

**TOWN OF ESSEX
DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
SEPTEMBER 4, 2025**

The video of this meeting can be viewed at:

https://www.youtube.com/watch?v=108UvR2_wfE&list=PL6J-DqAq2zEMJgai7p2exGadu3SRosNS3&index=1&pp=iAQB

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

DRB ABSENT: None.

OTHERS PRESENT IN ROOM: Sharon Kelley, Zoning Administrator; Kent Johnson, Planner; Bryan Currier; Ray Ely and Community T.V.

OTHERS VIRTUALLY: iphone; Lois Whitmore; Adam; Anne Miller; and Diane Percy.

AGENDA ITEM 1: CALL TO ORDER: Chairman Carroll called the meeting to order at 6:30 p.m.

AGENDA ITEM 2. ADDITIONS/CHANGES: None.

AGENDA ITEM 3: APPROVE AGENDA: DRB Member Bruso Moved and DRB Member Bixby Seconded a Motion to approve the agenda. The MOTION passed 7-0.

AGENDA ITEM 4: PUBLIC TO BE HEARD: None.

AGENDA ITEM 5: APPROVAL OF MINUTES: Board Member Bruso Moved and Vice Chair Zukowski Seconded a Motion to approve May 29, 2025, July 17, 2025, July 31, 2025, and August 21, 2025 meeting minutes with the following changes:

5/29/25 – Line 172: Correct to read “cannot be”.

7/17/25 – Line 148: Change “Gruely” to “Greely”; Line 173: Change “Polinski” to “Polinsky”; Line 208: Change “?” Smith, Brigham” to “Lawrence Smith, 108 Brigham”; Line 221: Change “Mable ?” to “Maeve McBride”.

7/31/25 - Lines 133 & 144: Change “Sand Hill” to “Saxon Hill”. Line 136: Change “Route 2A” to “Route 15”.

8/21/25 – Lines 182-183: Change to read, “DRB Member Williams asked when then blasting was completed would the activity with a gravel operation continue along with the building construction.” Lines 204-205: Delete.

Look up Nick’s comments.

DRB Member reminded the DRB to get the non-substantive changes to the recording secretary for corrections prior to the meeting. **The Motion passed 7-0.**

AGENDA ITEM 6: PUBLIC HEARING: PRELIMINARY/FINAL REVIEW MINOR SUBDIVISION AND SITE PLAN AMENDMENT – ELY FAMILY LLC IS PROPOSING A MINOR SUBDIVISION FOR FOOTPRINT LOTS ASSOCIATED WITH A PROPOSED DUPLEX AND AN 18'X55' ADDITION TO THE EXISTING COMMERCIAL BUILDING LOCATED AT 45 RIVER ROAD IN THE MXD DISTRICT.

Chairman Carroll provided the public oath to those planning to speak on this application.

Kent Johnson, Planner, stated that two triplex buildings were approved at Sketch review and the applicant is now proposing one duplex building. Johnson noted that Public Works had many comments on this application, and they were not supportive to move forward with final approval due to the number of concerns noted in their memo. Public Works wants to see the changes prior to final approval.

Johnson listed the following items needing further information as follows:

- Indicate the height of the duplex.
- Number of dwellings on a single driveway.
- Steep slopes over 20% grade.
- ADA requirements.
- Circulation for delivery and emergency vehicles.
- Additional landscaping.
- Lighting.
- Public Works requirements as noted in the Staff Report.
- Police and Fire concerns as noted in the Staff Report.

A DRB Member stated that the public warning states 18'x55' addition and the proposed plans are not in agreement with that measurement. Bryan Carrier verified that 18'x55' is the correct dimension.

Bryan Carrier, P.E., O'Leary-Burke Civil Associates, PLC spoke on behalf of this application and made 5 points:

1. The applicant was before the Planning Commission at the end of 2024 and received sketch approval for 2 triplex buildings (6 units). He noted that because footprint lots are proposed a Homeowner's Association (HOA) will be required. He emphasized that they are not looking to establish normal lot sizes. He described the site and stated the plan was to hatch, stripe and guarantee full fire circulation around the building. He noted that in a residential zone, a single-family house or duplex would only require a building permit and not a review before the DRB.
2. A conflict with Section 3.1(G)(5), which reads, in part, "No more than two dwellings or lots shall be served by the same private right-of-way (driveway)". He stated that this issue did not arise at sketch review and noted that a commercial lot has different standards. He described the conditions of the drive. He repeated that these issues did not come into play with the 7-unit sketch approval. Carrier believed they met the regulations, and a waiver is not needed.
3. At the site visit prior to the meeting, the DRB got a good look at the slopes, noting 4-

foot being the steepest rise in the 1600 sq. ft. area. Currier stated there it is not the intention to affect the waterways; however, they submitted a waiver request if that was how the DRB wanted them to proceed.

4. He described the parking spaces, including 1 ADA space.
5. He described the 20' fire lane around the building. He reported that the PC approved the gas canopy in 2019, including the 20' ROW around the building. He reported that the canopy is higher than a fire truck or tractor trailer. He believes the circulation is generally left unchanged. He noted that 21 parking spaces exist, but they can't control what/where the public parks.
6. He described the existing landscaping and showed the canopy of trees. He stated they purposefully left the vegetated buffer area between the commercial and residential area.
7. Lighting did not come up in the 2019 review and believes the existing lighting is sufficient. He would expect that if they tore the building down, new lighting would be proposed.
8. The police and fire issues were already discussed.

Ray Ely, property owner, stated that gas deliveries occur every 8 days.

DRB Member Bruso was confused by police and fire as they had zero concerns at sketch, and the entrance is the same. He believes the existing house that has an easement is using one of the store's parking spaces and would not consider it to be 3 uses on one driveway. He noted the DRB needs to decide if the slope regulation means any slope intrusion or intrusion on the overall slope on a parcel. He noted there was no proposed change regarding parking or access and was curious on the change of stance from the police and fire department.

DRB Member Norton concurs with Bruso's comments and felt that some element needed to be straightened out. He felt there was inconsistency with the erosion plan showing a 14' driveway and the site plan showing 20'. Currier confirmed 20'. Norton asked for confirmation on the size of the addition. Currier replied 900 sq. ft. was correct. Norton felt it was difficult to make a judgement on the slope until they knew about the stormwater. Currier noted that the state has two different types of general erosion permits. He stated as they were well below 1-acre they will qualify for an erosion control permit. Currier reported that the 14 parking spaces at the back of the lot will be gravel, and there is not a good space for a sign.

Currier described the requirements for a footprint lot, which primarily aid the bankers and lawyers.

DRB Member Zukowski was concerned about the shared driveway; a commercial business sharing with homes and the regulations stated that you can't disturb 20% slopes.

Chairman Carroll asked how much larger the addition was to the existing structure. Currier replied twice the size. He described the location of the storage and refrigeration spaces.

DRB Member Martin asked if they would consider a one-way flow of traffic. Currier stated

that it will not be considered. Ely stated that this would create issues with delivery trucks and noted current trucks are rear loading. Also, this would be difficult with the gas island as not all vehicles have gas caps on the same side. Martin asked about bottle/can collections. Ely reported they no longer offer a redemption center.

DRB Member Bruso Moved and DRB Member Williams Seconded a MOTION to open the Public Hearing. The MOTION passed 7-0.

There were no public comments.

After a brief discussion amongst the DRB, all supported a continuance of the application to include continued discussions on the slope, signage, lighting and answers to Public Work's concerns.

Vice-Chair Zukowski Moved and DRB Member Martin Seconded a Motion to Continue the application to November 6, 2025. The MOTION passed 7-0.

AGENDA ITEM 7: OTHER BUSINESS:

DRB Member Bruso suggested reaching out to the Planning Commission to discuss slopes. The DRB agreed.

The meeting adjourned at 8:22 p.m.

DEVELOPMENT REVIEW BOARD

By: _____

Ian Carroll, Chair

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