

1 TOWN OF ESSEX
2 PLANNING COMMISSION
3 DRAFT MINUTES
4 SEPTEMBER 23, 2021
5

6 **Note: This meeting was in-person and virtual on Teams.**

7
8 **PLANNING COMMISSION (PC) PRESENT:**

9 **IN PERSON:** Dustin Brusco, Chair; and David Raphael.

10 **VIRTUAL:** John Mangan, Clerk; and Jonathan Schumacher; Tom Furland.

11
12 **OTHERS PRESENT:**

13 **IN PERSON:** Sharon Kelley, Zoning Administrator; Darren Schibler, Planner; Joe Flynn; Dan
14 Heil; Josh Mazer; and Community T.V.

15
16 **VIRTUAL:** Owiso Makuku, Community Development Director; Dan Petherbridge; Ryan Smith;
17 Patrick LeClerc; and Steve Morris.

18
19 Chairman Brusco called the meeting to order at 6:30 p.m.; called out the Commissioners who were
20 in attendance virtually and in person; and noted the changes to the Agenda being removal of
21 Election of Officers as this occurred at the last meeting; and the withdrawal of the Pinewood I
22 application.

23
24 **AGENDA ITEM 1: PUBLIC COMMENTS:**

25
26 Chairman Brusco provided the oath to the public.

27
28 Sharon Kelley called out minor changes made to the draft consent agenda letter.

29
30 **AGENDA ITEM 2: CONSENT AGENDA:**

- 31
32 • **BOUNDARY LINE ADJUSTMENT: Linda LeClerc and Chris & Elizabeth**
33 **Kranz:** Proposal for a conveyance of 0.29 acres from 1 LeClerc Woods to 15 Lamore
34 Road to resolve a zoning violation located in the Agricultural Residential (AR) Zone.
35 Tax Map 73, Parcels 1-17 & 1-14.
36

37 **Commissioner Raphael MOVED and Commissioner Schumacher SECONDED a**
38 **MOTION to approve the Consent Agenda, as warned and including the two minor edits.**

39
40 **The MOTION passed 5-0.**

41
42 **AGENDA ITEM 3: SITE PLAN-PUBLIC HEARING: Nate Crete d/b/a 18 River Road,**
43 **LLC: Proposal for six mini storage buildings located at 18 River Road in the Industrial**
44 **(I1) Zone. Tax Map 23, Parcel 2.**

45
46 Commissioner Raphael stated that he owned mini-storage units and offered to recuse himself
47 from this application if the applicant, PC or anyone from the audience felt it necessary. He felt
48 he could be impartial with this application. Dan Heil had no concerns and welcomed him to
49 review the application. The PC had no objections.

50 Darren Schibler provided staff comments on this application. Schibler noted that the parcel is
51 located on the south side of town, close to the border of the Village, in the industrial zone. An
52 existing single-family house is situated on the parcel and will be demolished to accommodate
53 six (6) self-storage units. No water or sewer is proposed and staff has no issues with the
54 proposal. Schibler noted there is a section of stream and steep slopes on the site. A retaining
55 wall will be installed to prevent erosion. He reported an existing area of erosion has been
56 remedied by a storm water pond. Schibler reported that he received one public comment via
57 email from Cecilia Polansky regarding this application.

58

59 Dan Heil, P.E., O’Leary-Burke Civil Associates, was present with Nate Crete’s partner, Josh
60 Mazer. Heil described the proposal as being 6 self-storage units totaling 12,400 square feet.
61 The existing house and barn will be removed. There is no water or sewer proposed. Runoff
62 will be handled with gravel wetland and dry pond, with some areas fixed. They are good with
63 the staff notes and have no issues with the proposed conditions.

64

65 **Commissioner Raphael MOVED and Commissioner Mangan SECONDED a MOTION**
66 **to Open the Public Hearing. The MOTION passed 5-0.**

67

68 Darren Schibler read an email from Cecilia Polansky, dated September 21, 2021, into the
69 record. The concern in the email was that the proposal would “eliminate any possibility of
70 capitalizing on views of Winooski River and the beautiful Green Mountains, uninterrupted by
71 power lines; it will also not provide jobs as was most likely an intent of the industrial zoning
72 which was assigned to the riverbanks several decades ago. ...”

73

74 Commissioner Furland asked if the light fixture was a full cut-out. Heil replied, “yes, on
75 motion sensor.”

76

77 Commissioner Mangan stated that to him, the scenic view “is to the south.”

78

79 Commissioner Schumacher said, “Ditto” and although he appreciated the email and thoughts,
80 there was nothing in the Regulations to fix the issue. He stated that industrial land needed to
81 be preserved.

82

83 Commissioner Raphael was good with the proposal.

84

85 **Commissioner Raphael MOVED and Commissioner Schumacher SECONDED a**
86 **MOTION to Close the Public Hearing. The MOTION passed 5-0.**

87

88 **Commissioner Raphael MOVED and Commissioner Furland SECONDED a MOTION**
89 **to approve the 18 River Road application, as warned, subject to the Findings and**
90 **Conditions of a Staff Report dated September 23, 2021, with the following changes:**

91

92 Finding B(5), Line 131: Change “building is” with “buildings are”;

93 Finding II, Line 284: Add, “the PC added no additional findings with the application.”

94 Condition 3c., Lines 293-296, move to Lines 321 by deleting existing language on Lines 321-
95 322.

96

97 **The MOTION passed 5-0.**

98 **AGENDA ITEM 5: MINUTES 9/9/2021:**

99

100 **Commissioner Schumacher MOVED and Chair Brusco SECONDED a MOTION to**
101 **approve the 9/9/2021 site visit minutes with the following change:**

102 Line 7, delete “David Raphael.”

103 **The MOTION passed 5-0.**

104

105 **Chair Brusco MOVED and Commissioner Furland SECONDED a MOTION to approve the**
106 **9/9/2021 Planning Commission hearing minutes as written. The MOTION passed 5-0.**

107

108 **AGENDA ITEM 6: OTHER BUSINESS:**

109

110 • Owiso Makuku reported that the Housing Commission will be presenting discussion on
111 inclusionary zoning to the Selectboard and Trustees in October. She reminded the PC that
112 Commissioner Daly has been the PC representative working with both the Commission and
113 the Village. Makuku will ask the Housing Commission when they can come and present to
114 the PC. Schibler noted that the Housing Commission is also working on a housing trust
115 fund and they can also discuss this topic.

116

117 • Schibler noted that the Town received a Public Service Board application regarding a solar
118 proposal located at 5 Kana Lane.

119

120 • Pre-draft Zoning Regulations. Staff reported that they prepared a Memo to the PC listing
121 some “Simple Zoning Updates” for the PC’s review. Several of the amendments were
122 statutory fixes. He stated that they can warn a public hearing if the PC was agreeable.
123 Chairman Brusco stated that the PC routinely does a workshop prior to warning a public
124 hearing. He instructed staff to put a workshop on the October 28th meeting, which would
125 give staff time to add more changes to the Memo. Makuku agreed noting that there are
126 additional housekeeping items that have been lost over time such as conceptual review
127 versus sketch plan review. Commissioner Furland asked about Chapter 3, Section
128 3.8(1)(a) and asked how many small lots would be affected by the change of allowing
129 development of lots small than 1/8 acre. Schibler did not know, but thought it was an
130 insignificant number. Commissioner Furland asked what was driving the change regarding
131 light poles; and asked about changes to multi-family. Chairman Brusco stated these topics
132 will be discussed at the workshop.

133

134 • Deliberative Session Workflow Discussion: The PC reviewed a proposed template on how
135 to handle a closed deliberative session going forward with applications when the need
136 arises. A discussion ensued and suggestions were provided to staff. It was determined to
137 have staff incorporate the suggestions and bring the document back to the PC for further
138 review and discussion.

139

140 The meeting adjourned at 7:28 p.m.

141

PLANNING COMMISSION

142

143

By: _____

144

Dustin R. Brusco, Chair