -		\$ 9,385
DESIGNATED FUNDS - Susie Willson Corridor	Funded through developer traffic impact fees to mitigate impacts to traffic in this area. Add radar controls on two signals, new controller and other improvements at the intersections of SW, Pinecrest and Joshua Way		\$ 2,737	\$ -					\$ -	\$ -		\$ 2,737
DESIGNATED FUNDS - Town Center Traffic Improvements	Developer traffic impact fees to mitigate impacts to traffic in this area. Phase I of improvements to the signals were completed in FY19, additional work planned for FY21 and beyond		\$ 89,207	\$ -					\$ -	\$ -		\$ 89,207
DESIGNATED FUNDS - Town Center Common	Developer fees designated for a green in the Town Center		\$ 52,861	\$ -					\$ -	\$ -		\$ 52,861
DESIGNATED FUNDS - Woodlands II Stub Road	Developer funds from Woodlands II for potential future road connecting Woodlands II to Pinewood. Construction talks have been tabled, some funding used to build a path between the two. Balance to stay here at this time.		\$ 8,500	\$ -					\$ -	\$ -		\$ 8,500
SUBTOTAL HIGHWAYS		\$ 3,176,940	\$ 457,372	\$ 160,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 160,000	\$ 245,000	\$ 372,372
Highway Equipment, Vehicles	A 12 year capital plan to replace major heavy equipment and vehicles (cost in excess of \$50k); combination of capital funds, operating transfers, and leasing will be used to fund the replacement schedule	\$ 2,796,437	\$ (115,978)	\$ 30,000	\$ 200,000			\$ 35,252	\$ 235,252	\$ 265,252	\$ 166,490	\$ (17,216)
Fire Department, Vehicles	Long term major heavy equipment replacement plan (cost in excess of \$50k); updated schedule included. Gradually increase operating transfer to a level of \$175k to support replacement schedule. E1, T1 and E2 were all recently replaced using lease financing. Combintation of annual lease payments is approx. \$176,000	\$ 1,897,586	\$ 224,993	\$ -	\$ 175,000	\$ 175,000			\$ 350,000	\$ 350,000	\$ 210,016	\$ 364,977
Fire Dept, Equipment	Designated for minor equipment purchased by the fire department		\$ 80,777	\$ -	\$ 30,000				\$ 30,000	\$ 30,000		\$ 110,777
Police Dept, Equipment	Equipment out of warranty end of 2019 at the Brigham Hill Radio Tower; Six radios to be replaced at \$15,000 each over 2021-2026		\$ 10,783	\$ 30,000	\$ 15,000			\$ 100,000	\$ 115,000	\$ 145,000	\$ 100,000	\$ 55,783
Capital Park Equipment, Vehicles	Funded through operating transfers for the replacement of vehicles and other parks equipment (e.g. lawn mowers). FY23 planned spending of \$7,255 to replace the 2007 leaf vacuum	\$ 127,870	\$ 26,458	\$ -	\$ 28,000				\$ 28,000	\$ 28,000	\$ 7,255	\$ 47,203

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Senior Vans	Through a partnership with Green Mountain Transit, the Town leases two vans for the senior van program. This is a discounted lease/grant program where the Town pays 10% of the purchase price in additional to registration and upkeep of the vans. Each year, \$4k is transferred from the operating budget to fund this ongoing program. Vans are replaced approx. every 7 years		\$ 67,061	\$ -	\$ 4,000				\$ 4,000	\$ 4,000		\$ 71,061
Administrative Pool Vehicle Replacement	FY19 leased a Rav4 and those payments come from this fund as well as accumulation of funds for future replacement. In FY23 this two car fleet is being reduced to one car, the transfer from operating has gone from \$6k/year to \$3k/year.	\$ 22,000	\$ 19,814	\$ -	\$ 3,000				\$ 3,000	\$ 3,000		\$ 22,814
SUBTOTAL EQUIPMENT		\$ 4,843,893	\$ 313,907	\$ 60,000	\$ 455,000	\$ 175,000	\$ -	\$ 135,252	\$ 765,252	\$ 825,252	\$ 483,761	\$ 655,398
Park Asset Replacement Plan	Scheduled replacement of park assets. FY23 planned spending is \$67k which includes \$52k for playground equipment at Foster Road Park; \$10k for trail repairs and updates at Indian Brook; and \$5k for drainage improvements at Pinewood Park.	\$ 263,729	\$ 195,327						\$ -	\$ -	\$ 52,000	\$ 143,327
Milfoil Mitigation at Indian Brook	Implementation of Integrated Management Plan for Milfoil	TBD	\$ 94,303	\$ -					\$ -	\$ -		\$ 94,303
Indian Brook Dam Repairs	Repairs were made to Indian Brook Dam in 2004 at a cost of \$149,000 for the repairs and \$32,000 for the engineering services. Based on the current condition of the dam, repairs will be necessary again in 10-15 years. One of the latches on the dam is inoperable, department is working with the Dam Safey Dept and the State of VT on future grant opportunities for dam safety.	\$ 205,000	\$ 131,416						\$ -	\$ -		\$ 131,416
Indian Brook	Funds designated for projects at Indian Brook, could be used as part of the Dam projects or other Indian Brook projects		\$ 31,099						\$ -	\$ -		\$ 31,099
Firearms Signage	Signage for parks regarding firearms usage; Expenses incurrend in FY22		\$ 5,000						\$ -	\$ -		\$ 5,000
Rec Impact Fees	Developer impact fees collected; Study to update and revise the impact fee study and deveop a policy for use.		\$ 182,385						\$ -	\$ -	\$ 30,000	\$ 152,385
Cemetery Columbarium	Provide funds for the columbarium at the Mountain View Cemetery off Meretery Road		\$ 3,033						\$ -	\$ -		\$ 3,033
DESIGNATED FUNDS - Woodlands Park/Path			\$ 7,043						\$ -	\$ -		\$ 7,043
SUBTOTAL PARK FACILITIES		\$ 468,729	\$ 649,607	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 82,000	\$ 567,607
VT RT 15 from Circ to Mini-Golf Course (also called Route 15/McDonals)	Scoping and concept design of path on VT15 from McDonalds to the Circ Highway. Estimated cost is \$10k. The project should be constructed concurrent with the Athens Drive to Circ proposed path.	\$ 22,800	\$ 3,000						\$ -	\$ -		\$ 3,000
VT15 from Athens Dr to the Circ	Scoping study completed in FY19 which investigated alternatives for non-motorized travel between the two end points. Mostly in the Town, partially in the Village. Est cost is \$1.37M for an 8 foot paved bike path. Looking for grant funds, timeline 5-7 years	\$ 63,125	\$ -					\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ -
VT15 from the East Gate of Fort Ethan Allen to West Street	Scoping study completed in FY19 which investigated alternatives for non-motorized travel between the two end points. Mostly in the Town, partially in the Village. Est cost is \$2.26. Looking for grant funds, timeline 5-7 years	\$ 36,000	\$ -						\$ -	\$ -		\$ -
ADA Compliance	Provide ADA access ramps at locations in the Town without these ramps; an ADA study was completed in 2019 identifying areas of need in the Town. Approximately 30 new ramps completed in FY22, depleting this account and requiring added funds from the general path account. Program \$20,000 form the Capital 2 cents tax.		\$ 5,000	\$ 20,000					\$ -	\$ 20,000	\$ 25,000	\$ -

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General Paths, Walks and Trails	This account is the general path capital account where funds are accumulated for funding of specific path projects identified elsewhere in the capital path category. As specific projects develop into potential design or construction, funds are needed to support this effort. Program \$40,000 from the Capital two cents tax very year for the next five years so funds are available to match grants.	TBD	\$ 97,912	\$ 40,000				\$ (30,000)	\$ (30,000)	\$ 10,000		\$ 107,912
DESIGNATED FUNDS - Saxon Hill Master Plan and/or Trails	Funds from developer assessment for this purpose	TBD	\$ 12,000						\$ -	\$ -		\$ 12,000
SW Road to Pearl St. Park	A bike path was envisioned to go from SW Road near Rite Aid to Pearl Street Park. Preliminary Plans were developed but the Agency of Natrual Resources was concerned over the proximity of the path to a major wetland. Some study funds were allocated but no further work has been done to locate an alternative routes.	TBD	\$ -						\$ -	\$ -		\$ -
SUBTOTAL PATHS/WALKS/TRAILS		\$ 121,925	\$ 117,912	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,000	\$ 55,000	\$ 122,912
Stormwater construction projects	Construction of stormwater treatment facilities at various locations within the impaired waterways - Sunderland Brook and Indian Brook. The facilities are site specific and the priority of construction will be based on permit treatment level requirements established by the State. Also, development of a program to meet new NPDES Phase 2 permit requirements.	\$ 846,882	\$ 550,874	\$ 150,000				\$ (135,795)	\$ (135,795)	\$ 14,205		\$ 565,079
LDS Storm Pond Conversion	80/20 Grant; in design now; At the LDS Church property off Essex Way. Construction of an underground stormwater treatment facility to meet phase 2 permit requirements. Project to be built in FY23 with a total cost of \$1.9M and existing grants covering \$1.28M	\$ 1,346,185	\$ 3,264			\$ 1,280,468		\$ 47,668	\$ 1,328,136	\$ 1,328,136	\$ 1,331,400	\$ -
Town TAP Cul-de-sacs	80/20 Grant; town/village co-applicants, town paying the 20% match, assume the remaining 80% is split between the two. Two locations in Town and one location in Village. Reconstruction of three existing cul-de-sacs for stormwater treatment to meet the flow restoration planned phosphorous removal required by the phase 2 permit.	\$ 338,925	\$ -			\$ 212,608		\$ 53,152	\$ 265,760	\$ 265,760	\$ 265,760	\$ -
Town Grants in Aid 2021	A grant through the CCRPC to improve gravel roads to reduce the impact of phosphorous on Lake Champlain. The work is needed to meet the Planned Phosphorous removal required by NPDES Phase 2 Storm water permit. The estimated total project cost is \$37.500 of which the grant is \$31,250 and the local share at is \$6,250		\$ -						\$ -	\$ -		\$ -
CCRPC UPWP Planning Grant	Drainage improvements for Tanglewood Drive; 80/20 - reduce erosion in Fern Hollow	\$ 36,086	\$ -						\$ -	\$ -		\$ -
2020 UPWP Storm Line Inspection	80/20 CCRPC Grant; throughout the Town in areas with old metal storm pipes. Investigate the condition of old corrugated metal storm pipes by televising lines. The estimated project cost was \$50k with a \$40k grant from CCRPC	\$ 120,000	\$ -						\$ -	\$ -		\$ -
2020 UPWP Storm Line Inspection Village	80/20 CCRPC Grant - Town Paying Match Only. Since this is just a study we are going to book it 100% through the Town because there will be no capital asset. A grant to investigate the condition of old corrugated metal storm pipes in the Village.	\$ 24,000	\$ -						\$ -	\$ -		\$ -

		FY 22		FY 23								
PROJECT NAME	PROJECT DESCRIPTION	TOTAL PROJECT COST	FY22 BALANCE (6/30/22 estimated)	FY23 Additions (CAPITAL TAX, budgeted)	FY23 Additions (Operating or Capital Equip Transfer, budgeted)	FY23 Additions (Grants / Developer Funds, budgeted)	FY23 Additions (Debt Proceeds, budgeted)	FY23 Additions (Transfer between projects, budgeted)	FY23 Additions (TOTAL NON-CAPITAL, budgeted)	FY23 ADDITIONS TOTAL, budgeted	ESTIMATED SPEND FY23	FY23 BALANCE (6/30/23 estimated)
2022 UPWP Village Storm Line Inspection Phase 2	80/20 CCRPC Grant; throughout the Village in areas with old metal storm pipes. Investigate the condition of old corrugated metal storm pipes. by televising lines. This is Phase 2 of the televising project and is expected to start in early spring of 2022.	\$ 50,000	\$ -					\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -
Village Better Roads 2022 Grant	This project is located on Rosewood Lane and the work includes upgrading an old deteriorated storm pipe and stabilizing an eroded outfall with stone. This project is a permit requirement. Work is expected to take place in spring 2022.		\$ -					\$ 4,750	\$ 4,750	\$ 4,750	\$ 4,750	\$ -
Village Grants in Aid 2022 Grant	Grant through Vtrans for drainage improvements on hydrologically connected road segments and outfalls (80/20) to help reduce phosphorus from Lake Champlain.		\$ -					\$ 1,125	\$ 1,125	\$ 1,125	\$ 1,125	\$ -
2022 UPWP Storm Line Inspection Phase 2	80/20 CCRPC Grant; throughout the Town in areas with old metal storm pipes. Investigate the condition of old corrugated metal storm pipes. by televising lines.	\$ 50,000	\$ -			\$ 40,000		\$ 10,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ -
Town Grants in Aid 2022	Grant through Vtrans for drainage improvements on gravel roads (80/20) to help reduce phosphorus from Lake Champlain.	\$ 45,000	\$ -			\$ 36,400		\$ 9,100	\$ 45,500	\$ 45,500	\$ 45,500	\$ -
SUBTOTAL STORMWATER		\$ 2,895,000	\$ 554,138	\$ 150,000	\$ -	\$ 1,569,476	\$ -	\$ -	\$ 1,569,476	\$ 1,719,476	\$ 1,708,535	\$ 565,079
Equipment Replacement, Digital Records Management	A reserve fund for the scheduled replacement of the Town's main IT systems. This included hardware and software that comprise the infrastructure of the overall information management system such as servers, switches, firewalls and uninterruptable power supplies. Software deployed across the organization for email, backups, and basic office operations is also included. FY22 Meeting room AV, FY23 Data Storage Hardware Refresh	\$ 125,000	\$ (3,476)	\$ 31,000	\$ 4,000				\$ 4,000	\$ 35,000	\$ 30,000	\$ 1,524
SUBTOTAL INFORMATION MANAGEMENT		\$ 125,000	\$ (3,476)	\$ 31,000	\$ 4,000	\$ -	\$ -	\$ -	\$ 4,000	\$ 35,000	\$ 30,000	\$ 1,524
Natural Resources Management	Remove and replace 30 trees in FY23; perform insecticide treatment through operating budget on 13 trees Tree survey completed. Funds needed to plant new trees an provide funds for replacement of trees from pests, disease and damage.	\$ 100,000	\$ 38,420	\$ 12,000					\$ -	\$ 12,000	\$ 12,000	\$ 38,420
SUBTOTAL NATURAL RESOURCES MANAGEMENT		\$ 100,000	\$ 38,420	\$ 12,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,000	\$ 12,000	\$ 38,420
Undesignated Funds	In years where the total tax raised by the \$0.02 capital tax has exceeded expectations, excess has been accumulated in the fund as undesignated to be used as needed for future capital projects.	\$ -	\$ 841,572					\$ (215,252)	\$ (215,252)	\$ (215,252)		\$ 626,320
		\$ -	\$ 841,572	\$ -	\$ -	\$ -	\$ -	\$ (215,252)	\$ (215,252)	\$ (215,252)	\$ -	\$ 626,320
		\$ 14,110,293	\$ 3,115,240	\$ 535,000	\$ 544,000	\$ 1,744,476	\$ -	\$ -	\$ 2,288,476	\$ 2,823,476	\$ 2,840,296	\$ 3,098,420

Allen Brook Development, Inc.



November 23, 2021

VIA EMAIL

Sharon Kelley, Zoning Administrator
Town of Essex
81 Main Street
Essex Junction, VT 05452

RE: RPD-I Zoning Request – Saxon Hill Industrial Park

Dear Sharon:

We saw that the Planning Commission has been working on some amendments to the Zoning & Subdivision Regulations recently and we were hoping they would also consider expanding the list of permitted uses in Resource Preservation-Industrial Zoning District (RPD-I).

As you know the RPD-I zoning district totals 751.7-acres and in 2014 Allen Brook Development purchased a 401.5-acre parcel from Hector LeClair which is often referred to as the 'Saxon Hill Industrial Park'. In 2016 Allen Brook Development and the Town of Essex negotiated a Settlement Agreement that resolved decades of conflict and resulted in a four-lot subdivision where 170.99-acres were retained by Allen Brook for industrial development, and 230.51-acres were transferred to the Town for recreation and conservation; this allowed for the official creation of the Saxon Hill Town Forest

As stated in the Town Zoning Regulations the objective of the RPD-I zoning district "is to protect such natural attributes for public enjoyment, and to carry out development activities in harmony with the natural surroundings". To accomplish this objective 60% percent of the land in the RPD-I must be reserved for conservation and recreation and the remaining 40% can be developed with the permitted uses listed under section 2.14(B).

Our request is that the Planning Commission consider adopting the list of permitted uses from the Industrial (I1) zoning district for the remaining 40% of industrial land in the RPD-I zoning district. Attached is a list of the permitted uses in the I1 zoning district; the highlighted uses are allowed in the I1 district but not the RPD-I. Over the past few years we have lost a couple of potential tenants which would have been great additions to the Industrial Park because their use was not allowed, but would have been with I1 zoning.

We look forward to discussing this in greater detail with the Planning Commission at their next available meeting, please let me know if you need any additional information to process this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Bertsch".

Brian J. Bertsch, P.E.

31 Commerce Ave.
South Burlington, VT 05403
Phone: (802) 862-0517 x227
Fax: (802) 865-2334
E-Mail: bbertsch@omegavt.com
Web: www.omegarealtyvt.com

Table 2.10 INDUSTRIAL DISTRICT (I1)

(A) **Purpose:** This area provides for employment opportunities in manufacturing, warehousing, research and development and commercial uses which specifically serve the industries or their employees in areas serviced by good transportation facilities and public utilities. Other uses incompatible with industrial uses, such as residential uses, shall not be permitted for the health, safety and welfare of the community.

(B) **Permitted Uses** (see definitions, use standards):

- (1) Accessory Structure/Use
- (2) Agriculture (Table 1.1; Section 4.2)
- (3) Automotive Repair Shop
- (4) Caretaker Apartment (see (F)(1) below)
- (5) Contractor's Yard
- (6) Equipment Sale, Rental and Repair
- (7) Essential Services
- (8) Forestry (Table 1.1)
- (9) Light Manufacturing (see (F)(2) below)
- (10) Machinery Repair/Major
- (11) Machinery Repair/Minor
- (12) Municipal Facilities (Section 4.14)
- (13) Neighborhood Shopping Center
- (14) Office
- (15) Office/Major (Min: 15,000 sq ft gross leasable area)
- (16) Parking Facility
- (17) Recreation/Public Outdoor
- (18) Recycling Establishment
- (19) Research and Testing Laboratory
- (20) School/Technical, Vocational (Section 4.14)
- (21) Small Production and Sales
- (22) Storage, Warehouse and Distribution
- (23) Trucking Terminal
- (24) Wholesale Establishment

(C) **Conditional Uses** (see definitions, use standards):

- (1) Convenience Store/ Existing
- (2) Day Care Facility (Section 4.5)
- (3) Extraction of Earth Resources (Section 4.6)
- (4) Firewood Processing and Sales
- (5) Junkyard (Section 4.10)
- (6) Public Facilities (Section 4.14)
- (7) Recreation/Indoor

*Uses highlighted in RED are allowed in the I1 zoning district but not the RPD-I zoning district.

(D) **District Dimensional Requirements** (unless otherwise specified for a particular use)

Dimension	Off-site Water and Sewer	Off-site Water or Sewer	On-site Water and Sewer
Minimum Lot Area – Nonresidential	40,000 sq. ft	60,000 sq. ft.	100,000 sq. ft.
Minimum Lot Frontage	200 feet	200 feet	200 feet
Minimum Front Setback (from ROW)	50 feet	50 feet	50 feet
Minimum Side Setback (also see (F)(3) below)	25 feet	25 feet	25 feet
Minimum Rear Setback (also see (F)(3) below)	25 feet	25 feet	25 feet
Minimum Buffer/Residential Districts (see (F)(3) below)	50 feet	50 feet	50 feet
Minimum Buffer/Surface Waters (see Section 3.11)	Varies	Varies	Varies
Maximum Lot Coverage – All	70%	70%	70%
Maximum Height (see Section 3.6)	45 feet	45 feet	45 feet

(E) **PUD Requirements:** Planned Industrial Developments (PUD-Is) may be allowed in this district in accordance with the provisions of Section 6.5 of these Regulations and the following dimensional standards, which may supersede the above district dimensional standards to allow for more creative design:

Dimension	Off-site Water and Sewer	Off-site Water or Sewer	Off-site Water and Sewer
Average Lot Area	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.
Minimum Lot Frontage	200 feet	200 feet	200 feet
Minimum Front Setback	25 feet	25 feet	25 feet
Minimum Side Setback (also see (F)(3) below)	25 feet	25 feet	25 feet
Minimum Rear Setback (also see (F)(3) below)	25 feet	25 feet	25 feet
Maximum Lot Coverage	PUD Requirements Apply		

TOWN OF ESSEX
PLANNING COMMISSION
DRAFT MINUTES
JANUARY 13, 2022

Note: This meeting was in-person and virtual on Teams.

PLANNING COMMISSION (PC) PRESENT:

IN PERSON: Dustin Bruso; PC Chair; and Ned Daly.

VIRTUAL: Josh Knox, Vice-Chair; John Mangan, Clerk; David Raphael; Jonathan Schumacher; and Tom Furland.

OTHERS PRESENT:

IN PERSON: Owiso Makuku, Community Development Director; Sharon Kelley, Zoning Administrator; Darren Schibler, Planner; Jean O'Sullivan, Economic Development Coordinator; Jesse Caswell; Sally Fleury; John Doane; Bryan Currier; and Joe Flynn.

VIRTUAL: John Stuart; Dawn Fleury; Paula Duke; and Ken Pidgeon.

Chairman Bruso called the meeting to order at 6:34 p.m.; called out the Commissioners who were in attendance virtually and in person; noted the change to the Agenda; explained how to participate virtually; and provided the public oath.

AGENDA ITEM 1: PUBLIC COMMENTS: Sharon Kelley called out minor corrections to the 113 Brigham Hill Road draft approval letter. Darren Schibler called out minor additions to the 108 & 110 Center Road consent item. No one took issue with these changes.

AGENDA ITEM 2: CONSENT AGENDA:

- **SITE PLAN AMENDMENT: Pidgeon Brothers, d/b/a Rail Park, LLC:** Proposal to bring 287 River Road into compliance for the continued operation of a contractor's yard located at 287 River Road in the Industrial (I1) Zone. Tax Map 4, Parcel 7.
- **BOUNDARY LINE ADJUSTMENT: Brad & Renee LaFountain:** Proposal to convey 2.94 acres to 109 Brigham Hill Road from 113 Brigham Hill Road located in Agricultural Residential District (AR). Tax Map 14, Parcels 15-602 & 18.
- **BOUNDARY LINE ADJUSTMENT: Towers Trust & John Doane d/b/a Essex Cubed Property, LLC:** Proposal to convey 0.12 acres from 108 Center Road to 110 Center Road located in the Center (CTR) & Business Design Control (B-DC) Overlay. Tax Map 58, Parcels 1 & 3.

Vice-Chair Knox MOVED and Commissioner Schumacher SECONDED a MOTION to approve the consent agenda items as written. The MOTION passed 7-0.

AGENDA ITEM 3: PRELIMINARY/FINAL & BOUNDARY LINE ADJUSTMENT-

PUBLIC HEARING: Towers Trust & Sally Fleury A Revocable Living Trust: Proposal for a 6-lot subdivision located at 108 Center Road & 18 Towers Road in the Center (CTR) & Business Design Control (B-DC) Overlay. Tax Map 58, Parcels 1 & 1-3.

Darren Schibler, Planner, presented this application. He reported that the PC has seen this application twice already as the original sketch hearing was continued to a second meeting and ultimately was approved. He noted that changes were made to the water and sewer design which resulted from Public Works' suggestion. A condition to capture this change was incorporated into the staff report. Schibler reported that this approval was strictly for the subdivision of lots and that future development of lots 4 & 5 would require site plan review by the Planning Commission. Schibler reported that the Selectboard formally approved the right-of-way, which is subject to an appeal period.

Joe Flynn & Bryan Currier stated that they only represented Towers Trust and Sally Fleury with this application. Currier stated that they read the staff notes and have nothing to address with the report.

Commissioner Daly MOVED and Commissioner Mangan SECONDED a MOTION to Open the Public Hearing. The MOTION passed 5-0.

There were no public comments.

Vice-Chair Knox MOVED and Commissioner Daly SECONDED a MOTION to Close the Public Hearing. The MOTION passed 5-0.

Commissioner Schumacher MOVED and Commissioner Mangan SECONDED a MOTION to approve the aforesaid application, subject to the Findings and Conditions of a Staff Report dated January 13, 2022. The MOTION passed 5-0.

AGENDA ITEM 4: MINUTES 12/9/2021:

Commissioner Daly MOVED and Commissioner Schumacher SECONDED a MOTION to approve the 12/9/2021 minutes as written. The MOTION passed 5-0.

ITEM 5: OTHER BUSINESS:

Owiso Makuku introduced the new part-time Economic Development Coordinator, Jean O'Sullivan. Jean stated that she looks forward to working with everyone and asked the PC where they want to see growth and how they want to facilitate same. Commissioner Daly asked how the role works with the Economic Development Commission (EDC). Owiso stated that Jean will be staff for the EDC. Jean's direction will come from the EDC, however she can also bring her ideas to the EDC. Owiso noted that Jean will take over and compile the new database list so that Essex is aware of who is in town and what needs businesses need. Jean stated that she wants to talk to the PC to see what are the strengths and where to go from there.

Chairman Brusco reported that the Housing Commission Chair invited the PC to their meeting to get synergy going. Brusco asked the PC if anybody would like to directly engage by attending a Housing meeting (held from 3:00 p.m. – 4:30 p.m.); or would the PC like to invite the group to its meeting. Brusco stated that this is a resource "we should look to leverage."

Commissioner Daly stated that the “resource” works on both sides. Daly noted that he sat in on an inclusionary zoning meeting and stated that “they have not been that effective.” He noted that Mia gave the PC a good presentation at the last PC meeting.

O’Sullivan stated that the legislature has been trying to find a way to make affordable housing work.

Commissioner Furland stated that he works and could not make a 3:00 p.m. meeting.

Commissioner Mangan stated that he would like to have the Housing Commission come to the PC meeting.

Makuku noted that the Housing Commission invited the Selectboard and Trustees and both Planning Commissions as they are looking for some cross dialog. Chairman Bruso suggested they EDC needs to be “more jelled” and, it might help to have a better understanding of their mission.

Chairman Bruso reported that he spoke with Makuku and they are looking at the January 27th PC meeting for a high level planning function. Staff is trying to get a facilitator to layout highlights for the year, noting that everyone will have a chance to put down their ideas. Chairman Bruso suggested that it would be good if this could be done in person, however virtual will still be in place.

Sharon Kelley suggested that it may be too confusing to invite the Housing Commission to the PC meeting until the PC figures out its own direction for the year. Everyone agreed. Bruso stated that he did not want to ignore the request of the Housing Commission. It was agreed to invite the Housing Commission to a PC meeting. Commissioner Daly stated that they need to identify “what” and then develop and set targets. The remaining Commissioners agreed, and to include staff. Makuku confirmed that Regina Mahoney from CCRPC, will be at the next PC meeting.

Schibler reported that the next meeting will be held in person and virtually with ‘Zoom’.

The meeting adjourned at 7:21 p.m.

PLANNING COMMISSION

By: _____
Dustin R. Bruso, Chair