

TOWN OF ESSEX
DRAFT PLANNING COMMISSION MINUTES
SEPTEMBER 26, 2024

Note: This meeting was held on Zoom and In-House.

PLANNING COMMISSION (PC) PRESENT IN ROOM: Dustin Brusco, Chair; Josh Knox, Vice-Chair; Georgia Lavigne, Clerk; Jonathan Schumacher; Ian Carroll; and Stephanie Bixby.

PC ATTENDING VIRTUALLY: Trefor Johnson.

PC ABSENT: Paula Duke.

OTHERS PRESENT IN ROOM: Katherine Sonnick, Community Development Director; Sharon Kelley, Zoning Administrator; Kent Johnson, Planner; Richard & Judy Hosking; David Lee; Al Senecal; David Skopin; Bryan Currier, P.E.; and Community T.V. (Steve and Travis).

OTHERS VIRTUALLY: Brooks Family; Francis Taylor; Brian Palmas; Dave (Guest – unidentified); Graham Tidman; and Bpalma (guest – unidentified).

AGENDA ITEM 1: CALL TO ORDER: Chairman Brusco called the meeting to order at 6:31 p.m.

AGENDA ITEM 2: AGENDA ADDITIONS/ CHANGES: None.

AGENDA ITEM 3: APPROVE AGENDA: Vice Chair Knox Moved and Commissioner Schumacher Seconded a Motion to approve the agenda as warned. The Motion passed 7-0.

AGENDA ITEM 4: PUBLIC TO BE HEARD: None.

Jennifer Brookes, 497 Sadler Meadow Road, Richmond, VT (did not sign-in), stated that she uses and enjoys Saxon Hill Park and asked if the application to be heard would affect the use of the trails.

David Skopin, 11 Skyline Drive, Essex, VT, wishes to be an interested party on the Pinewood Manor application. He reported that he sent the PC an 18-minute Ted Talk and asked if anyone had any questions or comments. Chairman Brusco replied that this item should be placed on a future Agenda for discussion.

Al Senecal stated that he came before the PC three years ago with a request to add some uses to the RPD-I zone. Senecal reported that he turned away a commercial business looking for 20,000 to 30,000 square feet to support an electric car sales and storage facility. Senecal stated that he was surprised to learn that the Town does not support car sales and residents have to go to a different community to spend its money. Senecal stated that he believes the Town wants to bring business into Essex but needs to be more flexible on the allowed uses. He hopes to get together soon with the PC to discuss this matter. Chairman Brusco stated that it would be best to have this conversation when the PC and ZBA changes over to a PC and DRB. Senecal agreed. Senecal also stated that industrial buildings bring in over \$1 million in revenues to the tax base and pointed out that you have a developer before the PC who is willing to do business in Essex.

Chairman Brusco swore in the public.

**AGENDA ITEM 5: REQUEST FOR ADMINISTRATIVE APPROVAL FOR SIGNAGE
LOCATED AT 4 CARMICHAEL STREET IN THE BUSINESS DESIGN CONTROL
OVERLAY DISTRICT.**

Sharon Kelley, Z.A., stated that a new tenant going into the former Cody's unit in the Town Center has proposed a sign that is outside the previously PC approved template, both in color and sign materials. A copy of the proposal was provided to the PC for review.

Commissioner Lavigne Moved and Commissioner Schumacher Seconded a Motion to delegate the Zoning Administrator to sign off on the permit as presented. The MOTION passed 7-0.

**AGENDA ITEM 6: GREEN MOUNTAIN TRANSIT LETTER OF SUPPORT TO
MAINTAIN ROUTE #10.**

Vice Chair Knox referred to a draft letter to the General Manager of Green Mountain Transit that he prepared for the PC's review. Knox stated that when you look at the Growth Center, it is assumed that transit will be available, especially for people living in affordable housing. A brief discussion ensued.

Chairman Bruso Moved and Commissioner Lavigne Seconded a Motion to send the aforesaid letter as composed by Vice Chair Knox as written, and to be signed by all the members of the Planning Commission. The Motion passed 7-0.

Katherine Sonnick reported that Green Mountain Transit will be holding a presentation on October 4th and is looking for public comment. Vice Chair Knox agreed to attend this presentation if he is available.

Bryan Currier of O'Leary-Burke Civil Associates, noted that Act 250 recently reformed the regulations on what triggers ¼ mile of public transit route, noting that a lot of major arterial routes go away. He noted that exemptions may also go away.

**AGENDA ITEM 7: CONTINUED PRELIMINARY PLAN-PUBLIC HEARING: AL
SENECAL D/B/A ALLEN BROOK DEVELOPMENT IS PROPOSING A 6-LOT
SUBDIVISION OF 'PARCEL B' LOCATED AT 75 THOMPSON DRIVE WITHIN SAXON
HILL INDUSTRIAL PARK:**

Kent Johnson, Planner made the following points:

- Described the properties, including the lots with proposed boundary line adjustments.
- Up for discussion was the proposed industrial lots and whether the entirety of the proposed road should connect to the existing Thompson Drive.
- There are a number of revisions to be made by the applicant due to Public Work's comments, therefore he suggested continuing with this meeting time to discuss some other outstanding issues.
- He asked the PC to provide guidance on the following two issues as noted in the Staff Report:

1. *Where should the new roadway be terminated? If it is not continued through to the northern section of Thompson Drive as part of this application, then when should it be completed?*

2. *Does the Planning Commission share staff's determination that an 8'-10' wide asphalt recreation path should be included along the roadway, or would the Planning Commission prefer to see a 5' wide concrete sidewalk?*

Chairman Bruso asked if there was any value in debating the road connection as Public Works seemed adamant with its recommendation. He noted that both proposals exceed the 900' length of a new road. He noted that without this connection traffic will continue to use Sand Hill Road and this proposal will help alleviate that problem.

Bryan Currier, P.E., made the following points:

- They last spoke with the PC on this application 4-5 months ago and it was a good discussion.
- Currier noted that as part of a Settlement Agreement with the Town, Senecal donated over 200-acres to the Town, with the understanding that his commercial lands could be developed.
- Currier noted that some of the parcels that are yet to be developed have trails on them, and those would go away once it came time to develop the parcels.
- He explained that traffic concerns are what determined them to propose utilizing VT 117.
- The new roadway will serve 5 lots, and they were not proposing to pave from VT 117 to the existing paved portion of Thompson Drive.
- Regarding comments about design constraints made by staff, he stated those comments were strongly exaggerated, noting that if it were true, they would not be at the table looking to develop.
- He noted that all the streets in the development have a 5' wide bituminous path.

The PC had a brief discussion on whether a path should be 5' or 10' wide. Currier did not feel a path was necessary. He also noted that was quite a climb on a bike.

Chairman Bruso noted that it has been a long-term goal to connect the road and asked why not make the connection with this proposal. Al Senecal stated that it is cost prohibitive, and he said, "to speak frankly, I can't afford it." Senecal noted that it takes time to get his buildings rented so that he has income coming in – and reminded the PC that he had to turn a potential lucrative business away this same day. Senecal stated that if the Town wants to help pay to build the full connection, he would be more agreeable. Senecal stated that it is going to cost 4 million dollars to build the portion of road that he has proposed – all to gain four lots. Senecal stated that if he was required to build the full road connection, he would have to let the project go as connecting the road does not allow him to build further on the road and he would gain zero profits.

A lengthy discussion continued regarding the proposed road connection. It was discussed that the existing former Fire Roads could be utilized to allow for emergency vehicles.

Commissioner Williams stated that building roads are expensive and if the Town ends up with a thru-road that will have implications too and he is not sure the Town's focus is what we want at this point.

Senecal stated that they want to eliminate as much truck traffic off Sand Hill Road and “this proposal does that.”

Currier stated that the discussions are related to Phase 3 and should be kept separate from this proposal.

Commissioner Bixby suggested looking at what this proposal can bring to the community tax base. She agreed that Phase 3 would be the trigger to discuss the road connection – it seemed reasonable.

Commissioner Lavigne does not like to see the trucks, however plan so that people know what is going to happen.

Commissioner Carroll understands the cost of building a road and feels that it makes sense to discuss the road connectivity for Phase 3, if Fire and Safety can get through on the existing access roads that would be upgraded.

Commissioner Schumacher confirmed where the water main would be located. He is not worried about road connectivity and the exiting roads would need emergency gates. He agreed the trigger for road connectivity would be for Phase 3.

Vice-Chair Knox follows Commissioner Schumacher’s thoughts, but they would need to come up with some waiver language and suggested that staff and the developer work on this point.

A brief discussion took place regarding the 50’ buffer requirement. Currier suggested that the PC continue with clearing the 50’ buffer with the expectation that trees will be every 50’ on center. This would be reviewed as each site plan is submitted to the Planning Commission. Currier asked that no street trees be required near the solar field.

Commissioner Schumacher Moved and Vice Chair Knox Seconded a Motion to take public comment. The MOTION passed 7-0.

Richard Hosking, 355 River Road, Essex, VT, made the following comments:

- Asked how storm water would be handled during storm events.
- He does not believe a path is need to VT 117 as there are no sidewalks on 117. He suggested that maybe bikers may use it, but most people drive to the park.
- He suggested that a traffic light will be likely required at the next phase of development.
- He feels this connection will eventually be a good connection.

Jennifer Brookes (did not sign in), stated that after seeing the details of the proposal and having zero or limited impact to the existing trails, she is deeply appreciative as her kids use the trails. She stated that if there is ever a situation where the applicant needs money to develop, she will donate funds to preserve the trails, and even purchase the lot.

Al Senecal responded that as the developable lots are built, those trails will be removed, however she stated that very quickly new replacement trails pop up.

David Lee, 245 River Road, Essex, VT, stated that the end goal was to connect the road. He asked if it made sense to have the utilities come up from VT 117. Currier replied that sewer is coming up from VT 117 and is not sure what will happen for Phase 3, suggesting that they may need a pump station. Currier noted that the water will come from above as it is a shorter distance and less expensive than bringing it up from VT 117.

Chairman Bruso Moved and Commissioner Carroll Seconded a Motion to Continue the Public Hearing to the next available date after the concerns of this meeting were worked out; and to bring justification for any waivers that may be needed. The MOTION passed 7-0.

AGENDA ITEM 8: OTHER BUSINESS:

- **Zoning Regulations Update:** Katherine Sonnick stated that she was incorporating changes that resulted from the State Home Act, as well as DRB references. Also, she was working on merging both regulations into one document. She reported on issues to follow up with regarding the Selectboard, such as regulation public hearings; the budget season beginning; etc.
- **Development Review Board (DRB) Update.** Sonnick expects this to be wrapped up soon. The target remains for January 1, 2025.

Chairman Bruso requested that the ZBA be advised to attend in person or via zoom all remaining PC meetings for the experience.

Katherine Sonnick noted that the Community Justice Center is aiding in facilitating a couple of public forums regarding the Women's State Facility. The dates are Saturday, October 5th and virtually, October 8th.

Chairman Bruso noted that the second meeting in October is to be held at the High School, with the second workshop to be held at Essex Middle School Cafeteria.

AGENDA ITEM 9: APPROVAL OF 9/12/2024 MINUTES:

Vice-Chair Knox Moved and Commissioner Schumacher Seconded a Motion to approve the minutes as written. The Motion passed 7-0.

AGENDA ITEM 10: READING FILE: LETTER FROM VERMONT GAS SYSTEMS:

An informational letter was sent to the PC regarding a related Addison Natural Gas Project pipeline that passes through the community.

The meeting adjourned at 8:30 p.m.

PLANNING COMMISSION

By: _____

Dustin R. Bruso, Chair