

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
November 4, 2010**

MEMBERS PRESENT: Liza Kilcoyne (Chair); Aaron Martin, Diane Clemens, Nick Meyer, Dan Kerin, Andrew Boutin, John Alden.
ADMINISTRATION: Robin Pierce, Development Director; Terry Hass, Assistant Zoning Administrator.
OTHERS PRESENT: Norm and Nancy Charbonneau.
AGENDA: 1. Call to Order
2. Audience for Visitors
3. Additions/Amendments to Agenda
4. Minutes (10/21/10)
5. Work Session: Land Development Code (LDC)
6. Other Business
7. Adjournment

1. CALL TO ORDER

Chairwoman Liza Kilcoyne called the meeting to order at 7 PM.

2. AUDIENCE FOR VISITORS

There were no comments from the public.

3. ADDITIONS/AMENDMENTS TO AGENDA

Add under 'Work Session': On the Record Review.

4. APPROVAL OF MINUTES

October 21, 2010

MOTION by Andrew Boutin, SECOND by Nick Meyer, to approve the 10/21/10 minutes as written. VOTING: unanimous (7-0); motion carried.

5. WORK SESSION: LAND DEVELOPMENT CODE

Appendix D: Trustees Policy for Funding Development Review by the Village Attorney

Robin Pierce explained fees for legal review will be passed on to the applicant with applications involving legal documents (homeowner associations, easements, and such). Mr. Pierce will consolidate the text of Appendix D to fit on one page.

On the Record Review

The memo from consultant, Jeff Arango, dated 7/28/10, regarding On the Record Review and Judicial Bureau Enforcement was reviewed. With On the Record review the judge looks at the record created by the municipality rather than holding a de novo hearing. Presently, village meetings are audio and/or video taped for the record. Minutes are taken at each meeting. The village will continue to follow the Municipal Administrative Procedures Act (MAPA).

Regarding Judicial Bureau enforcement, per state mandate the procedure for enforcement of zoning violations must be incorporated into the LDC. Fines will be called “charges”. There was discussion of signs in the right-of-way and the procedure to reclaim a sign once it is removed by Public Works. Essentially, the sign owner must pay the charge (fine) at the Village Office before picking up the sign at the village garage.

LDC Updates per Memo from Jeff Arango, dated 11/3/10

There was discussion of PRD (residential development) and PUD (mixed use development) and superior design. Robin Pierce will re-issue the memo from Jeff Arango, dated 10/20/10 regarding PRD and ‘superior design’. The Use Chart was reviewed. Drive-thru windows were added to the TOD. There was lengthy discussion about allowing a property owner to have up to six chickens on their property. No amendments to the LDC pertaining to chickens were made at this time.

Next Steps

Staff will add language to the LDC stating that State of Vermont mandated storm water changes supersede the Land Development Code. Staff will also incorporate the amendments to the LDC as discussed for review and finalization at the next meeting. Jeff Arango will attend the November 18th meeting. A public hearing on the updated Code will be held on 12/16/10.

6. OTHER BUSINESS

Burlington’s Abandoned Building Ordinance

A copy of Burlington’s ordinance was provided to the Planning Commission for review.

7. ADJOURNMENT

MOTION by Liza Kilcoyne, SECOND by Andrew Boutin, to adjourn the meeting.

VOTING: unanimous (7-0); motion carried.

The meeting was adjourned at 8:30 PM.

RScty: M.E.Riordan