

# Draft Minutes

Meeting of the Middlesex Planning Commission  
Wednesday, January 19, 2023  
6:00 PM  
Middlesex Town Clerk's Office  
5 Church Street  
Middlesex, VT 05602

**This meeting was conducted in-person at the Town Clerk's Office and remotely using the town's Zoom account.**

## Planning Commission Members

Nicole D'Agostino  
Theo Kennedy - absent  
Sandy Levine  
Jon Leibowitz  
Mitch Osiecki

## Guests:

Kevin Thompson, Zoning Administrator  
Ann Gilbert, Central Vermont New Directions Coalition  
Clare Rock, Central Vermont Regional Planning Commission  
Elle O'Casey, resident

## Call to Order

Chair Sandy Levine called the meeting to order at 6:01 pm.

Roll Call: Sandy, Jon, Nicole, and Mitch were present; Theo was absent.

Mitch attended from the Town Clerk's Office; all others participated via Zoom.

Sandy made introductions and welcomed guests to the meeting.

Sandy noted that she had one adjustment to the agenda: brief conversation re: Town Meeting format. Will discuss toward end of the meeting.

## Old Business:

### *Local control of Cannabis*

Ann Gilbert lead a discussion regarding the town has to regulate cannabis.

If a municipality declines to establish a local Cannabis Control Commission (CCC), all regulatory authority reverts to the state's Cannabis Control Board. A local CCC gives towns the option to involve community members in regulating the process.

Local ordinances and zoning regulations can't specifically regulate cannabis. Municipalities can draft regulations that address retail in general.

Sandy offered her opinion that this is a matter for the Select Board to address. The Planning Commission can play a supporting role to the Select Board, but they should take the lead.

Mitch noted that from what he's heard and read, a local CCC has very little, if any discretion with regards to cannabis business. Other municipalities have noted that their local CCC is effectively a rubber stamp. Without any discretionary latitude, he feels it's hard to imagine who would want to take on this role.

Ann responded that some towns are interested in adding more discretionary input, but this is a place where the town's zoning regulations can be put to use.

Kevin noted that all retail in Middlesex is a conditional use. The DRB can impose conditions to control such things as lighting, odor, noise, etc.

Kevin asked if a CCC would be another layer of review in addition to that of the DRB?

Response: it sounds as though that would be the case.

Clare added that the state will probably revisit the current regulatory environment. She feels it's easy to imagine that they might tweak state regulations to add some additional latitude to the CCC.

Jon said he would support sending a letter to the Select Board advising them what we've learned about the subject, but not taking a position on the establishment of a CCC. Jon offered to draft this letter with some additional input from Ann Gilbert.

Brief discussion of possible tweaks to local zoning regulations, with respect to retail. It's not obvious that any changes are needed at this time.

#### *Next Steps – Wildlife Management/Natural Resources Planning/Conservation/Outdoor Recreation Planning*

Clare asked if the Planning Commission has any particular interests in mind.

Jon responded: Outdoor Recreation, but in a way that respects biodiversity and balances recreation and wildlife protection.

Potential: an ecological survey of Middlesex to help us understand what natural resources we currently have.

Sandy said she also likes the idea of an ecological survey.

This study could be very useful when we next update our Town Plan and Zoning Regulations. In the recent zoning updates, we did not address wildlife habitat in the Conservation District.

Surveys and mapping of existing recreation trails could be a springboard for a municipal planning grant. Outreach to landowners could also be helpful.

Jon added that he wonders whether our current zoning map, specifically the Conservation District, aligns well with actual active forest blocks. This could provide the opportunity to fine-tune our rural zoning districts in the future.

It might be a good idea to involve other interested parties (landowners, Conservation Commission, Trails Committee). There are likely others interested in the work we are talking about.

#### *Budget & Town Report Summary*

Sandy has put together a rough budget.

**Motion:** Jon moved to approve budget proposal; Nicole seconded.

**Vote to approve: 4-0.**

Sandy also put together a brief report of the work of the Planning Commission for inclusion in the Town Report.

#### **Other Business**

Sandy asked for thoughts on our current meeting format.

Consensus that there are both pros & cons to our current set up (meetings are largely remote). One thought is to plan to at least hold occasional meetings in-person (say quarterly). We will discuss this again at our organizational meeting (first meeting after Town Meeting) in March.

#### **Minutes**

**Motion:** Jon moved to approve draft minutes of PC meeting on November 16; Nicole seconded.

**Vote to approve: 3-0-1.** (Sandy abstained).

**Next Meeting**

- Feb 15 – Regular monthly meeting.

**Adjournment**

Meeting adjourned at 7:12 pm.

Respectfully submitted,

Mitch Osiecki,  
Planning Commission secretary