

**TOWN OF ESSEX
DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
JULY 31, 2025**

**These minutes will be amended prior to September meeting for review and approval.
Note: This meeting was also held on Zoom.**

DEVELOPMENT REVIEW BOARD (DRB) PRESENT IN ROOM: Sharon Zukowski, Acting Chair/Vice-Chair; Stephanie Bixby, Clerk; Dustin Brusco; Nick Martin; and Trefor Williams.
DRB ABSENT: Ian Carroll, Chair; and Hubert Norton.

OTHERS PRESENT IN ROOM: Sharon Kelley, Zoning Administrator; Kent Johnson, Planner; Sally Fleury; Bryan Currier; Ken Signorello, Conservation & Trails Committee; Anne Miller; Michele & John Lubnsio; Robert Lalancette; Anne Miller; Glenn & Nina Goldman; Michael Sweeney; Betsy Dunn; Matthew Cohen; John & Johna Leo; Carolyn Leo; Tom Yandow and Cheryl Van Epps.

OTHERS VIRTUALLY: David Skopin; Duane Barlow; Gina Halpin Barrett; Hayley Macaig; John Morris; Katie DeSanto; L Whitmore; Lisa Allen; m.j.s.s.; Natalee Braun; Patty Davis; T; Lisa Allen; Duane Barlow and Theresa Fox.

AGENDA ITEM 1: CALL TO ORDER: Acting Chair, Sharon Zukowski called the meeting to order at 6:30 p.m. She noted that Ian Carroll and Hubert Norton were absent from the meeting. She asked that Staff and the DRB Members introduce themselves.

AGENDA ITEM 2: AGENDA ADDITIONS/CHANGES: None.

AGENDA ITEM 3: APPROVE AGENDA: DRB Member Bixby Moved and DRB Member Brusco Seconded a Motion to approve the agenda. The MOTION passed 5-0.

AGENDA ITEM 4: PUBLIC TO BE HEARD: Cheryl Van Epps, 8 Rustic Drive, Essex, VT, spoke on points of a letter that she sent into the DRB and is a part of the packet reading file. Her complaint consisted of violations, including a dump load of fill dirt dumped on a trail in Pinewood Manor; and ongoing issues in Pinewood. She asked for a better understanding of complaints. Acting Chair Zukowski referred her to the section on violations in Article VIII of the Zoning Regulations.

Margaret Smith, Alder Lane, Essex, VT, spoke in general on tree cutting and stated every tree cut affects climate change.

Betsy Dunn, 2 Cindy Lane, Essex, VT, asked the DRB members to speak looking forward as it was difficult to hear when heads are turned towards members on the Board.

AGENDA ITEM 5: CONSENT AGENDA: Boundary Adjustment between 79 Fleury Road and 85 Fleury Road, Essex, VT.

DRB Member Bixby Moved and DRB Member Bruso Seconded a Motion to approve the Consent Agenda as written except for removing the duplicate paragraph on Lines 95-99.

The Motion passed 5-0.

AGENDA ITEM 6: PUBLIC HEARING:

A. Preliminary Plan - John & Carolyn Leo: 8-Lot Commercial Subdivision at 15 Leo Drive, Essex VT. Property located in the Industrial and Scenic Resource Preservation District.

Kent Johnson, Planner, referred to his Staff Report dated July 31, 2025, and spoke on the following points within the report:

- Lines 80-83: The street tree requirement was not met as they were spaced greater than 50' apart along the frontages and are set back more than 5' from inside the front property line.
- Lines 86-92: He noted the buffer requirements between Industrial and Residential zones will also double as a trail and will connect to Route 15.
- He noted the limit of the road was 900' and the proposal is over 2,000'. The applicant was requested a waiver. Staff are supportive of this waiver.
- He noted the property was also location in the Scenic Overlay and staff was supportive of the proposal, however requested that the sentence be struck starting on Line 199, "The applicant could comply ... the proposed waterline" and the 1st word of the next sentence, "Alternately". He reported that Public Works is satisfied where the waterline is shown on the plan.
- Lines 475-509: He stated that comments from the Conservation and Trails Committee started on Line 475 of the Staff Report.

Acting Chairman Zukowski provided the oath to the public.

Brian Currier, O'Leary-Burke Civil Associates, PLC, and John and Carolyn Leo represented the application. Currier made the following points:

- The lots range from 1.4 to 3 acres.
- The property is in the Low Density Residential (R1) Zoning District, not the RPD-I as the rules were different.
- Discussed the street scape and what they proposed for this development.
- Each site plan will show where the utilities are located for each lot, and more detail will be provided once the street trees are solidified. He explained how all the requirements, street trees, waterlines, and setbacks won't all fit as utilities also have distance requirements. He noted that Public Works was asking for a 10' easement, which they are happy to give, but that brings it to the edge of the

20' waterline easement. He was asking for a waiver.

- He reported that he was happy to bring in the exact location for each lot during site plan review. This way more detail can be provided and there will be a better understanding of where street trees will be and if there is enough room to meet all the requirements.
- He reported that Public Works asked for a 20' easement and they are happy to give this with a condition of it being to the edge of the waterline easement.

DRB Member Bruso Moved and DRB Member Martin Seconded a Motion to Open the Public Hearing. The Motion passed 5-0.

The following people spoke on behalf of this application:

Ken Signorello, Conservation & Trails Committee, stated that he listened carefully to the tree discussion and noted that the regulations state the trees should be in the right-of-way or in 5'. He noted the intent of the trees was to shade the road.

Matt Cohen, Whitcomb Meadows Lane, Essex, VT. Discussed the recreation path placement and if it would be ADA accessible. He requested that the path be away from Saxon Hill. He inquired about the VAST trail and noted there is no re-routing proposed for further connectivity. He discussed noise and light pollution. He asked for a timeline for the completion of the buildout as he does not want to live next to construction for the next 15 years. He stated that waivers should be the exception, not the norm.

Glen Goldman, 18 Deer Crossing Lane, Essex, VT, thanked Leo's consultant in making an effort not to connect a road to Saxon Hill and supports the application as proposed.

Anne Miller, Sydney Drive, Essex, VT, asked why the applicants did not scale back the road so that the trees would fit on the site. She stated that we need to accept and live with the regulations with no deviations.

Dana Sweeney, Essex, VT, was concerned with traffic. She found it hard to believe that not more than 70 trip ends are the proposed number. She noted that trying to cross Route 15 is worse than trying to cross River Road.

Patty Davis, Essex, VT, asked where the trucks would be going as they don't want more traffic on Sand Hill Road and asked that the DRB not penetrate residential zones.

Board Member Martin asked why a deviation to the road connection to Saxon Hill.

Currier replied that they were trying not to put additional traffic onto Sand Hill Road and reported that a different intersection would be in front of a landowner's house as the industrial zone is adjacent to a residential neighborhood. Martin asked about truck traffic. Currier replied that truck traffic is preferred on Route 2A versus rural Saxon Hill Road. Martin asked about truck trailer turn-around. Currier replied that it will look just like Corporate Drive.

DRB Member Martin Moved and DRB Member Williams Seconded a Motion to Close the Public Hearing. The Motion passed 5-0.

DRB Member Bruso reported that traffic on Route 15 is anticipated and expected in an industrial zone and the applicant has a right to connect onto Sand Hill Road. He asked if a gravel road would support truck traffic. Currier replied yes and the emergency access doubles as a pedestrian path. Bruso noted that he, as well as Public Works and the Fire Chief supported a waiver for the road. He stated that in his opinion, traffic has been long term planned for these industrial zones. He suggested deferring the street tree requirement as each lot comes in for site plan review.

A brief discussion ensued regarding a waiver. Currier reminded that the RPD-I allows for a waiver, however this property was in the Industrial zone. As many utilities and other regulation requirements are needed, he sees the waiver in the I1 zone as different. Currier stated that he is willing to work with Public Works to determine if the waterline could be placed in a different area.

A brief discussion ensued regarding traffic trip ends. Currier believed that the need for this project will be at 70 trips, Level B. After the buildout, it would be Level C. He reported that they are planning 70 trip ends.

DRB Member Bruso Moved and DRB Member Bixby Seconded a Motion to approve the application with instruction that the applicant and Public Works review the street tree requirements and propose a plan that best fits the regulations. The Motion passed 5-0.

Agenda Item 6b: Sketch Plan: 68 Pinecrest Drive LLC: Proposed 9-unit Planned Unit Development.

Kent Johnson, Planner, spoke on this application. He noted that the applicant proposed to redevelop the funeral home site on Pinecrest Drive by repurposing the existing funeral home. The applicant submitted two Planned Unit Development (PUD) concepts with two layouts in an existing Funeral Service building and associated parking lot and driveway. Density calculations have been based on the HOME Act of 2023, which amended State regulations to allow for dwelling units to be on as little as 0.2 acres

(8,712 square feet), under certain conditions; this supersedes the Town's regulations that a single or duplex dwelling unit requires at least 20,000 square feet of lot area. The result is a maximum potential density of 18 dwelling units for the 3.71-acre parcel. For both proposals, access to the site is provided via an existing curb cut on Pinecrest Drive. The existing driveway is shown upgraded to a 27-foot-wide private road. The development would utilize municipal water and sewer services.

Brian Currier, P.E., of O'Leary-Burke Civil Associates, represented this application. He described the layouts of both proposals. Discussions ensued around a possible connection to an abutting back parcel that would connect to a town park. A discussion ensued between the engineer and DRB.

DRB Member Bruso had concerns with traffic and pedestrian traffic on Sand Hill Road and Route 2A, and felt the proposals were trying to put too much on the lot. Currier responded that it was a unique time with a unique parcel. He noted that the parcel in the town water and sewer core. He referred to the Homes Act wherein the goal is to create an increase in housing units, noting that 5 units per acre were permitted within the water and sewer core. He stated they could be proposing many more units than what is now before the DRB. He reported that the existing funeral home is a commercial use and there are commercial uses in all directions from the lot. He reported that the proposal meets the stated housing goals and will bypass Act 250 with 20% of the units will be affordable.

DRB Member Zukowski agreed with DRB Member Bruso's comments. She stated that there were a lot of steep slopes on the site. She stated that she understands the density and questioned the surroundings and peace and enjoyment with more space to live. Currier replied that the slopes were man-made by a previous developer and suggested they had latitude. He asked her how she felt about a 13 or 14-unit proposal. Zukowski asked about an open space lot. Currier replied that they were okay with providing an easement, but it would be tricky as he can only propose an easement to get to a corner. Zukowski suggested a community garden.

DRB Member Bruso Moved and DRB Member Bixby Seconded a Motion to Open the Public Hearing. The Motion passed 5-0.

Acting Chairman Zukowski provided the public oath. There were no comments.

DRB Member Bruso Moved and DRB Member Bixby Seconded a Motion to Close the Public Hearing. The Motion passed 5-0.

DRB Member Bruso Moved and DRB Member Bixby Seconded a Motion Approved the application as written. The Motion passed 5-0.

214 **AGENDA ITEM 7: OTHER BUSINESS:** None.

215 **AGENDA ITEM 8: APPROVAL OF MINUTES:** Tabled.

216

217 **AGENDA ITEM 9: EXECUTIVE AND/OR DELIBERATIVE SESSION:** None.

218

219 **AGENDA ITEM 10: READING FILE:** None.

220

221 The meeting adjourned at 10:35 p.m.

222

223

224

225

226

227

228 G:\commdev\drb\minutes\2025\JULY 31 2025 Dft

DEVELOPMENT REVIEW BOARD

By:

Ian Carroll, Chair