

TOWN OF ESSEX  
PLANNING COMMISSION DRAFT MINUTES  
JUNE 24, 2021

**Note: This was a virtual meeting on Teams.**

PLANNING COMMISSION (PC) PRESENT: Dustin Brusco, Chair; Josh Knox, Vice-Chair; John Mangan, Clerk; David Raphael; Johnathan Schumacher; Tom Furland and Ned Daly.

OTHERS PRESENT: Owiso Makuku, Community Development Director; Sharon Kelley, Zoning Administrator; Darren Schibler, Planner; Deana Stoneback, Administrative Assistant; Aaron Martin, Town Utilities Director; Charles Cole, Town Fire Chief; David Tudhope; Roger & Colette Perrault; Shawn McGinty; Paula Duke; Alice & Ron Siegriest; Charlie Aavon; Dick Bouffard; and Dan Heil.

Chairman Brusco called the meeting to order at 6:36 p.m.; read the updated Covid message regarding meetings; noted that all Commissioners were present except for Jonathan Schumacher; listed the changes to the Agenda; and provided the public oath.

**AGENDA ITEM 1: PUBLIC COMMENTS:** None.

**AGENDA ITEM 2: CONSENT AGENDA:**

**MINOR SITE PLAN AMENDMENT: Essex Junction Senior Housing I Expansion Propco, LLC:** Proposal for 2 utility pads, screening for roof mounted mechanical equipment, and other site improvements located at 2 Freeman Woods in the Mixed Use-Planned Unit Development (MXD-PUD) Zone. Tax Map 94, Parcel 2-1.

**Vice-Chair Knox MOVED and Commissioner Furland SECONDED a MOTION to approve the 2 Freeman Woods application as warned and subject to the Findings and Conditions listed in the Draft Approval Letter. The MOTION passed 6-0.**

**AGENDA ITEM 3: EXECUTIVE SESSION TO DISCUSS A LEGAL ISSUE:**

At 6:36 p.m., the Planning Commission paused the warned hearing and entered into a separate executive session with staff and the Town Attorney.

**At 7:19 p.m., Vice-Chair Knox MOVED and Commissioner Furland SECONDED a MOTION to conclude the Executive Session. The MOTION passed 6-0.**

**AGENDA ITEM 4: FINAL SUBDIVISION-PUBLIC HEARING: Richard Bouffard: Proposal to add 12 additional units to create a 24 Unit Planned Unit Development-Residential (PUD-R) on a 7.74 acre lot located at 81 Susie Wilson Road in the Medium Density Residential (R2) District. Tax Map 54, Parcel 3.**

Darren Schibler stated that this was the final review and most all issues were resolved. He called out some minor changes to the Staff Report. The following points were still open for discussion:

- 50       • The proposed bike rack. This project consists of 24 units and 6 bikes spaces were  
51       provided. He asked the PC which direction they would like to go forward with in this  
52       regard;
- 53       • Susie Wilson Road is a transit-oriented area; there is a new bike/pedestrian path on Route  
54       15 from Colchester and on Pearl Street; the proposed units are moderate to low income  
55       housing;
- 56       • The need for bikes is consistent with the Energy Plan for an active life style for public  
57       health; and
- 58       • The need for covenants to ensure affordable housing. He noted the applicants are  
59       actively working on this with staff and restrictions will be in place.

60

61       Commissioner Daly suggested the layout to accommodate 24 bikes should not all be together for  
62       security purposes and should be placed in coordination with lit areas on the parcel.

63

64       Commissioner Furland asked what kind of trail is beyond Susie Wilson Road. Schibler replied  
65       three residential parcels and then it comes to a dead-end.

66

67       Dan Heil, P.E., of O’Leary-Burke Civil Associates, PLC, and Richard Bouffard provided  
68       comments on this application.

69

70       Heil provided a brief summary of the project, noting that there are 12 existing rental units on the  
71       premises which is included in this PUD-R application. The proposal changed from a 4-unit  
72       building and a 6-unit building, to 4-triplex buildings, which includes a density bonus. Another  
73       change was from condo units to footprint lots.

74

75       Heil stated that the Town allows the PC discretion for the number of bike spaces, and there is no  
76       requirement for the number of spaces. He provided numbers from abutting towns, such as  
77       Colchester which requires 1 bike per 20 cars; and Williston requiring 10% which would require  
78       5 spaces. He noted that residents can keep their bike in their units.

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80       Schibler noted that keeping bikes in hallways would be a concern to Fire & Safety.

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82       Mr. Bouffard stated that bikes can be stored in the covered stairway and that all new units have  
83       locked storage in the basement.

84

85       Heil pointed to Condition 6 & 7 and asked that the water allocation be paid at the time a building  
86       permit is requested for each building. Sharon Kelley stated that this was common practice, as  
87       approved by Public Works.

88

89       **Commissioner Raphael MOVED and Vice-Chair Knox SECONDED a MOTION to open**  
90       **the Public Hearing. The MOTION passed 6-0.**

91

92       Paula Duke asked for more clarification of storage under the stairs. Chairman Brusio noted that  
93       the storage is in the existing 12-unit building, not the proposed new 12-unit building. Mr.  
94       Bouffard described the area in more detail.

95

96 **Commissioner Raphael MOVED and Vice-Chair Knox SECONDED a MOTION to close**  
97 **the Public Hearing. The MOTION passed 6-0.**

98 The PC had a discussion regarding how many spaces they would like to see offered with the  
99 proposal and offered the following:

100

101 Commissioner Furland: Provide the number that staff has proposed;

102 Commissioner Daly: There are 12 units and each building should provide 3 spaces;

103 Vice-Chair Knox: Agrees with 3 spaces per building;

104 Commissioner Raphael: Was fine to go down to 12 spaces;

105 Commissioner Mangan: Agrees with 3 spaces per building; and

106 Chairman Bruso: Questioned if the PC reduces the existing building from the calculation, would  
107 it benefit to have an enclosed area.

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109 Dan Heil stated he agreed to work with staff on this issue and is okay with 12 spaces with some  
110 separation.

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112 **Commissioner Raphael MOVED and Vice-Chair Knox SECONDED a MOTION to**  
113 **approve the 81 Susie Wilson Road application as warned and according to the Findings &**  
114 **Conditions of a Staff Report dated 6/24/21, with the following changes:**

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116 Line 43: Change “8.4” to “7.74”;

117 Lines 489-490: Delete;

118 Line 540: Add, “ Based on the applicant’s testimony that existing covered and locked storage  
119 exist for the current 12 units, 24 spaces for bike parking are not required. The Commission feels  
120 one space per new dwelling unit would be feasible.” And

121 Line 546: Change “24” to “12”.

122

123 **The MOTION passed 6-0.**

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125 **AGENDA ITEM 4: PRELIMINARY/FINAL SUBDIVISION-PUBLIC HEARING: Ron &**  
126 **Alice Siegriest: Proposal to subdivide 2 existing lots into 5 new lots located at 226 & 236**  
127 **River Road in the Medium Density Residential (R2) zone, Scenic Resource Overlay (SRPO)**  
128 **& Floodplain Overlay (C2) Districts. Tax Maps 33 & 4 Parcels 1 & 10.**

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130 Darren Schibler, Planner reported that there were a few issues resulting from Sketch approval  
131 and the following have been corrected:

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- 133 • The water connection to the site has been fixed;
- 134 • The approval for both a duplex and triplex were located and was done in the 1970s; and
- 135 • An after-the-fact permit for the duplex was pulled and is now on the books.

136

137 Commissioner Raphael asked if a Certificate of Occupancy would be required of the duplex.  
138 Sharon Kelley replied yes.

139

140 **Commissioner Furland MOVED and Commissioner Daly SECONDED a MOTION to**  
141 **Open the Public Hearing. The MOTION passed 6-0.**

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143 There were no public comment.

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145 **Commissioner Raphael MOVED and Vice-Chair Knox SECONDED a MOTION to Close**  
146 **the Public Hearing. The MOTION passed 6-0.**

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148 **Commissioner Furland MOVED and Chairman Brusco SECONDED a MOTION to**  
149 **approve the 226-236 River Road application, as warned and subject to the Findings and**  
150 **Conditions of a Staff Report dated June 14, 2021, as written. The MOTION passed 6-0.**

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152 **AGENDA ITEM 5: MINUTES 6/10/21:**

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154 **Commissioner Mangan MOVED and Commissioner Knox SECONDED a MOTION to**  
155 **approve the 6/19/21 minutes to include the minor grammatical changes that Kelley**  
156 **highlighted. The MOTION passed 6-0.**

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158 **AGENDA ITEMS 6: OTHER BUSINESS:**

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160 • Update-Staff Work on Zoning Regulations: Owiso Makuku reported that due to other  
161 priorities with staff's time, they have not been able to work on the proposed regulations.  
162 She noted that staff is each taking a week in July to accommodate vacations and will  
163 resume with regulation review once staff is back in the office.

164 Commissioner Daly requested that electric car stations, or at the very least connection  
165 when utilities are being installed, be included with future amendments.

166 • Turner Toys – Essex Way – Request to fill windows with film paper showing kids/toys,  
167 etc. Kelley described the request. She noted that because this is in the Business Design  
168 Control, she considers this more of PC review and asked their opinion on whether or not  
169 they agreed, which they did. She will instruct the tenant to submit an application if they  
170 choose to continue with the request.

171 • Cell Tower 52 Brigham Hill Road – PUC De Minimis Application: Kelley reported that  
172 the application was available for the PC to review should they so desire. She noted that  
173 the amendments consisted of replacing 3 panels, a new remote radio head units and a  
174 platform for a cabinet.

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176 The Planning Commission meeting adjourned at 8:04 p.m.

177

PLANNING COMMISSION

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179

By: \_\_\_\_\_

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Dustin R. Brusco, Chair

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