

TOWN OF ESSEX
PLANNING COMMISSION
MINUTES
May 12, 2022

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

PLANNING COMMISSION (PC) PRESENT:

IN PERSON: Dustin Bruso, PC Chair; Ned Daly; David Raphael; and Johnathan Schumacher.

VIRTUAL: Joshua Knox, Vice-Chair.

OTHERS PRESENT:

IN PERSON: Sharon Kelley, Zoning Administrator; Darren Schibler, Planner; Paula Duke; and David Burke

VIRTUAL: Patty Davis.

The meeting was called to order at 6:33 p.m. Chairman Bruso called out who was in attendance virtually and who was present in the conference room; and provided the oath to the public.

AGENDA ITEM 1: PUBLIC COMMENTS: None.

AGENDA ITEM 2: SITE PLAN-PUBLIC HEARING: Franklin South, LLC c/o Gabriel Handy: Proposal to construct a 6,580 SF warehouse building located at 181 Colchester Road in the Industrial (I1) Zone. Tax Map 55, Parcel 7.

Darren Schibler, Planner, noted that the proposal was actually a 13,160 s.f. building as the proposal contained a second level. He noted the following:

- He showed the location of the proposal on the overhead screen and described the area where the structure would be located, which was past Old Colchester Road, towards Susie Wilson Road.
- He noted there was an existing house and garage on the lot that would be demolished.
- The proposal included a new curb cut, driveway, walkway and “all the fixings.”
- Two bay doors were proposed, one for each level.
- The proposal meets all of the Regulations, however the Fire Chief has some concerns that the second access, which is 12’ wide, should be 20’ wide so that fire truck can access the building all the way around the building. This request was to accommodate a future use of the building.
- He noted minor changes to the Staff Report.

Commissioner Raphael noticed that a sewer goes along the road and questioned why an on-site system was proposed. Schibler stated that the existing private forced-main was put in for Senecal’s Gardenside proposal. None of the parcels on 2A can gain access to this private system without an upgrade to the system.

David Burke, of O’Leary-Burke Civil Associates, spoke on behalf of the applicant, making the following points:

- The existing house is a pre-existing, non-conforming house that will be demolished and replaced with a conforming structure within the Industrial Zone.
- The proposal is “just for a storage facility” and noted that when you pull into the lot, one lane goes uphill to the upper level and the other lane goes downhill to the lower level.
- They did expand the lane in the front to 20’ and the lane below was not expanded because the regulations don’t require it. He noted that if it were constructed differently it gets into a wetland impact and could require the need for a retaining wall. He noted that if there were a change of use in the future requiring the lane to be expanded, it was a risk the landowner was going to take.
- He noted the proposal requires a Labor & Industry permit and staff agreed to defer to the State.
- He noted that Condition 11 does not apply to this application as a Stortz connection is not necessary for the proposed use.

Chairman Bruso asked to bring up the elevation plan and asked the PC for their thoughts.

Commissioner Raphael was struggling with the look of the building and compared it to Handy’s other building located further down on Route 2A. He felt it would end up looking like a “vanilla building” located on a main road as you come into Essex. Raphael understands that this location does not have design control, however the building should look better and all you see is roof.

Burke replied that his office did not design the building and he does not disagree with Burke’s assessment, but he noted that it is a commercial roof. Commissioner Raphael requested that some relief be added to the building, such as gables over each window. Chairman Bruso stated that his thoughts are in the same direction and noted that other buildings in the area have been contested. He noted that the PC was not trying to match what was required on Thompson or Corporate Drive, however this lot is located in the I1 (Industrial) and residential surrounds it. Bruso said if the PC can’t require changes to the building, then changes will be required to beef up the screening.

A discussion ensued regarding the best solution to aid in making the building look better or screening the building better. Chairman Bruso stated that they don’t want to compromise the industrial use, but the location has a huge visibility. Burke stated the Regulations don’t require more and he felt the applicant was being penalized as the building was proposed as 26’9” in height, whereas it is allowed to be 40’ in height. Chairman Bruso did not see it that way and noted a big building was being proposed in this area. Burke stated a 94’ long building was not a big building. Commissioner Daly stated the best thing to do is to draw your eye away from the building. Vice-Chair Knox stated that he was struggling with what the PC can realistically do but agrees some sort of additional landscaping would be good. Burke suggested that the bottom 4’ of his building on Corporate has horizontal siding to break up the mass but he does not know if that would work on this building due to the proposed siding of the building. Suggestions included to add some gables or something above the windows. Burke noted he could only go about 3’ in order to avoid wetland impacts. He was agreeable to adding some additional landscaping to the proposal.

Commissioner Schumacher asked about the Stortz connection. Schibler stated that the PC can delete the condition or keep it as it would be in place for a future building.

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

Paula Duke stated that if you do anything horizontal to the siding it will have an effect of elongating the building. She stated it would be helpful to divide the building up a little bit by adding a small window above which would allow some separation and divide the space. She stated if shutters were added, it would take up more of the space. She noted that shutters would be less expensive than adding windows. She felt this would give the building more visual interest and divide the space to interrupt the long look of the building.

Commissioner Daly asked for the elevation of the road. Burke replied that the building is 3.7' higher than the road at ground level. Daly stated he was pointing out that when the trees grow you will not see the building from the road. Burke suggested that it would take a lot more trees in order to hide the building, and he did not think you should be hiding buildings in the Industrial zone.

Patty Davis stated that she is a master gardener and offered plant suggestions that are salt tolerant from the road; she listed plant suggestions for the building; she liked the suggestions of overhangs over the windows and suggested making the windows larger and placing flower boxes, and shutters depending on the look you were trying to achieve.

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

Commissioner Raphael Moved and Commissioner Schumacher Seconded a Motion, including a Friendly Amendment, to approve the application for Handy located at 181 Colchester Road, subject to the Findings and Conditions of a Staff Report dated 5/12/2022, with the following changes:

Finding IA2, Line 81, Change to read, "Table 2.30, Industrial (I-1) District Standards.

Finding H1(1), Line 235: Change "school" to "warehouse".

Finding II, Line 330: Add the following:

The Planning Commission discussed the mass of the building and its presentation along Route 2A and the heavy traffic that flows past it. The consensus was that anything that could be done to break up the flat presentation of the building would be an improvement. Discussions encompassed adding shed style roofs over the proposed windows to add some depth to the façade to adding additional windows above the proposed windows as well as shutters. The applicant agreed that minor changes could be made to both the building and some additional landscaping to improve how the building presents along Route 2A. If changes to the building are not possible, then the Planning Commission agreed that significant landscaping and buffer improvements would be required to screen the building from the road and adjacent uses.

Condition 3, Line 342, add the following:

c. *Plantings shall be added between the street trees along VT-2A to mitigate visual impact from the road, with exact species and placement to be proposed by the applicant and reviewed by staff.*

Condition 19: Delete.

New Condition 19 to read, *The applicant shall bring back to staff one or more options to modify the West Elevation of the building to include one of the two options offered in the Planning Commission Findings or some similar solution that improves how the building visually relates to Route 2A. Alternatively, the applicant can keep the building as is and propose additional landscaping and screening that would better screen the building.*

The Motion passed 5-0.

AGENDA ITEM 3: MINUTES 4/28/2022:

Commissioner Schumacher MOVED and Commissioner Mangan SECONDED a MOTION to approve the 4/28/2022 minutes with the following change: Line 13, move “Darren Schibler, Planner” to line 16, as he attended virtually. The MOTION passed 5-0.

AGENDA ITEM 3: OTHER BUSINESS

Schibler noted that staff will get moving on the Bylaw Modernization Grant. He plans to present a Request for Proposal (RFP) for a build-out study to determine what type of infrastructure is needed in the ETC area.

Chairman Bruso stated the ETC|NEXT Plan needs to shift from a top priority to a priority, noting the work should not stop, but should shift. This results from the information that the Selectboard and Public Works needs to get the allocation and other details put in place, which will take a couple of years. He stated that the PC will still keep the forms and overall designs, but the shift needs to be made to the Town Plan update. This will not stop collaboration between the other Work Groups that have been set up, and he will discuss with Commissioner Knox as to how to keep the Groups involved. He suggested to invite the Work Groups from various committees/commissions to its next planning meeting session to discuss the timeline.

Commissioners Raphael and Schumacher reported that they evaluated a property in the ETC|NEXT ‘Neighborhood Commercial Zone’ as an example of how the proposed regulations would work. This area was near the shopping center, Lyon’s property (the area before Saybrook) and into Sunset Drive. He reported that if the proposed regulations were adopted as is, the current plaza would never be built the way it is today. The building in the back of the lot, with parking in the front “would not fly.” They reported that some goals are lofty but unattainable. He noted that Lyon’s property is deep and some lots are geared towards being deep.

A brief discussion ensued regarding changing the start time of the PC meetings from 6:30 p.m. to 5:30 p.m, or 6:00 p.m.

191 **Commissioner Raphael MOVED and Commissioner Schumacher SECONDED a**
192 **MOTION to move the start time of the Planning Commissions meetings to a 6:00 p.m.**
193 **start time, with a pilot of 6 months. If the time change works, the Operating Procedures**
194 **will be changed. The MOTION passed 5-0.**

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196 The meeting adjourned at 8:06 p.m.

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PLANNING COMMISSION

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By: _____

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Dustin R. Brusio, Chair