

**Archived Documents for
Essex Planning Board Public Meeting
April 3, 2024**

PDF includes posted agenda, meeting minutes, and supporting documents for the Public Meeting.

The minutes for this Public Meeting were approved May 1, 2024.

A hard copy is available for viewing in the Planning Board office.

TOWN OF ESSEX PLANNING BOARD AGENDA — WEDNESDAY, APRIL 3, 2024

The Public Meeting of the Planning Board will be held at the
Essex Town Hall, 2ND Floor Meeting Room, 30 Martin Street at 7:00 pm

Remote access will be available through the following Zoom link:

<https://us06web.zoom.us/j/84928884797>

Meeting ID: 849 2888 4797

One tap mobile

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+13092053325,,84928884797# US

Please note that while an option for remote attendance is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or its quality, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person versus virtual attendance accordingly.

BUILDING INSPECTOR'S REPORT: 64 Spring Street – siting of garage with studio above

BOARD REVIEW: 55 Main Street – Food Establishment Plan review

BOARD DISCUSSION:

- Wrap up of MAPC work – Zoom meeting with MAPC on April 10th – Board members invited to provide comment for MAPC
- Review of final warrant articles for May 6th Annual Town Meeting
 - Review of draft handout for ATM with article explanations
 - Overview of PWSF Special Permit revisions (Shelly Bradbury)
 - Selection of Board members to read the motions at Town Meeting
- Continued Bylaw update work
 - Public outreach ideas – surveys, forums, small groups, etc.
 - Review of town maps to finalize for our use
 - Other topics/items to address in Bylaw
- Discussion about Hazard Mitigation Plan and providing comments

BOARD MEMBERS' COMMITTEE UPDATES:

- Community Preservation Committee – Peter Levasseur
- Strategic Planning Committee Update – Peter Levasseur
- Affordable Housing Trust - Shelly Bradbury

BOARD REVIEW OF MEETING MINUTES:

- Minutes of March 20, 2024
- Review of additional prior meeting minutes

MEETING TO ADJOURN

The Agenda Items listed are those items which were reasonably anticipated by the Chair to be discussed at the meeting. Not all items may be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

The next meeting of the Town of Essex Planning Board will be a Public Hearing regarding articles for Annual Town Meeting and will be held at 7pm on April 17, 2024 at the Essex Town Hall 3rd Floor Auditorium, 30 Martin Street, Essex, MA 01929.

Town of Essex Planning Board Meeting Minutes – April 3, 2024

The regular Public Meeting was held in the Town Hall 2nd floor meeting room. The meeting was called to order by Chairman Lisa O'Donnell at 7:00 PM. Public access for listening and/or observing was available through Zoom.

ATTENDANCE:

In-person Board members: Chairman Lisa O'Donnell, Vice-Chairman Simone Early, Shelly Bradbury, Matt Greco, Jud Lane, Peter Levasseur, Jay Tetzloff

Administrative Assistant: Theresa Whitman

In-person Town officials and Board guests: Bill Sanborn, Building Inspector; Ruth Pereen, Selectman Chair

Remote Town officials and Board guests: Valerie Massard, Town Planner; Jodi Harris, Finance Committee

BUILDING INSPECTOR'S REPORT: 64 Spring Street – Siting of garage with studio above. Building Inspector Bill Sanborn explained that the building permit for this project had previously been approved but had expired, and now the owner is ready to move forward with the project. It was confirmed that there were no changes to the plans and that other re-approvals had been obtained. Shelly Bradbury moved to approve the siting of the garage with studio above as presented, the motion was seconded by Simone Early, and the vote to approve was unanimous by all members present at the time (Shelly Bradbury, Simone Early, Matt Greco, Jud Lane, Lisa O'Donnell).

BOARD REVIEW: 55 Main Street – Food Establishment Plan review. Lisa explained that this was included on the agenda only because the online permitting system currently requires action all notified Boards to move forward in its process despite the Food Establishment Plan not requiring Planning Board approval. Bill noted that this should not be the case, and that he will address the matter with Board of Health to avoid this in future. In the meantime, it was noted without objection that Theresa Whitman would take the required action within the system to move the process forward for this Food Establishment Plan.

BOARD DISCUSSION:

- **Wrap up of MAPC work** – Lisa reported that funds for the MAPC contract have been used and therefore the contract is done. She shared that she and Simone will participate in a wrap-up meeting with MAPC representatives on April 10, and that this meeting will also be attended by Board of Selectmen Chairman Ruth Pereen and Town Administrator Brendhan Zubricki. Lisa invited Board members to send comments and questions to her and Simone by email in advance of the meeting. Simone asked if MAPC had provided a final summary report, and Lisa replied that no, they had not, and that she would request it.
- **Review of final warrant articles for the May 6, 2024 Annual Town Meeting** – Lisa explained that now that the warrant is closed, next steps for the Board's seven Annual Town Meeting articles would be to review them and answer Board questions at this meeting, then hold the public hearing, then take the official Planning Board vote on each article at the April 17 meeting after the Public Hearing is closed. Shelly asked if in future the Public Hearing could be held before the warrant is closed, and Lisa replied that yes, that would be ideal and is the plan for future articles. She shared that the handout of explanations was not yet complete and that she would share it with the Board when it is done. The Board then reviewed each article in sequence, skipping Article 18 and returning to it after the others. Discussion went as follows:

- Article 14 – Building Inspector Bill Sanborn noted that the 0 ft setback was only listed originally because of existing properties that go up to the property edge, and added that setbacks are grandfathered only for the use designated at the time of the change. No questions.
- Article 15 – no questions
- Article 16 – no questions
- Article 17 – Lisa noted that this article combined two of the originally proposed articles, and that the change was made at the suggestion of Gregg Corbo, Town Counsel. She also pointed out the warrant notes Gregg added for clarity. No questions.
- Article 19 – Lisa pointed out changes made based on input from Town Counsel. No questions.
- Article 20 – no questions
- Article 18 – Lisa invited Shelly to offer insight regarding this article. Shelly began by noting the importance of the Purpose and Intent section for this and other Special Permit categories, and thanking Lisa for her work in formatting the section to be consistent with broader work underway while preserving its substance. Shelly pointed out that the content is intended to be balanced, reminding the Board that its authority to regulate Personal Wireless Service Facilities (PWSFs) is limited to placement, construction, and modification. She noted that the section includes exemptions where appropriate and that opportunities for relief from regulations set forth are available through the Zoning Board of Appeals. Jay Tetzloff asked if the section included consideration of electromagnetic frequencies, and Shelly replied that yes, this is addressed through the requirement for compliance with Federal and State regulations found in 6-4.3.2.5.4.B.1 and the requirement to report annual certification of compliance found in 6-4.3.2.5.B.4. Shelly pointed out a typo found in 6-4.3.2.5.3.A.1.b – the reference to subsection 6-4.3.2.5.3.A.1.b actually reads as 6-5.3.2.5.3.A.1.b (emphasis added). Lisa noted that this could be modified on the floor during ATM

The Board then agreed that it would be appropriate for Lisa, as Chairman, to introduce the articles during ATM.

- **Continued Bylaw update work** – In light of the need to engage the community for the next steps in Bylaw update work, Lisa invited Town Planner Valerie Massard to share input about public. Valerie reported that she has a number of ideas that could be worked on through the summer (e.g., ambassadors, engaging the business community, surveys, online mapping exercises) and that she had recently taken a training on running successful public forums. Lisa suggested that the first meeting in May include an agenda item to discuss planning public outreach. Shelly noted that it would be helpful to plan now what needs to take place before the Special Town Meeting in the fall in order to avoid the time crunch the Board experienced this spring. All agreed that this would be ideal.

The Board then reviewed the maps of the Town provided by CAI and gave feedback on edits and additional features that would make them most useful in the Bylaw update work ahead. Lisa noted the requests and will be in touch with the mapping company about them. She then reported that she will revise the Bylaw update project tracking sheet for the May 1, 2024 meeting.

- **Town of Essex Hazard Mitigation Plan** – Lisa encouraged Board members to review the draft Hazard Mitigation Plan and to submit comments to the address provided by email. Comments will be accepted through April 19, 2024. Shelly encouraged Board members to listen to the discussion between the

MAPC representative working on the Hazard Mitigation Plan and the Board of Selectmen at their recent meeting.

BOARD MEMBERS' COMMITTEE UPDATES:

- **Community Preservation Committee (CPC)** – Peter Levasseur – Peter reported that the CPC met prior to the Planning Board meeting, and while they did approve funds for trim work on the tomb, they did not approve the request made by the Affordable Housing Trust. Jay Tetzloff, who also serves as the Chairman of the CPC, expressed concern with the lack of official structure and documents standard for a CPC (e.g., a formalized and filed Community Preservation Plan and a grant agreement). Now that the Town's CPC has a good amount of money in it and some borrowing power, Jay expressed interest in putting more formalized processes and documentation in place before approving large requests. He recently met with Stuart Saginor, Executive Director of the Community Preservation Coalition, to discuss, and Stuart offered a number of suggestions, including taking a pause on large requests and focusing on getting these structures in place, using funds to hire assistance if needed. Jay reported that he plans to pursue these options, noting that the volunteer Committee will need help to get this set up correctly.
- **Strategic Planning Committee Update** – no report
- **Affordable Housing Trust - Shelly Bradbury** – no report. Valerie asked if Shelly, as Affordable Housing Trust representative, would ask the Trust to consider writing a letter of support to go with the grant application for the Affordable Housing Plan. Valerie also asked if the Planning Board would do the same. All agreed, and Valerie said she would provide language to assist.

BOARD REVIEW OF MEETING MINUTES: Minutes of the March 20, 2024 Public Meeting were provided for review in advance and at the meeting. A motion to approve the minutes was made by Shelly Bradbury, seconded by Jud Lane, and approved by unanimous vote.

ADJOURN:

A motion to adjourn was made by Jay Tetzloff, seconded by Peter Levasseur, and approved unanimously. The meeting adjourned at 8:54pm.

Reference Documents: 64 Spring Street Site Plan page 3; 64 Spring Street Garage Drawings page 2

