

1 TOWN OF ESSEX
2 PLANNING COMMISSION
3 DRAFT MINUTES
4 JULY 22, 2021
5

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

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

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11 OTHERS PRESENT: Sharon Kelley, Zoning Administrator; Darren Schibler, Planner; Paul
12 O’Leary; and Brian Marcotte.

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14 Chairman Brusco called the meeting to order at 6:32 p.m.; called out the Commissioners who
15 were in attendance virtually and the Commissioners absent from the meeting; and provided the
16 oath to the public.

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18 **AGENDA ITEM 1: DISCUSSION & ELECTION OF OFFICERS:** Chairman Brusco
19 instructed staff to table this item to the next meeting wherein the full Commission in present.

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21 **AGENDA ITEM 1: PUBLIC COMMENTS:** Sharon Kelley noted that she added the
22 following language to Lines 118-119 on the draft consent letter: “Public Works: Reported to the
23 Zoning Administrator that they have no issues however will review and condition the curb cut
24 application.”

25
26 Paul O’Leary was present with Brian Marcotte to discuss the Pinewood I preliminary application
27 they submitted to staff. He voiced his frustration over being told that the application will not
28 come before the PC due to the slopes. He stated that he has been before this PC for about 30
29 years, noting that the Town Plan, the Zoning & Subdivision Regulations have not changed much.
30 O’Leary noted that all of Pinewood lands have steep slopes, some developments more than
31 others. O’Leary stated that he was involved with the development of G & H, noting that reviews
32 and approvals were granted for sections A - F. O’Leary continued to state that, along the way,
33 the PC has been consistent and reviewed and approved without prejudice. O’Leary noted that
34 Section I, under review, has the least slopes compared to the previous projects. He reminded the
35 PC that they came before them for sketch, with about 20-30 residents in attendance and had good
36 discussions on how to proceed with the next level of review. As a result of the approved Sketch
37 Plan, a preliminary application was submitted consisting of mixed housing, carriage houses,
38 single-family houses, open spaces. O’Leary noted that they tried to stay away as much as they
39 could from the slopes. O’Leary stated that the planner refuses to go forward to the PC with this
40 application until no development is shown with steep slopes. O’Leary concluded by stating that
41 they are at this meeting to ask the PC to direct staff to bring the application before them. Staff is
42 entitled to its opinion however it was up to the PC to make the decision. O’Leary stated he did
43 not care how the application came before the PC and was agreeable to a sketch review.

44
45 Darren Schibler, Planner, stated that the preliminary application is incomplete and once the
46 missing items were submitted, he would go forward with the application and schedule a meeting.
47 He reported that his recommendation would be for denial due to the slopes not meeting the
48 Zoning Regulations. Schibler noted that when previous sections of Pinewood were approved for
49 development, there was not regulations on slopes as there are today.

50 Chairman Brusco noted that he has been on the PC for a number of sections that were dealt with
51 steep slopes and they were able to mitigate the slope issues. He asked if the new section was
52 consistent with other cycles that have been reviewed and approved. He asked what is keeping
53 the application from the PC table.

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55 Schibler replied that a water capacity analysis, along with a couple other minor items have yet to
56 be submitted, therefore the application remains incomplete.

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58 O’Leary stated they came back a few times with changes and was told until all development met
59 the 20% slope regulations, the application would remain incomplete. O’Leary repeated that he
60 was present to request the PC to instruct staff to schedule a formal meeting with the PC. He did
61 not care how the application was warned, sketch, conceptual, discussion only, and was only
62 asking to get before the PC to make the final decision. He noted staff makes recommendations,
63 but the PC makes the decisions.

64

65 The PC discussed the best way to bring the topic of slopes forward to the table. O’Leary stated
66 that he was “fine with a new sketch review.”

67

68 Brian Marcotte stated that they met with department heads in November, 2020 and discussed the
69 sketch design, which went through a large slope and wetland. Since that review they have
70 drastically pulled back as much development as they can. He stated that they have made a lot of
71 concessions.

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73 **AGENDA ITEM 2: CONSENT AGENDA:**

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75 **SIMPLE PARCEL SUBDIVISION: Thomas & Karen Whitcomb:** Proposal to split a
76 7.18-acre parcel into 2 lots, 3.07-acres & 4.11 acres located at 125 Weed Road in the
77 Agricultural Residential (AR) Zone & the Scenic Resource Overlay District (SRPO). Tax
78 Map 8, Parcel 4-7.

79

80 **Vice-Chair Knox MOVED and Commissioner Daly SECONDED a MOTION to approve**
81 **the Consent Agenda, with the changes as noted in Agenda Item I above. The MOTION**
82 **passed 5-0.**

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84 **AGENDA ITEM 5: MINUTES 7/8/21:**

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86 **Commissioner Mangan MOVED and Commissioner Furland SECONDED a MOTION**
87 **to approve the 7/8/21 minutes with the following change:** Line 5: Change to read: “This
88 was an in-person and virtual meeting on Teams. **The MOTION passed 7-0.**

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91 **AGENDA ITEMS 6: OTHER BUSINESS:**

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94 Sharon Kelley informed the PC of Zoning Board of Adjustment (ZBA) application for an
95 AirBnB located at 37 Pinecrest Drive. They had no comments for the ZBA application.

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97 The Planning Commission meeting adjourned at 6:54 p.m.

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PLANNING COMMISSION

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By: _____

102

Dustin R. Brusio, Chair

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