

Draft Minutes

Meeting of the Middlesex Planning Commission

Wednesday, April 20, 2022

6:00 PM

Middlesex Town Clerk's Office

5 Church Street

Middlesex, VT 05602

This meeting was conducted remotely using the town's Zoom account.

Planning Commission Members

Nicole D'Agostino

Theo Kennedy

Jon Leibowitz

Sandy Levine

Mitch Osiecki

Guests:

Clare Rock, CVRPC

Kevin Thompson, ZA

Dayton Crites, DuBois & King

Russ Bennett, principal (Planetary Matters/Camp Meade & Galaxy of Yes/Colby Property)

Call to Order

Chair Sandy Levine called the meeting to order at 6:03 pm.

Roll Call: All PC members were present. Jon joined at 6:20. Mitch attended from Town Offices; all others attended via Zoom.

Sandy made introductions and welcomed guests to the meeting.

Old Business:

Walkable Village Scoping Study Update

Dayton Crites led discussion of scoping study. Draft of final report is complete.

Next step: presentation to Select Board.

Is formal approval of the report required? – The short answer is no. It could be beneficial to have an indication of support or approval from the Select Board. And from the PC, for that matter.

Is the PC expected to make a presentation of the final report to the community? – No, the presentation to the Select Board serves that purpose.

Select Board meets in June on 6/7 & 6/21. Dayton prefers the 21st, but has a conflict on that date. Will plan to present to the Select Board on 7/5 instead.

Clarification: The PC will ask the Select Board to formally adopt the final report at their meeting on 7/5. Theo suggests that the PC should formally do so as well. Sandy will add adoption of the final report to the agenda for our regular June meeting on 6/15.

Dayton left the meeting at 6:15.

Zoning Regulation Updates

Final draft of zoning regulation updates is also nearing completion.

Russ Bennet apologized for weighing in somewhat late in the process, but has a few concerns that he hopes can still be addressed. He has shared a few comments in the three page document titled “Town of Middlesex Draft land Use Regulations as of May 12, 2022 – Comments from Galaxy of Yes LLC.” Copy of document is on our google drive with meeting materials. Concerns include some accessory uses that could be allowed in the Mixed Use District; flexibility in the maximum 35 foot height restriction; also, illumination of structures.

Russ talked briefly about some broad conceptual plans for development of the Colby Property (that ownership group is Galaxy of Yes, LLC and is a distinct entity from the Planetary Matters/Camp Meade partnership). Russ envisions some modest commercial services in the proximity of assorted clustered residential development.

In addition to residential development, other development anticipated for the Colby property includes:

1. Daycare facility (with a capacity of perhaps 150 kids);
2. Offices;
3. Music/Arts education;
4. Agricultural/farm-to-table facilities;
5. Boutique-style (smaller) hotel.

Will have to work out the specific language, but the consensus of the PC is support of the type of development projects envisioned for this property.

The PC has previously discussed the degree to which we might have comfort with modest retail in the Mixed Use District, and perhaps the adjacent Industrial District as well. In general, the PC could support some modest retail development in the vicinity of the interstate exit. What we want to avoid is opening the door to travel plaza-type retail that might lead to sprawl at the exit and move traditional retail away from the Village and to the area near the Interstate interchange.

Sandy suggested tabling specific language for now, so that we can focus on getting a final draft ready for next month's meeting.

Brief further discussion of issues related to allowing modest retail in both the Mixed Use and Industrial Districts.

Motion: Jon moved to table specific language proposed by the Galaxy of Yes LLC comments referenced above, and language related to retail uses that might be permissible in the Mixed Use and Industrial Districts. Mitch seconded. **Vote to approve: 5-0-0.**

Mitch commented that we should address a couple of items related to signs. Signs are currently permitted only within the context of site plan review or conditional use review. There are a number of people operating as a home occupation or home industry who don't appear to be getting sign permits. Not opposed to these business ventures, but concerned that signs are not receiving formal approval.

In addition, the language of our regulation allows "one sign per business." Establishments like Camp Meade, with multiple retail outlets, have more than one sign for some businesses. Some flexibility in number of signs might be better (perhaps total square footage of signs, rather than number of signs).

Sandy proposes to work with Clare to produce a final draft of the regulations, to be available by Monday, 5/23. Will notice a special meeting (via Zoom) for Thursday, 5/26 at 6:00, in the event any PC members wish to discuss any final edits. Can cancel this meeting if no one has concerns about final draft.

Clare: Also have to add language related to Helipads raised last month. We are allowed to prohibit Helipads in all districts, if we wish (can include an exemption for emergency services/public safety).

Motion: Nicole moved to advance a final draft, with Helipad language. Jon seconded. **Vote to approve: 5-0-0.**

Sandy proposes that we send a postcard reminder to all residents alerting them to the public hearing on final draft zoning regulations on June 15. Agreement that postcard is a great idea.

Scheduling alert:

- Clare: will be away 6/15 until 7/5.
- Nicole: baby due in about a month. Will miss June meeting.

Other Business

DRB

Sandy shared an update from Tuesday's SB meeting. The SB is supportive of the transition to a DRB model. A decision will likely be made at the 6/7 Select Board meeting; DRB would take effect on July 1.

The Select Board will appoint five members and two alternates. PC asked to provide a list of names. We had suggested the DRB might be made up of current ZBA members, PC members, perhaps a SB member. SB concerned about a conflict of interest; will likely not appoint a SB member to the DRB.

Sandy and Mitch volunteered to serve as members or alternates on the DRB. Sandy has previously communicated proposed changes to ZBA. Will follow up to see if any current members are interested in serving as DRB members or alternates.

Mitch expressed appreciation for the service of the ZBA members; wished to underscore that the proposed change is entirely out of concern for improved efficiency and does not in any way suggest any dissatisfaction with the performance of the ZBA.

Kevin noted that the ZBA has a meeting scheduled for Wed, 5/25. Sandy will plan to attend to discuss upcoming changes.

Correspondence

Camp Meade is planning to begin work on trails to scenic overlooks next month.

ARPA funds can be used to pay town's share of the Scoping Study cost.

Inquiry from a resident about Air BNB use. Referred to ZA.

Manosh property has been sold to one of the proposed buyers from when subdivision was denied. Manosh has retained the smaller, 5-acre lot that was approved as part of the original subdivision proposal. The lot has been made a Life Estate for the original owners.

Theo provided an update on the Enhance Energy Plan. Next step is formal approval by the CVRPC.

PC and SB have previously offered support for a medium-sized polar project at KCOS property. Still awaiting hearing before the PUC. Abutting property owner, Jim Gallagher, is opposed.

Galaxy of Yes LLC provided an update to the SB this past Tuesday. Significant amount of water appears to be available on this property – well beyond needs of any development anticipated. Owners are interested in working with town to explore options for making use of this resource. Water district? Could provide water supply to the Village, if there's interest.

Francis Foundation owns two properties at end of Church Street. They are for sale.

Minutes

Theo moved to approve as minutes of regular PC meeting on April 20. Jon seconded. **Vote to approve: 5-0-0.**

Next Meetings

- Thu, May 26 – special meeting via Zoom, if needed (draft zoning regulations)
- Wed, June 15 – regular meeting (public hearing on zoning regulations)

Adjournment

Theo moved to adjourn; Nicole seconded. **Vote to approve: 5-0-0.**
Meeting adjourned at 7:43 pm.

Respectfully submitted,

Mitch Osiecki,
Planning Commission secretary