Minutes

Meeting and Public Hearing of the Middlesex Planning Commission
Wednesday, April 16, 2025
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:
Sandy Levine
Tom Jackman
Dave Magida
Mitch Osiecki
Paula Otenti

Other Guests:
Randy George, Red Hen
Eliza Cain, Red Hen
Keving Thompson, Zoning Administrator
Russ Bennett, Planetary Matters & Galaxy of Yes
Joel Prive, Lamoille Valley Transportation (Middlesex Property Owner)
Michael Levine
Matthew Thomas (affiliation unknown)

Call to Order
Chair Sandy Levine called the meeting to order at 6:00 pm.

Roll Call
Planning Commission members present: Sandy Levine, Tom Jackman, Dave Magida, Mitch Osiecki, and Paula Otenti.

Others in attendance: Randy George, Eliza Cain, Keving Thompson, Russ Bennett, Joel Prive, Michael Levine, and Matthew Thomas.

Kevin Thompson, Michael Levine, and Matthew Thomas participated via Zoom; all others were present at the Town Office.

Minutes
Approval of Mar 19 minutes.

Motion: Tom moved to approve draft minutes of Feb 19. Paula seconded.
Vote to approve: 5-0.

Old Business:

Rumney School Road (update)
Nothing new on this project.

Middlesex Village Traffic-calming Demonstration Project
Nothing new.

Neighborhood In-fill Housing
Nothing new.

Middlesex Community Festival
Mitch shared updates on plans for the Community Fair in May. Sandy and Paula will collaborate on a PC presence.

Rules of Procedure
One edit suggested: item on page 3 should be changed to include a physical location of meeting (no longer optional).
Motion: Dave moved to approve, with edit. Paula seconded.
Vote to approve: 5-0.

(Rules of Procedure will be appended to final draft of minutes.)

Unscheduled discussion ensued, while we awaited Public Hearing at 6:30.

Sandy discussed an old proposal: extraction of goals & objectives from the Town Plan as a sort of To Do Wish List. The idea is that the items on this list could serve as a catalyst for the PC or other Town entities looking for potential project ideas.

The PC went into recess at 6:30.

At 6:30, Sandy opened the warned Public Hearing to discuss proposed changes to zoning regulations (Village Industrial District.

Sandy welcomed guests.

Comment from Russ Bennett: Russ has been exploring options for the Colby Farm (Galaxy of Yes) property. One possibility is the creation of a day care facility that could potentially accommodate upwards of 150 kids.

Russ and team are finalizing plans, which are not quite ready for a public discussion just yet.

Preliminary plans envision day care occupying the first two floors; third floor could be office space for the day care staff; a fourth floor could include some housing.

Building will likely sit in a "bowl," and will therefore not be all that noticeable to the surrounding community.

Russ commented that increasing the allowable height of structures would create more flexibility in the design of some facilities.

He also noted that with the development of modern fire suppression systems, the need for traditional hook & ladder fire trucks to physically reach the top of structures is not as critical as in times past.

Russ added that as his partners plan new structures, they are committed to including housing on at least one floor of each building.

Sandy noted that the stated purpose of the Mixed Use District emphasizes the desire for flexible design and promotes buildings other than single-story dwellings.

Kevin stated that current regulations specify a maximum height of 35' for principal and accessory structures, except for several specific exceptions. Kevin added that he'd like the FD to weigh in on the proposed changes in height regulations.

Paula expressed concerns about the potential for unintended consequences of changing height requirements in other areas. She added that a secondary concern was the impact on the ability of the FD to deal with the proposed change – not just fighting fires, but also the ability to evacuate people from higher floors.

Tom suggested that language could make it clear that the relaxed height requirement applies only to the Mixed Use District, rather than all zoning districts.

Joel expressed support for the changes under discussion. He noted the importance of ensuring that "Vermont continues to look like Vermont." He suggested that, for example, requiring flat roof designs would be a step in the wrong direction.

Randy commented that he's interested in these discussions, but has no specific proposals to suggest at this time.

Kevin expressed concern that requiring structures include at least two stories could render certain proposals unworkable and cost good jobs.

Question raised about origins of desire to require that new structures be two-story or taller.

Response: Waitsfield introduced something like this in a district that was transitioning from industrial to a residential/commercial blend.

No further comments or questions offered by PC members or any participants.

Motion: Paula moved to close the Public Hearing. Mitch seconded.
Vote to approve: 5-0.

Public Hearing closed at 7:15pm.

Planning Commission meeting resumed at this time.

Kevin asked about next steps.

Sandy: The PC will hand of a recommendation to the Select Board. The SB will schedule a Public Hearing of their own. After the PH, the SB will provide feedback to the PC about any changes to zoning regulations.

Kevin noted that that the property owned by Lamoille Valley Transportation (LVT), off Knapp Rd next to Park & Ride, is in an area now zoned Industrial. They have previously received Conditional Use approval for establishment of a transportation facility. The previously-approved permit has expired and will have to be re-approved. However, this use is currently a permissible as a conditional use in Industrial but not in Mixed Use.

Expanding the Mixed Use district would prevent establishment of a transportation facility under currently allowed uses. Same for light rail.

Tom suggested reviewing the table of uses currently allowed in Industrial district and consider which could be appropriate in a Mixed Use district.

Paula expressed concern that we should avoid the appearance of changing zoning regulations to accommodate specific proposed uses.

Mitch commented that zoning tables of uses could be written to allow the DRB some latitude in approving certain uses that are not explicitly listed.

Kevin stated that East Montpelier takes such an approach. We might want to look at East Montpelier regulations for a possible model, should we decide to embrace such an approach.

Tom noted that LVT re-acquired this property with the expectation that they could pursue a previously-approved project. If enact zoning changes that disallow their intended use, they will be understandably disappointed.

Paula suggested that we could leave strip of land between Route 2 and I89 as Industrial.

Sandy proposed a single, expanded Mixed Use district, with a few new conditional uses. Further proposed a maximum height of 60' in the Mixed Use district and 45' in all other districts.

Sandy will share draft of final proposal, which will be appended to final draft of the minutes, which includes these elements:

1. Change to zoning map to reflect new, expanded Mixed Use district west of Village.
2. A few new conditional uses added.
3. Eliminate requirement of multiple stories.
4. Change maximum height requirement (Mixed Use district only).

Motion: Tom moved to approve zoning changes as enumerated above. Sandy seconded.
Vote to approve: 5-0.

Next Meeting: Wednesday, May 21 at 6:00 pm.
Discussion: Sandy will be travelling, but may be able to join remotely. Paula will be away for the may meeting.

Sandy will contact SB about them taking up our recommendation.

Adjournment
Tom moved to adjourn; Paula seconded.
Meeting adjourned at 8:14 pm.

Respectfully submitted,
Mitch Osiecki, Secretary