

**Archived Documents for  
Essex Planning Board Public Meeting  
March 20, 2024**

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

The minutes for this Public Forum and Public Meeting were approved April 3, 2024.

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

## TOWN OF ESSEX PLANNING BOARD AGENDA — WEDNESDAY, MARCH 20, 2024

The Public Meeting of the Planning Board will be held at the  
Essex Town Hall, 2<sup>ND</sup> 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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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:** no items

**BOARD REVIEW:** no items

### **BOARD DISCUSSION:**

- Bylaw Update Articles for Annual Town Meeting, May 6, 2024
- Public Engagement
  - Q and A at the Senior Center
  - Discuss additional ideas for public engagement

### **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 7, 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 regular meeting of the Town of Essex Planning Board will be held at 7pm on April 3, 2024 at the Essex Town Hall 2<sup>nd</sup> Floor Meeting Room, 30 Martin Street, Essex, MA 01929.*

## Town of Essex Planning Board Meeting Minutes – March 20, 2024

The regular Public Meeting was held in the Town Hall 2nd floor meeting room. The meeting was called to order by Chair, Lisa O'Donnell at 7:02 PM. Public access for listening and/or observing was available through Zoom.

### **ATTENDANCE:**

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

**Remote Board members:** Simone Early

**Administrative Assistant:** Theresa Whitman

**Remote Town officials and Board guests:** Valerie Massard, Town Planner

**In-person Town officials and Board guests:** Ruth Preen, Selectman Chair

### **BOARD DISCUSSION:**

- **Bylaw update articles for Annual Town Meeting, May 6, 2024** – Chair Lisa O'Donnell reviewed the updated plan for the bylaw update project, noting that the changes were based on input received from Valerie Massard, Town Planner, since the last meeting. Lisa shared a proposed listing of articles to be presented at the upcoming Annual Town Meeting (ATM), and the Board discussed whether to break the proposed new Special Permit uses into multiple articles or present them as one. Shelly Bradbury suggested keeping them as one article and amending on the floor of Town Meeting if needed, and the Board agreed.

Lisa shared an overview of two additions with the Board. Regarding the first, 6-1.3 Purpose and Intent, Valerie explained that judges considering appeals to Planning Board decisions frequently refer back to the Purpose and Intent of the bylaw, which make this an important starting point. Regarding the second, 6-6.2.1 Buffers, Valerie noted that this could offer protection to property owners in the General Use District (GUD) until residential districts are determined. Simone Early noted that this protection will extend also to property owners whose property remains in the GUD even after residential districts are in place.

Lisa then shared with the Board that while the Attorney General (AG) approved the 2023 Special Town Meeting articles 4, 5 and 6, the decision regarding Article 7, extension of the temporary moratorium on business and industrial conversions, has been extended with a deadline of May 9, 2024. She explained that even if it is approved for this round, it is unlikely to be approved again, which means that the work that article is designed to allow must be completed this year.

The Board then went through each of the proposed bylaw updates for feedback and initial support. Lisa explained that after receiving Board feedback, she would assign article numbers and send for review by K&P, whose input would also be incorporated. The Board would then receive the revised version for final review before it is submitted to the Board of Selectmen for inclusion in the ATM warrant. The review of proposed bylaw updates went as follows:

- 6-1.1: Short Title (amend existing section) – The Board reviewed the proposed amendment and expressed support for it.
  - 6-1.3: Purpose & Intent (amend existing section) – The Board reviewed the proposed amendments, asked clarifying questions, suggested edits, and expressed support for the refined proposal.
  - 6-4.1.1: Table of Principal Uses (amend existing section) – The Board reviewed the proposed amendment, asked clarifying questions, and decided to omit the proposed amendment.
  - 6-4.1.3: Limitations on Permitted Uses (new section) – The Board reviewed the proposed addition, asked clarifying questions, suggested edits, and expressed support for the refined proposal.
  - 6-4.3: Uses Requiring Special Permit (amend existing section name) – The Board reviewed the proposed amendment to the section name and expressed support for the proposal.
  - 6-4.3.1: General Provisions (new section) – The Board reviewed the proposed addition, asked clarifying questions, suggested edits, and expressed support for the refined proposal.
  - 6-4.3.2: Uses Requiring a Special Permit (amend existing section and renumber existing subsections) – The Board reviewed the proposed amendments and expressed support for the proposal.
  - 6-4.3.2: Uses Requiring a Special Permit (add subsections) – The Board reviewed the proposed additions, discussed the Special Permit Uses Survey results, asked clarifying questions, suggested edits, and expressed support for the refined proposal.
  - 6-4.3.2.14: Adult Entertainment Uses (new section) – Lisa offered context for the creation of this section, including other towns used for reference and unique characteristics of those towns’ similar bylaws. The Board reviewed the proposed addition, asked clarifying questions, suggested edits, discussed and decided upon the distances to be included in C. Location, and expressed support for the refined proposal.
  - 6-4.3.2.5: Radio, Telecommunications, Cellular and Television Facilities – Lisa suggested holding off on this amendment and instead bringing it forth at the Special Town Meeting (STM) held in the fall, noting a preference to present the article in a format consistent with that being established for other Special Permit use categories. Shelly expressed concern about holding off, noting that this has been in development for a long time, and expressed support for putting it forth now with the changes that had previously been discussed. It was decided to move forward with the article at the upcoming ATM.
  - 6-6.2.1: Buffers (new section) – The Board reviewed the section and asked clarifying questions. Jud Lane expressed that he could not support this article given its restrictive nature. Peter Levasseur agreed, noting that it was too much for the Board to consider this late in the process. The Board decided to omit the proposed addition.
  - 6-6.3.3.3.7: Dimensional and Density Regulations (amend existing Table 1 and Note #1) – The Board reviewed the proposed amendment, asked clarifying questions, and expressed support for the proposal.
- **Public Engagement** – Lisa shared that the Senior Center will host two question-and-answer sessions for residents regarding the bylaw updates being proposed at ATM. She invited Board members who have other ideas for public engagement to share them by email.

**BOARD MEMBERS' COMMITTEE UPDATES:**

- **Community Preservation Committee** – no report
- **Strategic Planning Committee Update** – no report
- **Affordable Housing Trust - Shelly Bradbury** – no report

**BOARD REVIEW OF MEETING MINUTES:** Minutes of the March 7, 2024 Public Meeting were provided for review in advance and at the meeting. Shelly noted a mistake in the Affordable Housing Trust report section and suggested alternate language. A motion to approve the minutes as amended was made by Shelly Bradbury, seconded by Jay Tetzloff, and approved by unanimous vote.

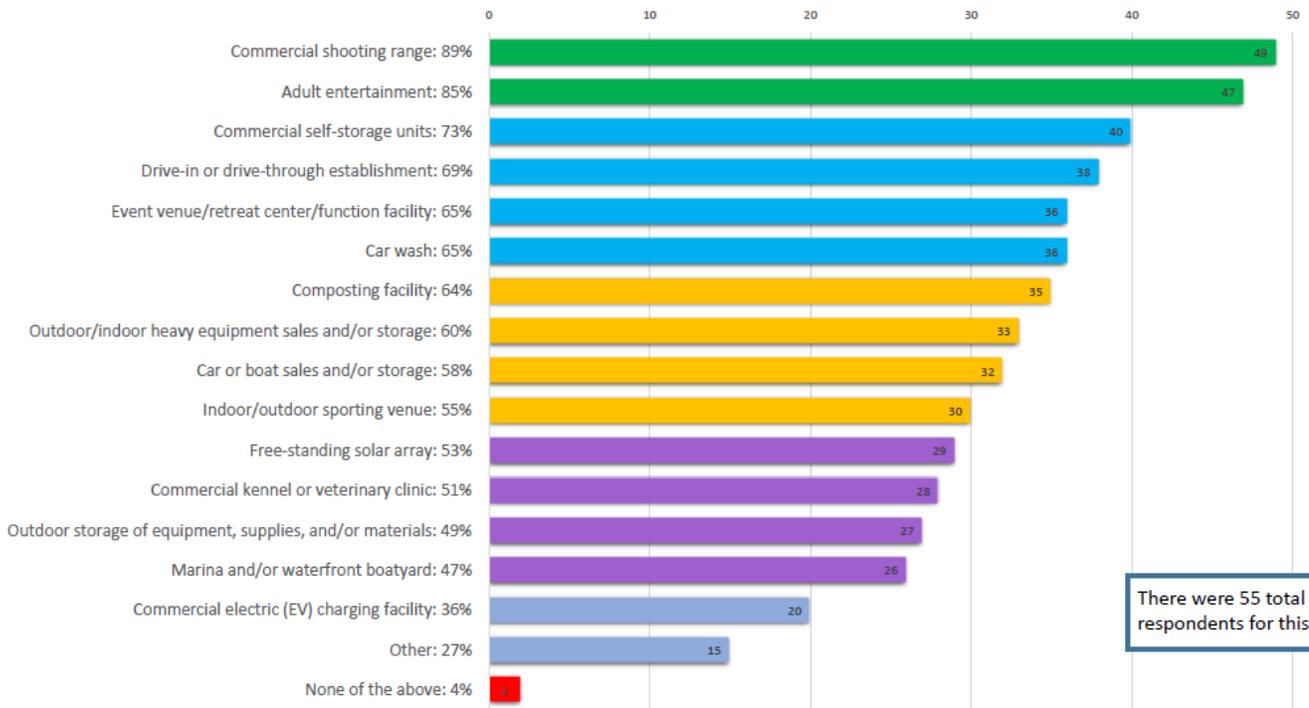
**ADJOURN:**

A motion to adjourn was made by Shelly Bradbury, seconded by Jay Tetzloff, and approved by all members present. The meeting adjourned at 9:41pm.

**Reference Documents:** Special Permit Uses Survey Results

## Which uses should require Special Permits?

Total of original survey list selections

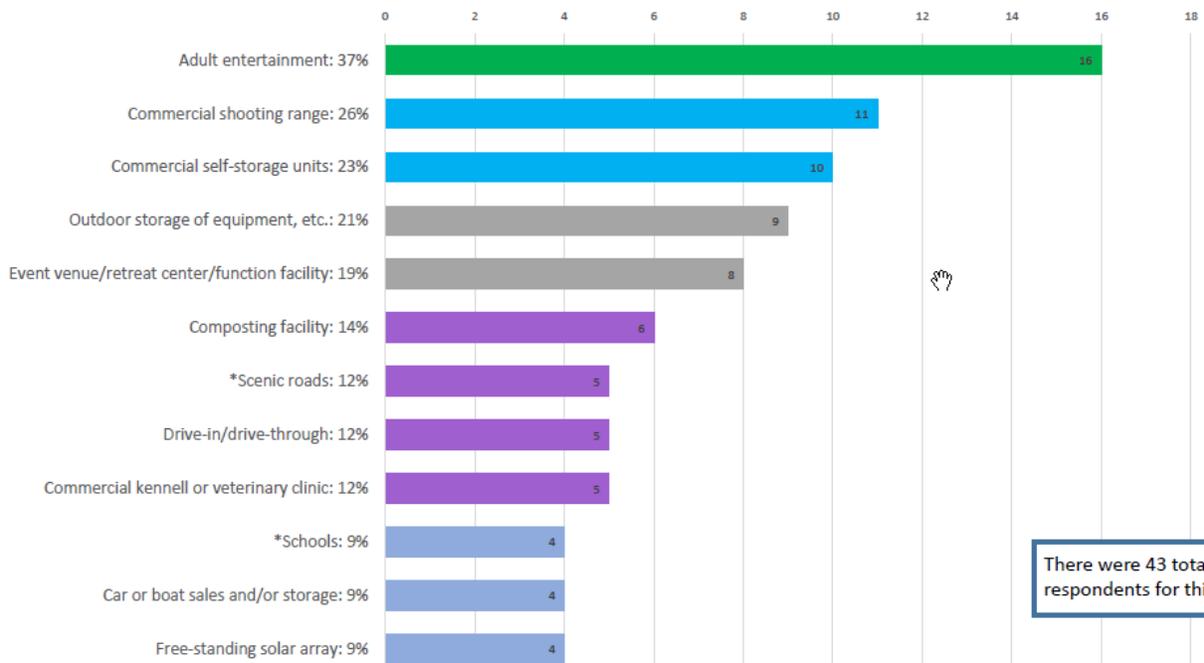


There were 55 total respondents for this question.

## Which Special Permit uses are most important to address?

Top twelve based on total number of mentions in priority lists

\*Asterisk denotes uses added by respondents



There were 43 total respondents for this question.

## Which uses are most important to address?

Uses listed first and second in the priority list, with total number of responses indicating level of priority

*Items in italics are uses added by respondents*

Uses listed as Priority 1	Total
Adult entertainment	8
Commercial shooting range	3
<i>Scenic roads (added by 8)</i>	3
Commercial self-storage units	2
Outdoor storage of equipment, etc	2
Event venue/retreat center/function facility	2
<i>Schools (added by 7)</i>	2
Car or boat sales and/or storage	2
<i>Mixed use</i>	2
Drive-in/drive-through	1
<i>&gt;5-10 parking places</i>	1
<i>Outdoor entertainment venue</i>	1
<i>Increase flow of traffic</i>	1
<i>Larger housing developments</i>	1
<i>Anything in a residential neighborhood</i>	1
<i>Allow for accessory units</i>	1
<i>Comm/ind use in res or agr area</i>	1
<i>Residential property seeking to become commercial</i>	1
<i>Commercial outside CBD (DZD)</i>	1
<i>Chemical storage/refining facility; chemical use/waste</i>	1
<i>Short term rental</i>	1

Uses listed as Priority 2	Total
Adult entertainment	7
Commercial shooting range	3
Commercial self-storage units	2
<i>Schools (added by 7)</i>	2
<i>Manufacturing</i>	1
<i>Scenic roads (added by 8)</i>	1
Car or boat sales and/or storage	1
Composting facility	1
Commercial kennel or veterinary clinic	1
<i>Noise louder than 60Db</i>	1
<i>Port-a-potty storage or display for sale</i>	1
<i>Any building in open spaces</i>	1
<i>Cannabis growth or sales</i>	1
<i>Low-income housing</i>	1
<i>Require on-street parking</i>	1
<i>Greater code enforcement</i>	1
<i>Any other than single family on a scenic way</i>	1
<i>Landscaping services</i>	1
<i>Wind turbines</i>	1
Indoor/Outdoor sporting venue	1
<i>Noisome trades anywhere in town</i>	1