TOWN OF ESSEX
DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
SEPTEMBER 18, 2025

The video of this meeting can be viewed online at www.essexvt.org.
https://www.youtube.com/@essexvt

DEVELOPMENT REVIEW BOARD (DRB) PRESENT IN ROOM: Ian Carroll, Chair; Sharon Zukowski**,** Vice-Chair; Stephanie Bixby, Clerk; Hubert Norton; Nick Martin; and Dustin Bruso.
DRB ON-LINE: Trefor Williams
DRB ABSENT: None.

OTHERS PRESENT IN ROOM: Sharon Kelley, Zoning Administrator; Kent Johnson, Planner; ? Ken Signorello.

OTHERS VIRTUALLY: Lois Whitmore; Anne Miller; Gina Halpin and Patty Davis.

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 Martin Moved and DRB Member Bruso Seconded a Motion to approve the agenda. The MOTION passed 7-0.

AGENDA ITEM 4: PUBLIC TO BE HEARD: Lois Whitmore questioned the review of waivers and what happens when people don't put in a waiver request. She also asked about operational procedures and how binding the regulations are with applications. Chairman Carroll stated that this meeting was focused about Operating Procedures.

AGENDA ITEM 5: APPROVAL OF MINUTES: Board Member Bruso Moved and DRB Member Norton Seconded a Motion to approve 9/4/2025 minutes with minor corrections as previously reported to the recording secretary. The Motion passed 7-0.

AGENDA ITEM 6: DRB CHECK IN

a. Operational Procedures:
DRB Member Zukowski stated that consent agenda items were supposed to be without questions. She did not believe staff should decide what was minor and reminded the DRB of an application in her former development (Birchwood) that was almost approved. Sharon Kelley stated that statute allows the Zoning Administrator a/k/a Administrative Officer to approve minor amendments. Kelley noted that Section 5.3(A) of the Regulations speaks to this matter. They also discussed the need to update their regulations to align with recent changes in state statute (Act 47), particularly regarding what can be administratively approved by the zoning administrator versus what requires DRB review. The conversation ended with agreement to update the procedures to

match the handbook language requiring unanimous consent for consent agenda items, while leaving the specific regulatory details for future review with legal counsel.

Ann Miller asked about an interested person and feels the public does not get much time to speak whereas the applicant gets unlimited time. Chairman Carroll stated that the Chair can curb time limits. He noted it would be up to the court to determine who will be an interested party. DRB Member Bruso spoke on interested parties, who are people that provide testimony and/or comments during a public hearing. S. Kelley noted that people just signing into a meeting will not be sufficient to be classified as an interested party - they must make comments on the record. Lois Whitmore stated that the experience of a town resident is not the same as an out-of-town person and asked how to be fair and equitably in those circumstances. Chairman Carroll stated that time limits for public comments need to be place so that all comments can be heard.

b. Training Discussion: It was noted that VLCT was unable to attend this meeting, however information provided will be in the DRB packet when the meeting is rescheduled. The goal was to gather questions to pose to the attorney prior to the Board in November. A lengthy discussion ensued, and it was determined to continue the discussion after meeting with VLCT and hearing their presentation.

The board discussed improving their procedures and focusing on application reviews rather than educational aspects. They agreed to table current operational procedure discussions pending reassessment and alignment with town documents. The group planned to prepare questions for an upcoming meeting with VLCT attorneys on November 6th, particularly regarding heated public discussions and meeting management. There was consensus that applications coming before the board should be more complete, with staff providing sufficient information upfront to enable decisions rather than requiring continuations.

The meeting focused on addressing issues with application submissions to the DRB, particularly concerns about engineers providing inaccurate information and the pressure to make rapid decisions. Trevor highlighted problems with applications not being fully prepared, while Kent explained that some continuations occur due to applicants seeking DRB input despite staff recommendations. The group discussed proper procedures for board members' research and testimony, clarifying that board members should not conduct personal investigations or take oaths themselves, and should direct questions to staff before meetings. The discussion also covered the handling of Public Works input, with confirmation that their written feedback is incorporated into staff reports and addressed the need for more thorough application preparation to avoid continuations.

The board discussed challenges with public transparency and meeting operations as they transition from the ZBA and Planning Commission to a new board with a different mission. They agreed to schedule one main meeting per month plus additional meetings as needed and decided to have Town TV with microphones at all future meetings to improve audio quality. The board plans to schedule joint meetings with the Planning Commission to address specific issues like slope and buffer waivers, with a focus on getting clear direction and interpretations rather than trying to resolve everything at once.

The meeting adjourned at 8:22 p.m.

DEVELOPMENT REVIEW BOARD

By: ________________________________
Ian Carroll, Chair

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