

TOWN OF ESSEX
PLANNING COMMISSION
MINUTES
January 12, 2023

PLANNING COMMISSION (PC) PRESENT:

IN PERSON: David Raphael; and Jonathan Schumacher.

VIRTUAL: Dustin Brusco, PC Chair; Josh Knox, Vice-Chair; and Tom Furland.

OTHERS PRESENT:

IN PERSON: Katherine Sonnick, Community Development Director; Sharon Kelley, Zoning Administrator; Kent Johnson, Planner; Bryan Currier; Al Senecal; Brian Bertsch Paula Duke; and Sally Fleury.

VIRTUAL: Gina Barrett; and Lorraine Zaloom.

The meeting was called to order at 6:02 p.m. Chairman Brusco noted that Commissioner Schumacher was enroute to 81 Main Street, however was also on Bluetooth until he arrived. He called out the Commissioners in attendance, noting that Commissioners Mangan and Furland were not present. Brusco provided the oath to the public.

AGENDA ITEM 1: Public Comments: None.

AGENDA ITEM 2: BOUNDARY ADJUSTMENTS & SITE PLAN:

- Boundary Adjustment - 84, 88 & 150 Red Pine Circle - Allen Brook Development Inc. d/b/a Al Senecal: Proposed adjustment between 84, 88 and 150 Red Pine Circle (Lots 2&3), by transferring 0.06 acres to lot 2, to increase lot size from 1.95 acres to 2.01 acres. Lot 3 will be reduced from 5.87 acres to 5.81 acres.
- Boundary Adjustment – 88 Red Pine Circle (Allen Brook Development) & 32 Thompson Drive (Reinhardt Foods): Proposal to eliminate the rear property line on 88 Red Pine Circle and merge lands with 32 Thompson Drive.
- Site Plan to develop a 35,000 sq. ft. multi-tenant commercial building located at 150 Pine Circle, in the RPD-I. Tax Map 72, Parcel 12, Lots 2&3.

Kent Johnson, Planner, provided the following comments on the applicant's requests:

- He pointed out the orange lines on the plan showed where the boundary lines were shifting approximately 20 feet and noted that it was not a large change; as well as the elimination of the rear boundary line on 88 Red Pine Circle so that it combines with Lot 2 (32 Thompson Drive.)
- He noted the site plan proposal was straight forward. The loading docs are located in the back and connects to the cul-de-sac at the end of Red Pine Circle;
- He did not have any significant comments to add to his report however noted that the applicant did add some revisions such as accessible parking locations, doors and bike racks.
- He felt a better connections needed to be created going from the sidewalk that goes around the perimeter of Red Pine Circle cul-de-sac so that it connects to the front of the building. He showed on the plan alternate areas for such a sidewalk as he felt such a

sidewalk would be a significant benefit. He noted the applicant did not believe an added sidewalk was necessary.

- He noted changes were made to the report such as typos and clarifications, but none changed the content.

Bryan Currier, P.E., O'Leary & Burke Civil Associates, stated that he is representing Allen Brook Development and is present with the owner, Al Senecal. Currier stated that they read the Staff Report and did not have anything to add except for Site Plan Condition 3a, which talks about the sidewalk. He noted that the PC recently had the sidewalk discussion with Lot 22, Corporate Drive wherein the PC determined a sidewalk was not needed in this zone. He feels that it meets precedent and requested to delete Condition 3a.

Vice-Chair Knox was mulling over Condition 3a.

Commissioner Furland was mulling over the sidewalk and noted there is not a ton of pedestrian traffic. He determined he was good without the sidewalk.

Commissioners Schumacher & Raphael were good to strike Conditions 3a.

Commissioner Schumacher Moved and Commissioner Raphael Seconded a Motion to open the Public Hearing. The Motion passed 5-0.

Lorraine Zaloom noted that the application provided a traffic study from 2017, and it looked like the applicant was guesstimating approximately 60 jobs. She asked if those would be new or existing. She expressed concerns about sounds and idling trucks, noting that Blodgett still have trucks that idle and there is no sound buffer. She noted that a buffer is not laid out in the noise ordinance. She noted that the truck bays will be behind the building and she appreciates that trees and bushes are proposed to deal with the lights from the trucks. She asked how she gets updates on phosphorus after approval has been given.

Chairman Bruso noted that Blodgett was in a different area; and the RPD-I buffers are not designed for noise, rather it is for space and a no-build area. They have asked in the past for barriers, like a berm or additional plantings.

Al Senecal stated that they have a 200' buffer behind his lots, plus a 50' buffer. He noted that the existing buffer is "pretty thick with trees, berms and mounds."

In response to the phosphorus questions, Sharon Kelley noted that Ann Constandi, PW Engineer, tracks the stormwater permits. Bryan Currier noted that the stormwater is watched by the State for Lake Champlain.

In response to the traffic study inquiry, Currier stated that they are proposing a maximum of 60 employees, and the study was based on acres, not uses. He reported that they do not yet have tenants for the building. A small discussion ensued regarding a traffic study. Currier noted that they were approved for 271 peak trips, and are at 120 trips which is significantly less than what was approved for the subdivision.

Lorraine Zaloom was perplexed about distribution and asked where does the traffic go, to Route 15, Sandhill? Chairman Bruso replied that the PC was not looking at an application that

requires a new traffic study due to not having a proposed tenant. Senecal agreed, and noted the proposal is for a spec building.

Sally Fleury, believes Condition 3a should be deleted and stated it was silly to ask for a sidewalk. She noted that the request from the planner was a “want” and not a “need”. She noted that she worked for Global Foundries for years and nobody uses sidewalks. She stated that the giant elephant was a 35,000 s.f. building, noting that will bring truck traffic. She noted that people are falling down on Towers Road. She asked “Is the 289 to Thompson Drive Connector Road dead?” She stated that truck traffic is ruining Center Road.

Paula Duke’s observation was that sidewalks and paths, tight up to a building, are not physically comfortable to people and not the best place to put a path.

Vice Chair Knox Moved and Commissioner Furland Seconded a Motion to close the Public Hearing. The Motion passed 5-0.

Commissioner Furland Moved and Commissioner Schumacher Seconded a Motion to approve two Boundary Line Adjustments and a Site Plan application for Red Pine Circle, including a Friendly Amendment, as warned and subject to the Findings and Conditions of a Staff Report dated 1/12/2023, including the following changes:

ADD THE FOLLOWING PC FINDING:

The PC reviewed three separate actions, as follows:

1. Boundary Adjustment - 84, 88 & 150 Red Pine Circle - Allen Brook Development Inc. d/b/a Al Senecal: Proposed adjustment between 84, 88 and 150 Red Pine Circle (Lots 2&3), by transferring 0.06 acres to lot 2, to increase lot size from 1.95 acres to 2.01 acres. Lot 3 will be reduced from 5.87 acres to 5.81 acres.
2. Boundary Adjustment – 88 Red Pine Circle (Allen Brook Development) & 32 Thompson Drive (Reinhardt Foods): Proposal to eliminate the rear property line on 88 Red Pine Circle and merge lands with 32 Thompson Drive.
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The PC determined to remove the sidewalk connector from the plan.

CONDITIONS FOR BOUNDARY ADJUSTMENTS:

Conditions 1-7 as written.

CONDITIONS FOR SITE PLAN:

Delete Condition 3a.

Add a new Condition to read, *Should bulk water be required on the site, an outside water connection shall be installed.*

The MOTION passed 7-0.

AGENDA ITEM 5: Minutes November 10, 2022

Commissioner Raphael Moved and Commissioner Schumacher Seconded a Motion to approve the 11/10/2022 minutes as written. The Motion passed 7-0.

AGENDA ITEM 6: Other Business:

Hybrid Etiquette: Chairman Bruso provided ideas for the PC to think about and come back to discuss as a whole. It could be a change to the Operating Procedures, or just be accepted, rather than a rule.

1. He believes the default for PC members is to be present in the Conference Room, with the understanding that personal circumstances arise and remote is necessary.
2. When the PC is in deliberative session, keep your cameras on as it is good to see each other.
3. When not talking, make sure to mute.

Paula Duke believes Chairman Bruso is correct.

Commissioner Raphael stated that there is a different dynamic when you are not altogether in the room.

Katherine Sonnick reminded the PC that she was last informed that the Select Board was agreeable to make the DRB language to allow for flexibility, however at its last December, 2022 meeting, she was advised that they want to go forward with a DRB within one year of passage, which would have a target date of July 1, 2024. Sonnick questions if one year is the right amount of time and is proposing a memo to request 2 years or more.

Commissioner Raphael asked what the SB was trying to fix, what was the drive for a DRB? Sonnick is not clear on its reasons. Commissioner Schumacher agreed, as he attended the SB meeting, and someone mentioned it was for separation of powers. Raphael stated that a DRB was agreeable pre-merger. He felt one year is too quick as this is a big project. Sonnick stated that if the SB agrees at its meeting, it will go to the voters in March, 2023.

Vice-Chair Knox provided a Town Plan update, noting that there have been 7 public vision sessions with 2 more to go. He attended one of the sessions and it was well attended, as there were over 20 people in attendance. He likes the comments he is seeing. The next phase is to analyze and see if there is a broader theme. Knox reported that he will be ready to bring input, in raw form, for the 2nd meeting in February.

The meeting adjourned at 7:07 p.m.

PLANNING COMMISSION

By: _____
Dustin R. Bruso, Chair