

1 TOWN OF ESSEX
2 PLANNING COMMISSION MINUTES
3 February 11, 2021
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5 PLANNING COMMISSION (PC) PRESENT: Dustin Brusco, Chair; Joshua Knox, Vice-Chair;
6 David Raphael; Tom Furland; Ned Daly; Jonathan Schumacher; and Alternate John Alden.
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8 VISITING VILLAGE COMMISSIONERS: None.
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10 OTHERS PRESENT: Owiso Makuku, Community Development Director; Sharon Kelley,
11 Zoning Administrator; Darren Schibler, Planner; Deana Stoneback, Administrative Assistant;
12 Deb Ehler Holland; Annie Cooper; and Nick Martin.
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14 Chairman Brusco read the Covid-19 Public Hearing oath into the record. He noted that Channel
15 17 would not be present for this meeting.
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17 **AGENDA ITEM 1: PUBLIC COMMENTS:** None.
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19 **AGENDA ITEM 2: DISCUSSION: DRAFT ZONING REGULATIONS WORK PLAN**
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21 Owiso Makuku referred to the meeting packet documents noting that ‘Simple Zoning Fixes’
22 were considered the “low hanging fruit” in that much of the material was required due to changes
23 in state statute, or clean-up fixes since the last round of amendments. The second document
24 entitled, ‘Categories for Zoning Updates Discussion’. She reported that the document was
25 broken out by category, however in no specific order. The PC is welcomed to prioritize as they
26 see fit. This document is a much more extensive list that will need more attention and extensive
27 explanations and discussions. Owiso reported that staff was only able to get through the first 9
28 bullets, which took more than 5 hours. She asked the PC if they would like to form
29 subcommittees as we move forward with the list or wait until staff has had a chance to get
30 through the document. The PC agreed to give staff the time needed to go through the document
31 for further presentations and they are in favor of forming subcommittees once staff has
32 completed the list. Owiso requested that the Commissioners reach out to staff with any
33 suggestions or changes they would like to see that is not on the list.
34

35 Chairman Brusco asked the Commission for their thoughts.
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37 Commissioner Daly said he would like to see a broader look at the regulations as he sees zoning
38 differently. He noted certain goals that the regulations need to address, such as affordable
39 housing, environmentally sustainable architecture, economic development, and not simply fixing
40 the existing regulations. He stressed that energy savings and affordable housing are key.
41

42 Owiso Makuku suggested it was time to look at the use table and ask yourselves, “Why would or
43 wouldn’t you allow uses in certain districts.”
44

45 Darren Schibler stated that the question to ask is “What is working with the regulations and what
46 is not?” He noted that this will form the discussion on all other topics.
47
48

49 Commissioner Raphael suggested the Commission look at all the waivers granted in the past,
50 using buffers as an example. He thought maybe it was time to change those regulations to allow
51 what the PC has frequently allowed under waivers.

52

53 Commissioner Raphael stated that he was on a previous subcommittee for the Phasing
54 requirements in the regulations. He suggested it may be time to “kick it to the curb” as the Town
55 has not met its target for several years. After a brief discussion, this topic will go on the list for a
56 full discussion.

57

58 Vice-Chair Knox felt strongly that it was time to look at Fort Ethan Allen and the uses allowed in
59 this area. He noted that Citizen Cider, who was a tenant in the Fort, is now located in Burlington
60 due to our regulations. He stated the Fort is a very interesting area and he would like to see it
61 more developed with other uses.

62

63 Commissioner Furland suggested the possibility of requiring an exterior 220 Outlet for electric
64 vehicles.

65

66 Commissioner Schumacher likes the idea of more distilleries, even in the RPD-I zone. Regarding
67 amendments, such as wildlife corridors, he suggested to look at Essex and surrounding
68 municipalities and to look at a high impact level review in a bigger context.

69

70 Alternate Commissioner Alden stated that the Village is also going through its re-writes and he
71 will be happy to share its list. He noted that a “big vote” was in one month, but he is still pleased
72 to be working simultaneously with the Town.

73

74 Owiso Makuku reported that she attended the last Village PC meeting. They were very
75 supportive of Annie Cooper (Economic Development Chair) and Katie Ballard (Housing
76 Commission Chair). She noted the discussion on regulations was similar and that there is a lot of
77 overlap.

78

79 Chairman Brusco stated that once we get through the list and concurrency on the process, that
80 would be the time to invite the Village into the process.

81

82 Commissioner Furland suggested that the PC agree to the low hanging fruit list and allow staff to
83 move on its review of the more substantial list. The PC agreed.

84

85 Schibler stated that eventually staff is looking for prioritizing the list as the list is extensive.

86 Chairman Brusco noted that even with the merger vote, the PC will need to set a target and have
87 an end point, otherwise the review will never move forward.

88

89 Chairman Brusco stated that subgroups would not be formed until the PC gets more of a road
90 map. Owiso suggested that based on time and expense with the ETC|NEXT Plan, 2-person
91 advisory committees worked well.

92

93 Chairman Brusco opened the discussion to the public.

94

95 Annie Cooper, Economic Development Chair, came to listen to the PC. She also went to the
96 Village PC meeting. She was grateful for all the work the PC handles. She likes forward motion
97 and discussions need to be frank regarding merger. She thanked the PC for its hard work.
98

99 Nick Martin, ZBA Chair, thanked everybody for the discussions and stated he would like a
100 chance to join a subcommittee. He stated he attended to learn about the work the PC does and its
101 vision. He asked to review the lists provided. Sharon Kelley stated that the forms should be
102 online, however she will make sure he receives the documents.
103

104 Deb Ehler Holland stated that she is at the meeting to listen and learn about why or why not uses
105 are in some districts. She stated that she plans to follow this process for the long run.
106

107 A brief discussion took place regarding the February 25th PC hearing as the Selectboard will be
108 in attendance to discuss the ETC|NEXT Plan.
109

110 **AGENDA ITEM 3: MINUTES 1/28/21:**

111

112 **Commissioner Furland MOVED and Commissioner Schumacher SECONDED a**
113 **MOTION to approve the 1/28/21 minutes as written. The MOTION passed 7-0.**
114

115 **AGENDA ITEMS 4: OTHER BUSINESS:**

116

117 Sharon Kelley reported that she sent along the narrative from Johnathan Lang regarding a
118 proposed AirBnB located at 51 Upper Main Street. The regulations require that the PC be
119 notified. She asked the PC if they had any additional comments to bring to the Planning
120 Commission. They did not however, Commissioner Raphael stated he had no issue with the
121 proposed application. However, he wanted to make sure the regulation amendment list notes
122 that AirBnBs need to be looked at in the larger context. He stated other areas of the country
123 are struggling with this use and a lot of associations and/or developments have put in 30-day
124 minimums occupancy requirements to disallow the AirBnB piece as you need to consider the
125 increased traffic and turnover. Some instances these units become party houses, although not
126 in Essex. He stated it becomes “the law of unintended consequences.”
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128 The meeting adjourned at 7:40 p.m.
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PLANNING COMMISSION

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By: _____

131

Dustin R. Brusso, Chair

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