ESSEX TOWN PLANNING COMMISSION MINUTES
January 25, 2024

PLANNING COMMISSION (PC) PRESENT:
IN PERSON: Dustin Bruso, Chair; Trefor Johnson; Johnathan Schumacher; Georgia Lavigne; Daniel Parkins (arrived at 6:10); and Alternate Paula Duke (not a voting member for this meeting due to all 7 Commissioners present.)

VIRTUAL: Joshua Knox, Vice-Chair; John Mangan, Clerk.

OTHERS PRESENT:
IN PERSON: Katherine Sonnick, Community Development Chair; Sharon Kelley, Zoning Administrator; Greg Duggan, Town Manager; Aaron Martin; Public Works Director; Dan Roy, Finance Director; Doug Goulette, P.E.; Leslie Arnold; David Cadilek; and Ned Robinson.

VIRTUAL: Dawn Hill-Fleury; Sharon Zukowski; and Ken Signorello.

Chairman Bruso called the meeting to order at 6:02 p.m**.** and asked staff if there were any changes to the Agenda. Kelley reported no changes.

AGENDA ITEM 1. AGENDA ADDITIONS/CHANGES:

Commissioner Lavigne MOVED and Commissioner Schumacher SECONDED a Motion to accept the Agenda as warned. The MOTION passed 6-0. (Commissioner Parkins had not yet arrived.)

AGENDA ITEM 2: PUBLIC COMMENTS:

Chairman Bruso provided the public oath and asked the public if they had any comments regarding any topics that were not on the Agenda.

Ned Robinson, Owner of a dog kennel named, 'The Crate Escape' in Richmond, Vermont, was present to request that the Planning Commission adding 'Kennel' to the list of uses allowed in the Resource Preservation District-Industrial (RPD-I). He read the following comments:

> *Reasons for comments today:*
> *To Add "Kennel" to the RPD-I Uses zoning area specifically to allow for a location of The Crate Escape to be build in the new Boston Court development off of Sand Hill Road.*

Robinson went on to tell them about the business:

A. *About us – Ned Robinson and Shannon Mead*
   1. *We are homeowners in Westford*
   2. *We are involved in the business and work also, not independently wealthy.*
   3. *Charitable donations averaged $1,000/month for our first 7 months of business.*
   4. *Employees were retained in the change of ownership, all were given raises and bonuses.*
B. *Reason for this site:*
   1. *Opportunity for outdoor use*
      a. *This business does not require a loading dock. That space can be repurposed for outdoor dog yards.*

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   b. *There are pine trees that could be preserved as part of outdoor space for dogs.*
   c. *At the end of the road, truck traffic will not bother the dogs, nor will the dogs barking bother anyone.*
2. *Growing Essex/Williston community*
   a. *People are going back to work*
   b. *Essex needs dog care options*
   c. *Pogo Kennel recently closed*
   d. *Price jobs and tax revenue*
      i. *Our jobs pay $20/hour and up*
      ii. *We offer paid time off and other benefits*
      iii. *Career and part time/short term opportunities*
3. *The right location for our area*
   a. *Nothing like this in the immediate area*
   b. *Essex Vet is just down the road*
   c. *Lots of daily traffic to/from Burlington*

The PC thanked him for his comments.

Ken Signorello, stated that the H518 Bill for the charter passed in the House of Representatives and is not in the senate. The Town will convert to a Development Review Board (DRB) by January 1, 2025. Signorello encouraged the PC to be involved and come up with a work plan. Signorello's suggestions as follows:

- Now: The Select Board (SB) advertises for an appoints members of the DRB and Post DRB Planning Commission to begin work in July, 2024. Hopefully this will include some current members of the Planning Commission and Zoning Board.
- 1-July-24: The SB fills vacancies on Zoning Board and PreDRB Plannng Commission if needed to complete in progress applications.
- DRB: 1-July-24: Organizes, trains begins accepting all new zoning and development applications.
- Zoning Board: Now: Continues taking new applications. 1-Jul-24: Takes no more applications, completes any in progress and disbands when all resolved.
- Planning Commission PreDRB: Continues taking new development review applications and wraps up planning projects or prepares to hand off to Post DRB Planning Commission. 1-Jul-24: Takes no new development review applications, completes any in progress applications, ceases planning activities and disbands when all are ongoing applications are resolved.
- Planning Commission PostDRB: Organizes and begins doing only planning activities.

Chairman Bruso instructed the recording secretary to include Ken Signorello's comments in the record.

Commissioner Bruso clarified that this was also the time to receive comments on the Public-Hearing Consent Agenda item. As there were no other comments, the public hearing closed.

AGENDA ITEM 3: FINAL PLAN AMENDMENT: LESLIE ARNOLD PROPOSED TO ELIMINATE THE BOUNDARY LINE BETWEEN TWO LOTS AND RELOCATE THE STRUCTURES WITHIN THE PROPOSED BUILDING ENVELOPE, LOCATED AT 258-260 WEST SLEEPY HOLLOW ROAD IN THE CONSERVATION (C1) ZONE.

Commissioner Schumacher MOVED and Commissioner Johnson SECONDED a MOTION to approve the Consent Agenda as warned. The MOTION passed 7-0.

AGENDA ITEM 4: BUSINESS ITEMS

a. Discussion: Capital Plan and FY25 Capital Budget

Katherine Sonnick reported that State Statute states that the PC should weigh in on the Capital Plan because we have a Town Plan, which is based on public comment on how they want to see the Town grow.
Dan Roy, Finance Director walked through the accounting for fiscal year 24 and 25. He reported on the capital tax, transfers, operating costs, grants and revenues. He estimated an ending balance of Three Million Dollars. He reported that they still need to replace vehicles, and other expenses on project plans, the biggest being the stormwater conversion. Roy reported that the expect to use a 3-cent tax rate for revenue, and of the annual revenue they plan to use 1.5 million towards capital projects. He noted that there will be a change in the capital tax rate and won't know the amount until the ongoing assessment is done.

Chairman Bruso asked if the new projected municipal offices and other capital planned for the ETC|NEXT area was on the target list.

Aaron Martin, Director of Public Works, reported that a big chunk will be applied towards the 12-inch water line to be installed from Billie Butler Drive to Essex Way. The plan is to break ground in April/May, 2024. This will allow for adding additional flows for growth/density in the ETC|NEXT area. Martin reported they were now doing sewer upgrades, however no scoping or plan is done yet for future development. The next step will be to look at allocations as this is what will drive what take place in the sewer core.

Chairman Bruso asked about the Pinecrest Drive developments. Martin replied that a new pumping station was paid for and installed by the developer, which included a gravity manhole to pick up Pinecrest and Pioneer streets. He reported that they can look at that in the future, however it needs voter approval.

Katherine Sonnick reported that they hope to update or re-write the Bike/Pedi Plan that is currently shared with the City in order to determine sidewalks, paths and trails. She reported that this will be a public process and hopes to start this process this summer.

Chairman Bruso asked if there is any project they want on the PC radar. Greg Duggan stated that the Town Center is very important as the town acquired 80/90 Upper Main Street, and this will be a hub for a Town Center. Questions to answer will be if it should be a private partnership; the density and recreation space/trails/greenspace will be central to the area.

Alternate Commissioner Duke asked if there was thought about the existing facilities, including the fire department and library. Duggan replied that the City has the rights of first refusal to purchase; they could lease and create revenue however, his best guess may be to sell. The library would warrant more discussions.

Sonnick asked the PC, "Thinking ahead, do you want to be involved?" Chairman Bruso instructed her to put this item on as a discussion point when the revised PC is created.

Commissioner Johnson asked how to replenish the 3-million once it is spent down. Roy stated that they will address the capital tax rate after re-appraisal, and an option is to incorporate operating budgets, as well as trying to find grants, loans and forgiveness.

Duggan pointed out that the Town lost the Essex Junction tax base. They have talked about revenue and invested into higher interest accounts. He noted the Fire Department is doing an impact fee study and the Recreation Impact Fee may need an update.

Alternate Commissioner Duke asked if there was a target date for the established Town Center. Duggan replied, not yet and they are getting ready by doing planning work by putting together cost estimates and determining how to pay for same.

Sonnick said, "We need to do good Planning." She noted there will be zoning changes to comply with the ETC|NEXT Plan, however she believes sooner, rather than later is best.

b. 2024 Planning Commission Work Plan

Sonnick's vision for the PC and Community Development are some of the items that were on last year's work plan as they overlap over multi-years. Examples are the Town Plan update and a DRB. Most of the work is done on the Town Plan, however voters will weigh in on this soon. She noted that Town Meeting is at the Middle School and is an informational meeting only as all voting takes place on Tuesday. The DRB transition needs to be at the fore-front and she is not sure if it will take the whole year. She reported that she is meeting with Regina Mahoney next week and is working on pulling in the Zoning Board. Sonnick noted that the Selectboard looks to the Planning Commission, Zoning Board and staff for recommendations and guidance.

Chairman Bruso stated that he hoped that the PC & ZBA would be able to continue in some capacity on either. Sharon Kelley stated that the thought it would be great to have a member of the Planning Commission to also serve on the Zoning Board as it would aid in how new rules are applied.

Daniel Parkins stated the point of a DRB is to have division of labor. Chairman Bruso stated the objective may need to be clarified on how the rules are developed. There needs to be a communication path between the PC & ZBA.

A brief discussion ensued on the work plan. It was suggested to add a zoning update on the list. Sonnick stated that she is thinking about combining the zoning and subdivision regulations into one document. She also reported that Act 47 (Home Act) was approved and updates to the regulation are needed to address those changes. She suggested working in the RPD-I uses and Planned Unit Development (PUD). Sonnick reported that the town is trying to obtain a Town Center status and this requires an official map. She reported that they did not get the grant that was applied for to assist in creating regulations for a town center designation.

c. Approval of the November 9, 2023 & November 16, 2023 minutes.

Commissioner Schumacher MOVED and Commissioner Schumacher SECONDED a Motion to approve the November 9, 2023 minutes as written. The MOTION passed 6-0-1 (Parkins abstained.)

Commissioner Lavigne MOVED and Commissioner Parkins SECONDED a Motion to approve the November 16, 2023 minutes as written. The MOTION passed 6-0-1 (Parkins abstained.)

<u>6. OTHER BUSINESS</u>:

The meeting adjourned at 7:08 p.m

PLANNING COMMISSION

By:________________________________

Dustin R. Bruso, Chair

Approved 2/8/24