

ESSEX TOWN PLANNING COMMISSION
MINUTES
March 14, 2024

PLANNING COMMISSION (PC) PRESENT:

IN PERSON: Dustin Bruso, Chair; Johnathan Schumacher; Trefor Williams; Georgia Lavigne; Daniel Parkins; and Alternate Paula Duke (a voting member for this meeting).

OTHERS PRESENT IN PERSON: Katherine Sonnick, Community Development Director; Sharon Kelley, Zoning Administrator; Kent Johnson, Planner; Glenn Goldman; Bryan Currier; and John & Carolyn Leo.

VIRTUAL: Geraldine Villeneuve; Cindy Reynolds; Dawn Hill-Fleury; M. Aubel; and Lisa Allen.

Chairman Bruso asked if there were any changes to the Agenda. Staff replied no. Chairman Bruso noted that Agenda Item 4a listed the resignation of a Planning Commission member and asked if the PC should vote on the replacement at this meeting. Sonnick stated that it was not necessary to do so at this meeting and it will be placed on the next Agenda. Chairman Bruso provided the oath to the public who were in attendance in the room and to those on Zoom.

AGENDA ITEM 2: PUBLIC COMMENTS: None.

AGENDA ITEM 3: SKETCH PLAN – PUBLIC HEARING: JOHN AND CAROLYN LEO ARE PROPOSING A NEW 8-LOT COMMERCIAL SUBDIVISION LOCATE AT 15 LEO DRIVE LOCATED IN THE INDUSTRIAL AND SCENIC RESOURCE PRESERVATION OVERLAY DISTRICT. TAX MAP 8, PARCE 4, LOTE 203.

Kent Johnson, Planner, made the following points:

- Two lots were already developed; the new proposal includes 8 more buildings. The road would be extended with a cul-de-sac turn-around and emergency access area to Saxon Hill Road.
- He noted a previous Master Plan had a different road alignment and included bike/pedestrian amenities that entered into a parcel on Saxon Hill.
- He provided his thoughts that the PC should consider while reviewing this application, as follows:
 - The pros and cons of a vehicular access onto Saxon Hill Road.
 - Sounds and lights trespassing into Saxon Hill Road.
 - Traffic impacts to Route 15.
 - How should the buffer be used.
 - Think of ways to protect vegetation and habitat.
 - Scenic information was provided to the PC, however more scenic analysis is needed.
 - Install landscape buffering or define building placement to accommodate the adjacent residential properties on Saxon Hill Road.

possible.

Chairman Bruso asked for more detail on drainage at the next level of review, if approved. Currier stated that the PC will see an infiltration for the road and each lot will have a separate stormwater treatment.

Commissioner Williams asked if anybody could use the cul-de-sac. Currier said yes. Williams asked if a path could be installed into Saxon Hill. Currier replied that a 5' wide bituminous walking path would be installed. Commissioner Lavigne stated that she would love to see a path similar to Allen Martin Drive.

Commissioner Parkins asked what impact the industrial units will have on the sewer core. Currier replied that the project is in the Town's sewer core and allocates EU's (equivalent units) to each property. As commercial property have more EU's than residential. However, they are proposing onsite septic. Currier stated that commercial buildings usually does not have a high wastewater value. Also, Currier noted that because this is onsite septic, the Town could re-allocate 33 units that they would otherwise use for the project. Parkins asked if any other wastewater would be disposed of on site. Currier replied that one building will be on one site and Public Works will weigh in as each site plan is reviewed. He also noted that Public Works has required holding tanks in the past.

Commissioner Parkins stated that it was only fair for the community to know what kind of uses are being proposed. He also asked if any environmental studies have been done on the parcel. Currier replied that ACT 250 has jurisdiction over the project and when the project is fully approved they will be required to submit an application to the state.

Commissioner Parkins asked why the applicant was against a bike parking area. Currier replied that people camp out in the parking area on Saxon Hill Road, next to a residential home. He reported that landowner Al Senecal built a parking lot for Saxon Hill biking, which is under control of the town. Commissioner Parkins noted that he has some history of Saxon Hill and again asked Currier why they were so adamantly against bikers. Sharon Kelley stated that large boulders had to be brought in as there were many problems with cars parking on Saxon Hill, people changing clothes, defecating, and busses parking in front of the residential driveway. Currier stated that when Al Senecal extended Thompson Drive, he built a new bike parking area for the Town.

Chairman Bruso asked how much of a 2.2-acre lot would be used for development and if it made sense to create a parking. Currier explained that lot coverage determines how much permeable area can be laid down, which is up to 70%, however setbacks also take away from that percentage. He noted that Lot 1 appears to be in the 60% coverage area.

Chairman Bruso asked if each lot would have its own evaluation for water. Currier replied that they will do test pits, which will let them know if they can get the capacity. Bruso confirmed that the state process would also take into consideration what the use is and what goes into the ground. Currier confirmed and stated that that they will get these approvals done on a site by site when applications are submitted. Chairman Bruso noted this would give the PC 8 shots to review this issue. Bruso stated that he would like the

same consistency regarding the streetscape that was used on Corporate and Thompson Drives, noting that waivers were granted in order to accommodate utilities and consistency of the buffers. Brusco requested that this be addressed with the subdivision review and not case-by-case for site plan. Currier replied that this property had a 50' front yard setback requirement, and not a buffer requirement, therefore they were not trying to preserve trees and expects to plant street trees. Brusco stated he was looking to "have a consistent street scape."

Chairman Brusco stated that he would like to see a pedestrian connection built to get people off Route 15. Kelley noted that the town has been requiring a "non-motorized, multi-use path." Kent Johnson stated that the Industrial zone has many different uses and noted that on-street parking could be proposed for the new road. Commissioner Parkins stated it was sad to see machinery and smelly spaces and angry sounds on these lots. Parkins also noted that people like to use the space and would like to see it accessible and usable for the public. Katherine Sonnick noted that a 50' buffer was required between an industrial and residential zone. Chairman Brusco stated that the PC can't do much at sketch to say what the buffers should be for the project. Commissioner Parkins stated that the meeting was geared towards how the development will look long term and the PC should take the time now to understand the project. Alternate Commissioner Duke stated that some of the discussions is about enforcing the regulations, but now is the time to make suggestions and recommendations.

Bryan Currier read a section of the Master Plan regulations, *As determined by the Planning Commission at Sketch Plan Approval, a Master Plan shall be required for any project which is intended to be developed in phases and for which approval of only one phase is currently requested, or for any project where development of only part of the parcel is proposed and the remaining land exceeds in area three times the minimum lot size in the district in which the subdivision is located.*

Sonnick stated that this regulation applied if you were only developing a portion of land and in this case a big development was proposed.

Chairman Brusco stated that the Master Plan shows Saxon Hill Road as a full connection. He stated that this would be a detriment to Deer Crossing Road and he felt that the current proposal was an improvement.

Commissioner Schumacher Moved and Commissioner Lavigne Seconded a Motion to Open the Public Hearing. The Motion passed 6-0.

Glenn Goldman, 18 Deer Crossing Lane, noted that he also owns 21 Saxon Hill Road and made the following points:

- He was pleased with the new plan versus the old Master Plan as having a road connect to Saxon Hill would be problematic.
- He has good neighbors and wants people to be able to use their land.
- This was a beautiful parcel and he is sad to see the VAST trail go away.
- The lot is next to an agricultural zone and rural area and he suggested a 50' buffer

was very small.

- He was concerned with piercing loud noises that would disturb the ambience of the biking trails.
- He asked what kind of industrial uses are proposed and the noise levels.
- He noted that many people walk the area and wants to assure a use is in keeping with the area.
- He stated there is a lot of parking for the bikers and is not sure another area is needed as a result of this project.
- Concerns with noise, light pollution and traffic.
- He asked if a traffic study will be conducted.
- He is concerned with private septic as he has a well across the street.
- He asked that they do what they can to make the neighborhood feel comfortable.
- He has concern with wildlife connectivity.

Geraldine Villeneuve, 27 Saxon Hill Road, stated that 50-feet was not a big buffer and asked if they would consider widening the buffer as every bit will help. She noted that they smell the industrial plant burning glass in Saxon Hill. She likes the idea of planting trees.

Lisa Allen, 5 Whitetail Lane, stated that there is already a lot of noise and smells. She is nervous about what goes in across from them as they already hear trucks. She asked if the buffer goes along the whole road. She stated that the most beautiful view is from the field towards Mount Mansfield. Chairman Bruso clarified that the requirements would only be for the Leo property, which is located in the Industrial (I1) Zone and not the Resource Preservation – Industrial (RPI) District.

Kent Johnson stated that he anticipates the landowner doing the best they can and the best way to install a buffer is to provide landscape along the street, noting this will have a limited impact, however he suggested they could situate the buildings so there is not a bigger impact to the area. Johnson pointed out that there is a forest block and suggested not having a fence all the way around the lot.

Sonnick referenced the requirements of Section 3.2 of the Zoning Regulations regarding 'Buffer Areas and Screening'.

Commissioner Williams left the meeting at 7:21 p.m. due to a family emergency.

A brief discussion ensued regarding buffering. Chairman Bruso stated the PC needed to be careful not to design the project.

Currier acknowledged that there is a non-negotiable 50' buffer; there is now a town noise ordinance; the lighting is required to be down cast; the height of the buildings may dictate what or how much additional planting goes into the buffer; he noted the more detailed buffer along Saxon Hill Road; he anticipates a consistent street scape; he wanted to make sure the PC was not asking for a hydrologic study; Public Works wants a full traffic study; and they will work with VTrans for highway access.

Commissioner Parkins stated he heard a lot of what he was looking for and wanted to make it known that regarding the quasi-public space, he would like some indication on how the road will be connected to properties and would hope that the development would be like a community center design.

Alternate Commissioner Duke was interested in streetscape, parking and aesthetics for the area, and wildlife and connectivity.

Commissioner Schumacher had nothing to add; ditto to the streetscape; and he is in support of the path/emergency access.

Commissioner Lavigne likes the end-to-end bike path, noted the comment on the water table, and a proposed septic system with wells nearby.

Chairman Bruso asked for any further public comments. Glenn Goldman understands there is only a 50' buffer and asked the landowners for a larger consideration of a buffer. Chairman Bruso pointed out that the PC is restricted with the regulation requirements.

Currier's opinion is that the biggest difference between the build-out on Thompson Drive and Corporate Drive is that Thompson Drive lots are bigger with more industrial sized buildings versus Corporate Drive which are more tailored towards small businesses, except for Revision Eyeware, who bought and merged 3 lots.

Alternate Commissioner Duke Moved and Commissioner Schumacher Seconded a Motion to close the Public Hearing. The Motion passed 5-0.

Chairman Bruso Moved and Commissioner Parkins Seconded a Motion to approve the Sketch application for John and Carolyn Leo, 15 Leo Drive, subject to the Findings of a Staff Report dated March 14, 2024, and the expectation that preliminary review will address the following: a traffic study, impacts of general groundwater table and potential impacts of the project; a built path to connect Route 15 to Saxon Hill Road; wildlife habitat; additional discussions on buffering between the industrial and residential zones; and consistent streetscape within the front yard setback.

The Motion passed 5-0.

AGENDA ITEM 4: Commissioner Schumacher MOVED and Commissioner Parkins SECONDED a Motion to approve the February 8, 2024 minutes as written. The MOTION passed 5-0.

Commissioner Schumacher MOVED and Alternate Commissioner Duke SECONDED a Motion to approve the February 22, 2024, minutes with one minor change. The MOTION passed 5-0.

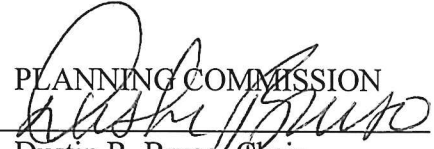
AGENDA ITEM 5: OTHER BUSINESS:

Chairman Bruso advised the PC that Commissioner John Mangan resigned and Sonnick has been advertising for a replacement. He informed Alternate Duke that she could apply should she want to be a full-time member.

Sonnick reported that a letter came in from Lorraine Zaloom and she was asked to pass it along to the PC.

Sonnick reported that the Economic Development Commission planned to come to the PC with a presentation on childcare.

The meeting adjourned at 7:57 p.m

By: 
PLANNING COMMISSION
Dustin R. Bruso, Chair