TRUSTEES SPECIAL MEETING
MONDAY, MARCH 14, 2016 AT 7:15 PM
ESSEX POLICE DEPARTMENT
145 MAPLE STREET, ESSEX JUNCTION, VT 05452

1. **CALL TO ORDER** [7:15 PM]

2. **JOINT MEETING WITH ESSEX SELECTBOARD**

   a. Presentation of Thoughtful Growth in Action Final Report

3. **ADJOURN**

Meetings of the Trustees are accessible to people with disabilities. For information on accessibility or this agenda, call the Village Manager's office at 878-6944.

WHAT IS THOUGHTFUL GROWTH IN ACTION?

The Goals

Thoughtful Growth in Action (TGIA) aimed to explore new approaches to planning governance in the Town of Essex and the Village of Essex Junction.

It had three goals:

1. To create a shared understanding about how planning works today;

2. To engage in a conversation about how changes in planning governance could lead to more thoughtful growth in the Town and Village; and

3. To explore possible paths to improve the current planning governance structure in Essex moving forward.

The Process

TGIA used a mix of community participation and research to develop a set of findings and recommendations on planning governance. Broad community input was solicited through workshops and a survey, targeted discussions were held with key stakeholders, state and local research on planning governance models was conducted, and an inclusive Working Group held four intensive study sessions to explore issues and develop the recommendations.

300 Community Participants

24 Working Group Members

$13,450 value of Working Group Member in-kind time

20 Other Towns Researched

640 Unique Visitors to the Project Website

The Results

The Working Group recommended:

1. Form a Joint Planning Commission for the Town and Village to enable unified long range planning and policy making;

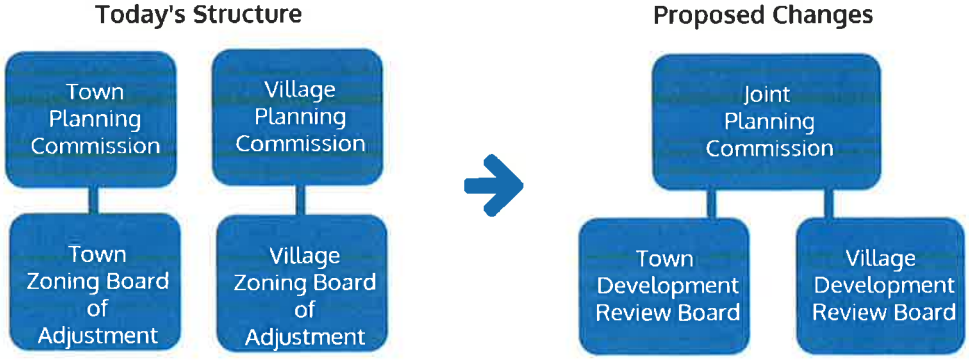
2. Keep development review separate between the Town and Village but move to a Development Review Board (DRB) model, which would allow all development review to be processed by each DRB as opposed to being divided up between Planning Commissions and Zoning Boards of Adjustment;

3. Empower boards and work with municipal staff to develop a transition plan and phase in changes over time; and

4. Research and implement ways to improve public participation in planning.

The Difference

The Town and Village would go from a completely separate planning structure to planning together around a long range vision and policies while maintaining their own development review processes.



To learn more: Contact Greg Duggan at gduggan@essex.org or 802-878-1343
Visit www.essextgia.com

Thoughtful Growth in Action
Final Report

Prepared by Delia Clark & Ariana McBride

March 1, 2016

On behalf of the Thoughtful Growth in Action Project

www.essextgia.com

ACKNOWLEDGMENTS

Thank you to the many residents, municipal staff and other stakeholders who contributed their time and insights to this effort. The authors would like to acknowledge:

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Steering Committee Members: Max Levy (Town Selectboard), George Tyler (Village Trustees), Pat Scheidel (Town/Village Manager), Greg Duggan (Town Planner/Asst. Town Manager), Doug Fisher (Town Director of Admin Services).

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EXECUTIVE SUMMARY

Project Overview

Thoughtful Growth in Action (TGIA) has focused on exploring new approaches to planning governance structures in the Town of Essex and the Village of Essex Junction. The project stemmed from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards a shared vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards.

The project had three primary goals:

- To create a shared understanding about how planning works today;
- To engage in a conversation about how changes in planning governance could lead to more thoughtful growth in the Town and Village; and
- To explore possible paths to improve the current planning governance structure in Essex moving forward.

This report presents a summary of TGIA's process, findings and recommendations.

SCENARIO PLANNING

TGIA used a method called Scenario Planning to present and evaluate different governance options. The benefit of this approach is that it provides a concrete framework for participants to think about trade-offs between choices. It also encourages people to articulate what they like or do not like about options, which often leads to the development of a better "preferred alternative" that may have characteristics of different options presented.

Project Process

TGIA used a mix of research and community participation to develop a set of findings and recommendations. Over 300 Essex residents participated in the project through one of the following activities:

Community Workshops: TGIA held two community workshops to solicit input from the broader community. The first workshop focused on gathering participants' hopes and concerns about planning in Essex. The second workshop solicited input from participants on their reactions to the project's findings and recommendations.

Community Survey: TGIA conducted an online survey from September to October in order to complement the first Community Workshop and provide an additional input mechanism for early input into the process.

Working Group Sessions: Twenty-four Essex residents and key stakeholders participated in four intensive sessions in order to explore planning governance issues and develop a set of recommendations.

Targeted Outreach: TGIA used a project website and newsletter as well as a variety of other communication channels to share information about project progress. It also reached out to those most familiar with planning and development review to get their input.

Issues Based Research: TGIA used a variety of ways to gather information on key governance issues from other communities, regional entities and state resources.

Small group discussion at Community Workshop #2

Key Findings

TGIA developed a set of findings related to long range planning, development review, board development, staffing, resources and community participation in planning. Top findings include:

There is a desire for greater collaboration across the Town and Village. While ad hoc collaboration around planning already occurs across the Town and Village, there was a clear interest in more collaboration.

The differences between the Town and Village matter but so does the relationship between the two. Many workshop and survey respondents spoke to ways in which the town and village were different yet also complementary.

The current governance structure is not broken but there is potential for improvement. While both Planning Commissions spend a significant portion of their time on long range planning, there was an expressed desire to dedicate more time to more proactive planning in addition to the state required updates to the municipal plans. There is also the potential to even out board work load and match up volunteers' skills better if board responsibilities were more distinct. However, it would be paramount to ensure the connection between long range plan and practical application of bylaws and development review.

Early on in the process some raised the question of whether the current structure made for an inefficient process (i.e. potential for applications to have to go to two different boards). Although there is not as much of an efficiency problem as some people thought may be the case at the project's beginning, the perception of the process's simplicity could be improved.

There is room to improve community participation efforts. Many of the comments TGIA received about development review had to do with community members own experiences with a particular application review process. These comments often related to the feeling of a lack of transparency or a feeling of not being heard. It is likely that some of these experiences related to a mismatch between residents' expectations about how much influence they could have in the process and what is possible for boards to consider.

While structural changes will address some of the findings above, many of them will be better addressed through non-structural recommendations that could be adopted under any governance board structure.

Recommendations

TGIA developed a set of four recommendations for the Town of Essex Selectboard and Village of Essex Junction Trustees to consider:

Recommendation #1: Move to create a Joint Planning Commission and two separate Development Review Boards.

This recommendation would create a formal Joint Planning Commission as enabled under State Statute. Planning Commissioners would be appointed by the Selectboard, as

required by State Statute, with the possibility of establishing a formal process by which Trustees could nominate members and /or make recommendations. It would create two separate Development Review Boards that would be appointed by their respective legislative bodies. Also, over time, Essex would move towards the adoption of a single Municipal Plan. There would be two sets of bylaws that would be adopted by their respective legislative bodies (i.e. Selectboard or Trustees).

Recommendation #2: Use a phased approach to structural changes.

The transition to a different governance structure will require a thoughtful and deliberate approach. As appropriate, changes should be phased in order to evaluate whether they are producing a more effective planning governance structure.

Recommendation #3: Empower boards to establish a timeframe and work with staff to make a plan for transition.

The Town Selectboard and Village Trustees are ultimately responsible for making decisions about what changes will occur. TGIA encourages both bodies to coordinate with their respective Planning Commissions, Zoning Boards of Adjustment and Community Development staffs to ensure any transition occurs smoothly. In addition, the broader community should be kept informed about transition plans and provided with opportunities to provide input when appropriate.

Recommendation #4: Continue to explore and implement ways to improve public participation in planning.

There are several areas where improvements are possible including:

- **Communications 2.0**: Refine messaging and communication channels to better communicate planning issues.
- **Participation 2.0**: Improve current methods of participation and develop new ways for people to participate in planning.
- **Open Access**: Provide easier access to town related data such as developing a permit tracking system.
- **Human Resources**: Consider ways to support staff and volunteers in their efforts to encourage public participation.

This Report

This report is the result of a participatory process that aimed to study and recommend possible changes to planning governance. The Town Selectboard and Village Trustees will determine what changes, if any, are made. The purpose of this report is to document how and why TGIA developed its specific recommendations to aid in the municipal decision-making process.

PROJECT OVERVIEW

Thoughtful Growth in Action (TGIA) has focused on exploring new approaches to planning governance structure in the Town of Essex and the Village of Essex Junction. The project stemmed from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards a shared vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards.

The support for TGIA also comes from the interest of the Town of Essex Selectboard and the Village of Essex Junction Trustees in consolidating municipal services when it makes sense to do so. While the project was born out of this interest there was no directive to look at only consolidated options. TGIA explored a variety of choices for planning governance, which will be described in more detail later in this report.

Goals

The project had three primary goals:

- To create a shared understanding about how planning works today;
- To engage in a conversation about how changes in planning governance could lead to more thoughtful growth in the Town and Village; and
- To explore possible paths to improve the current planning governance structure in Essex moving forward.

This report presents a summary of TGIA's process, findings and recommendations.

What is Planning Governance?

TGIA developed the following definition of planning governance. The project was largely focused on governance structures, primarily the Planning Commissions and Zoning Boards of Adjustment.

The values, rules, structures and people that guide what our community is and what it will become.

PROJECT PROCESS

TGIA used a balance of issue-based research and community input to develop its findings and recommendations. This approach enables Essex to learn from the experiences of other communities and develop governance options that are feasible within the specific context of the community.

Community Participation

Over 300 Essex residents participated in TGIA over the course of five months (see Project Timeline on next page). They were engaged in the project through a variety of activities; brief descriptions of those activities are included below. Full summaries of input from all activities can be found in this report's companion Appendix or online in the project's library: http://www.essextgia.com/library.html (online library will be available through May 10, 2016).

Small group discussions at Community Workshop #1

Community Workshop #1

The first Community Workshop focused on gathering participants' hopes and concerns about planning in Essex. Discussion focused on issues including but not limited to leadership and staff resources, economic development, open space, historic preservation, housing, transportation, walkability, aesthetics and community engagement.

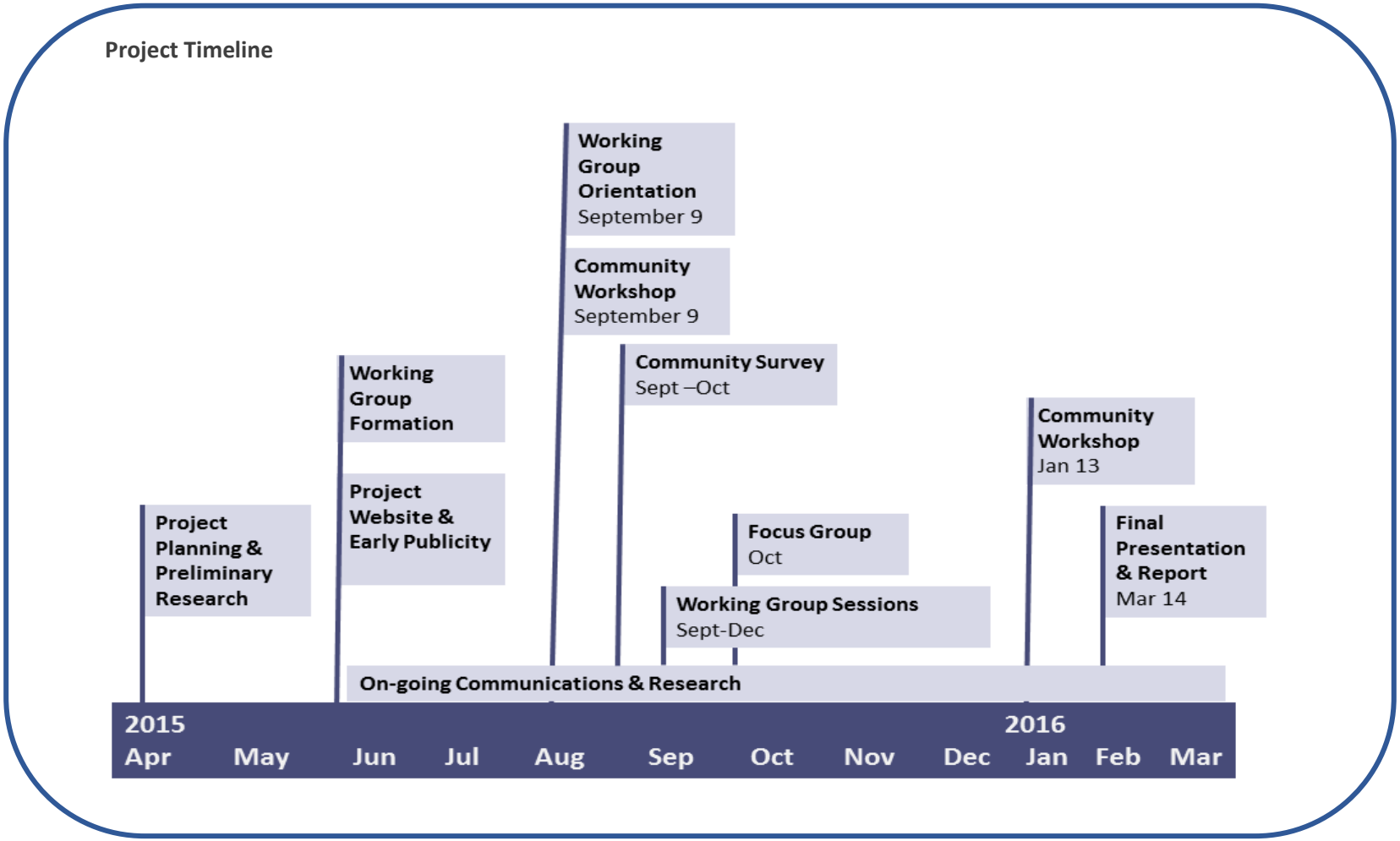
Community Survey

The Community Survey used the input from the Community Workshop to frame questions related to the similarities and differences between the Village and the Town outside the Village as well as gather information on people's perspectives and experiences with planning in the community.

In terms of understanding how planning works in Essex, over half the participants indicated "don't know" for most of the questions related to governance. In the survey comments, many respondents shared their dissatisfaction with recent projects in some way (e.g. process around the decisions, aesthetics of the projects, potential municipal costs, perception that Essex is a "developer's town").

In terms of similarities and differences between the parts of town, just about half of respondents believe there is a desire for a shared vision and/or that there is a synergistic relationship between the two parts of the community (vs. 30% who do not). Almost 80% of respondents agree that greater collaboration between the two parts of Essex would lead to more thoughtful growth.

However, there was more of a split on whether planning priorities are the same. On the specific issues of economic development and open space, the majority of respondents felt these opportunities look different between the two parts of the community. On other issues including housing and transportation, responses were more evenly divided between respondents thinking there are similar opportunities and those who think they are different.



WORKING GROUP SESSIONS

The TGIA Working Group was charged with exploring governance issues in depth and coming up with recommendations for the Selectboard and Trustees. This 24-member body was intended to represent the diversity of experiences and perspectives in the community. It included a mix of men and women, residents from all parts of Essex, people with a variety of professions and experience with planning. Intentionally, it included members from the two Community Development staffs, both Planning Commissions, both Zoning Boards of Adjustment, the Town Selectboard, the Village Trustees, local developers, and many residents who do not have a formal role in planning in Essex. The Working Group process included:

Onboarding Interviews: After the Working Group was appointed, the consultants interviewed members to get their initial take on core issues related to the project. These findings were presented in a summary report and helped shape the project approach.

Orientation: TGIA hosted an orientation for Working Group members so that they could meet each other and ask questions about the project. The orientation also served as training for members so they could help facilitate small group discussions at community workshops.

Session #1: This session focused on developing agreements for how the group would work together, reviewing project goals and core questions, and developing a set of principles to help guide the development and evaluation of different governance options.

Session #2: This session aimed to develop a shared understanding of how planning works in Essex today, to explore different structural options for long range planning and land development review, to confirm a set of principles to help guide the development and evaluation of different planning governance options, and to take an initial temperature read on where members are with different structural options.

Session #3: This session focused on reviewing and discussing planning governance scenarios and presenting key public engagement challenges based on research to date.

Session #4: This session reviewed and discussed refined planning governance scenarios, reached agreement on a preferred governance alternative, and assessed different ideas to address key engagement challenges based on research to date.

In addition to these activities, TGIA used inter-session surveys to gather additional input from the group. Working Group members were highly committed and engaged in the project with 20 or more members at every session (minimum of an 83% participation rate).

Working Group session

Targeted Stakeholder Activities

TGIA also conducted activities aimed at soliciting input from two key groups:

Planning Focus Group: This session raised a series of questions about the current governance structure as well as different options with members of the Planning Commissions, Zoning Boards of Adjustment and Community Development staffs. The Focus Group provided insights into how the boards spend their time now, the potential for more collaborative planning, and considerations for changes to board structures.

Developer Inquiries: Community development staff distributed an email inquiry to several members from the development community to get their take on questions related to planning and development review in Essex. Most respondents cited no major issues with current review processes but generally liked the idea of creating efficiencies where possible. Many noted that the approach/agendas of the actual board members has more weight in the issue of review than the board structure.

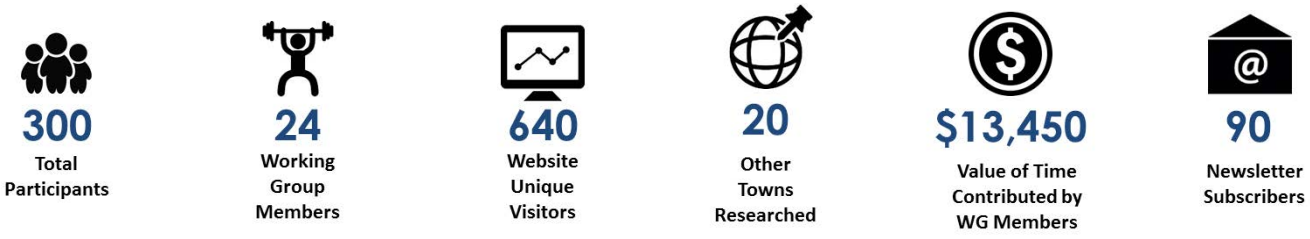
Community Workshop #2

The second Community Workshop focused on sharing project findings and recommendations with participants and getting their reactions to the information. TGIA asked the following:

- What about the findings and recommendations resonated with you?
- What about the findings and recommendations concerned you?
- Was there anything missing from your perspective?

More detailed responses to this information are included on page 34 of this report in the context of the TGIA findings and recommendations.

TGIA by the numbers



Issues-based Research

TGIA used a variety of ways to gather information on issues related to planning governance:

Preliminary Research

Prior to the public engagement work, the consultant reviewed pertinent municipal, regional and state resources related to changes in planning governance. Also, she conducted six interviews with individuals who could offer insights into the unique Essex situation, provide experiences from other communities with different planning structures, or offer a regional/state perspective.

Preliminary research provided insight into key issues related to planning governance including Essex's past inquiries into this topic, informed the type of information that would be included in governance scenarios, and provided support to the case for recruiting a diversity of participants for the Working Group.

Issue Inquiries

Throughout the project the consultant worked with Community Development staff to make inquiries to Vermont planners through the Vermont Planners Association Listerv. These inquiries were based on questions that came up in the research or issues raised as part of the community engagement sessions. Inquiries specific to the statutory issues of governance were also made to the Vermont League of Cities and Towns as well as the attorneys for the Town of Essex and Village of Essex Junction.

These inquiries allowed TGIA to vet different ideas and issues with a broader network of individuals with experience in planning governance in Vermont, which provided additional context and considerations on which to draw when developing recommendations.

Town Research

The consultant conducted additional research and spoke with municipal staff from nine communities in Vermont that have gone through governance changes, lessons of which could have application in Essex. Those municipalities included: Enosburg Falls, Hyde Park, Johnson, Mad River Valley Planning District, Morristown, South Burlington, Rockingham, Waterbury, and Woodstock. As with the Issue Inquiries, this work was done in response to questions that came up during the project.

This research enabled TGIA to share several specific examples of how other communities have dealt with the kinds of issues that Essex would face in a governance transition.

GUIDING PRINCIPLES

Based on the community input from the first Workshop and Survey, as well as Working Group discussion, five guiding principles were developed to help define what kind of planning Essex wants to see moving forward. This information guided the Working Group's deliberations and can be used to inform future discussions and decisions.

The principles are:

Principle #1: Encourage long range planning that…

- Is guided by an understanding of the shared interests and interrelationship between the Town outside the Village and the Town inside the Village;
- Supports priorities that reflect the unique characteristics of both; and
- Receives on-going, focused attention by the Planning Commission(s).

Principle #2: Support a development review process that…

- Enables a consistent, transparent and efficient application review process;
- Balance rights of property owners and members of the community; and
- Reflects the vision and goals of Municipal Plan(s).

Principle #3: Develop boards and staff that...

- Uphold the vision and goals of the Municipal Plan(s);
- Can maximize the use of their knowledge, skills and interests; and
- Communicate consistently and effectively among each other.

Principle #4: Resource a planning governance structure that…

- Maintains or lowers the cost to the taxpayer,
- Ensures a high quality of service; and
- Supports manageable workloads for boards and staff.

Principle #5: Encourage community participation that…

- Fosters a greater understanding of how planning works;
- Uses effective and intentional engagement opportunities; and
- Uses a varied range of communication channels.

PROJECT FINDINGS

The information gathered across community participation and research activities informed a set of key findings that highlight challenges and opportunities facing planning in Essex today. The findings are organized by the guiding principles.

LONG RANGE PLANNING

Town/Village Differences: There are differences between the character and approach to growth and conservation in the Town outside the Village and the Town inside the Village. For instance, while economic development and open space protection are important to both parts of the community, the shape of those opportunities looks different in the Village and in the Town outside the Village.

Consequently, there is a concern for some participants that a consolidated planning framework may lose sight of distinct issues and priorities of each part of Essex – or worse, have the agenda for one part of the community supersede the other. On the flip side, others feel there is the potential to recognize, build on and better balance these differences if planning were to be more consolidated because the overall plan for the community could be strengthened by looking across Essex as a whole.

For instance, conversations about where growth should be concentrated could consider the whole of Essex as opposed to considering places like Five Corners and the Town Center in isolation.

Collaboration: A number of project participants expressed a desire for greater collaboration across the two parts of town. While there are examples of coordinated planning these are generally ad hoc. There is potential for a more formalized structure to support greater collaboration.

Long Range Planning: There is a perceived need on the part of the community and a desire on the part of the boards to focus more on long range planning. Currently, while both Planning Commissions do long range planning it comes primarily in the form of plan updates required by Statute. At the Planning Focus Group, members from both Commissions expressed interest in doing more proactive and “visionary” planning.

In addition, long range planning has to take a back seat to development review requirements of the Planning Commissions (i.e. if there is a large number of applications to be reviewed then long term planning must be postponed). While the application work load is typically manageable there are crunch times or unique cases like Saxon Hill that take up a disproportionate amount of time on the part of Planning Commissioners and staff.

In the Town outside the Village, staff works to ensure focus on long range planning by dedicating every other Planning Commission meeting to long range planning projects. The Village has also spent significant time on long range planning through the Village Plan update and the Village Trustees have initiated special projects like Design Five Corners.

Long range planning could benefit from greater attention from the Planning Commissions but it could also be improved through other mechanisms as well, such as greater resources for more in-depth and participatory planning projects, and more opportunities from cross-community dialogue about shared issues.

DEVELOPMENT REVIEW

Resident Experience: Numerous participants spoke to dissatisfaction with the development review process particularly about the level of influence (or lack thereof) residents have in the review of specific applications and the outcomes of those application reviews. While there may be validity to that criticism a broader issue appears to be that many residents do not understand how or when they can have the most influence in planning.

Often, residents' planning experiences are limited to speaking at a hearing for a particular project. These hearings are one of the last steps in a longer process that moves from municipal plan development to bylaw development to the specifics of development review. Residents are often entering the process when legally their opinion cannot influence a decision in significant ways.

Review Efficiency: There is a perception that development review would be more efficient if applications went to only one board as opposed to potentially two. Currently, only a handful of applications go to the Zoning Boards in any given year and even fewer are heard by both boards. While moving to a one-stop process (i.e. adopting a Development Review Board model) would improve the perception of the process and simplify it for some applications, it is likely that enabling more administrative review of

Development Review Analysis

2014 development application data for the Town and Village suggest that very few applications are required to go before both the Planning Commission and Zoning Board in either part of the community. Community development staff noted that this one-year snapshot is consistent with past years of applications as well.

Applications in the Town	Applications in the Village
30	7
Number heard by Planning Commission	Number heard by Planning Commission
25	5
Number heard by Zoning Board	Number heard by Zoning Board
6	2
Number heard by both boards	Number heard by both boards
1	0

applications or simplifying the subdivision bylaws would do more to streamline review. In the future, it may make sense to consider simplifying bylaws around development review to streamline process while maintaining high review standards.

Review Complexity: Larger projects are getting more complex which require staff to work more with applicants to prepare applications for a board hearing. This complexity increases staff work load and can leave citizens with the sense that decisions have been made without public input.

Balancing Interests: There is a need to balance the desire of land owners or applicants for clarity around rules and process with the interests of other residents to ensure a development does not have a negative impact on the community or a neighborhood. It has been raised that the specifics of a development application review (e.g. in the nuance of the decision and requirements as opposed to outright acceptance or denial) may have more to do with the personalities and skills of particular board members as opposed to the bylaws or guiding municipal plans.

Plan Connectivity: The current system enables the Planning Commission to understand the realities of development review when updating the municipal plans or bylaws and for it to consider the intent behind those guiding documents when reviewing applications. There is a concern that shifting review powers to one board (like a Development Review Board) would create disconnect between long range planning and development review.

BOARDS AND STAFF

Staff Communications: Community development staff communicate well across the Town and Village albeit mostly informally. They plan together as part of the Chittenden County Regional Planning Commission and have the opportunity to review each other's plans as part of that agency's municipal plan review process.

Board Communication: There is not regular communication between the Planning Commission and Zoning Board in either part of Essex nor is there regular board communication across the two parts of the community.

Board Roles: Zoning Board members meet only a few times a year whereas Planning Commissioners often meet twice monthly, which illustrates the greater work load of the Planning Commissions. It is possible for the Zoning Board to take on more responsibilities, or for a move to a Development Review Board, but these changes could make the Planning Commission appear less relevant to municipal decision making because they would not have a direct say over specific development applications.

Skills and Interests: There is the potential to better use the skills and interests of volunteer board members if long range planning and development review are separated. Anecdotally, some towns that have moved to a Planning Commission/Development Review

Board model have had an easier time filling board seats with this separation of tasks. However, if the Planning Commission becomes complacent in their long range planning efforts, it may become more difficult to fill those seats.

RESOURCES

Staffing: Most input received indicated satisfaction with the current level of service although many noted that staff seems at capacity. This appears to be the case particularly in the Village where there are 1.8 Full Time Equivalent (FTE) positions dedicated to community development (compared to 4.1 FTEs in the Town). Some of the challenge for staff relates to the number of night meetings associated with supporting all the municipal boards. It could be helpful to consider ways to better coordinate night meetings so that staff workloads overall are more manageable (which would benefit volunteer board members as well).

Resource Allocation: While there is a desire to keep costs manageable there is also a desire to ensure that planning functions well and that Essex can allocate resources effectively to support planning priorities. Currently, about $680,000 is allocated to the Community Development departments collectively. The majority of that money goes towards staff salaries and benefits. There is not much in the FY 2016 budgets to support additional planning initiatives (e.g. taking on specific long range planning projects).

Outside Funding: Both Community Development departments bring in outside funding. As long as the Town of Essex and the Village of Essex Junction remain separate municipalities, both remain eligible for key funding sources like regional transportation funds or statewide planning grants.

COMMUNITY PARTICIPATION

Community Understanding: While project participants expressed concern with the development review process, even more noted a lack of understanding for how planning works in Essex. There is a need to develop resources so that residents can better understand planning and development review. Also, there is the potential to develop different methods and tools to use in planning or development review meetings to help participants understand the process and their role in it regardless of whether they have studied up beforehand.

Communications: While Essex goes above and beyond statutory requirements regarding public notice for planning activities there are still criticisms that more could be done or that the messaging around planning issues could be more effective. There are specific challenges that municipal staff will need to overcome to use existing channels better or to using new channels (e.g. current limits on monthly posts to Front Porch Forum or costs of advertising in local papers or using new digital platforms). Better communication will need a coordinated and focused effort.

Participation Opportunities: Top barriers to participation relate to how busy people are today and their desire for alternative ways to participate (i.e. beyond the typical evening meeting). There is a desire for more online options to participate as well as more "hyper local" opportunities, which activates smaller online networks or more neighborhood based structures. There are examples of Essex using different participatory methods such as the Heart & Soul Neighborhood Conversations, where trained volunteers facilitated a series of discussions of groups organized around specific geographies or affinity groups.

As with communications, additional engagement will require resources in the form of staff time, volunteer effort or outside expertise. While some may jump to the conclusion that Essex could just do what it's currently doing differently it's not quite that easy; many of the meeting structures in place today are required by law. While there is potential to modify current structures it may be necessary to adopt new approaches to engagement that complement existing structures.

Top Barriers to Planning Participation
TGIA's Community Survey asked respondents to indicate what limits their participation in planning. Top responses (those receiving 35% or more responses) include:

45% - Lack of online options
41% - Time required to participate
37% - Timing of most planning activities
37% - I do not believe my input will matter

Civic Culture: Some residents expressed distrust of planning and/or a sense that their voices don't matter. Some of this perception will likely improve as a result of efforts to improve planning education, communications, and engagement opportunities. However, changing civic culture is a long process. Improving community engagement requires sustained commitment; it may take years of effort to create a healthy culture of civic engagement (and unfortunately only one bad experience to set that progress back). The more done to build a sustainable infrastructure to support public participation the better.

Findings in Sum

Looking across these findings a set of high level observations comes through:

There is a desire for greater collaboration across the Town and Village. While ad hoc collaboration around planning already occurs across the Town and Village, there was a clear interest in more collaboration.

The differences between the Town and Village matter but so does the relationship between the two. Many workshop and survey respondents spoke to ways in which the town and village were different yet complementary.

The current governance structure is not broken but there is potential for improvement. While both Planning Commissions spend a significant portion of their time on long range planning, there was an expressed desire to dedicate more time to more proactive planning in addition to the state required updates to the municipal plans. There is also the potential to even out board work load and match up volunteers' skills better if board responsibilities were more distinct. However, it would be paramount to ensure the connection between long range plan and practical application of bylaws and development review.

Early in the TGIA process some asked if the current structure made for an inefficient process (i.e. potential for applications to have to go to two different boards). Although there is not much of an efficiency problem as some people thought may be the case at the project's beginning, the perception of the process's simplicity could be improved.

There is room to improve community participation efforts. Many of the comments TGIA received about development review had to do with community members own experiences with a particular application review process. These comments often related to the feeling of a lack of transparency or a feeling of not being heard. It is likely that some of these experiences related to a mismatch between that resident's expectations about how much influence they could have in the process and what is possible for boards to consider.

While structural changes will address some of the findings above, many of them will be better addressed through non-structural recommendations that could be adopted under any governance board structure.

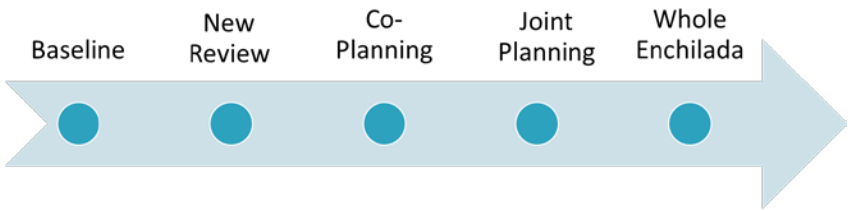
GOVERNANCE SCENARIOS

In order to understand the rationale for TGIA's recommendations, this section explains the five scenarios presented to the Working Group along with the Group's assessment of the pros and cons of each one (developed in Working Group Session #3). Please note that these scenarios relate to the structural recommendations in the next section as opposed to the non-structural ones made related to community participation.

Change Continuum

In its third session, the Working Group explored five scenarios that incorporated different structural options that seemed most feasible given input to date.

The five scenarios fell along a change continuum. The Baseline represented no structural changes from what we have today, whereas the Whole Enchilada on the opposite end represented a full consolidation of planning related boards.



SCENARIO #1: BASELINE: This scenario is the same as the structure that is in place today. There are a variety of non-structural options that could shift how planning happens even if the current structures remain.

Working Group Comments:

Pros

- Requires no changes
- Works pretty well
- Easy to sell to the public and educate them about
- "If it ain't broke, don't fix it"
- Planning group connected to everyday decisions
- Currently receive few criticisms from development community
- Non-structural solutions could help solve current criticisms, eg: transparency
- No staffing changes
- Developers having to go to two boards adds a good level of scrutiny

Cons

- Village board members must be from the Village while Town members can be from the Village or Town outside the Village
- Some criticisms – lack of transparency
- Uneven work loads
- Limited opportunities to plan jointly, including big picture visioning, joint execution of big ideas, like: trees, bike paths, and planning related to one jurisdiction
- Twice as many seats on all boards
- Lack of collaboration between Village and Town outside the Village
- Hard to explain to the public
- Duplicative process for developers

SCENARIO #2: NEW REVIEW: This scenario maintains separate Planning Commissions but eliminates the Zoning Boards of Adjustment replacing them with Development Review Boards. All the development review functions of the current Planning Commissions would shift to the Development Review Boards. The Town and Village attorneys have advised that Municipal Charter changes would likely be necessary to create Development Review Boards.

EXAMPLE

Hyde Park had a Joint Planning Commission and single Development Review Board from 2005 through 2015. In 2012, it adopted a unified Town/Village Plan and was in the process of unifying its bylaws when earlier this year the Village Trustees decided to split from the joint planning structure without prior discussion with the Town Selectboard or Joint Planning Commission in order "To implement our vision for Village growth..." The Village established a separate Planning Commission consisting of the 5 elected Trustees and a Development Review Board consisting of 2 elected Trustees and 3 appointed residents. The primary reason for the move was the desire to ensure that the new-Form Based Code would be strictly enforced.

Working Group Comments:

Pros

- More equitable distribution of work load
- More time for long-range planning by planning commissions
- Change offers opportunity for increased public awareness
- Opportunity to layer design review with DRB
- Trend in communities around VT
- Might attract new interest for board members
- Fewer planning board meetings
- A simple change – easy to communicate
- Less potential for staff chaos
- Fewer staff reports

Cons

- Doesn't go far enough
- More work for DRB, than current ZBA
- Difficulties with transitions for current members
- Doesn't enhance collaboration between Village and Town outside the Village
- Planning Commissions might lose touch with regulations
- Still fuzzy to explain to the public

SCENARIO #3: CO-PLANNING: This scenario creates a new advisory co-planning committee that would include representatives from both Planning Commissions, Zoning Boards or Development Review Boards and possibly the Selectboard and Trustees. It would encourage collaboration but would have no statutory power.

Committee members would be jointly appointed by the Trustees and Selectboard. The Committee would meet a few to several times a year (likely bi-annually to quarterly). This scenario maintains separate Planning Commissions and Zoning Boards/Development Review Boards. There would be two municipal plans and two sets of bylaws, which would be adopted in the same manner they are today.

EXAMPLE

To some degree it's like a "lite" version of the Mad River Valley Planning District Commission with a primary focus on creating a formal way for the boards to have dialogue and foster collaboration. The Mad River District supports a variety of long range planning efforts including serving as the primary planner for all three towns. All towns maintain separate Planning Commissions and Development Review Boards.

Working Group Comments:

Pros

- Formalize communication among boards

Cons

- Another layer of government
- Increased burdens on staff to make it happen
- Off-putting to citizens
- We're already doing it, in a less formal way

SCENARIO #4: JOINT PLANNING: This scenario creates a formal Joint Planning Commission as enabled under State Statute. Planning Commissioners would be appointed by the Selectboard, as required by statute, with the possibility of establishing a formal process by which Trustees could nominate members and /or make recommendations. It maintains separate Development Review Boards that would be appointed by their respective legislative bodies.

The rationale for pairing a Joint Planning Commission with Development Review Boards (as opposed to Zoning Boards) relates to work load. Current board members and staff noted that a Joint Planning Commission would have a difficult time managing the demands of a unified planning effort along with the majority of development review across the two parts of town.

Under this model, Essex would move towards the adoption of a single Municipal Plan. There would be two sets of bylaws that would be updated by their respective legislative bodies. The Town and Village attorneys have advised that Municipal Charter changes would be necessary to create a Joint Planning Commission and Development Review Boards.

EXAMPLE

Woodstock has one Planning Commission and separate Development Review Boards. It has one municipal plan and two sets of zoning regulations. Woodstock has had a single Planning Commission since the 1970s and never had to adopt a formal Joint Planning Commission structure. It moved from separate Zoning Boards of Adjustment to separate Development Review Boards around 2000. The Town Selectboard and Village Trustees jointly adopt Commissioners and each adopts members to their respective DRBs.

Every five years the Woodstock Planning Commission updates it municipal plan. The year after plan adoption it updates the Town bylaws and then the following year it updates the Village bylaws. The Plan is adopted jointly by the Selectboard and Trustees following public hearings, which are also jointly held. Bylaw changes are adopted by either the Town Selectboard or Village Trustees as necessary.

Working Group Comments:

Pros

- Not so many plans to update
- Might be a way to get Village and Town outside the Village balance in communication, visioning, understanding of concerns
- Moves us towards recognizing that we are one town
- Mirrors economic development comm. Tells whole story
- Easy to understand, public is ready for it, palatable, streamlines government
- Balances out work load
- Increased opportunity for shared vision, more cohesive
- Efficient use of resources
- Greater focus, pulls more of community into long range planning
- Diminish line between Village and Town outside the Village
- The merging of visions
- Developers have one plan to work off of

Cons

- Would require one-time outside consulting to implement transition
- Public perception that this is part of a plot to merge Village and Town outside the Village
- Differences between Village and Town outside the Village bylaws, could be seen as favoring one or another
- Village vision for 5 Corners doesn't equal town vision for 5 Corners, maybe
- Ditto Town Center, would need resolving
- Possibly a rocky transition

SCENARIO #5: THE WHOLE ENCHILADA

This scenario creates a formal Joint Planning Commission and Joint Development Review Board. Planning Commissioners and Development Review Board members would be appointed by the Selectboard, as required by statute, with the possibility of establishing a formal process by which Trustees could nominate members and /or make recommendations. There would be one municipal plan and one set of bylaws. As with the appointment process it could be possible to establish a formal mechanism by which the Trustees could recommend changes to the municipal plan and/or bylaws. Updates to the municipal plan could be adopted at Town Meeting and bylaw changes would be adopted by the Town Selectboard. The Village could still adopt special plans and bylaws that would apply only in the Village. The Town and Village attorneys have advised that Municipal Charter changes would be necessary to create a Joint Planning Commission and a Joint Development Review Board.

EXAMPLE

The Town and Village of Waterbury have had a Joint Planning Commission, combined Municipal Plan, and combined Zoning Regulations for over twenty years and made the switch from separate Zoning Boards of Adjustment to a Joint Development Review Board in 2012. Board appointments are made by the Town Selectboard with Village Trustees input. Both the Selectboard and Trustees vote to adopt the municipal plan and bylaw amendments. In the case where a bylaw change only affects the Village then only the Trustees vote on the amendment.

Working Group Comments:

Pros

- Not so many plans to update
- Might lend itself to staff located near each other
- Simple and straight-forward
- Long-range planning, balance of Village and Town outside the Village
- Goes with trends of consolidation in Essex (education, public works)
- Lends itself to 4-6 neighborhood planning groups that would actually review projects (like Burlington)
- A single group handling all applications streamlines workload
- Easier for developers
- Signals solidarity – a single community with joint interests

Cons

- Would require one-time outside consulting to implement transition
- Overwhelming workload for DRB
- Doesn't have DRBs that can focus on particular areas of the town, its bylaws, culture, and philosophy
- Increased workload for DRB
- Might be perceived as a conspiracy to merge Essex
- Residents might not feel they have personal attention
- Too fast, raises fears of merger

RECOMMENDATIONS

This section lays out structural and non-structural recommendations for the Town of Essex Selectboard and Village of Essex Junction Trustees to consider.

Structural Recommendations

The primary charge of TGIA was to come up with a recommendation on any structural changes to the current boards and commissions. The recommendations in this report are the result of an iterative process of exploring a variety of planning governance options as detailed in previous sections.

The Working Group made its decisions by consensus. The group's facilitators used a tool called the "orange line" to determine consensus on different choices during the project. The idea is that for key decisions, the group works to get above the orange line – to the place where participants could at least live with a choice.

During the final Working Group session members used a straw poll to indicate their preferences for three "end destinations"; the idea that over time Essex would move towards one of these end points for planning governance. The end destinations presented were:

#1: Joint Planning

- Joint Planning Commission
- Separate Development Review Boards
- Joint Municipal Plan & Separate Bylaws

#2: Whole Enchilada

- Joint Planning Commission
- Joint Development Review Board
- Joint Municipal Plan & Joint Bylaws

#3: TBD, Wait and See

- Start with changing to separate Development Review Boards and see how that initial change goes before deciding on other changes.

Here are the results of the straw poll:

End Destination: Joint Planning
10 - It is my first choice
11 - I could live with it
0 - I need more info before deciding
0 - I am opposed to it

End Destination: Whole Enchilada
7 - It is my first choice
8 - I could live with it
2 - I need more info before deciding
4 - I am opposed to it

End Destination: TBD, Wait & See
2 - It is my first choice
10 - I could live with it
1 - I need more info before deciding
8 - I am opposed to it

The straw poll results indicated consensus on one end destination: Joint Planning.

Recommendation #1:

Move to create a Joint Planning Commission and two separate Development Review Boards.

This recommendation would create a formal Joint Planning Commission as enabled under State Statute. Planning Commissioners would be appointed by the Selectboard with the possibility of establishing a formal process by which Trustees could nominate members and /or make recommendations. It would create two separate Development Review Boards that would be appointed by their respective legislative bodies. Essex would also move towards the adoption of a single Municipal Plan over time. There would be two sets of bylaws that would be adopted by their respective legislative bodies (i.e. Selectboard or Trustees).

Recommendation #2:

Use a phased approach to structural changes.

The transition to a different governance structure will require a thoughtful and deliberate approach. As appropriate, changes should be phased in order to evaluate whether they are producing a more effective planning governance structure.

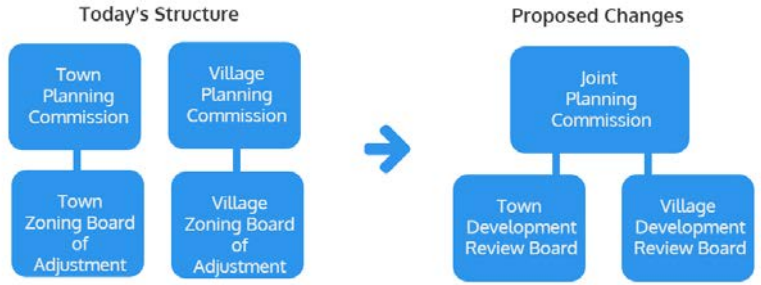
Recommendation #3:

Empower boards to establish a timeframe and work with staff to make a plan for transition.

The Town Selectboard and Village Trustees are ultimately responsible for making decisions about what changes will occur. TGIA encourages both bodies to coordinate with their respective Planning Commissions, Zoning Boards of Adjustment and Community Development staffs to ensure any transition occurs as smoothly as possible. In addition, the broader community should be kept informed about transition plans and provided with opportunities to provide input when appropriate.

What Would Change?

The Town and Village would go from a completely separate planning structure to planning together around a long range vision and policy while maintaining their own development review processes.



KEY CONSIDERATIONS

While TGIA did not prescribe a transition pathway, project materials do lay out a conceptual timeline (see Scenarios 2.0 document from Working Group Session #4). The timeline was presented to show the types of activities that would occur. Those activities include:

Changes to Municipal Charters: Counsel for both the Town and Village have recommended charter changes in order to enable the creation of a Joint Planning Commission and Development Review Boards. Changes would need to be first approved at the annual Town and Village meetings and then passed by the State Legislature.

Appointment processes for boards: The Selectboard and Trustees would need to develop a process for making appointments to a Joint Planning Commission and their respective Development Review Boards. Also, they would need to determine how they would transition existing board members into new roles if desired.

Adoption of new planning structures: The Selectboard and Trustees would need to formally adopt a Joint Planning Commission and their respective Development Review Boards. These changes can be made by votes of the two legislative bodies. They would also need to think through how to ensure consistent communication among the boards.

Updates to the Municipal Plan: The Town and Village would need to work towards the development of a unified Municipal Plan. Currently, the State of Vermont requires updates every five years so a unified plan should be aligned with the next statutory deadline if the timing makes sense in the context of other changes. There is a move towards changing the five-year update requirement to ten years, which could affect this element of the transition plan.

Updates to Bylaws: Bylaw updates would be necessary to reflect the shift of review powers to the Development Review Board. Bylaw updates can be made by vote by the Selectboard and Trustees.

Transition plan for projects under review: Votes(s) creating the Development Review Boards must be timed so that all work of the existing Zoning Boards of Appeal would be completed and there could be a window of time to get the Development Review Board members appointed, addressing any changes necessary to Planning Commission membership and establishing rules of procedure. Ideally, this transition happens at a slower time of year for applications, likely in the later months of the year. Boards can adopt the new planning structure and note a future date at which point the change would go into effect thereby providing ample transition time.

Consideration of the allocation of staff responsibilities: The total level of work by staff does not change dramatically under the recommended governance structure. In the short term, the need for staff or outside support would increase to assist with any transition plan. Longer term, it's likely that staff responsibilities may shift particularly in terms of how a Joint Planning Commission would be supported.

Development of a community education and input process: Based on the community input into TGIA and discussion at Working Group sessions there is a clear need to think through how any changes would be communicated with the broader community and how, when appropriate, input would be sought on the specifics of those changes.

Consideration of non-structural changes: There are other changes that could complement any structural changes made (see next section). In some cases, these may be best time in advance, concurrently or after structural changes.

Each of these activities would require careful consideration and time on the parts of boards and staff.

Non-Structural Recommendations

The secondary charge of TGIA was to come up with recommendations related to how to improve community engagement in planning. Much of the community input TGIA received could be addressed more effectively through changes related to community engagement.

While the Working Group did not get to a detailed set of recommendations, it developed and assessed general ideas that would address the project's findings related to community engagement. This section describes the ideas and then presents the results of an Impact Feasibility Assessment conducted by the Working Group.

COMMUNICATIONS 2.0

The following ideas are aimed at improving planning communications efforts in Essex:

Develop local partnerships. Essex has a history of working with local organizations and groups to help spread the word about projects (e.g. asking to post event info in school newsletters or through community Facebook pages). Most of these arrangements are ad hoc but it is possible to formalize partnerships to more easily share information across a variety of projects. Potential partners include the schools, recreation departments and libraries.

Research new ways to communicate. Essex already communicates in many ways – local papers, Front Porch Forum, newsletters, etc. - and there is always room for improvement. Communications is about message and medium; it's about what you say *and* how you say it that matters in the community context. The first step is to determine how people want to receive information from their community (e.g., a short survey or interactive board at Town Meeting could be one way to collect this info). Then it's possible to figure out what tools will work best and in budget.

Target communication. Regardless of what channels are being used, messages today need to be targeted towards specific audiences. In addition, the type of planning issue or project being featured will influence how to structure communications.

Use communications channels consistently. Once it's known how best to communicate information, then those approaches must be used consistently. This consistency will help build clearer expectations about how information will be shared and where people can go to get news. The Town's Community Development staff noted that they are already creating a Communications Plan as a result of this effort, which is a great step towards institutionalizing best practices.

PARTICIPATION 2.0

The following ideas are aimed at improving public participation in planning in Essex:

Make planning easy to understand. While planning deals with complex issues it is possible to develop resources that break down the basics for people. These resources will enable people to more easily and productively participate in planning discussions. There are a variety of resources already available on general planning topics through organizations like the Vermont Planners Association, Vermont League of Cities and Towns and the American Planning Association. However, resources tailored to Essex's specific situation will be more helpful to residents.

Make meetings easy to understand. Municipal meetings must follow certain protocols to stay in line with open meetings laws. While the structure of some meetings can feel formal and intimidating it is possible to take steps to make them more inviting and understandable to people who are new to municipal processes. Examples include:

- Provide a meeting hand-out explaining the basic purpose of the meeting, guidelines on participation and where meetings agendas/summaries are posted.
- Board chairs could state upfront a meeting's purpose and how and when members of the public will be invited to share their questions or concerns.
- Show/share a roadmap of decision making at every meeting so participants know where they are in the process.

The Town's recent development of a Public Participation Guide is an example of this kind of approach.

Research new participation methods and tools. As with communications, it's important to first understand what general ways people would want to engage in planning issues. TGIA has identified some community interest in greater online options and neighborhood options but there could be others. Generally, communities are well served to provide a mix of group and individual opportunities to participate in addition to the required meetings and hearings.

Explore potential of neighborhood planning structures. TGIA and the Essex Governance Group identified the potential for neighborhood planning structures to add value to planning in Essex. There is some precedent to using neighborhoods in planning in Vermont. Some of these examples are detailed in materials developed for the fourth Working Group session.

Develop a public participation ordinance. Much of the law regarding public participation is outdated and does not match the variety of participatory tools available today. A public participation ordinance is one helpful tool to help empower local decision makers with more of a legal framework to support community engagement. A model ordinance, along with several other helpful tools, can be found in the 2013 Making Participation Legal published by Deliberative Democracy Consortium.

Assessing participation ideas

Open Access

The following ideas are aimed at improving access to information in Essex:

Develop a quarterly municipal boards newsletter. This newsletter could be a resource for municipal boards, staff and residents alike. The Village Newsletter serves as a local example of a successful newsletter. A quarterly schedule may be a reasonable schedule for a newsletter that would cover both Town and Village boards and simple report forms could be developed for board chairs and staff to use to provide content for the newsletter.

Develop an online system for tracking development applications. Right now most people would find it difficult to know what developments are being proposed in their part of town. While this information is available if you go to the town offices for it, a more easier and transparent option could help residents be aware of what's happening in their own neighborhood. For instance, the City of Burlington has an online system where anyone can find out what development applications have been submitted and what stage of review they are in; applications are available in a sortable table (by address) or on a Google Map.

Develop an open access data portal. Many cities are providing greater access to municipal related data. This access creates greater transparency and can spur local citizen analysis and innovation. Burlington provides another local example of a city that has created an open data portal. Types of information available include: public works permits, police logs, rental housing, property assessments, and city budget info.

HUMAN RESOURCES

The following ideas are aimed at supporting the human capital of community engagement in Essex:

Support board member training. There are a variety of existing training programs available in VT, possibilities for developed tailored programs in partnership with other partners, and ways to help build skills locally. Some board members do take advantage of programs offered through state programs like the VT League of Cities and Towns, Vermont Planners Association or the State of VT and both the Town and Village cover these costs. However, most out of the box trainings are held at times and places that are not convenient for volunteer board members. A variety of ideas for addressing board training are detailed in materials developed for the fourth Working Group session.

Consider co-location of Community Development Staff. This idea has been raised through this process and is under consideration by the Town Manager. It could be convenient to residents to have both departments together and beneficial for staff to have more face-to-face time to enable opportunities for interaction and collaboration. However, department re-location is a facilities management question and would need to consider the value of co-locating other departments that residents frequently use together.

Consider re-allocation of resources to support staffing dedicated to communications and public participation. While a number of staff members currently undertake these activities as part of their work there could be benefit to a more focused approach where one staff person is dedicated to providing communications and engagement support across a variety of projects and possibly across Town and Village departments. This person could be a go-to resource to town departments, develop relationships with a variety of local partners, and stay current on best practices in community engagement.

Engage community member volunteers. While municipal staff will always play a role in public participation it's also possible to build a volunteer corp to assist with aspects of the participation effort. This may be particularly useful in the case of any kind of neighborhood based engagement.

Form a community engagement working group. The TGIA Working Group made progress on issues of planning governance structure and produced thoughtful reflections on community engagement. However, these ideas will not be as fully discussed and vetted as the structural aspects of the project so one possibility is to form a new working group to carry the engagement ideas forward.

ASSESSMENT

TGIA Working Group members used an impact feasibility assessment to rate each idea on the following scales:

Impact on community understanding and participation in planning – high, medium, low

Feasibility of idea to be implemented (e.g. funding, political will, legal, etc.) – high, medium, low

The results of the impact feasibility exercise are on the next page. The ideas along with their nicknames (used to illustrate how ideas

rated in the impact feasibility chart on next page) are provided here in summary form for reference:

Communications 2.0

- Develop local partnerships. PARTNERSHIPS
- Research new ways to communicate. RESEARCH COMM
- Use/continue communications channels consistently. CONSISTENT COMM
- Target communication. TARGET COMM

Participation 2.0

- Make planning easy to understand. EASY PLANNING
- Make meetings easy to understand. EASY MEETINGS
- Research new participation methods and tools. RESEARCH PART
- Explore potential of neighborhood planning structures. NEIGHBORHOOD PLANNING
- Develop a public participation ordinance. ORDINANCE

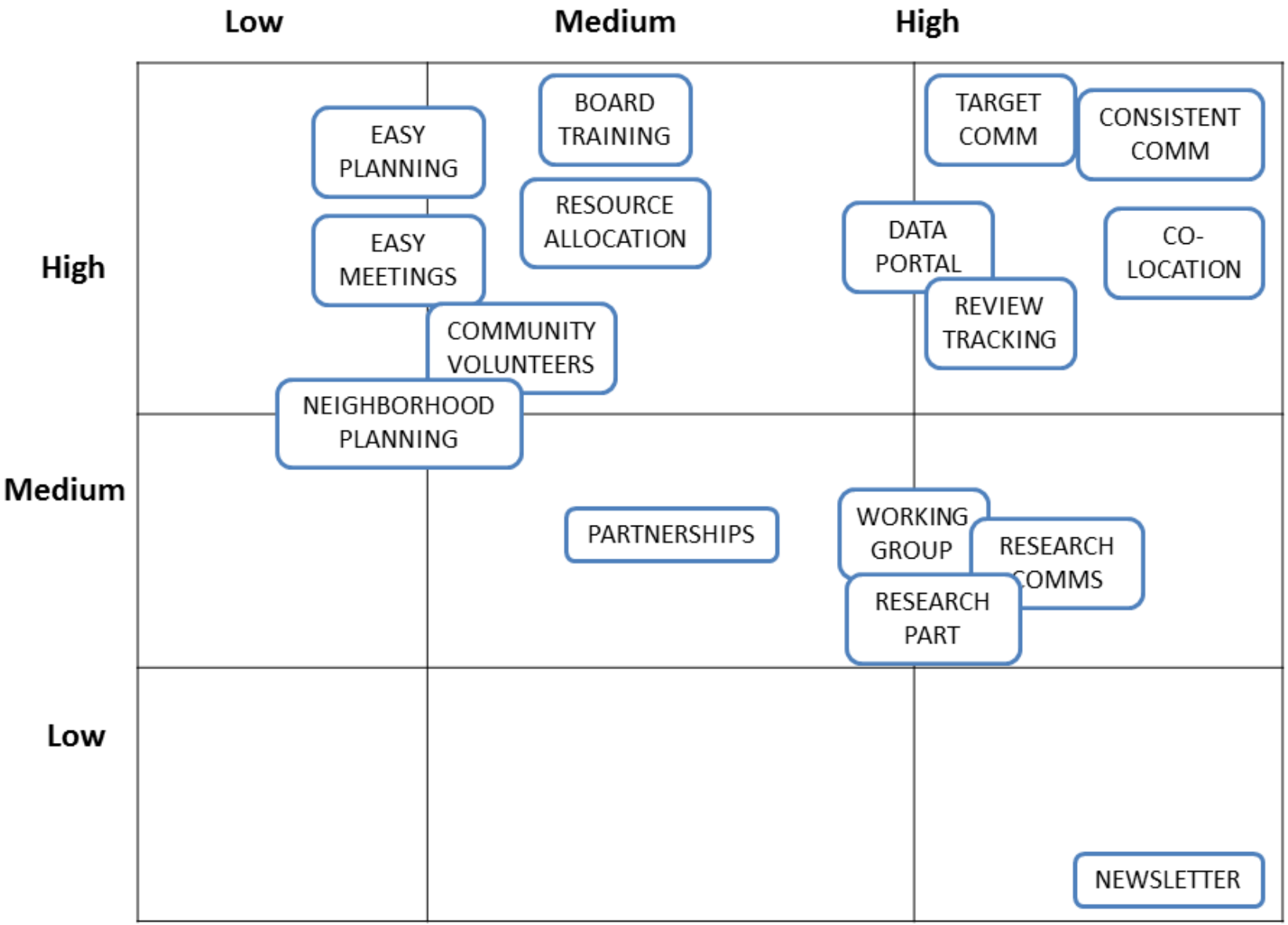
Open Access

- Develop a quarterly municipal boards newsletter. NEWSLETTER
- Develop an online system for tracking development applications. REVIEW TRACKING
- Develop an open access data portal. DATA PORTAL

Human Resources

- Support board member training. BOARD TRAINING
- Consider co-location of Community Development Staff. CO-LOCATION
- Consider re-allocation of resources to support staffing dedicated to communications and public participation. RESOURCE ALLOCATION
- Engage community member volunteers. COMMUNITY VOLUNTEERS
- Form a community engagement working group. WORKING GROUP

Impact Feasibility Matrix



Several themes emerged from the discussion around the Working Group's assessment of ideas:

- Improving messaging and communications around planning are of high importance.
- There is potential to increase transparency of planning through online tools but also a need to assess how existing models are working (e.g. Burlington or Colchester's data portals).
- There is interest in allocating resources to support engagement and ensuring board volunteers are trained.
- The desire to ensure that efforts focused on improving community participation continue.

The upcoming project in partnership with Essex Heart & Soul could offer a seamless way to carry forward the community participation findings and ideas found as part of the TGIA effort. Heart & Soul will be working with Matt Leighninger, Executive Director of the Deliberative Democracy Consortium, to incorporate public engagement skills and expectations into all job descriptions, hiring expectations, and performance reviews for municipal staff in the Town and Village. There will also be a one-day workshop for engagement leaders (inside and outside government) to help build their engagement skills.

Community Reaction

At the second Community Workshop, participants had a chance to weigh in with their reactions to the project's findings and recommendations. Here is a summary of that input:

1. **What resonated with you?**
    - Strong consensus in favor of the 1 Planning Commission, 2 Development Review Board model
        - One Planning Commission will be able to spend more time on long range planning
        - A good "first step" toward "big enchilada" (consolidated planning and development review)
        - Improves citizen "access" and civic engagement
    - More efficient use of staff
        - Streamlining, better process
        - Redistribution and shared staffing will be good
        - Opportunity to co-locate staff
        - Better communication, shared info
    - New model allows one Essex vision
        - Honors the urban/rural split
        - Keeps uniqueness of Town and Village
        - Increases chances of preserving open space, preserving/improving sidewalks

2. **What concerned you?**
    - The risk of disconnection
        - [Citizen engagement] better if close to government, big government is less responsive
        - What are mechanisms for appeal: will citizens feel comfortable going to Development Review Board?

  - Always risk of Development Review Board being disconnected from planning processes
  - Too complex: more streamlining needed (1 board, 1 plan, 1 code, etc.)
- How do we develop and implement the municipal plan?
  - Certain district's priorities?
  - What about interim? Don't want to make development "mistakes"
  - Risk of Development Review Board affecting growth, economic development [negatively]
  - Aesthetics – a concern of many residents who have not attended meetings
- Staffing Resources, financial resources and board member selection
  - What happens to staff?
  - How would Planning Commission members be selected: need equal geographical split in representation to Planning Commission: Shared appointments would be best (SB and Trustees)
  - Only so many planning financial resources: need to ensure we can get at those.

3. Was there anything missing from your perspective?

- Some stakeholders are absent [need outreach?]
  - Opposing views from one or two municipal entities
  - Renters
  - "People not here tonight will not be in favor of consolidation"
- No plans in place for staffing changes
  - Co-locating staff?
  - Merging staff?
- Most board members don't have design review training
- Structures for improved communication
  - Between Planning Commission and Development Review Board to stay strong and grounded
  - Have Planning Commission and two Development Review Boards meet jointly annually to stay in snyc?
  - Staff should start meetings of Development Review Board by summing up where we are and how much input is welcomed.

A full summary of the workshop proceedings can be found in this report's Appendix.

MOVING FORWARD

Essex is undergoing a transformation in the way it thinks about the relationship between the Town and Village. Recent community efforts have pointed to the desire for greater collaboration that strengthens the physical character and social fabric of the community as a whole. Yet, there is also a desire to move ahead carefully to ensure that the unique aspects and priorities of each part of the community are not lost, and that potential changes consider financial and other resource implications.

TGIA focused on exploring different approaches to planning governance that could illuminate a new path forward that responds to the desire for greater collaboration while maintaining the Town and Village's distinctiveness. While TGIA puts forward a set of recommendations its utility is also in the analysis of different issues and ideas. The hope is that this "why" will be helpful to the Selectboard and Trustees as they consider potential planning governance changes.

Thoughtful Growth in Action
Final Report, Appendix

Prepared by Delia Clark & Ariana McBride
February 24, 2016
On behalf of the Thoughtful Growth in Action Project
www.essextgia.com

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MEMO

TO: TGIA Steering Committee
FROM: Ariana McBride
DATE: 7/13/15
RE: Preliminary Research Findings & Recommendations

INTRODUCTION
In order to understand the scope and dynamics of possible planning governance changes being considered as part of the *TGIA Re-imagining Planning Governance*, I conducted preliminary research to understand different perspectives on the issue. This memo lays out findings, makes recommendations for next steps and includes draft questions for Working Group Member interviews.

The primary issues I explored included:

1. The potential for the Town and Village to plan together in a more formal way;

2. The potential to move from a Planning Commission/Zoning Board of Appeals board structure to a Planning Commission/Development Review Board format; and,

3. Opportunities to expand communications and engagement opportunities for the community at large (that could support any board structure)

Research included a review of pertinent municipal, regional and state resources related to changes in planning governance (see last page of memo for list) as well as interviews with individuals who could offer insights in the unique Essex situation, provide experiences from other communities with different planning structures or offer a regional/state perspective. Those interviewed included:

- Charlie Baker & Regina Mahoney, CCRPC
- Paul Connor, City of S. Burlington
- Ellen Howard, Town of Rockingham
- Todd Thomas, Town of Morristown
- Ron Rodjenski, Town of Hyde Park
- Pat Scheidel, Town of Essex & Village of Essex Junction

This research will be built on when I conduct "on boarding" interviews with all Working Group members.

FINDINGS

These findings represent a summary of the key observations and insights from the document research and interviews. I've organized my findings by the three issues noted above:

1. **The potential for the Town and Village to plan together in a more formal way:**
   - A primary challenge to this exploration will be the issue of control; that is where the decision-making power will rest after any changes and who will feel they are losing that power (either the perception of it or an actual shift in power). There are a variety of ways that the boards could be structured in terms of membership to help address this concern.
   - Those comfortable with the status quo of application review will likely be critical of any changes that may disrupt their process or relationships on or to current boards.

- There is a need to provide clarity on what this project means (i.e. limited to planning governance) and doesn't mean (i.e. municipal merger) to alleviate concerns about the project's intent or scope.
- Would be easier from a regional perspective as the Town and Village would be working together to support regional planning efforts (as opposed to as two separate municipalities)
- There is the potential that some funding would be impacted by consolidating planning functions but more exploration is needed on this matter.
- There are more than two choices to consider. For instance, some communities have shared planning governance but not as formal joint planning commission. Other regions have MOUs that encourage more collaborative planning but retain separate boards and plans. Further, it's possible to make one change at a time (e.g. shift to shared planning first and test or shift board structure first and test)
- It will be important to test the underlying assumption of the project, which is there is a desire to have a shared vision across the Town and Village as it's this assumption that drives the potential for shared planning to work well.

2. The potential to move from a Planning Commission/Zoning Board of Appeals board structure to a Planning Commission/Development Review Board format:

- There was great support for moving towards a PC/DRB format
- Benefits included:
  - PC able to focus on long range planning including special studies and public outreach and plans and bylaws can be updated more often
  - Applicants only need to go before one board for development review and eliminates potential for contradictory decisions between PC & ZBA
  - Better aligns volunteer interests (planning vs. executing the code)
  - Roles would be more clear and community communications less problematic (e.g. the challenge of the Planning Commissioner wearing a legislative hat which encourages talking to others in the community vs. their quasi-judicial role which forbids talking about applications outside the review process).
  - Balances work load between the two boards
  - If the Town and Village had one PC and DRB then process would be more straightforward (i.e. one plan, one code, one review board, one stop shopping – in the cases where a project may fall in both)
- Challenges included:
  - The potential for the Planning Commission to become out of sync with the administration of the code or the DRB to lack the long range planning context. Interviewees suggested several ways to manage this possibility including regular joint meetings, staff's role in communicating between the boards and the potential for a member(s) to sit on both boards (though most said this is less realistic given the necessary time commitment)
  - The need for a good transition plan to be in place from the timing of changes to how current board members would shift onto the new boards.
  - Community trust in the boards and this separation of powers.
  - Greater efficiency in the development review process could result in less time to consider more thoughtful development approaches.
- There was also a suggestion to make sure the community understands how the current structure works and how the PC/DRB would work. For instance, there is often the

misconception that the DRB regulates design and thus the application process becomes more onerous.
- Shifting the board formats provides an opportunity to provide board member training so they better understand their roles.

3. Opportunities to expand communications and engagement opportunities for the community at large

- Generally, interviewees saw this as important to explore and at the heart of a good planning process. On a related note, they stressed the importance of setting clear expectations about what the public's role can be at different points in the planning process.
- Expanding these efforts may or may not lead to greater attendance at activities like planning meetings but may lead to measuring participation in different ways (e.g. looking at participation across a spectrum of community activities). Also, there is a distinction between raising awareness and keeping people updated on efforts vs. increasing active participation (both are valuable).
- While there are examples of different neighborhood planning approaches, there was a caution against the potential for a "shadow government" (i.e. where neighborhood bodies are acting independently from town leadership) – this is more likely to occur in places where town leadership are elected at large as opposed to representing a single district. Some examples looked at ways to activate neighborhood units around specific planning efforts as opposed to in an on-going way.
- Many of the trending tools in engagement are through social media platforms including Front Porch Forum, Facebook and Twitter and to lesser a degree ones like Pinterest or Instagram. Some were using them as only a way to broadcast information while others were engaging in a two-way communication. Some suggested the value of having a social media policy in place to guide how these tools can be used.

In addition to the three big questions above, interviewees made several suggestions on how to effectively structure the project:

1. Provide authentic opportunities for people to voice their experiences and opinions and really listen to them as opposed to reacting.
2. Have all sides/perspectives participate on the Working Group – and make sure to have board, staff and "customer" perspectives in the mix.
3. Provide as much clarity as possible to current staff so that they don't fear job loss.
4. Provide a process road map that lays out when and how decisions will be made.
5. Be as transparent as possible.

RECOMMENDATIONS

Based on these findings I recommend the following:

1. Conduct additional research

- Continue to research suggestions on alternative approaches to planning together (e.g. Mad River Valley, Morristown charters/structures)
- Review Town and Village plans in detail to determine current alignment on vision and strategies
- Analyze recent funding to Town and Village to determine how competitiveness would be affected if there were consolidated planning

- Use VLCT as a resource for structural questions that arise.
- Tap into the knowledge at CCRPC as well including the experience that Lee Krohn has with these issues.

2. **Update project communications**
   - Create a clearer road map about the process
   - Continue to use a variety of channels to raise awareness about the effort

3. **Make sure the following are part of the first Community Workshop**
   - Provide a solid overview of history and current planning structure and process so that a common basis of knowledge is built at the front end and so that people can better understand the distinctions among scenarios as they develop.
   - Understand people's experiences with planning and ideas for how to improve it
   - Test the assumption about desire for a shared vision
   - Be clear about opportunities to participate

4. **Incorporate the following factors into the development of planning scenarios:**
   - Board composition
   - Board roles
   - Board schedules
   - Staffing
   - Legal framework
   - Regulatory framework
   - Funding opportunities/challenges
   - How communication would occur (between boards, boards and staff, out to community)

5. **Provide clarity/assurances to current staff about the effort to ensure their full participation.**

6. **Solicit feedback on the proposed process from the Working Group members in order to improve it and ensure their full participation.**

7. **Work to ensure the Working Group represents a diversity of perspectives so that the conversation will be inclusive of different views and so that the group will be perceived as credible in the broader community.**

Town & Village resources

- 2011 Town Plan: http://www.essex.org/index.asp?SEC=F26C4F56-7772-4C46-A6D5-CC16F104E061&Type=B_BASIC
- Village Comprehensive Plan: http://www.essexjunction.org/boards/planning-commission/comprehensive-plan/
- Town charter: http://legislature.vermont.gov/statutes/fullchapter/24APPENDIX/117
- Village charter: http://www.essexjunction.org/fileadmin/files/Ordinances_Codes/Village_Charter.pdf
- Heart & Soul of Essex
    - Project summary: http://heartandsoulofessex.org/wp-content/uploads/2014/02/Project-Summary-2.21.14.pdf
    - Neighborhood Conversations Report (and values): http://heartandsoulofessex.org/wp-content/uploads/2013/06/NeighborhoodConversationReport2.pdf
- Essex Governance Group: http://heartandsoulofessex.org/about-2/essex-governance-group/ (link provides info about EGG and leads to more info about the group's recommendations)
- Memo, "Forming a DRB," Dana Hanley, 8/16/11: attached PDF
- Minutes, Selectboard 11/17/03: attached PDF
- Memo, "Exploration of a Development Review Board," Pat Scheidel, 11/6/03: attached PDF
- Memo, "Development Review Boards," Herb Durfee, 2/1/02: attached PDF
- Town and Village zoning and subdivision regulations – I'm debating if these would be useful at this point; if you want them I can provide links.

Statewide resources

- "Vermont Planning & Development Act," VSA Title 24, Chapter 117: http://legislature.vermont.gov/statutes/chapter/24/117
- "DRB vs. ZBA," Vermont Natural Resources Council: http://vnrc.org/resources/community-planning-toolbox/land-use-planning-in-vermont/drb-vs-zba/
- "Essentials of Local Land Use Planning and Regulation," Vermont Land Use Education & Training Collaborative: http://www.vpic.info/Publications/Reports/Essentials/EssentialsBlackWhite.pdf
- "Planning Commission," VLCT: http://www.vlct.org/vermont-local-government/understanding-town-offices/planning-commission/
- "Zoning Board of Adjustment and Development Review Board," VLCT: http://www.vlct.org/vermont-local-government/understanding-town-offices/zoning-board-of-adjustment-and-development-review-board/
- "Planning Manual for Vermont Municipalities," Vermont Planning Information Center: http://vpic.info/PlanningManual.html
- "Creating a Development Review Board," VLCT: http://www.vlct.org/assets/Resource/Tech_Reports_Papers/TP_03_drb_07-07.pdf

Neighborhood planning

- Burlington, VT
    - PlanBTV (links to neighborhood planning initiatives, i.e. Waterfront/Downtown, South End): http://www.burlingtonvt.gov/PlanBTV
    - Neighborhood Planning Assemblies: http://www.burlingtonvt.gov/CEDO/Neighborhood-Services/Neighborhood-Planning-Assemblies
- Golden, CO: http://www.cityofgolden.net/government/departments-divisions/planning-and-development/ (links to Community/Neighborhood Plans, Neighborhood Associations)

Thoughtful Growth in Action:
Re-Imagining Essex's Planning Governance

WORKING GROUP MEMBER "JOB DESCRIPTION" & APPLICATION

Do you have ideas on how to improve the way Essex plans for development, growth, and conservation? Are you willing to work collaboratively to explore and recommend a new path forward? Do you want to play an important role in the future of Essex? Then this Working Group could be for you.

Project Background

The Town of Essex Selectboard, in partnership with the Village of Essex Junction Trustees, recently launched an effort to explore ways to improve the planning governance structure in the Town and Village. The project's impetus is the belief, highlighted by the Heart & Soul of Essex project, that the community wants to move toward a shared Essex vision that simultaneously honors and builds on the unique characteristics of the town, both inside and outside the village. Moving toward a shared vision, however, is complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project will explore what different planning governance models could look like and which ones would be a good fit for Essex.

Working Group Purpose & Membership

While the project will invite the entire community to participate it will also rely on a smaller, focused volunteer group to study the issue in depth and come up with a recommendation for the Selectboard and Trustees to consider. Membership to this Working Group is open to any resident of Essex. We'll be looking to balance individual characteristics and overall group dynamic. Here are the qualities we are looking for:

	IDEAL CHARACTERISTICS
Individuals	Able to have an open mind Able to work collaboratively in a small group setting Knowledgeable about local governance or willing to learn Represents an essential perspective (e.g. board experience, staff expertise, resident, business owner, etc.)
Group Dynamic	Represents a diversity of perspectives on local governance Reflects the diversity within the community Includes a mix of people who can collectively see the big picture and focus on the details Will be seen in the community as more than just the "same ten people" (i.e. will have some members who are newer to participating in these kinds of community conversations)

The Commitment

All Working Group members agree to participate in all of the following activities:

- **Orientation Interview (July-August)**: All members will have a confidential interview where they will share their current thoughts, questions and concerns on Essex's planning governance. A summary report of key themes across interviews will be compiled and shared with the Group at its Orientation Meeting (not attributing ideas to any particular interviewee).

- **Group Orientation (Wednesday, Sept. 9, 2015):** This meeting will occur just prior to the first community-wide workshop. It will be a chance for members to meet each other, review the Interview Summary and ask questions.

- **Community Workshop #1 (Wednesday, Sept. 9, 2015):** This workshop's goal will be to confirm Essex residents' desire to move toward a shared vision, educate about current planning governance, and engage in a conversation about how people would like to see planning governance improved.

- **Issue Framing & Design Principles (Wednesday, Sept. 30, 2015):** This session will review past town conversations on planning governance, best practices research, and input from the first community workshop. Participants will use this information to clarify the planning governance issues and to develop a set of principles to guide the development of planning governance scenarios.

- **Scenario Exploration (Wednesday, Oct. 28, 2015)**: This session will focus on a presentation and discussion of several planning governance scenarios developed based on input at the first session. The conversation will inform the design of a preferred planning alternative including key implications and necessary actions for its implementation.

- **Preferred Scenario Planning (Wednesday, Nov. 18, 2015):** This session will focus on a presentation and discussion of a preferred alternative developed from the last session's work. The conversation will aim to improve the preferred alternative recommendation and outline steps to implement it.

- **Next Steps (Wednesday, Dec. 9, 2015)**: This session will focus on discussion and agreement on final recommendations and next steps to implement preferred alternative.

- **Community Workshop #2 (Wednesday, Jan. 6, 2016; snow date Jan. 13, 2016**): This workshop's goal will be to present the Working Group's recommendations, get feedback and discuss next steps.

Each of the working group meetings should last for approximately 2 to 3 hours. The Community Workshops should last for approximately 2 hours.

How to Apply
DEADLINE: July 10, 2015
Fill out the attached application and return it to Town Planner Greg Duggan (gduggan@essex.org or 81 Main St., Essex Junction, VT 05452) by July 10, 2015. You can also apply online at the project website, www.essextgia.com.

Applications will be reviewed by the project's steering committee (Selectboard chairman, Village president, municipal manager, director of administrative services, and town planner), which will make recommendations to the Selectboard and Trustees. Members of the working group will be appointed in July.

Thoughtful Growth in Essex:
Re-imagining Essex's Planning Governance

WORKING GROUP MEMBER APPLICATION FORM

Application Deadline: July 10, 2015

The Town of Essex Selectboard, in partnership with the Village of Essex Junction Trustees, recently launched an effort to explore alternatives to the present planning governance structure in the Town and Village. The project's impetus is the belief that the community wants to move toward a shared vision for all of Essex. The project will rely on a small, focused volunteer group to explore different planning governance models and determine which ones would be a good fit for Essex. Membership to this Working Group is open to any resident of Essex. Applicants need not have experience with planning or zoning, but should come with an open mind and be willing to learn about relevant issues.

Name _____

Where do you live?
___ Village of Essex Junction
___ Town of Essex, outside the Village
___ Other (please specify) _____

Profession _____
Age _____
Do you own a home in Essex, or rent? _____
How long have you lived in Essex? _____

Please describe your interest in this project:
_____
_____
_____
_____

Please describe any experience you have had with planning and zoning issues, or local governance, in Essex:
_____
_____
_____
_____

Please describe any local volunteer experience:
_____
_____
_____

Are you able to commit to attending working group sessions and community-wide workshops schedule for the following dates? Meetings will occur on Wednesday evenings. Please see the attached job description for more detail about each session.

- Orientation Interview (July or August, flexible scheduling) Yes No
- Group Orientation (Wednesday, Sept. 9, 2015) Yes No
- Community Workshop #1 (Wednesday, Sept. 9, 2015) Yes No
- Issue Framing & Design Principles (Wednesday, Sept. 30, 2015) Yes No
- Scenario Exploration (Wednesday, Oct. 28, 2015) Yes No
- Preferred Scenario Planning (Wednesday, Nov. 18, 2015) Yes No
- Next Steps (Wednesday, Dec. 9, 2015) Yes No
- Community Workshop #2 (Wednesday, Jan. 6, 2016) Yes No
  (snow date Jan. 13, 2016) Yes No

Please return this application to Town Planner Greg Duggan ***no later than July 10, 2015***.
81 Main St., Essex Junction, VT 05452
gduggan@essex.org

You may also apply online at the project website, www.essextgia.com.

Thoughtful Growth in Action:
Re-imagining Essex's Planning Governance

Working Group Orientation

September 9, 2015

4:30 to 6:30 PM

Essex High School

Introductions

Name

Where you live

One thing you love about living/working in Essex

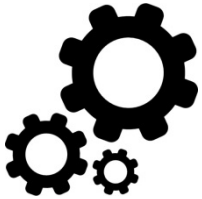
Meeting Overview

- Project Overview
- Working Group Role
- Continuum Dialogue
- Community Workshop Prep
- Facilitation Practice

Project Overview

LOCAL
ECONOMY
RECREATION
HEALTH &
COMMUNITY
CONNECTIONS
EDUCATION
THOUGHTFUL GROWTH
SAFETY

What's this project all about?



To create a shared understanding about how planning in Essex works today

To engage in a conversation about planning can honor and build on the unique characteristics of the village and the town outside the village – to achieve "thoughtful growth"

To explore possible paths to improve planning governance while maintaining or improving cost efficiency

Planning Governance???

The values, rules, structures and people that guide what our community is and what it will become.

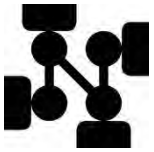
VALUES

- H&S
- "Urban"
- "Rural"

RULES

- Policies
- Regulations

STRUCTURES



- Selectboard & Trustees
- Planning Commissions
- Zoning Boards
- Other Municipal Boards
- Municipal Departments

PEOPLE

- Residents
- Business owners
- Land owners
- Developers
- Municipal staff

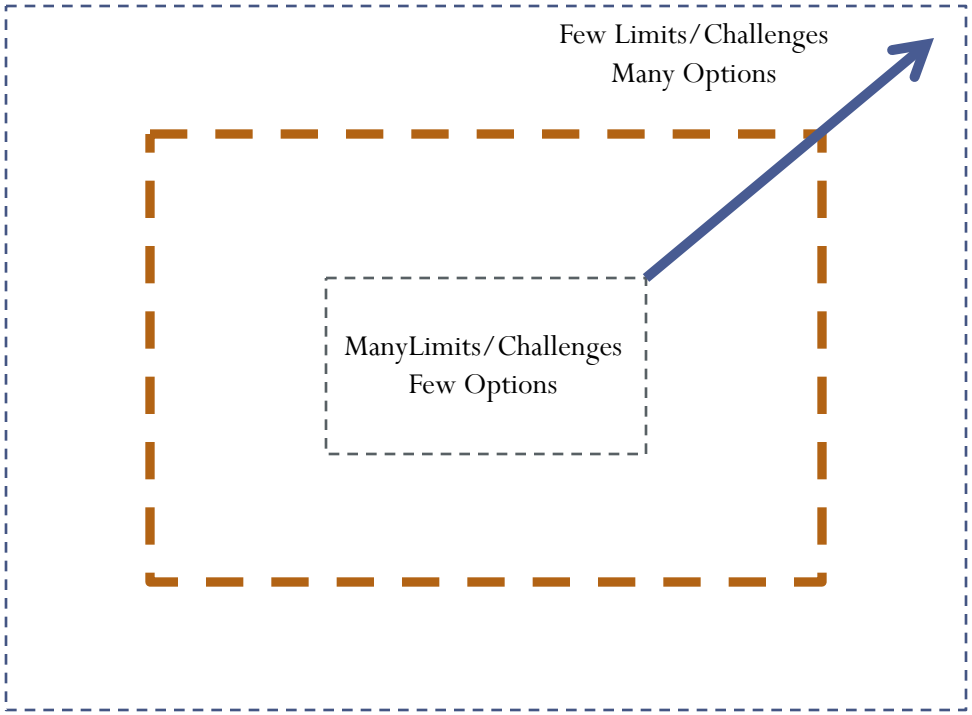
What's the end game?

Recommendation to the Selectboard & Village Trustees

1. Potential changes to how boards are organized
2. Potential for shared planning across Town and Village
3. Communication/engagement processes
4. We'll see what else!

What's possible?

It's more than either/or but it's not infinite possibility



The Opportunity Box

How is the work getting done?

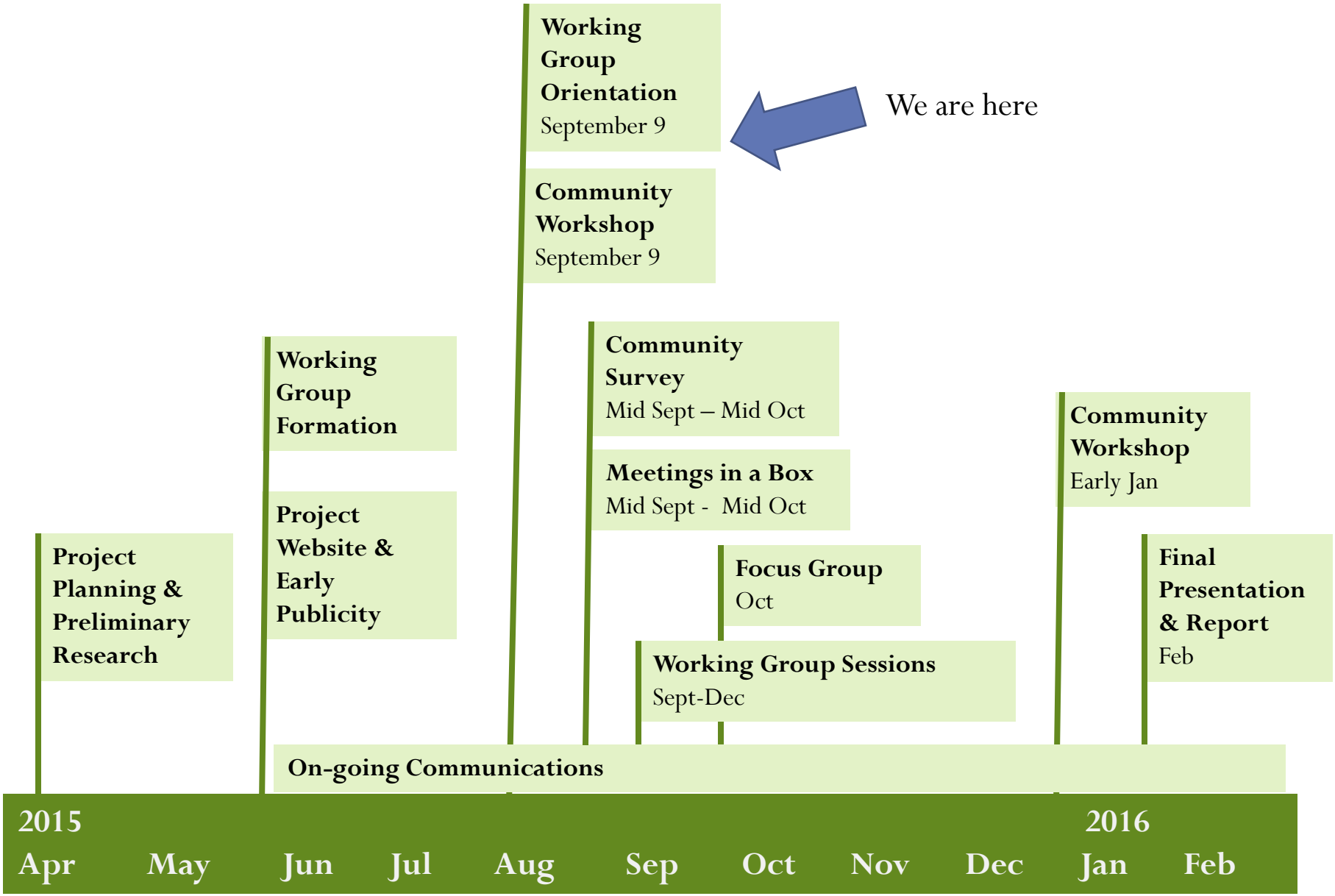
The Community

Working Group

Selectboard & Trustees

Steering Committee

Consultants


Working Group Orientation
September 9
We are here
Community Workshop
September 9
Working Group Formation
Community Survey
Mid Sept – Mid Oct
Project Website & Early Publicity
Meetings in a Box
Mid Sept - Mid Oct
Community Workshop
Early Jan
Project Planning & Preliminary Research
Focus Group
Oct
Final Presentation & Report
Feb
Working Group Sessions
Sept-Dec
On-going Communications
2015
2016
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb

What's been done to spread the word?

43 people signed up for project newsletter

50 unique visitors to website

4 Town posts to Front Porch Forum

4 Press releases resulting in 5+ stories/reprints

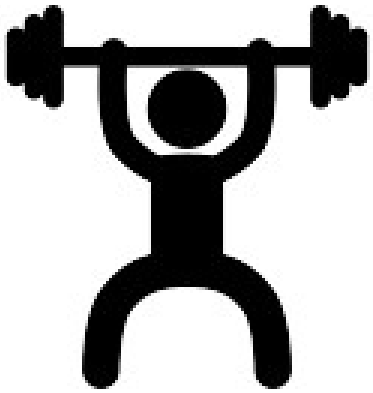
53 Personal invitations (boards, individuals, groups)

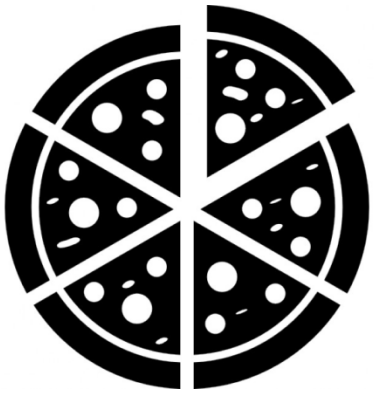
Co-marketing emails

Facebook – Downtown EJ, Essex VT, H&S

We need you!

What's the Working Group Role?





Session Schedule

- **Sept. 30:** Group Agreements, Key Questions, Principles
- **Oct 28:** Educational Presentations & Discussion
- **Nov 18:** Scenario Development Review
- **Dec 9:** Preferred Alternative Development

All meetings will be held from 5:30 to 8:30PM
@ Essex Junction Recreation Department

Working Group Interview Summary

What have we learned?

1. The mix of Working Group members is good but also challenging.

WORKING GROUP MIX – 26 PEOPLE

12 in town outside village

10 in village

4 other

15 men

11 women

Age range 27-71

Residency 3 to 35 years

Mostly homeowners

Varied professions

Varied planning experience

What have we learned?

1. The mix of Working Group members is good but also challenging.
2. "We" need a common basis of information.

What have we learned?

1. The mix of Working Group members is good but also challenging.
2. "We" need a common basis of information.
3. Essex and a shared vision? It's complicated.

What have we learned?

1. The mix of Working Group members is good but also challenging
2. "We" need a common basis of information.
3. Essex and a shared vision? It's complicated.
4. There are big potential benefits to shared planning and big questions about how it could work.

What have we learned?

1. The mix of Working Group members is good but also challenging.
2. "We" need a common basis of information.
3. Essex and a shared vision? It's complicated.
4. There are big potential benefits to shared planning but also some questions about how it could work.
5. Greater community engagement in planning is desired but it's an uphill battle – and a two-way street.

What have we learned?

1. The mix of Working Group members is good but also challenging.
2. "We" need a common basis of information.
3. Essex and a shared vision? It's complicated.
4. There are some big potential benefits to shared planning but also some big questions about how it could work.
5. Greater community engagement in planning is desired but it's an uphill battle – and a two-way street.
6. We're off to bumpy start but have the potential to be on the right track.

How has this information changed the project's course?

1. Deeper exploration of what "thoughtful growth" means in the town and the town outside the village
2. Refined Working Group sessions to provide more educational opportunities and discussion of key issues
3. Development of Working Group agreements
4. Addition of more engagement activities
5. Greater focus on communication efforts
6. Clarity from Selectboard and Trustees on their commitment to the project
7. Ideas and information that will inform group sessions

Questions/Observations?

Continuum Dialogue

Thoughtful Growth Statement

We value wide open spaces and tight knit neighborhoods, rural roads and vibrant downtown streets. Essex is a place where we can enjoy a beautiful view, a walk in the woods, and go out to eat without ever leaving town. We support a diverse housing mix, opportunities for business development and a transportation system with a variety of options including a connected network of walking and biking routes.

Community Workshop Prep

Thoughtful Growth in Action Working Group Orientation

Orientation Info

- September 9, 2015
- 4:30 to 6:30PM
- Essex High School

Our Goals for Meeting:

- To introduce the project to the community
- To summarize findings from Working Group interviews
- Provide a chance for members to meet each other
- To prepare for Community Workshop

For more info

www.essextgia.com

Agenda

- 4:30 Introductions
- 4:45 Project Overview
- 5:00 Working Group Role
- 5:15 Continuum Dialogue
- 5:45 Community Workshop Prep
- 6:00 Facilitation Practice

Working Group Members

Andrew Brown
Ben Gilliam
Brad Dousevicz
Dana Hanley
David Nistico
Greg Farkas
Greg Morgan
Irene Wrenner
John Alden
Johnathan Schumacher
Mark Paulsen
Mary Jo Engel
Matt Gibbs
Maura Collins
Mitch Lefevre
Ned Daly
Paula DeMichele
Paula Duke
Robin Pierce
Ron Lawrence
Sarah Salatino
Sharon Kelley
Sue Cook
Theresa Fletcher
Thomas Weaver
Vanessa Zerillo

Working Group Session Schedule

All Working Group meetings will occur at Essex Junction Recreation (Community Room) from 5:30 to 8:30PM. Dates are: **September 30, October 28, November 18 and December 9.**

TGIA: Working Group Interviews Summary

Prepared by Ariana McBride
September 2, 2015
On behalf of the Thoughtful Growth in Action Project

www.essextgia.com

Contents

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Purpose of this report 2

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Project Overview

Thoughtful Growth in Action is exploring ways to improve the planning governance structure in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the village and the town outside the village. Moving towards a shared vision, however, is complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project would explore what different planning governance models could look like and which ones would be a good fit for Essex.

Purpose of this report

This document summarizes findings from 27 Working Group Member phone interviews that occurred from August 10 through September 1, 2015. The purpose of the interviews was to:

- Introduce Working Group members to the project and respond to their questions;
- Get an understanding for the groups' collective experience with planning and zoning;
- Explore members' initial perceptions of issues related to planning governance; and,
- Solicit input on how the TGIA project is currently designed and ways that we could improve it.

This information will be used to shape information presented at the Working Group Member Orientation and Community Workshop held on September 9, 2015 at Essex High School as well as the longer term project.

Those interviewed included: Andrew Brown, Ben Gilliam, Brad Dousevicz, Dana Hanley, David Nistico, Gabrielle Smith, Greg Farkas, Greg Morgan, Irene Wrenner, John Alden, Johnathan Schumacher, Mark Paulsen, Mary Jo Engel, Matt Gibbs, Maura Collins, Mitch Lefevre, Ned Daly, Paula DeMichele, Paula Duke, Robin Pierce, Ron Lawrence, Sarah Salatino, Sharon Kelley, Sue Cook, Theresa Fletcher, Thomas Weaver, and Vanessa Zerillo.

Group Member Composition

The Working Group is comprised of individuals who represent a diversity of experience and perspectives related to planning in the Town and Village of Essex Junction. This mix is intentional and desired and speaks to the Project's desired to have the following mix of individual and group characteristics qualities:

	IDEAL CHARACTERISTICS
Individuals	Able to have an open mind Able to work collaboratively in a small group setting Knowledgeable about local governance or willing to learn Represents an essential perspective (e.g. board experience, staff expertise, resident, business owner, etc.)
Group Dynamic	Represents a diversity of perspectives on local governance Reflects the diversity within the community Includes a mix of people who can collectively see the big picture and focus on the details Will be seen in the community as more than just the "same ten people" (i.e. will have some members who are newer to participating in these kinds of community conversations)

The Group was formed based on a mix of appointments from the municipal boards most directly affected by the project (Selectboard, Trustees, Planning Commissions and Zoning Boards of Appeal) as well as a community wide call for applications. Twenty-eight individuals either applied or were direct board appointments. In an effort to be as inclusive as possible, the Selectboard and Trustees moved to accept all applications. The table below summarizes characteristics of the Working Group:

12 live in town outside village

10 live in village

4 other

15 men

10 women

Age range 27-71

Residency 3 to 35 years

Mostly homeowners

Varied professions

Varied planning experience

Key Findings

1. **The mix of Working Group members is good but also challenging.**
    - The conversations were rich in insights, questions, concerns and ideas.
    - Members were excited about how many people applied to participate and that they didn't know them all.
    - Many members are concerned about the size of the working group and how we will productively work together and move forward in the process. More on this point later.

2. **We need a common basis of information.**
    - Working Group members have widely varied views on what's working well about planning and different levels of technical understanding of planning. They serve as a microcosm of the diversity of perspectives in the community.
    - We need to provide education on key planning issues so that all of us – Working Group members, residents, other boards, consultants – are working from a shared base level of understanding. Those issues include the responsibilities of the current boards, the development review process, development of the comprehensive plan and zoning code, and how much of planning is mandated by the State versus locally controlled.
    - We also need to be careful to define terminology clearly when we have to use it and not make assumptions about what people know or don't know.

3. **Does Essex have a shared vision? It's complicated.**
    - If the Town and Village are going to look at consolidating their planning functions, it will be critical that there is a shared vision around planning.
    - Working Group members were on the full spectrum about whether there is a shared vision for a variety of reasons.
    - *Yes:* The Town and Village are one in many ways - most obviously that village residents are town residents; both share issues like an aging population, they are connected (roads, trails, natural systems); newer comers and younger generations don't seem to hold the same "us vs. them" view as some longer term residents hold; belief that you can respect the unique identities of the village and town outside the village. As one member said, it's like the "donut and the donut hole".
    - *No:* There are distinct identities and cultures; they operate with a different philosophy and approach to growth, they have different priorities based on their land use patterns (e.g. sidewalks, open space protection, housing types); still are long standing challenges around finances and tax structures.
    - Many members spoke to a symbiotic relationship between the village and town outside the village regardless of whether they believed there is a shared vision. And that when you look at the two together you can get a fuller set of choices

about how people choose to live and be part of the community (e.g. "urban" to rural).

4. **There are big potential benefits to shared planning and big questions about how it could work.**
    - Members see some *potential* benefits to shared planning across the Town and Village including:
        - Ability to see the bigger picture of how the two inter-relate and can plan together
        - Potential for efficiencies – both in process and costs
        - Better take advantage of the skills of planning boards and staff
        - One less of everything could make for a simpler process
    - But there are also some big questions:
        - How do we maintain control over the identity of the village and the town outside the village?
        - How would we reconcile different philosophies and approaches to growth?
        - How would the different planning priorities be worked out and how would that translate into policies, regulations, funding, etc.?
        - How would we transition to a new system (shifting of comprehensive plan, zoning codes, boards, staffing, schedules, etc.)
        - How would we set up an equitable structure?
        - What about the potential for losing tangible value (e.g. potential for decreased funding)?
        - How would we overcome inertia?

5. **Greater community engagement in planning is desired but it's an uphill battle – and a two-way street.**
    - Members were supportive of greater engagement in planning for a variety of reasons including:
        - Potential for "smarter planning" that is less siloed and more informed by a variety of views
        - Happier constituents…or at least less discontent
        - Increase in community capacity – more people engaged in longer term ways
    - Many acknowledged the following challenges to engaging more people:
        - People are busy and pulled in many directions with different priorities and more pressing issues – as one person put it, they are "run off their feet"
        - Communication channels are fractured and people suffer from information overload (already both the Town and Village used multiple

channels including Front Porch Forum, Essex Reporter, Facebook, email newsletters, etc.)
    - Different cultural attitudes about planning and government (e.g. conservative to liberal, long timers to newer comers)
    - Shifting more people from a reactive place (caring about just the development proposed in their backyard) to a proactive place (caring about how policies and regulations are developed)
    - There is a need to plan for the community more inclusively from a socioeconomic perspective - difficult issues like affordable housing and transportation need to be addressed
    - If more people participated then would have to address the challenges that go along with having more people involved (e.g. more viewpoints, need to re-imagine how meetings/input is received)
- Engagement has to be a two-way street:
    - Government has to figure out ways to better inform and educate community members in an ongoing way as well as determine more user friendly ways that can guide people's understanding of the comprehensive plans and regulations (e.g. how information is presented, how meetings are run) *AND*
    - Community members need to take to become informed participants and understand how and when to engage productively.

6. **Many members cited some initial questions, if not concerns, about the project including:**
    - Concern over the Working Group size and how we'll work together productively
    - How to achieve a broader level of engagement in the project. Some referenced that they've seen or heard little about the project to date and questioned how others in the community would know about it and participate.
    - Initial formation of the project including: 1) concerns about not having more of the planning staff and boards involved in the concept and design, 2) questions of the language and framing used for the effort and. 3) wariness about whether municipal leadership are truly committed to considering the project's outcomes or whether their minds are made up about a particular path.
    - Past or recent projects that will influence people's reaction and participation in this effort. In some cases, those experiences can be positive influences (e.g. excitement based on other participation or ideas for how to improve this one) but often it's seen as "baggage" (e.g. feeling like voice wasn't heard, skepticism about outcomes). Examples include:
        - Heart & Soul: Several people mentioned this as a positive, engaging experience where as others felt it was too soft or was more focused on the village.

- Essex Governance Group: A few spoke to appreciating different tools used in the project whereas others were skeptical of the projects' genesis and outcomes.
- Development Review: Many spoke to their or neighbors' frustrations with providing input on a specific project only to be told it was too late for them to influence the process.
- Other Planning Issues: Some spoke to their positive experience when they've participated in longer range planning activities (e.g. design workshops) or more open forums (e.g. Town had an open issues workshop). Others spoke to how they have raised concerns about key community issues only to see their comments diluted or have been frustrated about how little action is happening on key issues (e.g. affordable housing, walkability).

- Despite these questions and concerns, members seem committed and in some cases excited about starting the project. Many had ideas about how to improve it moving forward including:
  - Working Group:
    1. Set clear ground rules and norms for how Working Group will operate productively
    2. Provide authentic opportunities for learning and discussion (don't over facilitate)
    3. Tap into the technical/institutional knowledge in the room while maintaining a level playing field among members
    4. Acknowledge different opinions, biases, agendas but "leave guns at the door"
    5. Set clear project goals
  - Broader engagement:
    1. Improve communication efforts – continue to use multiple channels from the more traditional (word of mouth, local press) to social media to tools used in other efforts but less so in planning (e.g. political yard signs).
    2. Consider additional engagement activities that tap into more of the technical knowledge in the town as well as different groups in the communities who may not participate otherwise.

Project Implications

These findings could inform the project in several ways:

1. **Deeper exploration of what "thoughtful growth" means in the town and the town outside the village.** We will be doing this as part of the community workshop and survey. This could also help deepen our understanding of how different or similar each's planning culture and growth philosophy is.

2. **Refined Working Group sessions to provide more educational opportunities and discussion of key issues.** We have re-designed the sessions to use Session 2 towards this purpose.

3. **Development of Working Group ground rules and group agreements.** These are under development and would be shared at Session 1.

4. **Creation of additional engagement activities.** We are adding two new engagement opportunities:

    1. *"Planning Focus Group":* Planning staff and related board members will be invited to provide input into the process. This session will occur just prior to Working Group Session 2.

    2. *"Meeting in a Box":* We will create a meeting kit that anyone can use to facilitate a conversation in the community. The kit and questions will be structured to complement what we will learn through the first Community Workshop and Community Survey.

5. **Greater focus on communication efforts**. We will revisit the project's communications plan and ensure all channels are being used as well explore the potential for other activities within the current level of resources and potential for in kind contributions. Additionally, we will look at how we can re-purpose Working Group session materials to provide educational resources to be shared through other channels.

6. **Clarity from Selectboard and Trustees on their commitment to the project.** We will discuss ways to do this with the Steering Committee and Selectboard and Trustees as appropriate.

7. **Ideas and information that will inform the project during the Working Group sessions**. Many specifics from interviews will come into play during the sessions.

TGIA Community Workshop Summary

Prepared by Delia Clark & Ariana McBride
September 16, 2015
On behalf of the Thoughtful Growth in Action Project
www.essetgia.com

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Project Overview

Thoughtful Growth in Action (TGIA) is exploring ways to improve the planning governance structure in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the village and the town outside the village. Moving towards a shared vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project is exploring what different planning governance models could look like and which ones would be a good fit for Essex.

Workshop Summary

Thoughtful Growth in Action (TGIA): Re-imagining Essex's Planning Governance held its first Community Workshop on September 9 at Essex High School. Attended by about 60 people, the workshop focused on providing participants with a clear understanding of the purpose, scope an process of TGIA; gathering their input on the desire for a shared vision across Essex town inside and outside the village; exploring public perception about what is currently working well and not so well in planning governance in Essex; and inviting their future participation.

Project activities included:

- A welcome from Max Levy (Town Selectboard) and George Tyler (Village Trustees).
- Keypad polling to learn more about workshop participants.
- A primer on how planning works in Essex
- An overview of the TGIA project
- Two small group discussions to collect community input
- Presentation of next steps and workshop evaluation using keypads.

Project presentations are available at http://www.essextgia.com/library.html.

Small Group Discussion

Eight small groups made up of a mix of Village and Town residents considered a series of questions posed by meeting facilitators. The Questions

Planning Plus/Delta. Plus: What is currently working well about planning governance in Essex Town and Village? Delta: What could we change to make planning governance in Essex Town and Village to work better?

Community Values and Vision: In what ways are the Heart and Soul values around thoughtful growth expressed similarly around Essex Town and Village? In what ways are the Heart and Soul values around thoughtful growth expressed differently around Essex Town and Village?

How might changes in planning governance help protect and promote these values in the ways that they show up in the Town and Village?

Participant responses are grouped in summary below and briefly discussed by general topic.

Leadership and Staff Resources

Current leadership, including trustees, select board members and committee chairs are providing strong and consistent leadership. This was viewed as a big Plus. One indication is the current high level of collaboration between village and town (specially noted: recreation, public works and infrastructure). Comments included:

- Board in town and village are competent now
- Have felt welcomed by boards after speaking up at meetings

- Dynamic and invested leadership.
- Good turnover in the select board and steady professionalism and admin experience among staff.

Leaders were described as collaborative, aware of what is going on in planning and supportive. Related to solid leadership is support of:

- Hard working staff and volunteers, and
- Great town staff that has input in planning and development decisions.

Several groups noted, on the delta side that staff are stretched thin.

- Village needs more staff: it's difficult to enforce regulations when short staffed, stuff [gets] stuck on the back burner.

Staff shortages may contribute to the sense among groups that implementation can be a problem area:

- There is a lack of follow-through on planning items previously agreed upon
- Caught up in slow implementation.

Many groups noted communication problems that may relate to staffing issues. Or as one group expressed it: "silo issues."

Economic Development

Groups noted that Village and Town have a generally well-coordinated approach to economic development, and that shared, consistent economic development policy for both Village and Town was vital. Both Village and Town track economic development and are aware of business needs for growth. On the Delta side, groups noted that Essex needed to be more business-friendly, that more mixed-use commercial development was need. One group noted that development:

- Should be driven by town/village Vision and not solely by property owners.

Others noted that it was important to preserve individual property rights as well. Both Village and Town, several groups noted, seek different development types:

- There is a difference between town's economic/business development of land versus the village's development of housing (senior, multi-unit buildings).
- There is a need to focus on infrastructure repairs and improvements.

Open Space and Historic Preservation

Town and village share many open space values and goals:

- The push for landscaping and street trees
- Goals designed to enhance major views and vistas

- Lots of rural [landscape] has been preserved
- Good historic property representation

Some differences between town and village were noted:

- Focus on green space is stronger in town, the village is increasingly dense.
- Village has parks (seven areas) and fairgrounds. The Town has open space.

Funding concerns for future open space protection were noted. A land trust was suggested for both open space protection and affordable housing development.

Housing

Essex, it was noted as a plus, has a diversity of housing types and both Village and Town are working to promote affordable housing development. Increasingly, the village is seeing more dense, multi-unit housing and, according to one group:

- The Village appears to be going away from affordable housing (eg. Autumn Pond Development).
- Town has more affordable housing development.

One group voiced concern about over-concentration on one type.

- Don't lose great neighborhood already established

Several groups discussed the link between affordable housing and transportation:

- Transportation plans should align, especially regarding affordable housing. A consistent approach is needed.

Walk, Bike and other Transportation Goals

There are strong shared values around creating a walkable, bikeable community in Essex. Bike and pedestrian plans have been created and Town and Village share vision, goals and priorities. On the delta side, sidewalk management was noted as needing more consistent treatment and more sidewalk connections were needed particularly in the town; more *pathways* were called for in general. But there is no question where Town and Village are headed, together working to improve pedestrian access throughout. Traffic concerns, congestion, were noted particularly focused on the Five Corners in the Village. Though the Village is more connected than the town, Five Corners, it was noted by several groups, is not friendly to pedestrians. The Village, another group wrote, "has great potential for walking."

Planning, Regulations and Aesthetics

Both village and town have existing plans and regulations in place and these are working. Many groups voiced a concern over aesthetics and a desire that the village and town improve and maintain its character and historic integrity. Several groups spoke of the desire to see design review and architectural guidelines in more than the village center.

- A consistent approach to design
- Plans should provide a better guide to development and not allow developers to drive design
- Facelift needed to create a welcoming feel – focus on changing the aesthetic

Several groups called for a simpler, more transparent permitting process –"less rules" and a "DRB one stop process." Also, groups noted that regulations needed updating, and in some cases rules and plans in the town plan needed implementation.

Communication, Outreach and Education

More comments were made related to the need for improved communication than other topics. On the plus side is a local TV (video) and good access to information. Meeting notices are readily available and social media tools are proving helpful (Front Porch Forum and Facebook specifically cited). Meetings and processes are open and the public is welcomed to comment. On the other hand, many deltas were noted. For example:

- Need to have knowledge of on-going planning in time to have input
- People need to speak up, need to make an effort to be informed.

There was a call for basic civic education:

- Need to clarify the difference between comprehensive plan and development codes
- Go to people, not expect folks to come to us: proactive communication
- Inform folks of the right time for their issue to be effective and heard
- Lack of understanding of what is being asked. Is the meeting for input or decision making?
- Town residents don't "own" village issues and vice versa.

The need for youth involvement was noted:

- Greater presence of youth in planning (surveying and communication)

Lack of understanding of the overall vision was blamed on a lack of communication

- Need better sharing of vision and plans so folks know what is being planned and "what it all means" [the Why of planning]

Booklets, increase social media communication and summaries were called for.

Participation Summary

Keypad polling was used to provide insight into the participation in the workshop and additional outreach activities. This information is not intended to offer statistical validation of the process, but to understand the characteristics of the participants. For the full responses to the keypad polling view the TGIA workshop presentation at http://www.essextgia.com/library.html.

Residency

- More village residents attended than town residents who live outside the village: 58% of participants live within the village, 28% live in the town outside the village and 13% live elsewhere.
- Longer term residents attended: Over 70% have lived in Essex more than 10 years with 50% living in Essex more than 20 years.
- Most live in single family homes: 83% live in single family units.

Demographics

- Participants tended toward middle age or older: 12% are 25-34 years, 32% are 35-54 years, 32% are 55-64 years and 28% are 65 years or better.
- Most participants have a higher level of education: 79% of participants have a bachelor's degree or higher.
- Household income was more on the higher end of the scale: 78% had annual household incomes higher than $75,000.

Planning Participation

- Participation in typical planning efforts was mixed: 21% had never attended a planning or zoning board meeting, 52% have attended when there has been a burning or important issue on the agenda, 21% are or have been board members.
- Over half had participated in Heart & Soul of Essex in some way: 27% had heard about it but had not participated and 14% had not heard of it.
- Participants had heard about the workshop in a variety of ways: Front Porch Forum and email invitations each had over 20% of the votes; press stories, Facebook and word of mouth all got more than 10%.

Workshop Evaluation

Participants were asked to evaluate the workshop based on a series of keypad polling questions and were also provided with comment cards to provide additional feedback. Here is a summary of the input:

Keypad Questions

1. **Was this meeting worth your time?**
    - 54% - yes
    - 2% - no
    - 44% - I want to see what happens next

2. **Do you feel you had a chance to share your perspective and ideas**
    - 94% - yes
    - 6% - no

3. **Was the meeting…**
    - 19% - too long
    - 9% - too short
    - 72% - just right

4. **Will you continue to be involved in the project?**
    - 61% - definitely
    - 24% - probably
    - 14% - not sure
    - 0% - no

Comment Forms

- This was a fun meeting despite the heat. Good questions and a chance to speak about the issues.
- Would like to see the results.
- Very glad to see some developers here. Keep them involved.
- This is my first experience with these meetings. I thoroughly enjoyed the discussion with my fellow community members and believe this kind of coming together is part of what makes living in Essex (Village or Town) great.
- Organized: Thanks. Big project: How to satisfy the plethora of individual needs.
- Greg Duggan's presentation was very helpful – wish it were available online on the town website in this format. Enjoyed the groups.
- I believe in the ability to get such a diverse group of individuals to site in a room and discuss your community. I believe tonight proved we need more people involved.
- Overall very glad to see this happening, however, I am still jaded from several experiences with development in the past few years. Hoping that board members are really listening.

Thoughtful Growth in Action:
Re-imagining Essex's Planning Governance

Community Workshop

September 9, 2015

7 to 9PM

Essex High School

Welcome

George Tyler, Village Trustees & Max Levy, Town Selectboard

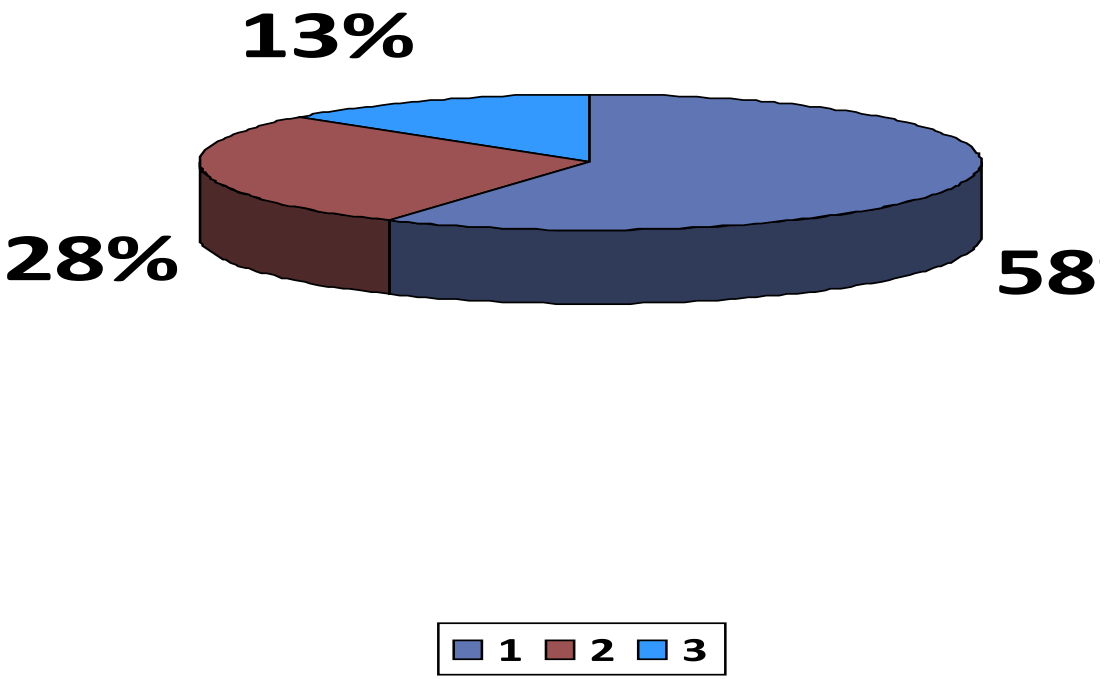
Meeting Overview

- Who's in the room
- Planning 101
- Project Overview
- Planning Plus/Delta
- Break & Treats
- Community Values & Vision
- Next Steps

Who’s in the room?

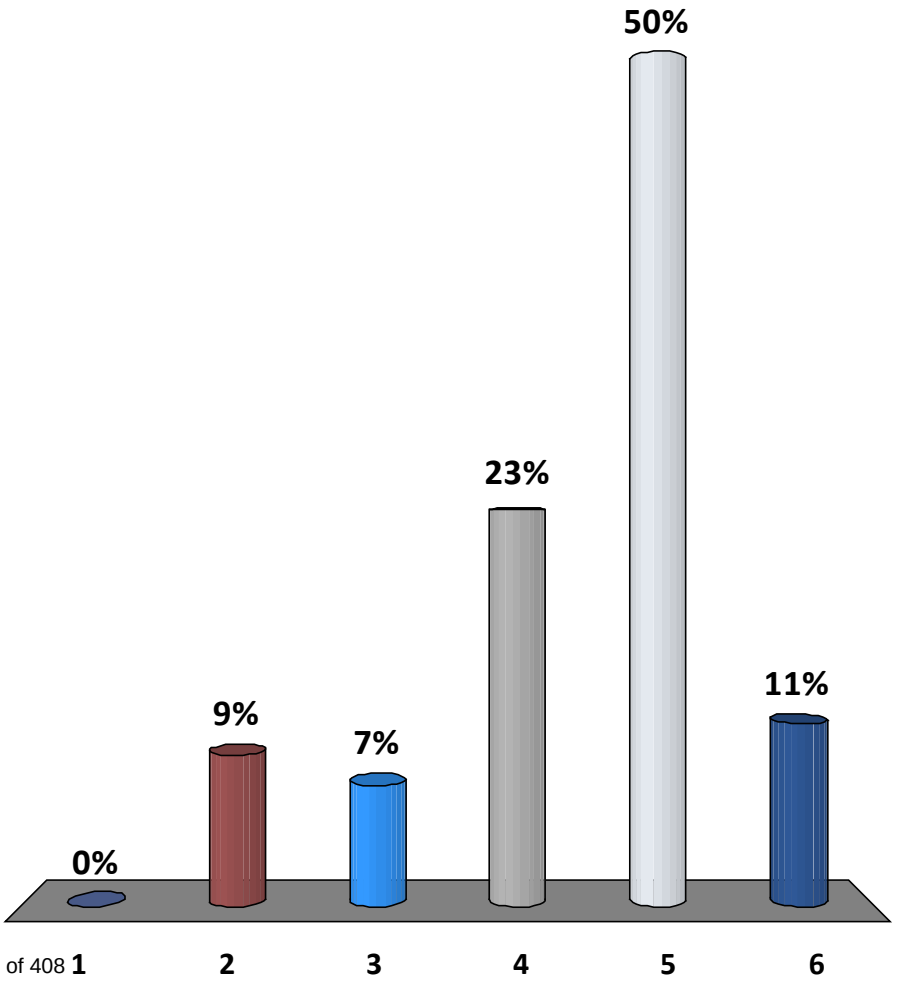
Where do you live?

1. In the village
2. In the town outside the village
3. Somewhere else



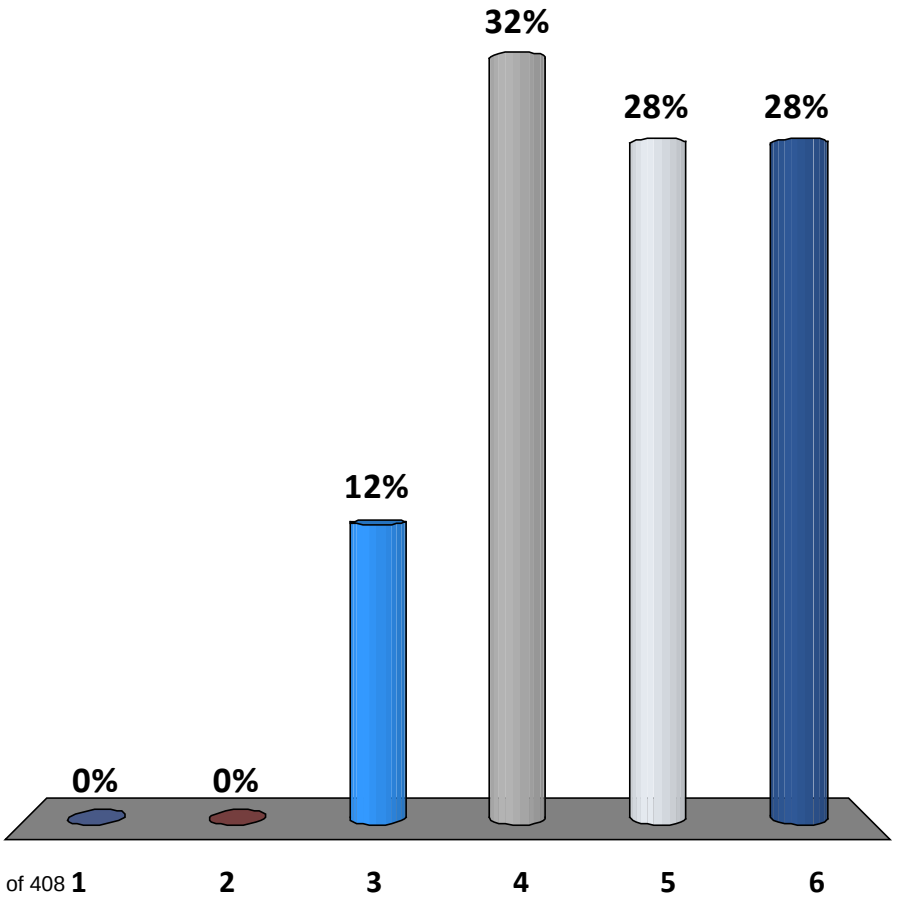
How long have you lived in Essex?

1. Less than 3 years
2. 3 to 5 years
3. 6 to 10 years
4. 11 to 20 years
5. More than 20 years
6. Not applicable



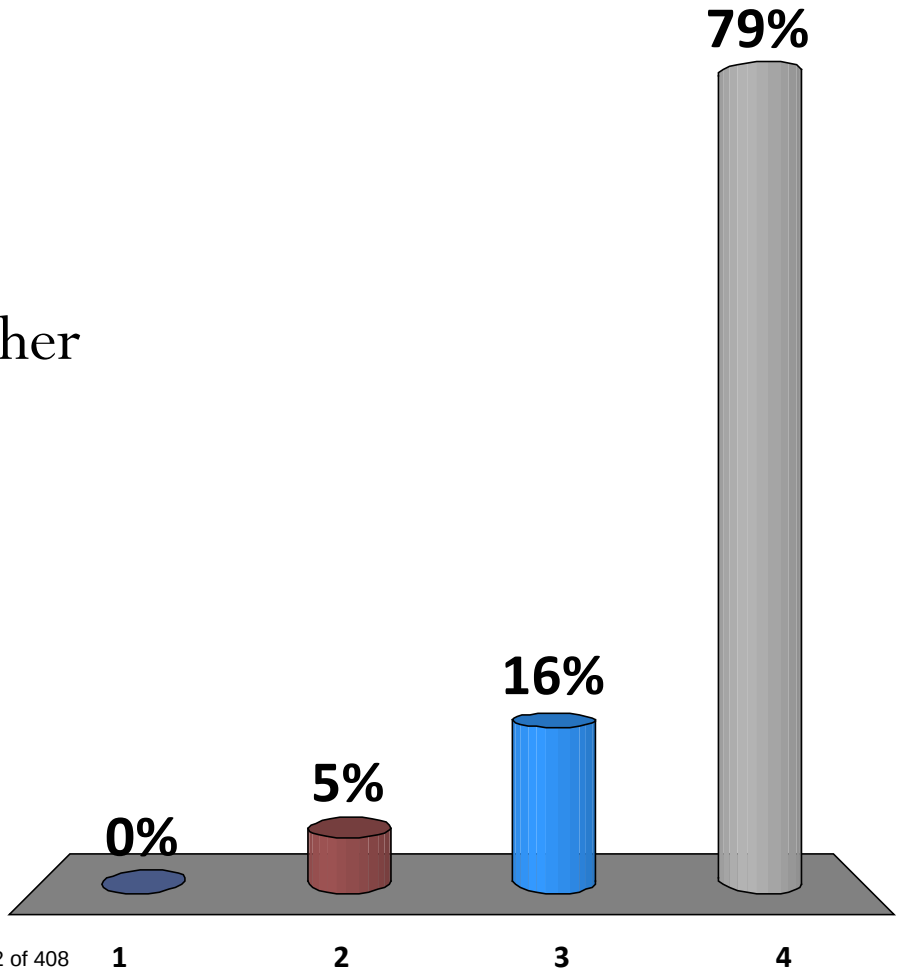
How old are you?

1. Under 18 years
2. 18-24 years
3. 25-34 years
4. 35-54 years
5. 55-64 years
6. 65 years or better



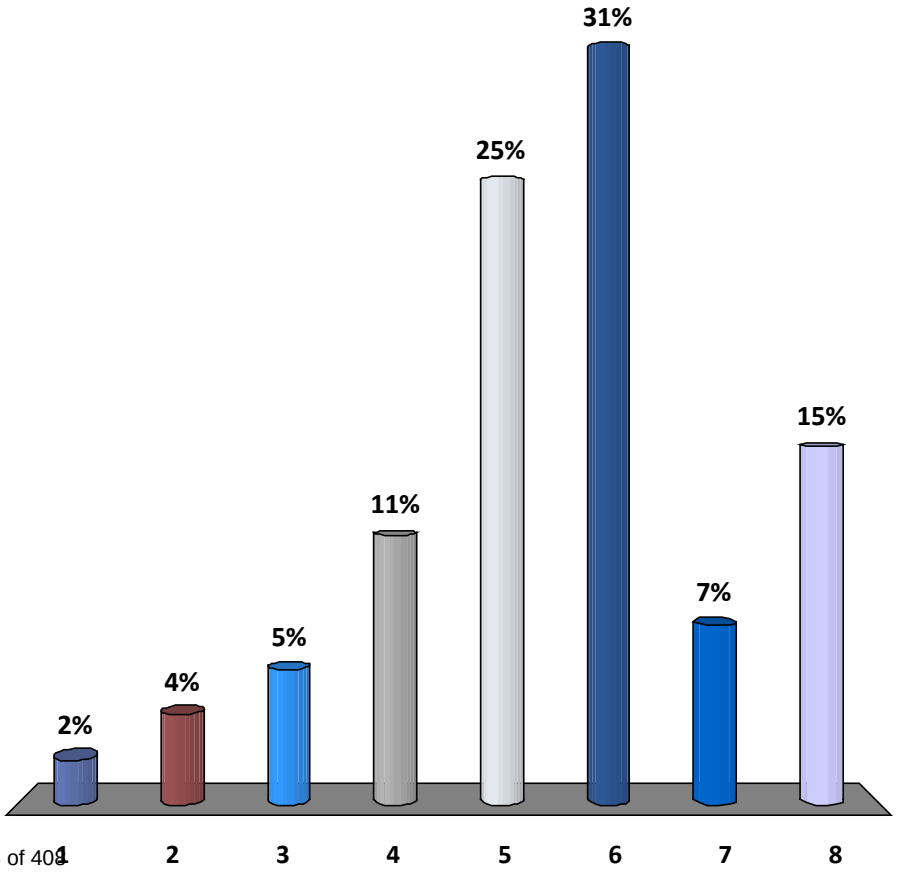
What is your education level?

1. No high school degree
2. High school degree
3. Some college or an Associates degree
4. A bachelors degree or higher



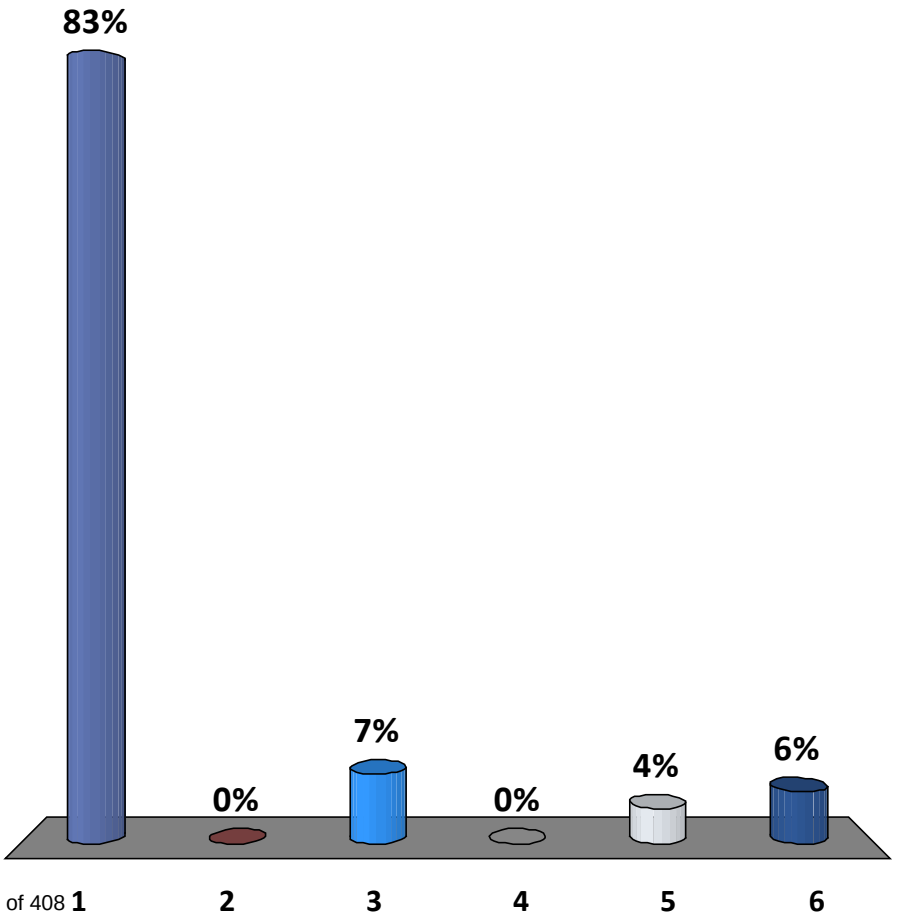
What is your annual household income?

1. Under $25,000
2. $25,000 - $49,999
3. $25,000 - $49,999
4. $50,000 - $74,999
5. $75,000 - $99,999
6. $100,000-$149,999
7. $150,000-$199,999
8. $200,000 or higher



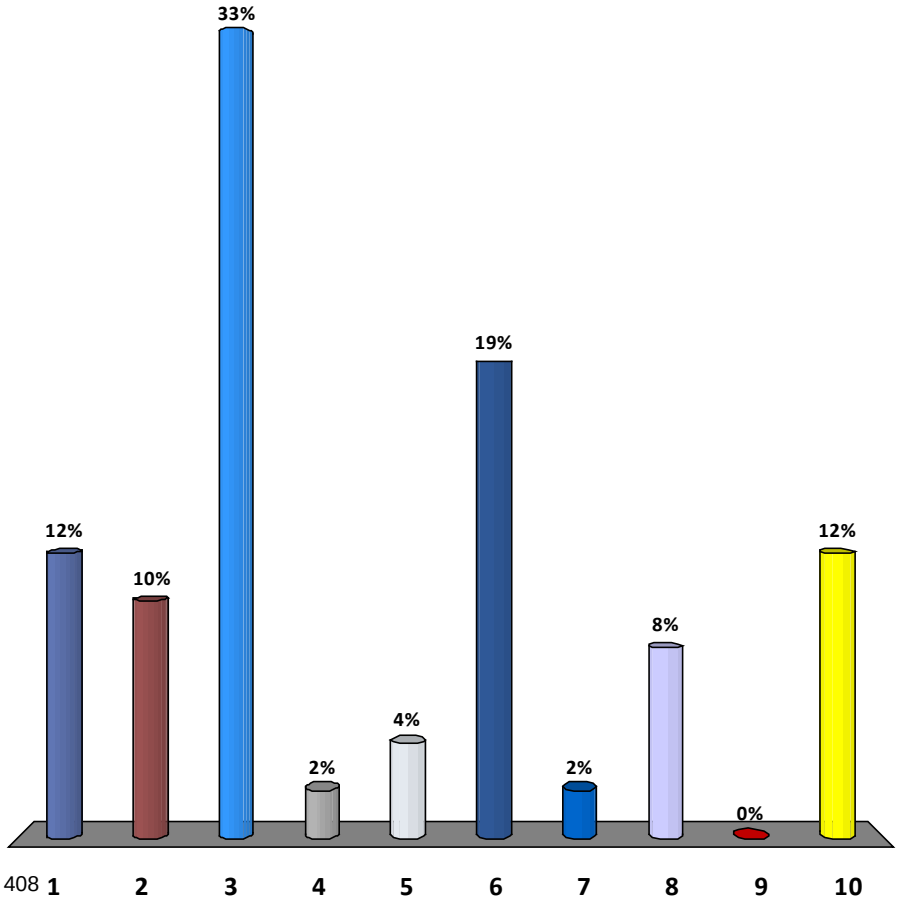
In what kind of housing do you live?

1. Single family home
2. In law/accessory unit
3. Duplex
4. Triplex
5. Apartment building
6. Other



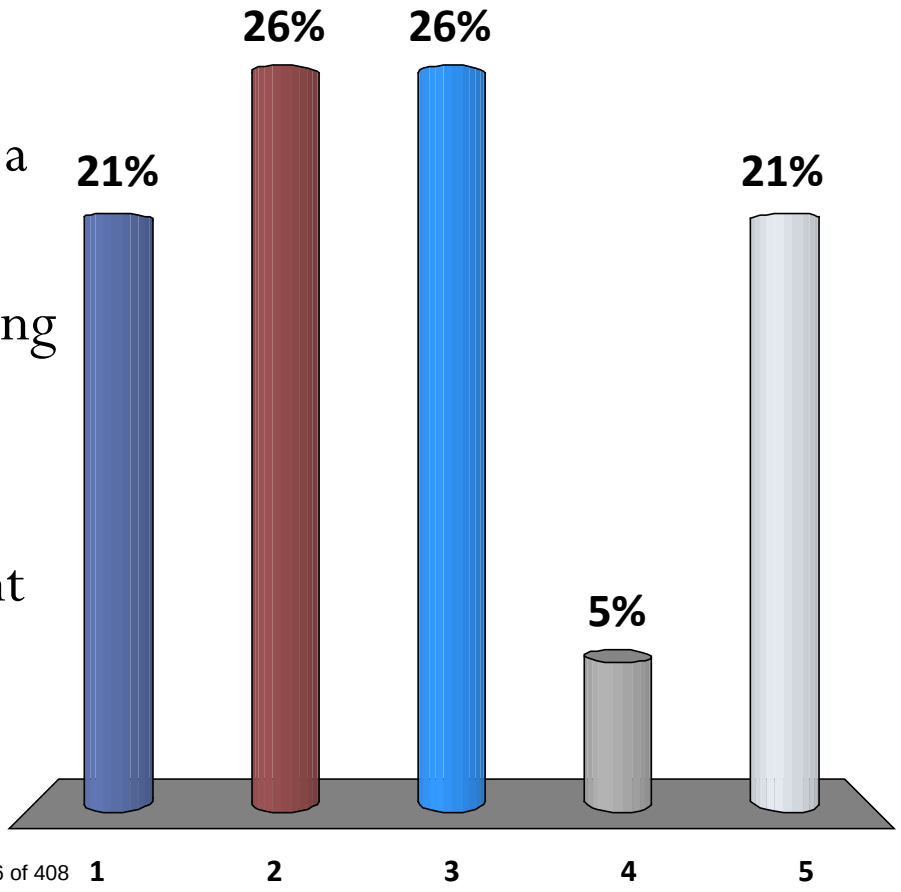
In which land use zone is your home?

1. Agricultural – residential
2. Low density residential
3. Medium density residential
4. Mixed use
5. Multi-family/mixed use
6. Village center
7. Transit oriented development
8. Planned unit development
9. Other
10. Don't know



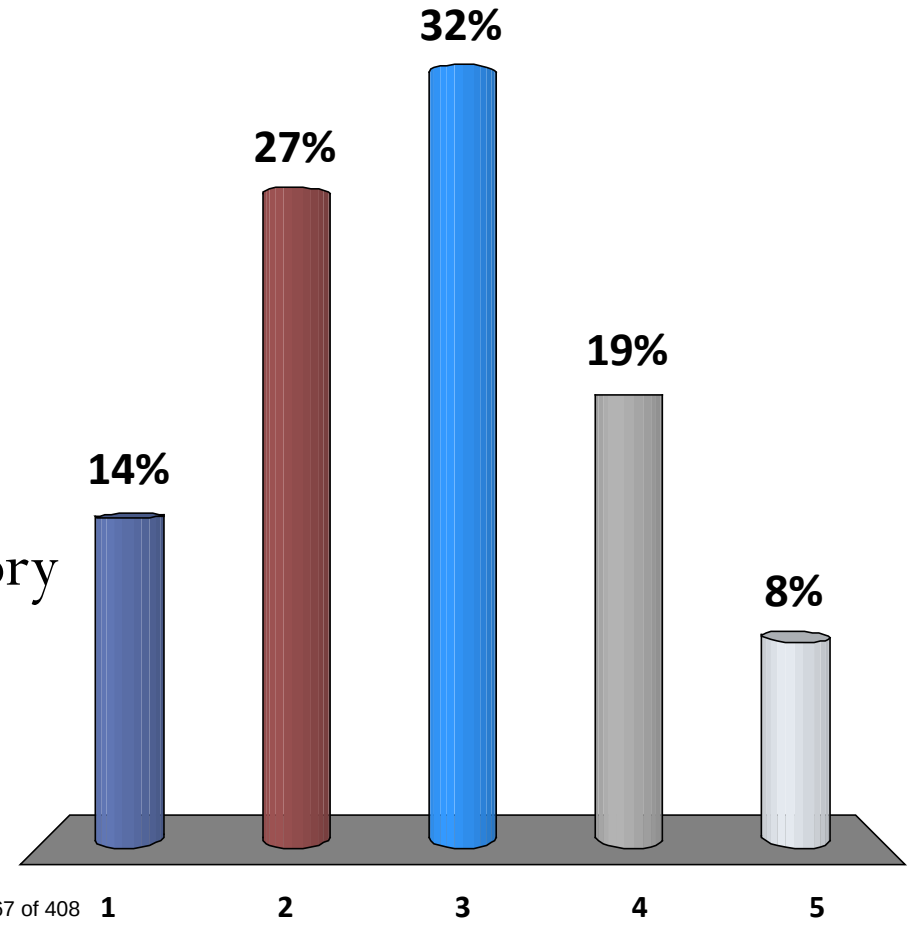
How many meetings of the Planning Commission or Zoning Board have you attended?

1. None – they have meetings?
2. A handful but only when I've had a burning issue
3. I go when I think there is something important on the agenda
4. I'm a regular
5. I stopped counting – I'm a current or former board member



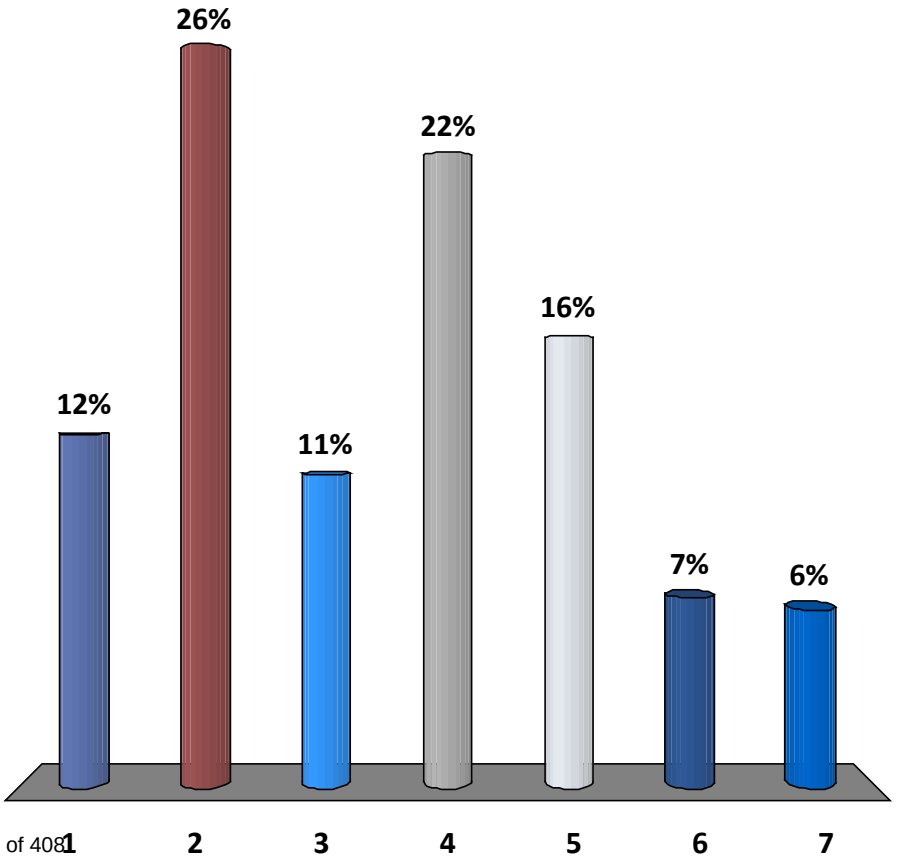
Did you participate in Heart and Soul of Essex?

1. No - what's that?
2. I heard about it but did not participate
3. I went to an event or two
4. I participated regularly
5. I was on the Community Advisory Team



How did you hear about tonight's workshop? (choose top 3)

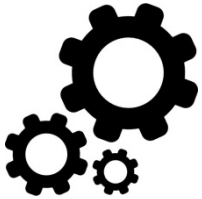
1. Press story
2. Front Porch Forum
3. Facebook
4. Email invitation
5. Word of mouth
6. Project website/newsletter
7. Other



Project Overview

RECREATIONAL
COMMUNICATION
EDUCATION
THOUGHTFUL GROWTH
SAFETY

What's this project all about?



To create a shared understanding about how planning in Essex works today

To engage in a conversation about planning can honor and build on the unique characteristics of the village and the town outside the village – to achieve "thoughtful growth"

To explore possible paths to improve planning governance while maintaining or improving cost efficiency

Planning Governance???

The values, rules, structures and people that guide what our community is and what it will become.

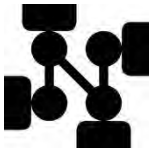
VALUES

- H&S
- "Urban"
- "Rural"

RULES

- Policies
- Regulations

STRUCTURES



- Selectboard & Trustees
- Planning Commissions
- Zoning Boards
- Other Municipal Boards
- Municipal Departments

PEOPLE

- Residents
- Business owners
- Land owners
- Developers
- Municipal staff

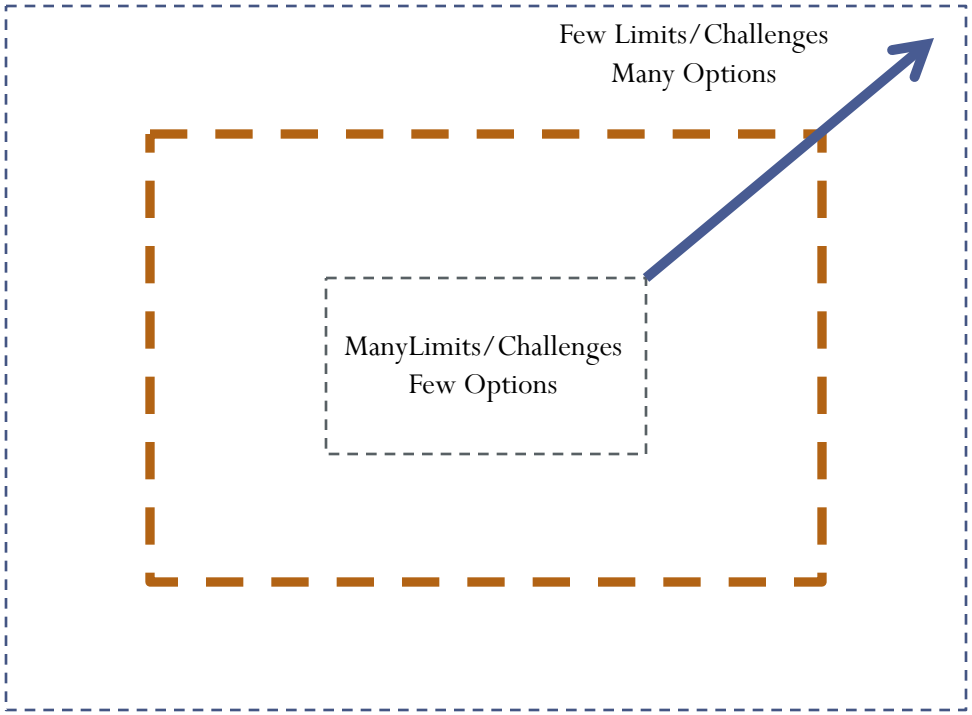
What's the end game?

Recommendation to the Selectboard & Village Trustees

1. Potential changes to how boards are organized
2. Potential for shared planning across Town and Village
3. Communication/engagement processes
4. We'll see what else!

What's possible?

It's more than either/or but it's not infinite possibility



The Opportunity Box

How is the work getting done?

The Community

Working Group

Selectboard & Trustees

Steering Committee

Consultants

Who is the Working Group?

12 in town outside village

10 in village

4 other

15 men

11 women

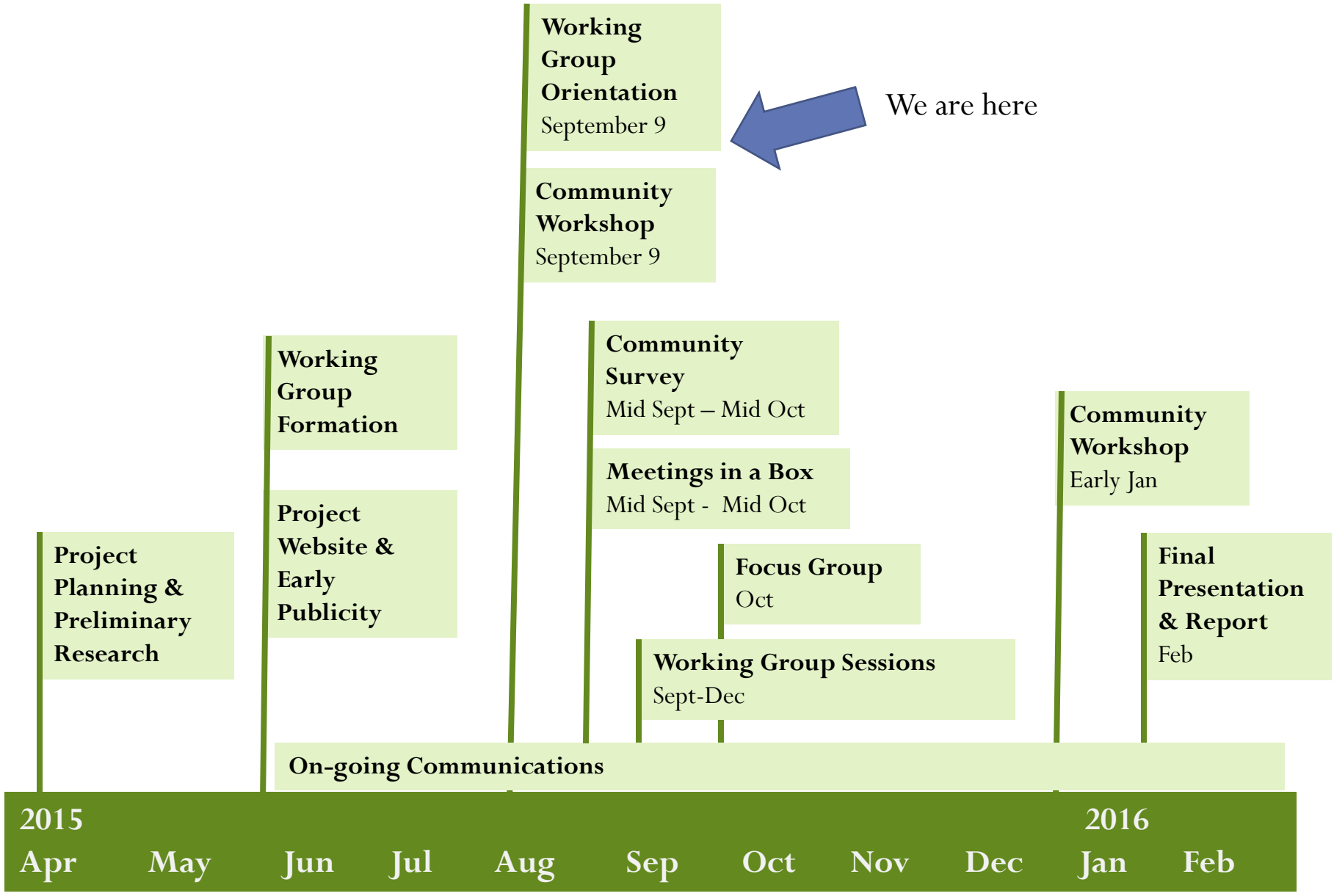
Age range 27-71

Residency 3 to 35 years

Mostly homeowners

Varied professions

Varied planning experience


Working Group Orientation
September 9
We are here
Community Workshop
September 9
Working Group Formation
Community Survey
Mid Sept – Mid Oct
Project Website & Early Publicity
Meetings in a Box
Mid Sept - Mid Oct
Community Workshop
Early Jan
Project Planning & Preliminary Research
Focus Group
Oct
Final Presentation & Report
Feb
Working Group Sessions
Sept-Dec
On-going Communications
2015
2016
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb

Why does this project matter?

Photo credit: Amy on Flikr

How to stay involved?

- Community survey
- Meeting in a Box
- Working Group Sessions
- Email Newsletter
- Project Website
- Working Group/Steering Committee Members
- Share the news!
- Second Community Workshop – early January

Planning Plus/Delta

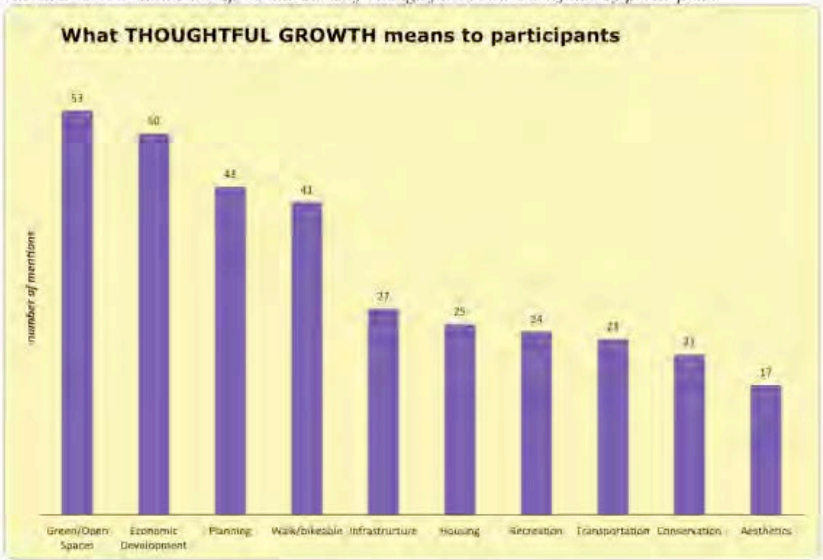
1. What is currently working well about planning in the village and the town outside the village?
2. What could we change to make planning in the village and the town outside the village better?

Community Values & Vision

THOUGHTFUL GROWTH

We value wide-open spaces and tight-knit neighborhoods, rural roads and vibrant downtown streets. Essex is a place where we can enjoy a beautiful view, walk in the woods and go out to eat without ever leaving town. We support a diverse housing mix, opportunities for business development and a transportation system with a variety of options including a connected network of walking and biking routes.

The chart below shows the top 10 attributes of Thoughtful Growth as defined by participants



Participants describe THOUGHTFUL GROWTH as

- A balance of housing, business, and the preservation and maintenance of a variety of open spaces, including forests, trails, parks, and recreation fields
- Economic development that provides gov't and community support for a diverse mix of start-ups and local businesses as well as the development of green businesses
- Balanced and thoughtful planning & zoning with citizen input
- A variety of housing options including affordable housing
- A connected, coordinated transportation system that increases efficient traffic flow, and adds public transportation, walking and biking options
- Conservation of open spaces through a land trust or land acquisition fund
- A focus on aesthetics including landscaping, flowers, and trees

Community Values & Vision

1. In what ways are the attributes around thoughtful growth expressed similarly in the village and the town outside the village?
2. In what ways are the attributes around thoughtful growth expressed differently in the village and the town outside the village?
3. How might changes in planning help protect and promote these attributes?

THOUGHTFUL GROWTH

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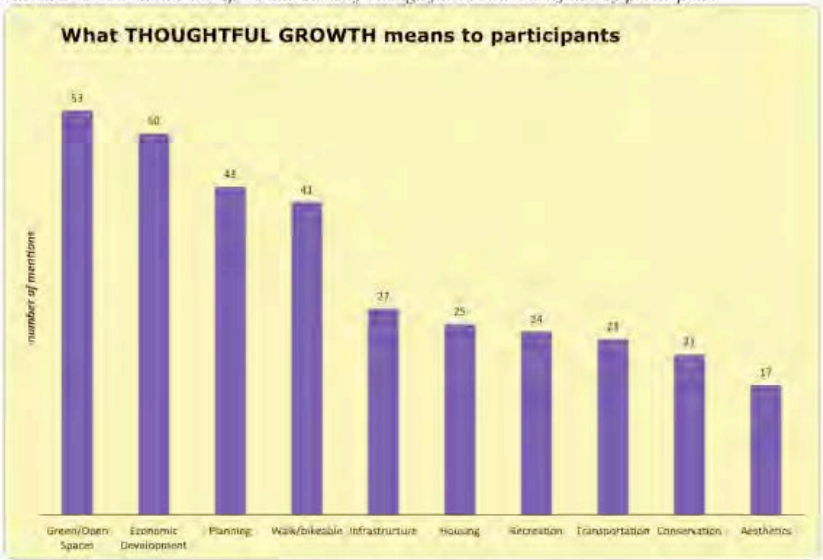

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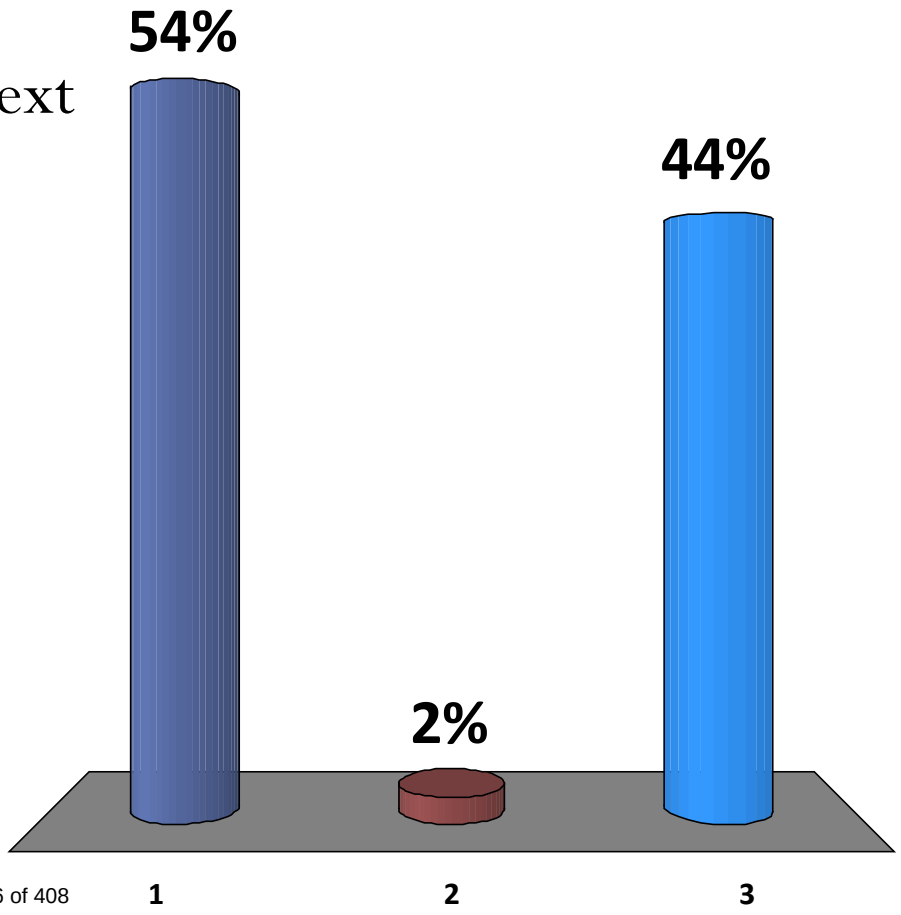
Next Steps

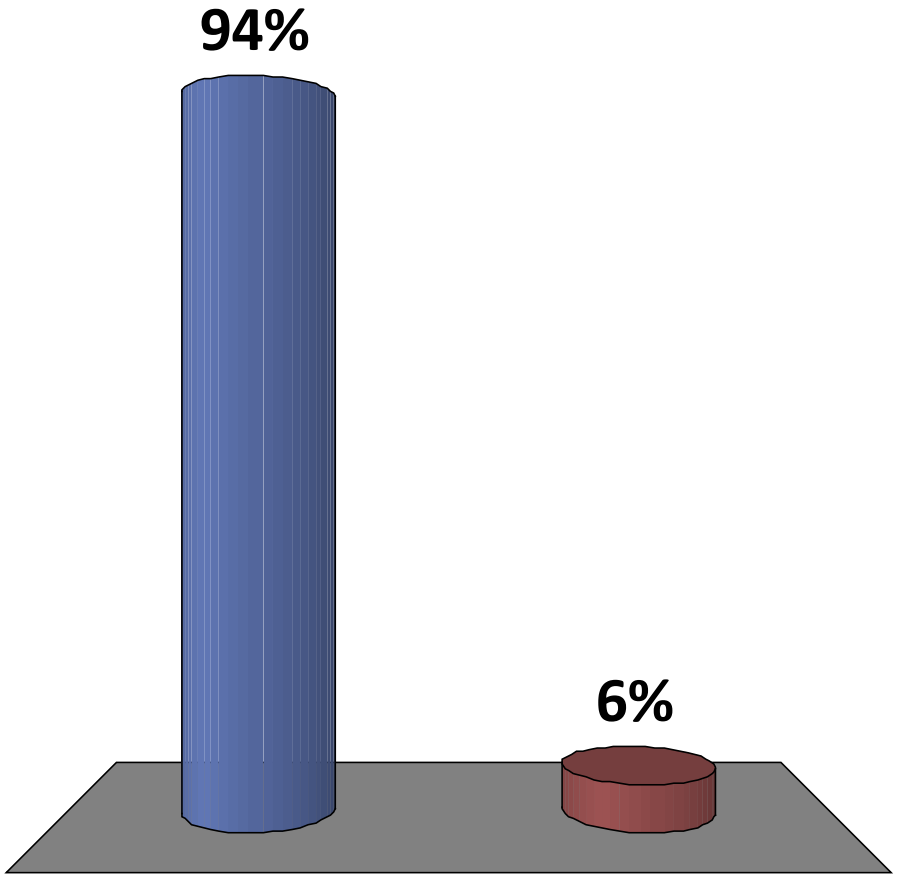
Was this meeting worth your time?

1. Yes
2. No
3. I want to see what happens next



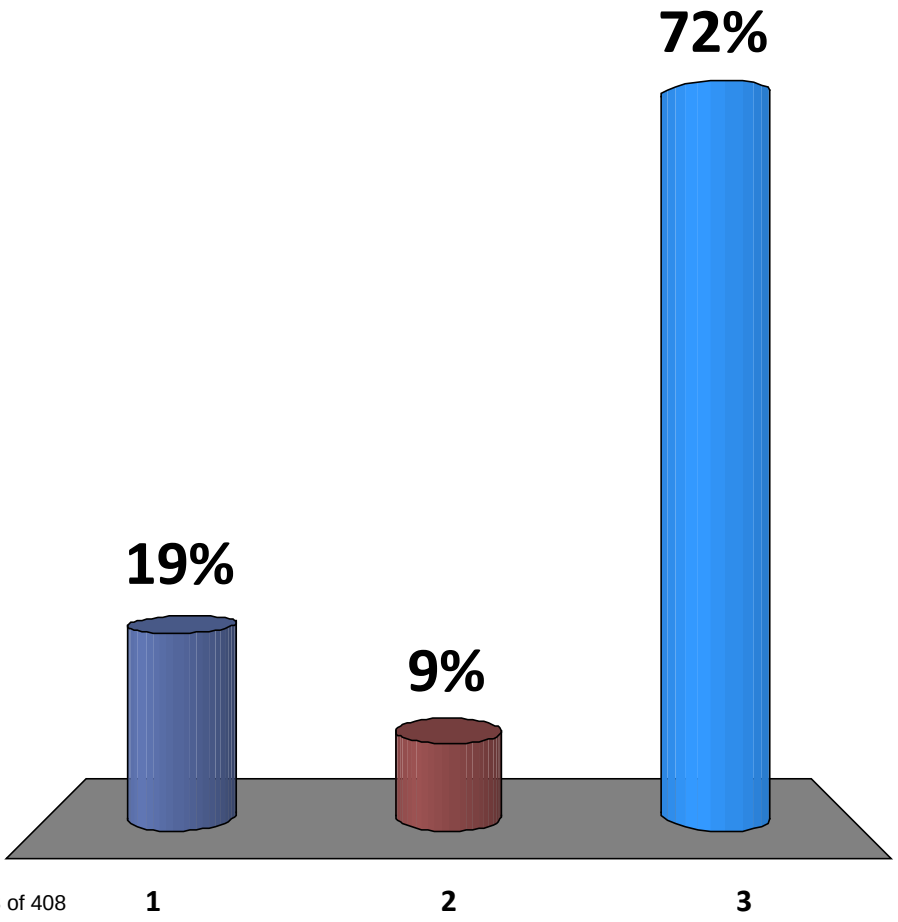
Do you feel you had a chance to share your perspective and ideas?

1. Yes
2. No



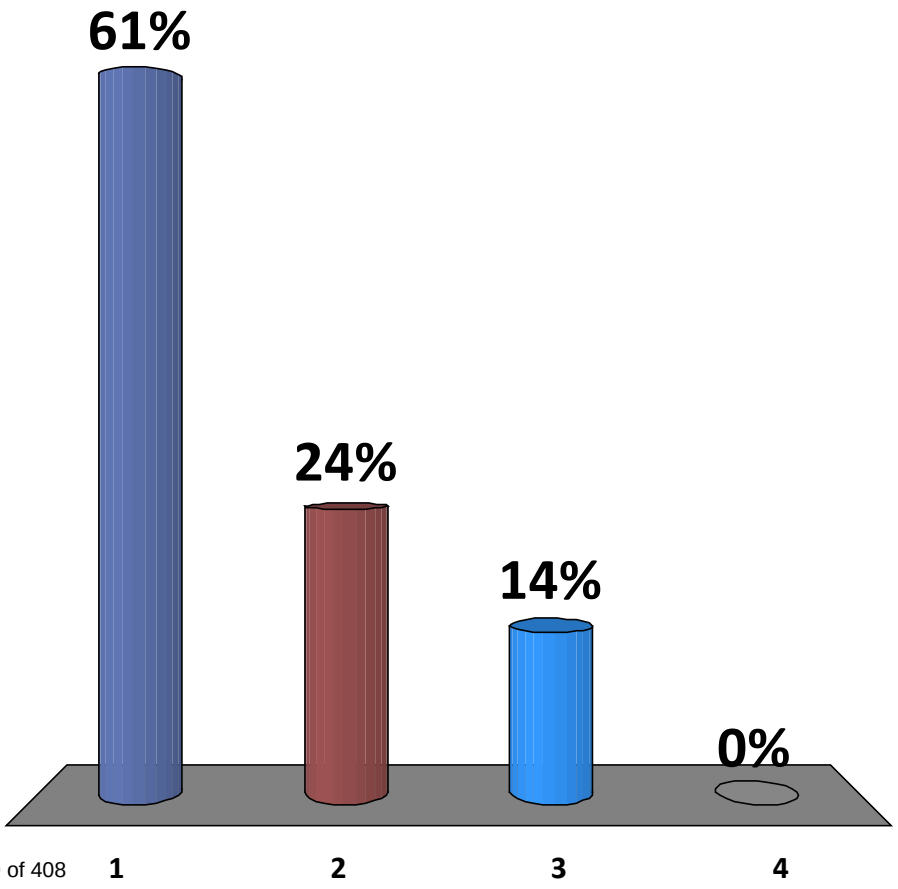
Was the meeting?

1. Too long
2. Too short
3. About right



Will continue to be involved in the project?

1. Definitely
2. Probably
3. Not sure
4. No



How to stay involved?

Community survey

Meeting in a Box

Working Group Sessions

Email Newsletter

Project Website

Working Group/Steering Committee Members

Share the news!

Second Community Workshop – early January

Thoughtful Growth in Action Community Workshop

Workshop Info

- September 9, 2015
- 7-9PM
- Essex High School

Our Goals for Tonight:

- To introduce the project to the community
- To provide information on how planning works in Essex today
- To hear from participants about core issues related planning

For more info

www.essextgia.com

Agenda

- 7:00 Welcome
- 7:05 Who's in the room
- 7:15 Planning 101
- 7:35 Project Overview
- 7:45 Planning Plus/Delta
- 8:15 Break & Treats
- 8:20 Community Values & Vision
- 8:50 Next Steps

About the Project

Thoughtful Growth in Action (TGIA) is exploring ways to improve the planning governance structure in the Town of Essex and Village of Essex Junction. The project's impetus is the belief that the community wants to move towards a shared Essex vision that simultaneously honors and builds on the unique characteristics of the village and the town outside the village. Currently, the Village and the Town outside the Village each has a planning commission and zoning board of adjustment. This project will explore what different planning governance models could look like and which ones would be a good fit for Esse desire to have a shared vision.

How Can I Participate?

Take our Community survey – look for it in mid-September

Meeting in a Box – sign up to host a session

Working Group Sessions – all are welcome

Email Newsletter – sign up!

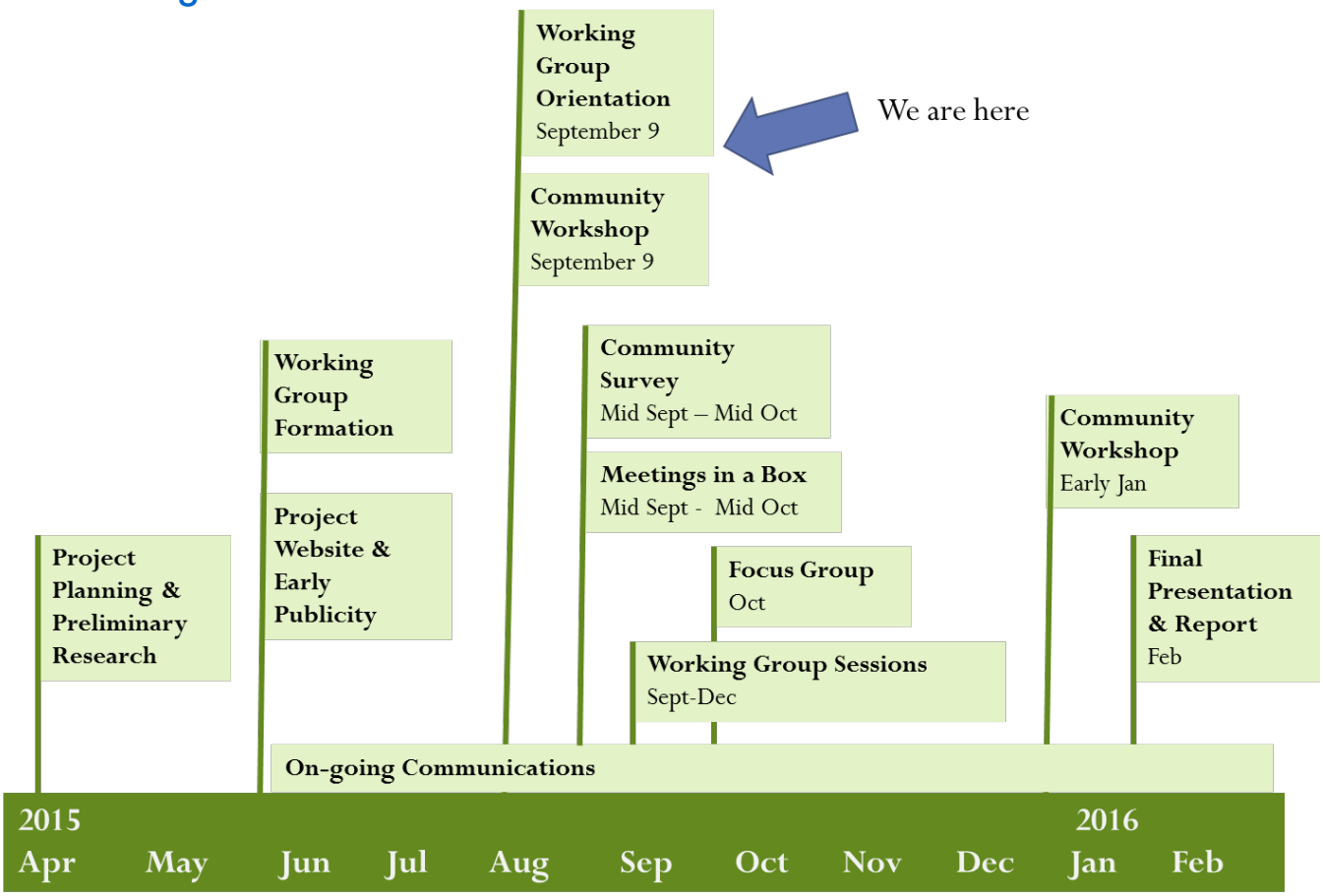
Project Website – check it out at www.essextgia.com

Working Group/Steering Committee Members – sit down for a chat

Share the news – The more people know what's happening the better

Second Community Workshop – join us in early 2015

How Long Will It Take?



How's the Work Getting Done?

The project relies on a few core groups to move it forward:

- **The Community:** Provides input on desires for planning governance, helps shapes principles to be used for developing and evaluating governance options and reflects on project recommendations
- **The Working Group**: Dives into the details and trade-offs among governance options and is responsible for making a recommendation to the Selectboard and Trustees
- **Selectboard & Trustees:** Makes final decision about project recommendations
- **The Steering Committee**: Guides project implementation and manages consultants
- **The Consultants:** Facilitates the public process, provides research and design of governance options, supports project communications and produces a final report.

Working Group Members: Andrew Brown, Ben Gilliam, Brad Dousevicz, Dana Hanley, David Nistico, Greg Farkas, Greg Morgan, Irene Wrenner, John Alden, Johnathan Schumacher, Mark Paulsen, Mary Jo Engel, Matt Gibbs, Maura Collins, Mitch Lefevre, Ned Daly, Paula DeMichele, Paula Duke, Robin Pierce, Ron Lawrence, Sarah Salatino, Sharon Kelley, Sue Cook, Theresa Fletcher, Thomas Weaver, and Vanessa Zerillo.

Steering Committee: Max Levy (Town Selectboard), George Tyler (Village Trustees), Pat Scheidel (Town/Village Manager), Greg Duggan (Town Planner/Asst. Town Manager), Doug Fisher (Town Director of Admin Services).

Consultants: Delia Clark and Ariana McBride.

PLANNING 101:

What is planning?

When government officials, business leaders, and citizens come together to build communities that enrich people's lives, that's planning.

– American Planning Association

What that means

- Deciding where to develop, where to conserve land and natural resources
- Housing
- Transportation

- Historic preservation
- Economic Development
- Scenic views
- Stormwater

Planning in Vermont

State of Vermont

Vermont Planning & Development Act

- Encourages development that "maintains the historic settlement pattern of compact village and urban centers separated by rural countryside"
- Coordinates planning between state, regions, and municipalities
- Allows municipalities to create comprehensive plans

Chittenden County Regional Planning Commission

- Representation from all cities and towns in Chittenden County, including Town of Essex and Village of Essex Junction
- Chittenden County ECOS Plan
  - The regional plan identifies large parts of Essex (Town and Village) as areas of the county that will have higher density, mixed-use development
- RPC needs to approve Town and Village Comprehensive Plans
- Transportation Improvement Plan for Chittenden County
- Circ Alternatives

Town of Essex
&
Village of Essex Junction

- Town Plan
- Village Comprehensive Plan
- Both plans set the framework for regulatory and non-regulatory planning efforts

Essex's history of planning

1967: Comprehensive Plan for the Town of Essex and Village of Essex Junction; updated in 1970

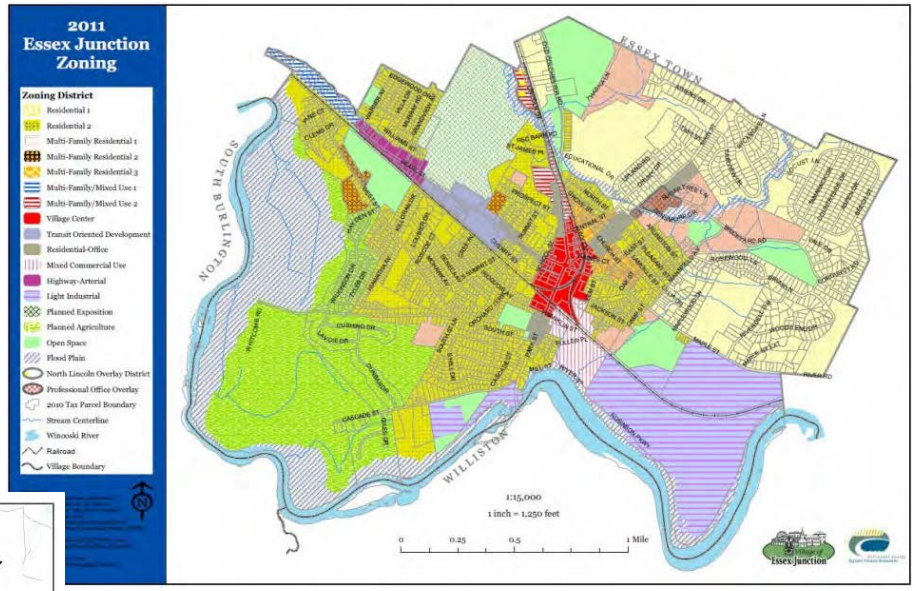
1972: Village and Town outside the Village adopt separate zoning regulations

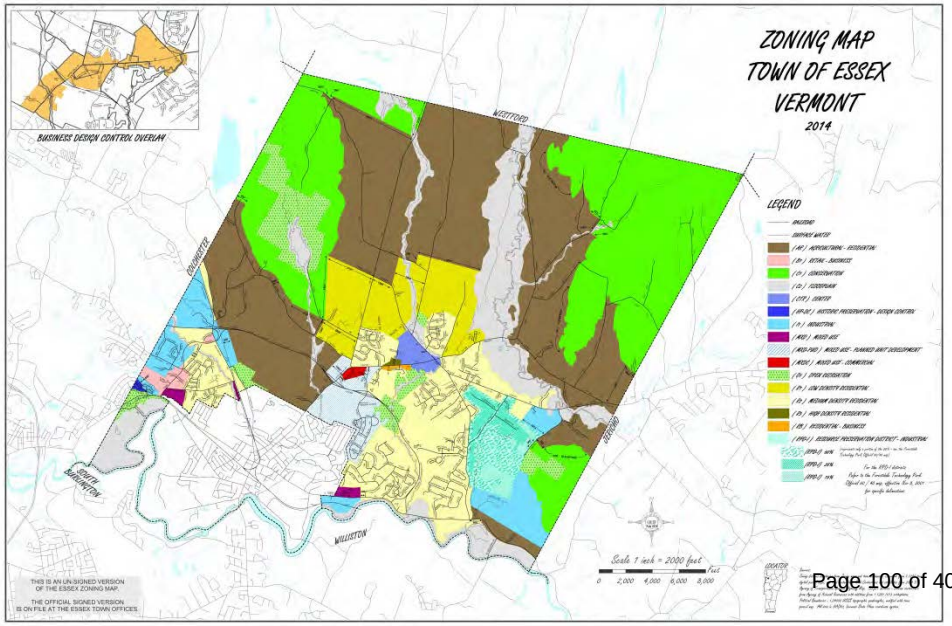
1974: Town updates its comprehensive plan, with subsequent updates every several years

1991: Village updates its comprehensive plan, with subsequent updates every several years

Regulatory and enforcement tools

- Zoning and Subdivision Regulations (Town)
- Land Development Code (Village)
- Zoning districts



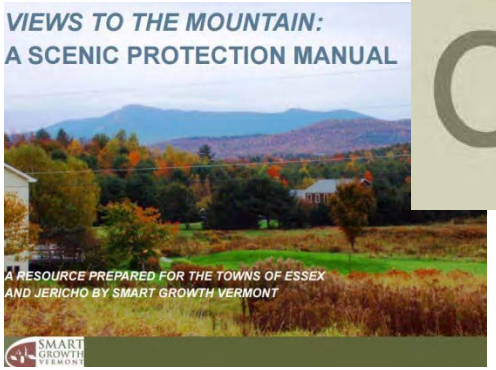


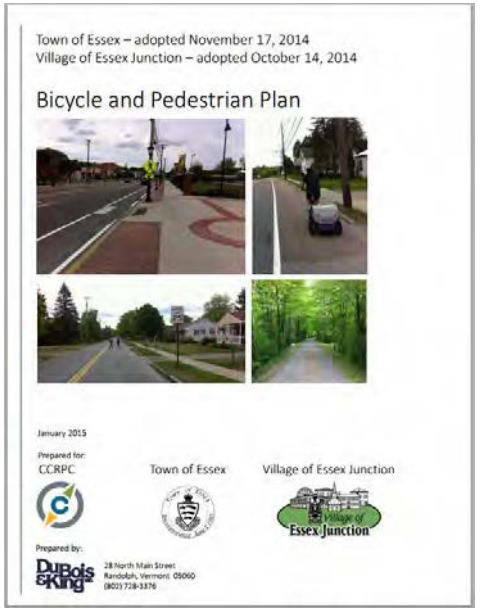
Regulations and codes are used to review development and for enforcement, BUT …

Planning ≠ Development review

Non-regulatory tools

- Capital budget
- Town Plan and Village Comprehensive Plan provide basis for additional studies and reports





- Findings and recommendations from reports can be incorporated into updates of zoning and subdivision regulations and land development code

Who plans in Essex?

- Community Development staff
- Planning commissions
- Other municipal boards

  Conservation Committee (Town)
  Economic Development Commission (Town)
  Energy Committee (Town)
  Trails Committee (Town)
  Bike/Walk Advisory Committee (Village)
  Capital Program Review Committee (Village)
  Tree Advisory Committee (Village)

  Zoning Boards of Adjustment

- Municipal Departments

  Fire Departments
  Parks and Rec
  Police Department
  Public Works
  Schools

- Residents
- Developers
- Civil engineers
- **Selectboard and Trustees**
  - Final authority for most planning initiatives rests with Selectboard and Trustees
  - Appoint members to planning commissions, zoning boards, and other committees
  - Adopt regulations based on recommendations of planning commissions

We value wide-open spaces and tight-knit neighborhoods, rural roads and vibrant downtown streets. Essex is a place where we can enjoy a beautiful view, walk in the woods and go out to eat without ever leaving town. We support a diverse housing mix, opportunities for business development and a transportation system with a variety of options including a connected network of walking and biking routes.

- Heart & Soul of Essex, Thoughtful Growth

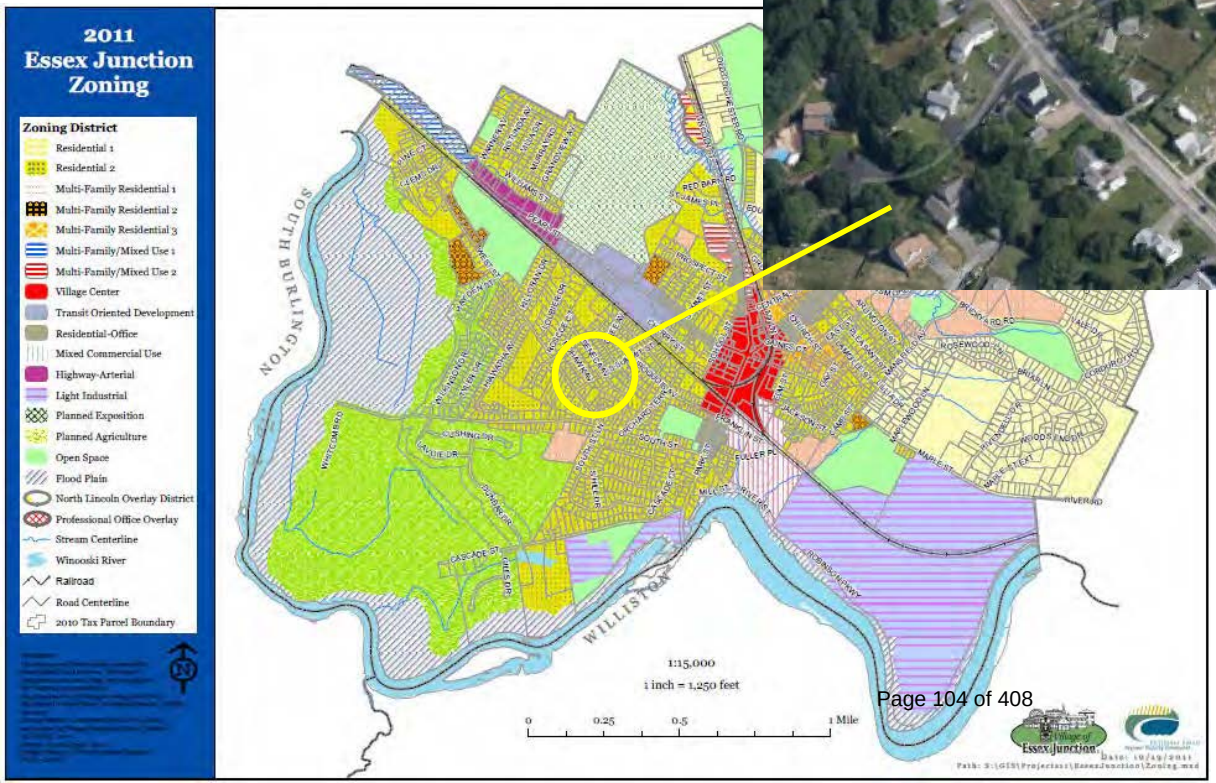
How planning affects life in Essex

- Lot size
- Public water and sewer, or wells and septic
- Residential neighborhoods or mixed-use areas
- Guidelines for new subdivisions, commercial buildings
- Location of sidewalks and bike lanes
- Traffic
- Rate of development

Residential 2 (Village)

Residential 2
(Ex: South Summit St. & West St.)
High-density, single-family residential development.

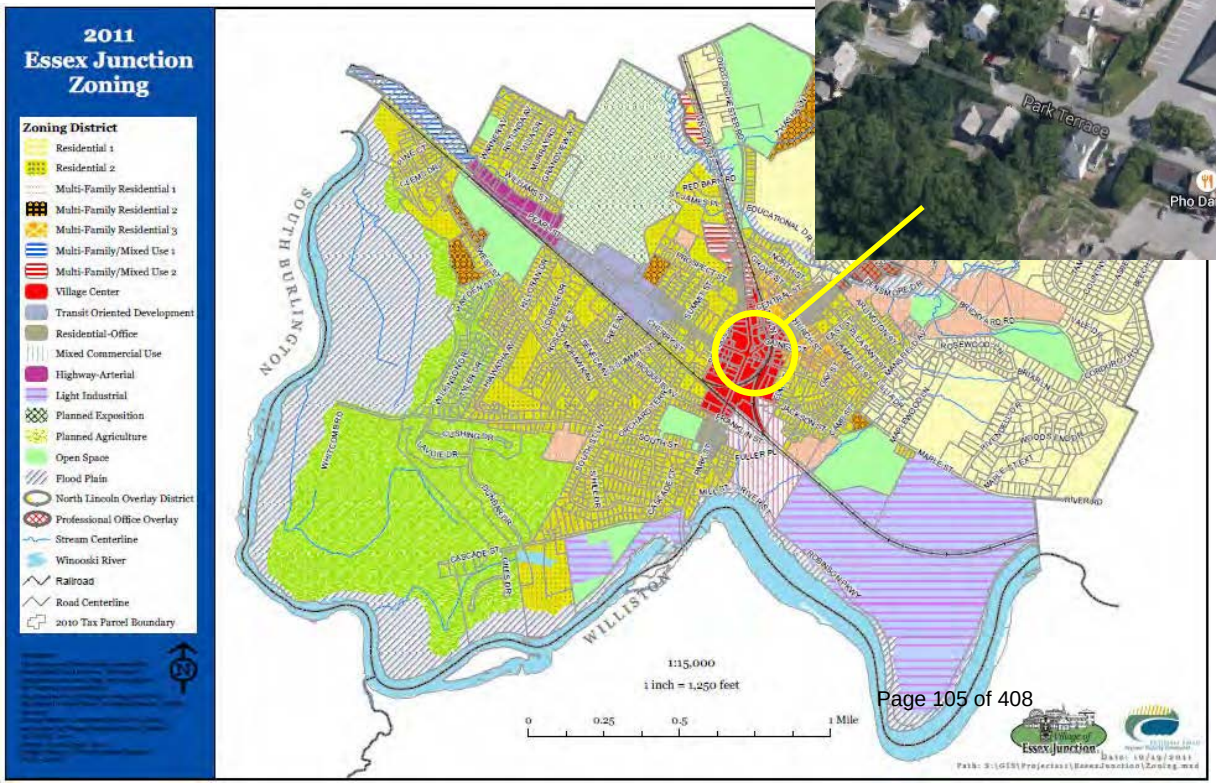
Minimum lot size: 0.17 acres



Village Center

Village Center
(Ex: Five Corners)
Compact commercial center with a mix of commercial, governmental, cultural and residential uses

Minimum lot size: 0.11 acres



Village Center District is a state-designated village center. The Trustees can offer tax incentives and other financial incentives to influence planning, development, and redevelopment.

Mixed Use & Retail Business (Town)

Retail Business District

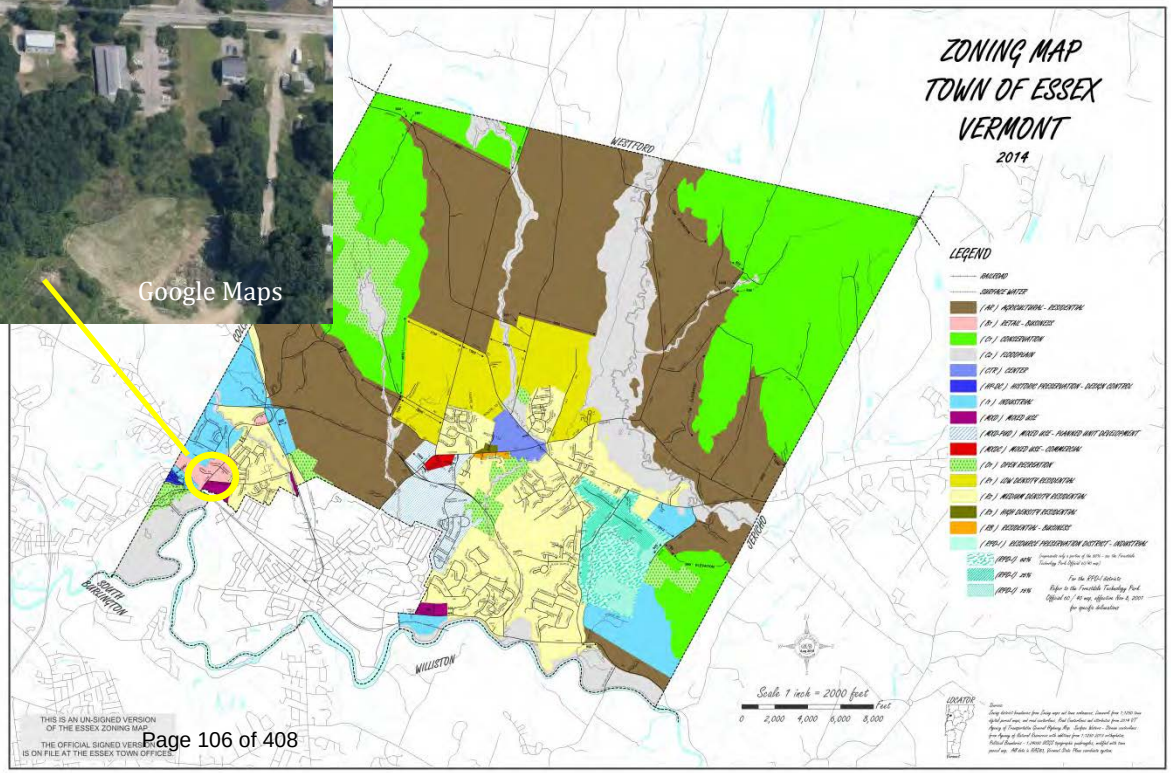
(Ex: Susie Wilson Road corridor)

Existing commercial areas and adjacent lands becoming predominantly commercial. Located near major roads.

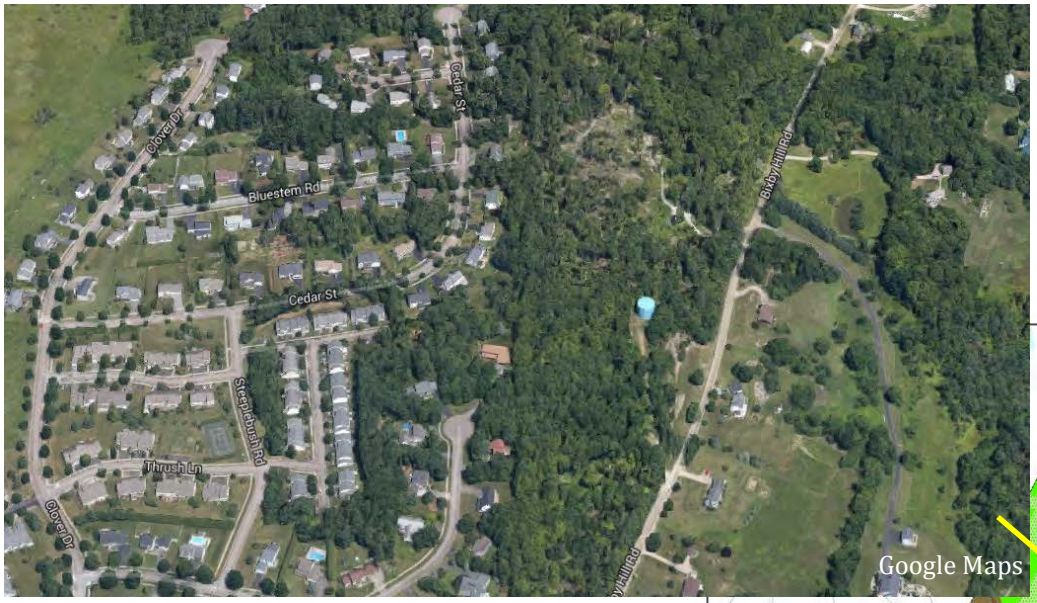
Mixed Use Development District

(Ex: Susie Wilson Road corridor)

Mix of residential and commercial uses. Located near major roads.

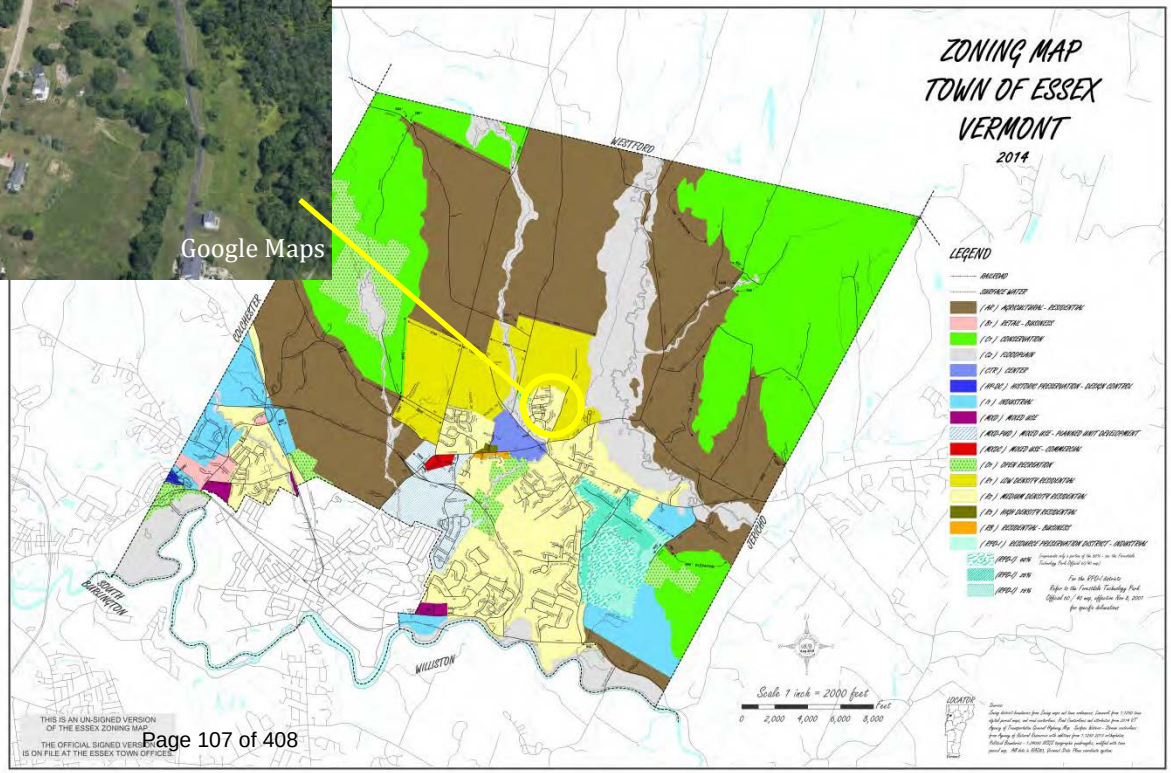


Medium Density & Low Density Residential (Town)



Low Density Residential
(Ex: Bixby Hill Road)
Residential development in areas adjacent to Town Sewer Core Area.

Minimum lot size: 1 acre



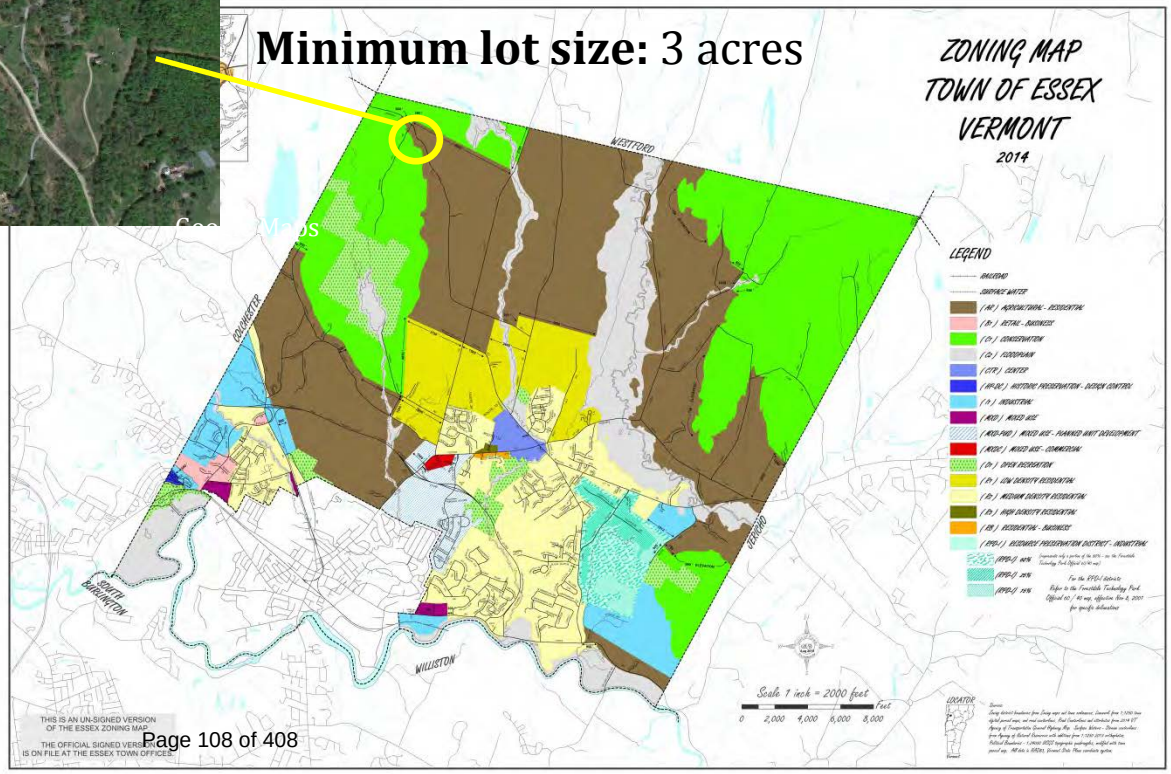
Medium Density Residential
(Ex: Meadow's Edge)
Residential development within the Town Sewer Core Area.

Minimum lot sizes: 0.46 acres to 0.92 acres

Conservation & Agricultural Residential (Town)

Agricultural Residential District
(Ex: Brigham Hill Road)
Protection of land with economic capability for agriculture; low density residential development.

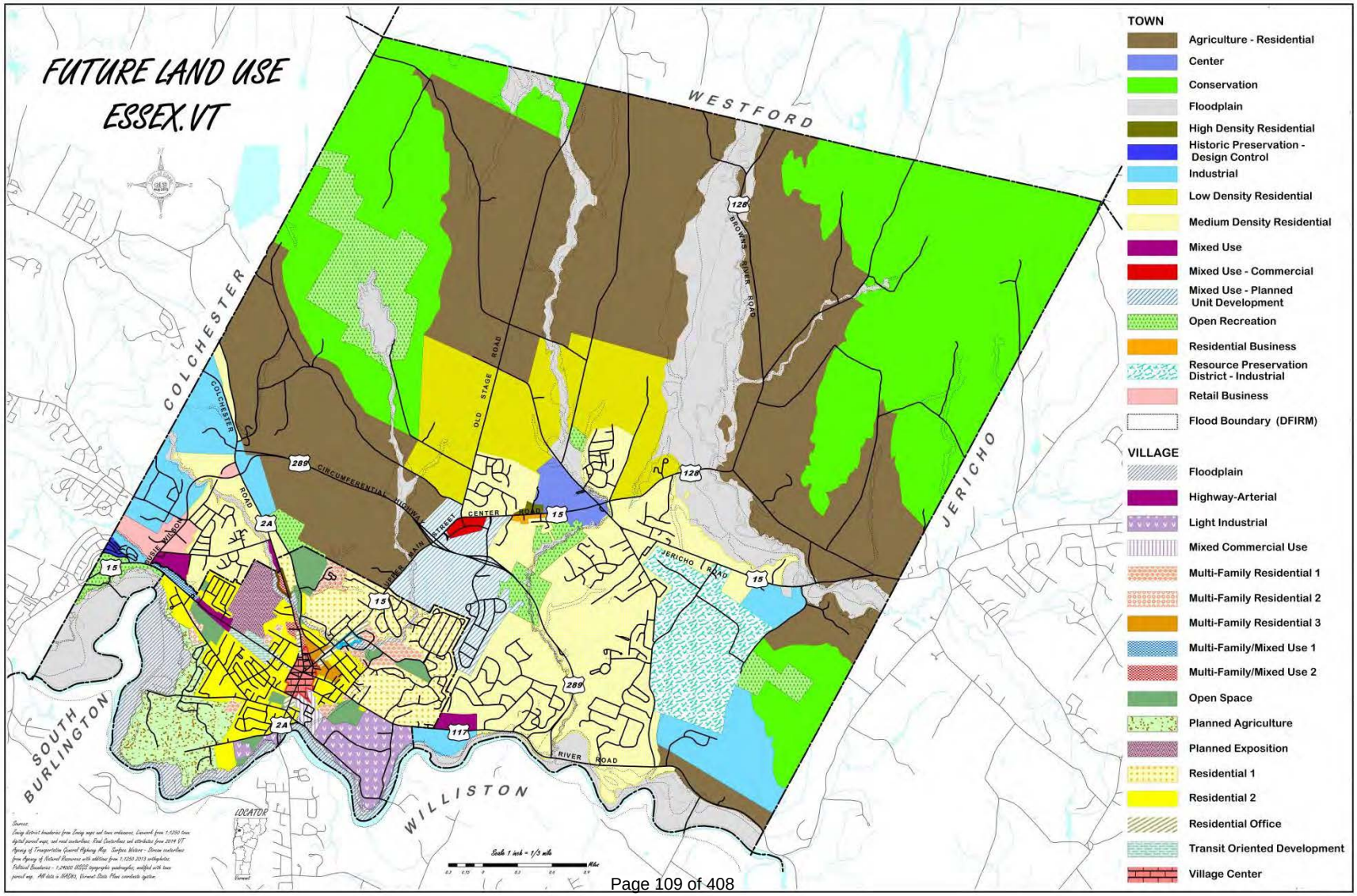
Minimum lot size: 3 acres



Conservation District
(Ex: Brigham Hill Lane)
Protection of sensitive natural resources and steep slopes; inappropriate for intensive development.

Minimum lot size: 10 acres

Future land use in Essex



Joint Planning Efforts

Town of Essex & Village of Essex Junction

- Heart & Soul of Essex
- Bicycle and Pedestrian Plan (2014)
- Joint Stormwater Committee
- All Hazards Mitigation Plan
- CCRPC Circ Alternatives Program

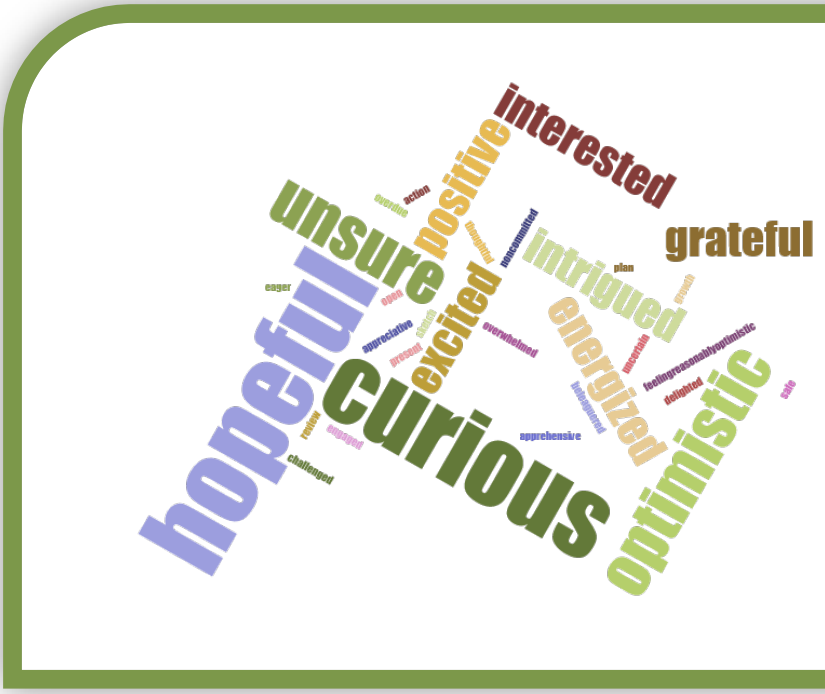
Development of comprehensive plans and other planning tools

- Comprehensive plans updated every five years
- Zoning and subdivision regulations and Land Development Code see periodic revisions
- Updates and revisions need to go through a series of **workshops** and **public hearings** with planning commissions and then Selectboard/Trustees
- Town Plan adopted by voters

How does the community find out what's happening?

- Postings in Town and Village offices, Brownell Library and Essex Free Library
- Town and Village websites
- Legal notices in Essex Reporter
- Front Porch Forum
- Weekly Village Newsletter
- Email lists for Town Planning Commission and Zoning Board Agendas, Town Plan updates

TGIA Working Group Summary #1



Prepared by Delia Clark & Ariana McBride
October 5, 2015
On behalf of the Thoughtful Growth in Action Project
www.essetgia.com

Project Overview & Working Group Role

Thoughtful Growth in Action (TGIA) is exploring ways to improve the planning governance structure in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the village and the town outside the village. Moving towards a shared vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project is exploring what different planning governance models could look like and which ones would be a good fit for Essex.

The Working Group is a 26-member volunteer group charged with developing a recommendation regarding possible planning governance changes. It kicked off its work with an Orientation on September 9, 2015 and is meeting monthly through December 2015.

Members will work towards a set of recommendations based on information from a mix of activities including:

- Two community workshops
- Online community survey
- "Meeting in a box" community discussions
- A Planning Focus Group
- Educational readings and presentations
- Working Group discussions

The Group's recommendation will go to the Town Selectboard and Village Trustees in early 2016.

Session Summary

The Working Group for Thoughtful Growth in Action (TGIA) held its first session on September 30, 2015 at Essex Junction Parks and Recreation from 5:30 to 8:30PM. Attended by 21 Working Group members plus project staff, the session focused on developing agreements for how the group will work together; reviewing project goals and core questions; and developing a set of principles to help guide the development and evaluation of different planning governance options.

Participant List: Ben Gilliam, Brad Dousevicz, Dana Hanley, Greg Farkas, Greg Morgan, Irene Wrenner, John Alden, Jonathan Schumacher, Mark Paulsen, Mary Jo Engel, Maura Collins, Matt Gibbs, Mitch Lefevre, Paula Duke, Robin Pierce, Ron Lawrence, Sarah Salatino, Sharon Kelley, Sue Cook, Theresa Fletcher, Tom Weaver, Vanessa Zerillo.

Staff: Greg Duggan, Delia Clark and Ariana McBride

Cover Image: The word cloud on the cover of this summary captures the words that the Working Group used to describe how they felt about the process as the session kicked off.

Group Agreements

Group members reviewed a set of draft agreements that speak to: the authority and purpose of the group, membership appointments, ground rules for group sessions, decision making processes, internal and external communications.

The group recommended several changes to the ground rules (changes highlighted in blue):

- Treat all members of the group with fairness and respect.
- Listen carefully.
- Try to be patient.
- Share “air time.”
- Be polite and direct.
- Assume good intentions.
- Be willing to find a “third way.”
- Look for a win, win solution.
- Work to stay open to a range of perspectives.
- Have a sense of humor.
- Be fully present.

(A copy of the Group Agreements is listed under the materials for Session 1 on the project website’s Library page.)

Participants agreed to the Group Agreements.

Project Goals & Core Questions

Delia reviewed the project’s goals and a set of core questions. Members suggested no changes to the goals, which are:

- *To increase the community's understanding about how planning works today.*
- *To engage in a conversation about how planning can honor and build on the unique characteristics of the Town inside the Village and the Town outside the Village – to achieve "thoughtful growth".*
- *To explore possible paths to improve planning governance while maintaining or improving cost efficiency.*
- *To make a recommendation to the Town Selectboard and Village Trustees on potential planning governance changes.*

Several suggestions were made to improve the questions (noted in blue):

- **Planning Today**
  - How is planning structured currently in the village and the town outside the village?
  - What's working well about it and where do people see opportunities for improvement?
- **Shared Planning Potential**
  - What could be the benefits of sharing planning functions across the Town and Village?
  - What are the challenges and/or concerns about shared planning?
- **Board Structure**
  - What is the range of options for board structure?
  - What are the pros/cons of different structures?
  - Are they different between the Town and Village?
- **Community Engagement**
  - How does the planning structure interact currently with the broader community?
  - What's working well and where do people see opportunities for improvement?
  - How can we educate community members about every stage of the planning process so that they better understand when and how they can influence planning decisions?
- What other considerations should the Town and Village consider?

What Have We Learned?

Ariana McBride provided a brief overview of early observations from three points of information: preliminary research, Working Group member interviews and the first Community Workshop. (The presentation and summaries of these materials are on the project website's Library page).

Participants then broke into two groups to discuss three questions:

- What resonates with you about the findings?
- What surprises and/or concerns you about them?
- What do you think is missing from the discussion to date?

What Have We Learned to Date?

Raw Data from Combined Groups

<u>What resonated with you about the findings?</u>

- Findings demonstrated the need for effective public education and engagement structures about how and when to engage with planning processes
- Findings demonstrate the need to differentiate between planning versus enforcement of regulations
- The need for communication – all directions: outbound, inbound, etc., and a way for people to get the information for themselves
- That the Economic Development Commission is also interested in moving to DRB (resonated).
- Adding DRB to the conversation.
- Re-purposing Greg's primer into matrix so people understand each activity and their influence
- Sense that T&V have different decisions about planning – is a concern
    - Personality based more than cultural (same regulations applied with different results – could be a lack of definition rather than over-prescription
    - Change all the time.
- The need for standards and consistency in how people interpret and apply regulations
- The need for board education

<u>What Surprised or Concerned You?</u>

- The perception that the village has a more accessible/friendly process than the town: is more user-friendly. We don't want that impression to leave this room – not a helpful characterization. We need to educate people about this.
- The above statement could mean that the town has clearer processes than the village
- Concerned about fear to speak up.
- Town and village values match but are manifested in different ways – what are some examples of this?
- We want to be sure that our collective values play out in planning processes: like being collaborative, cohesive, open in our communication, and efficient.
- We want to be sure that people understand details of how DRB works (not just fewer meetings)
- Still trying to make sense of how we'll use the information generated from the community meeting and how to resolve differing perspectives.
- The perception that we're not getting the word out (using a lot of channels already for both long term planning and development review) People aren't educating themselves about how they can participate
- Surprised by people's desire for tree-lined streets (in V and T) but this not emphasized in community workshop [this language is in the town plan]
- Surprised by how much material was generated and how tricky it is to work through it all – the potential to ask 1-2 pointed questions to get into conversation.
- Scope of project was surprising: going into a level of detail with the large group and this [relatively small] amount of time. Need to be realistic about outcomes. Are there other ways to tackle this?
- Are we doing this as a combined community? And then [filling in] the details later. [Or not?]. Not either or.
- Educational [materials] and information are available but people show up and say "you didn't tell me." This feels like a cop out. Unfair to people who did the work.
    - Observations – that within staff the resources are out there.

What do you think is missing from the discussions to date?

- Input from people who have experience with DRBs. Need to hear pros and cons (from the people who hate DRBs and why as well as from those who love them).
- There is a lack of deep understanding of:
  - Current planning processes
  - Ways it can be changed
- Planning Process [needs to be spelled out] for education of volunteer board members, current and potential future members
- A visual flow chart of how process currently works
- We aren't hearing voices of people who are happy with the process or from those who don't care.
- Some of us know town process and not village, and vice versa.
- It's important that we're clear about goals, then development approaches to support goals.
- That design review has not been part of the discussion – question how this becomes part of the process and its level of impact on outcomes of design. Could be part of the structure.
- Possibility of looking at different models – uncomfortable with developing a system that requires that people educate themselves, for example.
- As a microcosm of community, education is mind boggling – so feed information about the process and more broadly about [vision, goals and objects, and the role of planning] to me so I can understand how to participate.

Summary

Over-riding theme is the role of education and communication in future success of town development.

- The need for more effective and widespread public education and engagement
- Better understanding of current planning process, terms, and specific opportunities for public participation).
- The need to better understand how DRBs work and the need for new tools like a flow chart
- Board education
- The perception that we're not getting the word out or doing enough to give people information: on the other hand, for people who show up to meetings prepared and knowledgeable, those claims can feel unfair.

DRBs

- A strong interest in moving to the DRB model
- A lack of an understanding of all points of view concerning DRBs: missing, the pros and cons
- Design review versus development review: a lack of clear understanding the difference

Strong perception of shared values and collaborative spirit, but the lingering perception of Town and Village differences in planning

- Different planning approaches and processes, a lack of standards and consistency.
- Various perceptions about ease of access and user-friendliness and perceptions of different levels of clarity in planning processes.

- Same values but manifested in different ways in town and village.
- A lack of clarity about current TGIA process: are we doing this as a combined community and then filling in the detail or not? Not either/or?

Design Principles

Ariana McBride introduced the concept of design principles and how they will be used to help develop and evaluate a set of planning governance options. She also spoke to the potential to use indicators related to each principle to help understand and measure differences among options. The draft principles and scenarios were:

PRINCIPLE	INDICATORS
1. Foster "big picture" thinking that looks at how the Town inside the Village and the Town outside the Village relate to and affect one another.	• Level of collaboration and/or consolidation
2. Achieve an equitable balance between the priorities of the Town inside the Village and the Town outside the Village.	• # of town/village seats on boards
3. Ensure the development review process is efficient and transparent.	• Review process steps and timing • # of board meetings for development review
4. Ensure that long range planning receives focused attention.	• # of board meetings devoted to long range planning (want to look at average meeting time as well)
5. Make the most of staff and board expertise.	• Level of specialization possible for board and staff
6. Ensure an effective level of communication across staff, boards and community.	• Communication opportunities among staff/boards • #/frequency of communication channels used to share info w/community
7. Strive to maintain or lower financial costs.	• Department budgets • Funding
8. Ensure staff and board workloads are sustainable.	• #/timing of board meetings • Allocation of staff responsibilities
9. Foster a higher level of informed and well supported community participation.	• # of education/engagement opportunities • Allocation of staff time

Delia then asked people to rate each principle using the following scale:

1. It's spot on
2. Right idea but could use some refinement
3. It's not a priority for me but I see why it's important
4. Should not be a principle

5. I need more info

Results

	1	2	3	4	5
Principle 1	12	9			
Principle 2	12	9			
Principle 3	17	5			
Principle 4	8	14			
Principle 5	8	11	2		1
Principle 6	10	10			
Principle 7	6	11	3		
Principle 8	14	5			1
Principle 9	10	7	1	2	

As the results show, most of the principles are the right idea but could use some refinement. Members will receiving a survey to help identify ways to improve the language.

Some participants had suggestions on the indicators, all of which will be revisited once the principles are agreed upon by the Group.

A few changes were made during the session including:

- Changing #7 to read: Strive to maintain or lower financial costs while maintaining quality.
- Let #6 focus on board/staff communication and move community communications to #9.

The discussion of the statements led to conversation on a few core issues:

1. The scope of the project is very ambitious. Several group members had expressed concern about being able to address all the questions of the project. For instance, one member suggested the possibility of limiting the principles to 1, 2, 3 and 7.
2. There is tension around the issue of community engagement. Specific comments included:
    - How much of the responsibility rests with government to proactively educate and support engagement versus people taking responsibility to become informed and participate.
    - There is a need to foster and support engagement so that people from all demographics can participate – we should not be okay with people not having a voice.
    - It's not our job to push people to participate but we need to design an open, welcoming, equitable, fair process.
    - Participation is unlikely to change so questioned spending time on it.
    - Questioning of the assumption that everyone needs to participate and whether we should be considering different models altogether.

- That people are generally satisfied with the process when decisions go their way and not so when they don't get what they want.

One member raised the potential to separate out the issue of engagement from the other structural governance questions, which seemed to resonate with others, and project staff will consider how to make this change in upcoming sessions.

Next Session

The next session will be held on October 28 from 6-9PM. The Group agreed to push out the start time to accommodate a prior focus group conversation happening just prior to the session. Some pre-reading will be sent to participants as early as possible prior to the next meeting.

Thoughtful Growth in Action:
Re-imagining Essex's Planning Governance

Working Group Session #1

September 30, 2015

5:30-8:30PM

Essex Junction Recreation Department

Agenda Review

- 5:30 Introduction
- 5:45 Group Agreements
- 6:00 Project Goals & Core Questions
- 6:20 Break
- 6:25 What Have We Learned? What Do We Want to Know?
- 7:15 Design Principles
- 8:00 Group "Community Liaison"
- 8:10 What's Next?

Group Agreements

See hand out

Project Goals

To increase the community's understanding about how planning works today.

To engage in a conversation about how planning can honor and build on the unique characteristics of the Town inside village and the Town outside the Village – to achieve "thoughtful growth".

To explore possible paths to improve planning governance while maintaining or improving cost efficiency.

To make a recommendation to the Town Selectboard and Village Trustees on potential planning governance changes.

Core Project Questions

See hand out

What have we learned?

1. Planning governance is…

The values, rules, structures and people that guide what our community is and what it will become.

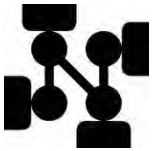
VALUES

- H&S
- "Urban"
- "Rural"

RULES

- Policies
- Regulations

STRUCTURES



- Selectboard & Trustees
- Planning Commissions
- Zoning Boards
- Other Municipal Boards
- Municipal Departments

PEOPLE

- Residents
- Business owners
- Land owners
- Developers
- Municipal staff

2. How planning works today in Essex.

3. Essex may not have a shared “vision” but there is a sense of mutuality.

4. Identity matters and so does control.

5. There are different philosophies and approaches to planning.

6. We’ve got to think through the details.

7. There are different planning structures to consider even if Town and Village planning remains separate.

8. Communication is essential.

9. There is room for growth in how Essex proactively engages with residents.

10. People are encouraged about the efforts of current leadership.

Scenario Development & Design Principles

Principle #1

Foster "big picture" thinking that looks at how the Town inside the village and the Town outside the Village relate to and affect one another.

Indicators:

- Level of collaboration and/or consolidation

Principle #2

Achieve an equitable balance between the priorities of the Town inside the Village and the Town outside the Village.

Indicators:

- # of town/village seats on boards

Principle #3

Ensure the development review process is efficient and transparent.

Indicators:

- Review process steps and timing
- # of board meetings for development review

Principle #4

Ensure that long range planning receives focused attention.

Indicators:

- # of board meetings devoted to long range planning (want to look at average meeting time as well)

Principle #5

Make the most of staff and board expertise.

Indicators:

- Level of specialization possible for board and staff

Principle #6

Ensure an effective level of communication across staff, boards and community.

Indicators:

- Communication opportunities among staff/boards
- #/frequency of communication channels used to share info w/community

Principle #7

Strive to maintain or lower financial costs.

Indicators:

- Department budgets
- Funding

Principle #8

Ensure staff and board workloads are sustainable.

Indicators:

- #/timing of board meetings
- Allocation of staff responsibilities

Principle #9

Foster a higher level of informed and well supported community participation.

Indicators:

- # of education/engagement opportunities
- Allocation of staff time

Community Liaison

Next Steps

Thoughtful Growth in Action Working Group Session #1

Session Info

- September 30, 2015
- 5:30 to 8:30PM
- EJRP

Our Goals for Meeting:

- Set up group process and structures
- Review and refine core project questions
- Develop principles to use in development and evaluation of governance scenarios

For more info

www.essextgia.com

Agenda

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- 5:45 Group Agreements
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Project Goals

- To increase the community's understanding about how planning works today.
- To engage in a conversation about how planning can honor and build on the unique characteristics of the Town inside the Village and the Town outside the Village – to achieve "thoughtful growth".
- To explore possible paths to improve planning governance while maintaining or improving cost efficiency.
- To make a recommendation to the Town Selectboard and Village Trustees on potential planning governance changes.

Core Project Questions

- **Planning Today**
  - How is planning structured currently in the village and the town outside the village?
  - What's working well about it and where do people see opportunities for improvement?
- **Shared Planning Potential**
  - What could be the benefits of sharing planning functions across the Town and Village?
  - What are the challenges and/or concerns about shared planning?
- **Board Structure**
  - What are the pros/cons to moving from a Planning Commission/Zoning Board of Appeals structure to a Planning Commission/Development Review board structure?
  - Are they different between the Town and Village?
- **Community Engagement**
  - How does the planning structure interact currently with the broader community?
  - What's working well and where do people see opportunities for improvement?

TGIA Planning Focus Group Summary

Prepared by Delia Clark & Ariana McBride
November 2, 2015
On behalf of the Thoughtful Growth in Action Project
www.essetgia.com

Project Overview

Thoughtful Growth in Action is exploring new approaches to planning governance in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards a shared vision, however, is complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project would explore what different planning governance models could look like and which ones would be a good fit for Essex.

Purpose of this summary

This document summarizes findings from a planning focus group that was held on October 28, 2015. The purpose of the focus group was to get participants' insights on key questions related to planning in the Town of Essex and Village of Essex Junction.

This information will be used to inform a series of conversations of the Working Group, which is charged with coming up with a recommendation for how Essex can improve planning. The recommendation will go to the Town Selectboard and Village Trustees in early 2016.

Focus Group Summary

The Working Group for Thoughtful Growth in Action (TGIA) held a Planning Focus Group on October 28, 2015 at Essex Junction Parks and Recreation from 4:00 to 5:30PM. The purpose of the session was to gather insights from participants on key planning questions related to the scope of the TGIA project. Following a brief project overview, Delia led participants through a series of questions.

Participant List: Katherine Sonnick, Town of Essex Zoning Board of Adjustment, Chair; Mitch LeFevre, Town ZBA, Vice Chair; Dustin Bruso, Town of Essex Planning Commission, Chair; David Raphael, Town PC, Vice Chair; Tom Furland, Town PC; John Alden, Village of Essex Junction PC, Vice Chair; Diane Clemens, Village PC; Tom Weaver, Village ZBA, Chair; Dana Hanley, Town Community Development Department, Director; Sharon Kelley, Town Zoning Administrator; Robin Pierce, Village Community Development, Director

Project Staff: Greg Duggan, Delia Clark and Ariana McBride

Long Range Planning & Development Review Questions

How do you feel about the balance of time spent on long range planning vs. development review? Is it the right balance for the Town? For the Village?

- In the Town:
  - Don't feel enough time for long range planning. Have identified projects but not time to dig into the ____?___
  - Keep doing an abundance of town plans and regulation updates but never get to what we really want to do which is town center master plan
  - Is a difference between great visionary projects than doing the basic planning/regs. Right now mostly doing reactionary adjustments vs bigger thinking.
  - The Town Plan is very high level but don't get to spend time on big projects especially in parts of town that are not yet developed.
  - Not structured to do this bigger planning because time spent on development review or statutorily required updates. Staff time, funding and Planning Commission (PC) energy are factors too.
- In the Village:
  - Ditto for the village
  - Trustees do more of the LR planning (e.g. design 5 corners) - staff/board bring them ideas or they may have a great idea they run with;
  - Felt like spent a lot of time on long range planning recently because of village plan update but methodology doesn't feel like planning (like we are just doing just the mechanics of it but not sitting down and figuring out what we want more/less of as a village)
- Conversation about the visionary planning:
  - Hard to find enough time for meaningful long range planning, mechanics of routine basis so other things don't get done.
  - Want to get to visionary pieces but do them de facto b/c we have to write something down for the plan

- Have to ask different questions for visionary planning than stuff normally faced with (e.g Plan BVT)
- Need to make planning a priority but have to deal with projects that come in the door.

How do you feel the current development review process is working?

- In the Town:
  - ZBA rarely meets and causes additional time on part of applicants, think would be more efficient for staff not to have to do multiple reports, nice way to be involved w/o having to do much but sometimes waste of time;
  - PC sees applications and interactions go smoothly but question is how applicants see the process? Haven't gone through difficulties to that point (i.e. the applicant)
  - Applications for the most part are getting more complex so takes more applicant/staff interaction to get application together for PC review, also affects public perception b/c it seems that a lot has happened behind the scenes but actions had to move forward.
- In the Village:
  - ZBA same thinking
  - What we're hearing from residents is that something is disjointed about how they are being informed about applications
  - Is always the struggle between desire of applicant to have a smooth process (e.g. clarity about length of time) and desire of neighbors to have enough time to review a project
  - Applicant will talk with staff and staff lays out the ground rules
- About development review
  - If a different board took on all dev review would be overloaded instead of the PC so where is the gain?
  - PC has a lot going on, ZBA has lighter work load
  - Staffs are at capacity
  - Other town committees – have roles to play in development review too.

What, if anything, appeals to you about the PC/DRB model?

- Greater emphasis on long range planning
- Allows people to go to where their strengths are (e.g. planning vs. dev review)
- Different visions in village and town about how they see the future, e.g. FC is the center vs. Town Center so there would be discussions about which is the center. Some see this as a positive because these issues would get linked.
- From other towns, likes the split b/c gets to do planning and think about how to create better regulations

What, if anything, concerns you about the PC/DRB model?

- That long range planning would be done in isolation of development review process. Right now when we are doing planning/zoning we know where things are broken and concerned this connection will be lost.

- Also, DRB may not understand the intent of the PC on plan/regs

If the Town and Village move to consolidate planning governance with a single PC (whether with shared or separate ZBA/DRB), do you think a DRB or ZBA model would be better?

- Joint PC w/2 DRBS b/c too much for one PC to review both would be too much
    - If it's good for one likely good for another

Shared Planning Questions

How similar or different do you think the approach to planning is between the Town and Village?

- Not sure how much each knows about mechanics of each other's processes
- Village allows greater density vs. town zoning has more rural landscapes
- Have to meet same requirements but village is more urban while town is suburban/rural – so looking for different things. In village tell applicants say that regulations are where design starts not stops so to get more from development and try to negotiate prior to an application going to the PC.

Do you think it would be possible to balance the different priorities of the Town and Village if planning was consolidated in some way? Why or why not?

- This is a real concern because there are different philosophies on growth so wonder which would get more attention and whether the different ideas would be forced onto the other part of town (e.g. density of housing units, commercial development).
- But you can have different priorities and philosophies working in harmony in a community – can have different regulations for different parts of towns assuming there are no boundaries like today – see it in the town today where have strong attachment to rural places but are okay with 4-story in town center. Others agreed with this idea.

Given that issues affect all of Essex, do you think both parts of town are able to see the bigger picture?

- Would like to see the map extends the border b/c know there's stuff out there, frustrated with hole in both town plans
- Already extended map in Village but not to Williston so can see what's in the town across village line
- Would be nice to know where village falls in current town plan, would be nice to be part of the town plan - Village is part of town's future land use map.
- No because as long as we keep looking at applications in a vacuum then we'll continue to be us/them – structure is designed to keep us apart.
- Rt. 15 example water rights project is an example of an application that has had to go through both.

How would you describe current level of collaboration and communication between boards and staff?

- Staff communication is excellent and do share a town manager
- Boards – rare communication, been together in same room 3 times in past 4 years
- No joint meetings between PC and ZBA in Town or Village
- Staff also interact on regional planning level and get to vote on each other's town plans
- Haven't been many issues for boards to collaborate but if doing the long range planning talked about earlier than would be a need

How can we encourage greater collaboration w/in existing structure?

- Continue to share speakers at meetings
- Swap members on different boards (e.g. PC exchange)
- Single town plan
- In example of new regulation, would be good to have collaboration between PC/ZBA to understand intention of the regulation vs just interpret it on own
- Collaboration happening outside PCs (e.g. trails committee and other groups working to common interest, energy) not necessarily driven by PC but want to know about these connections

Anything else we should be considering?

- Ability to participate in all the different boards is a matter of time and capacity – all meetings are open
- If special initiatives are being worked on than those things could be elevated more/get more broadcasted across the boards and staff

Community Engagement Survey

Participants were asked to fill out a short survey regarding community engagement in Essex. The responses are below:

What have you seen to be the biggest challenge to community participation in planning?

- Community members need to take personal responsibility for being engaged and informed – as the information to do so is available in many formats.
- Public apathy – only interested in planning or applications that affect them personally
- People show when there is something they are against rarely do we receive positive feedback
- People don't get involved until and unless something impacts them. When they do get involved they are often frustrated that they have little ability to impact the outcome
- People don't get involved. They don't have time to get involved. They don't want to get involved. They don't understand the process (they need to engage during regulation vs. application review).

- Getting the "community" to be interested/involved in what's going on. Most people don't think about the kinds of issues related to planning.
- Time to be involved. Also people don't see the need for them to be involved. They don't see that it impacts them enough to care.
- Getting people to pay attention/participate unless there is an issue in their backyard.
- The biggest challenge is getting people to show interest. I do not think communication is the issue. I think our busy lives is the issue.

How would greater community participation make your job easier?

- The community expression of "surprise" would be gone. The concerns (sp?) of the community would be known.
- It wouldn't if those engaging do no educate themselves or if they are NIMBYs
- We would, in theory, get to a better outcome. We would have a better of what more people think.
- They would understand the process.
- It may help to silence the vocal "minority".
- We would know what the issues are and could make changes to address what is going wrong/what could be better.
- More information and opinions to work with. More folks with awareness of process and engagement protocol.
- If people would show up, we might have a better chance at a balanced perspective; this is important to every decision we make.

How would greater community participation make your job more challenging?

- With the current misunderstanding of how input is given – telling and listening means you the PC must abide by the wishes – it would be more difficult. Informed residents in the process would make it easier.
- Only become more challenging if participants are uninformed as to the working of the board
- It would make it more difficult to move projects forward if participants were uninformed.
- The current process doesn't give people a lot of opportunity to impact the outcome. The regs are the regs. It would take longer.
- Last minute inquiries, not time to research. Some folks refusing to accepts and cloud (sp) issue (or misrepresent process).
- It will likely slow things down, having to educate members of the community, but I think it's worth the extra effort.
- Could make meetings longer. Varying perspectives on issues and hard to find consensus.
- Might have to listen to them. Longer meetings. Potential for more conflict.
- Large groups tend to extend meeting times, and can be a challenge to referee.

Do you have any ideas for how to improve communication and participation around planning?

- Residents would read, watch, glean info on their community because they would want to know.

- Have a citizens guide on town website that explains the processes, roles/responsibilities, how to get involved and what you can do
- I think the communications in both the Town and Village are more than adequate.
- This could always be improved. However, individual residents need to take personal responsibility when it comes to making communication a two-way street.
- Short term “working groups” or task forces might get folks who don’t want to commit to a multi-year term. We need to find ways to make the process more user friendly. It can be intimidating to someone who hasn’t done it before.
- Be creative with how an application is advertised. However, downside – cost of notice is much more expensive.
- Free beer! Seriously, hosting public outreach events that have beer, childcare and food will bring out more residents.
- Reach out as specifically as possible. Reach out directly to different groups when possible (e.g. students, seniors, parents). Have quick opportunities for folks to provide input (a two-hour meeting might be too long).
- Food. Special initiatives/events. Go to them – at block parties, sports events, school events, etc.
- I firmly believe that we are already doing what can be done with the budgets we have. One idea, that costs money, is to hire a public communications person to handle methods of outreach professionally.

TGIA Working Group Summary #2

Prepared by Delia Clark & Ariana McBride
November 5, 2015
On behalf of the Thoughtful Growth in Action project
www.essextgia.com

Project Overview & Working Group Role

Thoughtful Growth in Action (TGIA) is exploring the new approaches to planning governance structure in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards a shared vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project is exploring what different planning governance models could look like and which ones would be a good fit for Essex.

The Working Group is a 25-member volunteer group charged with developing a recommendation regarding possible planning governance changes. It kicked off its work with an Orientation on September 9, 2015 and is meeting monthly through December 2015.

Members will work towards a set of recommendations based on information from a mix of activities including:

- Two community workshops
- Online community survey
- "Meeting in a box" community discussions
- A Planning Focus Group
- Educational readings and presentations
- Working Group discussions

The Group's recommendation will go to the Town Selectboard and Village Trustees in early 2016.

Session Summary

The Working Group for Thoughtful Growth in Action (TGIA) held its second session on October 28, 2015 at Essex Junction Parks and Recreation from 6:00 to 9:00PM. Attended by 20 Working Group members plus project staff, the session focused on developing a shared understanding of how planning works in Essex today; exploring different structural options for long range planning and land development review; confirming a set of principles to help guide the development and evaluation of different planning governance options; and taking an initial temperature read on where members are with different structural options.

Participant List: Andrew Brown, Ben Gilliam, Dana Hanley, Greg Farkas, Greg Morgan, Irene Wrenner, John Alden, Jonathan Schumacher, Mary Jo Engel, Matt Gibbs, Mitch Lefevre, Ned Daly, Paula Duke, Paula DeMichele, Ron Lawrence, Sharon Kelley, Sue Cook, Theresa Fletcher, Tom Weaver.

Staff & Steering Committee Members: George Tyler, Max, Levy, Greg Duggan, Delia Clark and Ariana McBride

Other Guests: Lee Krohn, William Parkinson, Diane Clemens

Session 1 Follow-up

Delia reviewed a few items as follow up from the last meeting including:

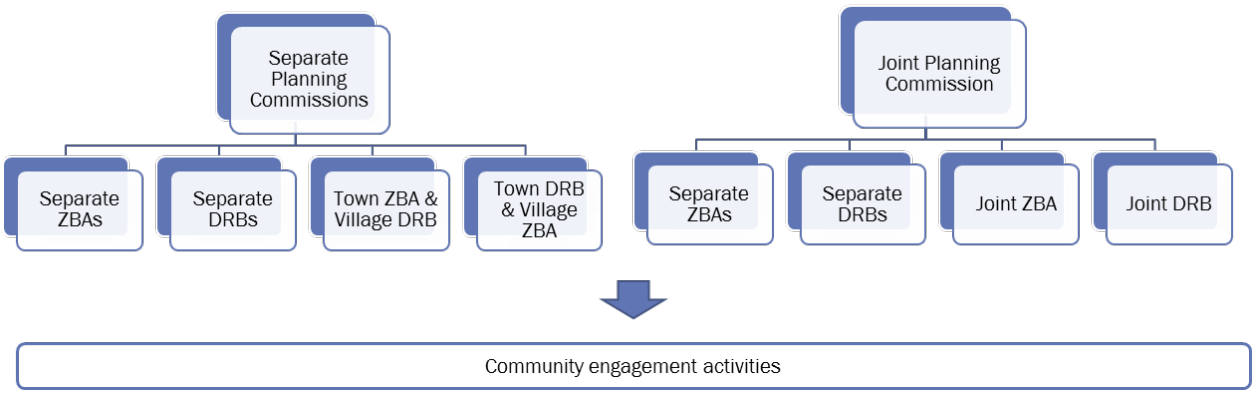
- Confirming summary from last session (members okayed it)
- Noting that Maura Collins will be our Community Liaison
- Noted decision to focus first on structural issues around planning and then to move to discussing community engagement in the later sessions.

Planning in Essex Today

This part of the meeting was organized in three parts:

- Members asked questions about the two primers they read prior to the meeting
- Ariana shared a preliminary summary of the community survey results
- Ariana shared highlights from the Planning Focus Group session that was held just prior to this session.

Ariana started the session by sharing a graphic of the different options that are possible from a structural perspective. The purpose of the graphic was to help members get their arms around just how many options are out there (even ones that go beyond the image below):



Primers Q&A

- Why is there a concern that Essex collectively could receive less funding if T and V planning functions were formally consolidated?
    - Concern was that they would be seen as one vs. two entities and would be eligible for less funding (e.g. right now they are separate municipalities with representation on CCRPC so if there were unified planning functions would reduce application capacity by 50%.)
    - So long as the two remained separate municipalities they would be eligible to apply separately for key funding sources like regional transportation funds through CCRPC.

- Is there a way to transition from individual Town and Village plans to a single plan as a way to manage the change?
    - In the short term, the village plan could be adopted in whole as a chapter in the Town Plan.

- Is development process currently identical in Town and Village? If so, is there a way to form a joint Commission while preserving the identities and plans?
    - The processes are similar although they differ somewhat one which applications can be handled administratively (i.e. by staff) as well as how Planned Unit Developments are reviewed.
    - You can have a Joint Planning Commission and keep separate plans and bylaws.

- Are there any factors that could change the trend of application reviews needing to go before PC and ZBA?
    - Each zoning district has permitted uses/conditional uses which could affect how many apps go to the different boards

- Are there people "lining up" to become part of T and V boards or is recruitment a challenge?
    - Had only 3 members on town ZBA for awhile (now at 5)
    - Goes in waves, typically have vacancies for a few months – then once filled, have more interested

- In the postings for public participation, is it made clear at which stage the applications stands?

  - For Town, have first step for public comment in agenda for development review, on agendas put on how should participate to be an interested party. For subdivision, post what step in the process (more info on FPF than in agendas or in public notices in part related to budget).
  - Few applications go before both Town and Village boards

- Is there anything unique about the processes for residential versus commercial projects? What % are currently commercial versus residential?
  - Usually residential projects are subdivision – goes through 3 steps
  - Commercial no subdivision – single review (site plan) typically unless large process
  - Annual Town Report breaks down permits by type

- Variance review – don't abutters also have to agree?
  - Abutters can voice the opinions but ZBA has to weigh applications based on 5 criteria in the Town

- Is there a place that all applications are recorded including where they are in the review process (Town & Village)?
  - Town posts applications on website, any approvals go up on the website but not tracking application process online
  - All applications are filed by address so can find them that way in that office – could come into office and see all the building permits if you know an application you are looking for
  - Burlington has an online system for tracking applications

- Are there guidelines available for citizens on how and when to participate? Where are they found?
  - If immediate abutter are mailed copy of agenda and letter that explains the process. If not abutter, Town talks about process on Front Porch Forum. State also provides training materials to towns on this issue.

- Are there municipalities with one planning governance structure, but wildly different areas?
  - Many communities have one governance structure that considers downtowns and outlying areas (e.g. Biddeford, ME).

- Could there be two PCs that come together to collaborate, for a coalition?
  - Yes, Mad River has a coalition like this.

- Role of neighborhood assemblies?
  - There are examples of neighborhood planning, which we'll get into later in the sessions. For instance, Golden, CO has neighborhood plans that are chapters in its community-wide Comprehensive Plan.

Community Survey Quick Take

Ariana presented a few slides highlighted a quick take on the community survey findings. The survey closed on Monday, October 26 so she's still analyzing the data. A more detailed survey summary will be released soon.

See presentation slides for more info.

Planning Focus Group Quick Take

Ariana reported out highlights from a focus group of planning staff, PC members and ZBA members from both the Town and the Village that happened that afternoon. A more detailed focus group summary will be released soon.

Highlights included:

- Both PCs lack time to do long range visionary planning; they spend most of their time just doing the mechanics of plan and bylaw updates
- ZBAs are underutilized
- There is a concern about shifting all development review onto one board primarily b/c of disconnect between plan/bylaw development and actual review of applications
- Some participants felt that a community can hold different philosophies and approaches together (e.g. regs for diff parts of town) if current boundaries are eliminated
- Good collaboration between staffs across Town and Village but not so many opportunities among boards to collaborate/communicate
- If the Working Group was to recommend a joint PC then it would need to be in combination with either a single or two DRBS b/c work load would be too high on PC if it had to do long range planning and most of development review.

Structural Options

Lee Krohn, Chittenden County Regional Planning Commission, shared observations and answered questions related to different structural options for boards. His remarks included:

- Challenged group to think bigger – yes it's about structure, but challenge to think about what are your fears and hopes for community going forward?
- Rationale for why State created the Development Review Board (DRB) option – Had been a feeling around the state that Planning Commissions (PC) did not have time to do the visionary work and the Zoning Board of Adjustments (ZBA) were feeling undervalued.
- Not aware of any town that has made the change to a PC/DRB and gone back. Doesn't mean it works perfectly. Doesn't make it right for Essex but is important info to know.
- The idea is to "balance the ledger" of work between the PC and DRB; let PC think big and visionary and then have a board just do development review.
- Key concern is that the two boards would lose sight of each other's part – if Essex decides to make the change must build in more collaboration/communication across the boards – beyond better coordination there is value in just in seeing others part and realizing they are part of the whole.
- Example: Manchester ended up consolidating due to budgetary constraints, Lee staffed both boards, brought boards together twice a year to share info/ideas, always ran bylaw ideas by DRB at multiple stage so make sure it would work.
- Beyond board structures there are ways to shift the burden of working including: make rules simpler and give staff more administrative review power.
- In terms of simplifying the rules and shifting review power, it's about political will and trust. In Manchester, the boards felt they did not need to see every little application. It also simplified the subdivision process to a one pre-app meeting and then a one step review

(that would occur over as many meetings as necessary). The key was to create high standards with a process that is clear, simple and predictable.

- If Essex decided it wanted to make a change, Lee could talk through the key issues around transitioning boards.
- Q & A
    - Can you speak to what other towns in county are doing?
        - Leagues of Cities and Towns data – 130 PCs, 49 ZBA/59 DRBs (not all towns report)
        - In Chittenden Co. – think most towns have made the switch
    - In towns that have made the switch, did it make filling board positions easier or harder?
        - Anecdotal – was easier b/c interests were better aligned; e.g. Manchester was thrilled to have roles separate
        - But also good to look for people with overlapping skills to serve on the boards
    - Is it within the TGIA scope to look at bylaw changes?
        - No, but we can make general recommendations.
    - Morristown example – would like to know more about it as a third option
        - Will get more info for next session
    - One con of DRB around party status in Act 250, instances of where it's happened?
        - DRB reviews but PC still a party so any larger project through DRB, started hearing w/DRB, brought to PC for discussion to determine if they wanted to be a party in the Act 250 process. Wanted to make sure town speaking with one voice.
    - Can Act 250 communications be handled through staff or do board members have to come to each other's meetings?
        - In some cases, handled at staff level as FYI to PC, in a few cases would ask District folks to have additional time and always granted extra time (a few weeks)
    - When did the statute change to allow for DRBs? What's the trend?
        - Changed about 20 years ago – b/c PC was overburdened
        - Trend has been pretty steady but slowed down as most towns considering the switch have made it
    - With two boards, doesn't that create greater expense for the applicant?
        - It could
        - Potential for joint meetings (e.g. PC and Design Review)
        - The idea would be to make the process clear but that doesn't mean making it easier to get by the bylaws
    - If towns more built out, still a benefit to seeing DRB? In Essex, many projects approved through master plan previously.

        - Need to think more about this question. Sometimes the value to having this kind of conversation in a town is to think about the issues even if you land in the same place.

    - If voted for one PC, who votes on it?
        - Partly a local conversation, who appoints members

    - If a joint DRB what happens to public participation in process?
        - Basic laws stay the same, e.g. same notifications – all towns do what they have to do. But may be other strategies but not related to the structures.
        - Doesn't change the opportunities or obligations around notification
        - Example based on a members concern – a developer came in with different plans than shared before. Could a project be approved under DRB in one meeting in this case?
            - It could happen under any structure. Sometimes new plans are in response to PC input but sometimes very different but is about board/staff process to determine whether approval happens in same night.

    - Are there examples where PC or DRB have elected members?
        - Yes need to research which ones

- Observations from other members
    - Experience with other CC towns that don't have it (e.g. Charlotte) – people like it the way it is. In Shelburne, was very political, was opposed for a long time b/c its Select Board would maybe use the change to remove ZBA members. Then when formed PC/DRB transition went smoothly and highly successful. Political at the moment and then it will pass.
    - EDC supports a DRB model b/c it's one stop shopping but to me it's more perception than reality. Can talk about this as an idea, simplified the process.
        - Perception of one stop shopping is true
        - Reality depends on the bylaws – e.g. if many projects going through multiple steps so if two boards two different decisions and potentially two points of appeal
        - This experience has happened w/this two board disagreements on an application
        - But very few applications go before both boards
    - Sometimes there is a benefit to go through more than one meeting b/c you need to think on an application, go a little slower. If I'm a neighbor I like the 3-step process but not if I'm a developer.
        - The change to DRB doesn't mean projects go faster, doesn't mean subdivision process changes. In Manchester, always took as much time needed based on how applicant satisfies the rules. For instance, there was a case where a big development went through in one meeting b/c it met/exceeded every standard of the bylaw but other examples where smaller projects had to come back to the board multiple times. Every application should take as much time as necessary.

Design Principles

Delia handed out a set of revised principles and Ariana walked through the process of making the revisions. Then members walked around to different posters with each principle so that they could note their level of agreement with the revised statements. Members reconvened to discuss the level of agreement on each principle and to make changes. Revised principles are included below (note that italicized text represents changes made at the session based on group discussion):

Preamble

The following principles aim to help the Town of Essex and Village of Essex Junction consider ways to change the planning governance structure with the aim of improving planning decisions.

Principle # 1: Encourage long range planning that…

- Is guided by an understanding of the shared interests and interrelationship between the Town outside the Village and the Town inside the Village;
- Supports priorities that reflect the unique characteristics of both; and
- Receives on-going, focused attention by the Planning Commission(s).

Principle #2: Support a development review process that…

- Enables a consistent, *transparent* and efficient application review process;
- *Balances rights of property owners and members of the community;* and
- Reflects the vision and goals of Municipal Plan(s).

Principle #3: Encourage community participation that…

- Fosters a greater understanding of how planning works;
- Uses effective and intentional engagement opportunities; and
- Uses a varied range of communication channels.

Principle #4: Develop boards and staff that….

- Uphold the vision and goals of the Municipal Plan(s);
- Can maximize the use of their knowledge, skills and interests; and
- Communicate consistently and effectively among each other.

Principle #5: Resource a planning governance structure that…

- Maintains or lowers the cost to the taxpayer,
- Ensures a high quality of service; and
- Supports manageable workloads for boards and staff.

Temperature Read

Members were asked to fill out a questionnaire on where they stand on some key questions related to where the project goes next in developing governance scenarios. Based on the responses, the consultants are moving forward with considering all options in the chart with few additions and one possible removal:

- Will research Morristown and Mad River Junction examples more to develop some alternative collaborative models beyond what was presented in the session
- May drop Joint PC/ZBA options due to earlier Planning Focus Group concerns about work load but will research how other communities handle the work load issue first.

Here are the questions and responses from the temperature read questionnaire:

1. Do you feel you understand how planning works in Essex well enough to make an informed decision about structural options?

13 Yes
4 No
1 Not sure

Comments:

- More info about long range planning between T&V
- Can't relate to the implications or distinctions
- More examples of how an application would move through different structures

2. Based on what you know now, do you think there is value in continuing to explore the potential for **greater collaboration and/or shared planning** across the Town inside the Village and the Town outside the Village?

17 Yes
1 No

Comments:

?

3. Based on what you know now, do you think there is value in continuing to explore the potential for the Town **OUTSIDE** the Village to shift from a PC/ZBA model to a PC/DRB model?

12 Yes
1 No
5 Not sure

Comments:

- Interest in elected members vs appointed
- Want to understand what is the need? Problem? Shortcomings?
- Benefit if close to build-out
- Other examples (e.g. Morristown)

4. Based on what you know now, do you think there is value in continuing to explore the potential for the Town **INSIDE** the Village to shift from a PC/ZBA model to a PC/DRB model?

13 Yes
1 No
4 Not sure

Comments:

- Other examples?
- Desire to have design review be part

In addition to the questions above, the questionnaire asked if members would like to share anything else about the issues and options at this time. Here are those comments:

- Have the boards hold citizen "listening sessions" twice a year to encourage participation and communication.
- Please keep community engagement/communication issues separate from structural discussions.
- I feel like I am missing the point. The structural changes discussed do very little to address my concerns about the planning process. Some of those concerns: changes to the land use where I own, changes to demographics in town, impact on schools, impact on property taxes, cost/predictability of project approvals, overall feeling that citizens have an appropriate voice, rights of land owners.
- I have concern about the transparency of increased "staff" or administrative decisions without some mechanism for the public to know, electronically (preferably), what applications have been submitted and their status, etc.
- Let's just break from the status quo. That said, how do we preserve planning for specific "districts" like the historic village downtown and village center designations.
- Don't understand why the Trustees control Five Corners – should be included with the PC.

- Skills analysis – assume different skills are needed for long term planning/strategy vs. review and compliance. How about between a ZBA and DRB?
- More discussion so that all (most) folks can reach consensus.

Next Session

The next session will be held on November 18 from 5:30 to 8:30PM. Some pre-reading will be sent to participants as early as possible prior to the next meeting.

Post Session Evaluation

Members were asked to fill out a feedback form about how the process is going. Here is a summary of those responses:

What do you think is working about the process so far?

- Information is extremely helpful – the primers and today's session really clarified things for me
- Good sharing
- Lots of interesting different perspectives
- Feels safe
- I like the "mindful momentum" that is building knowledge about complex subject matter.
- Facilitation is working really well. I think everyone is getting a chance to share their ideas and participate, despite the size of the group.
- Good progress in tackling a big topic with many people.
- I appreciate how responsive the consultants have been to feedback and how well-crafted their responses have been to such questions as: "We're lost; what are we doing here? I know nothing about planning. Can you help?"
- General direction – good.
- I like that we are getting input/information from other sources outside our group and the conversation w/ the PCs/ZBAs was very helpful.
- Informative
- Very long
- Educating people who aren't officials about the process
- You have moved us toward a final product. I couldn't visualize how that would happen – nice work. I think you will get there.
- Good facilitators.
- Purpose and scope are becoming clearer.
- Most works well.
- Great awareness building
- Great questions/concerns expressed
- Representative group to mirror broader public
- I like the amount of feedback that is gathered to take our "temperature"
- The collaboration is great

- My questions are often answered before I get a chance to ask them
- The leadership of the group is good – very professional. Attempt to teach consensus is good. Uses feedback from individuals.

What concerns or questions do you have about the process so far?

- Not so much a concern but hope the issue/idea of moving more review to administrative staff does not compromise the need for "more" transparency. I really feel we need to use the electronic tools we have to communicate the applications that are submitted.
- Any chance you can get the readings out a little earlier next meeting?
- Once all town services merge, do we then create a single political governing entity?
- Assumptions that the group decided which way to go, still so much uncertainty amongst group!
- Representative of towns?
- Will we run out of time?
- Taking me too long to get my arms around what we are doing. Feeling like I may be here for the wrong reasons – or the scope may miss my concerns.
- Too much repetition in material to download and print.
- Still pretty focused on principles and not as much on day to day reality of what happens now and what would be different. Reality – day to day will be very similar, structures/names would be different.
- I do not have enough to recommend anything at this time. I want to hear more about the experience of Morristown and Woodstock structure.

Are there any other thoughts you'd like to share with us at this time?

- Does it make sense to break into sub-teams to research the different options?
- Keep up the good work!
- Like to deal with more specifics
- You are doing a great job!
- Suggest you remind folks about the value of simplifying the process.
- Personally more interested in community engagement. Next session may be more telling.
- I am trusting the process! I'm sure it will come together!
- How are the Town and Village going to resolve the very different budgets and direct staff control?

Thoughtful Growth in Action:
Re-imagining Essex's Planning Governance

Working Group Session #2

October 28, 2015

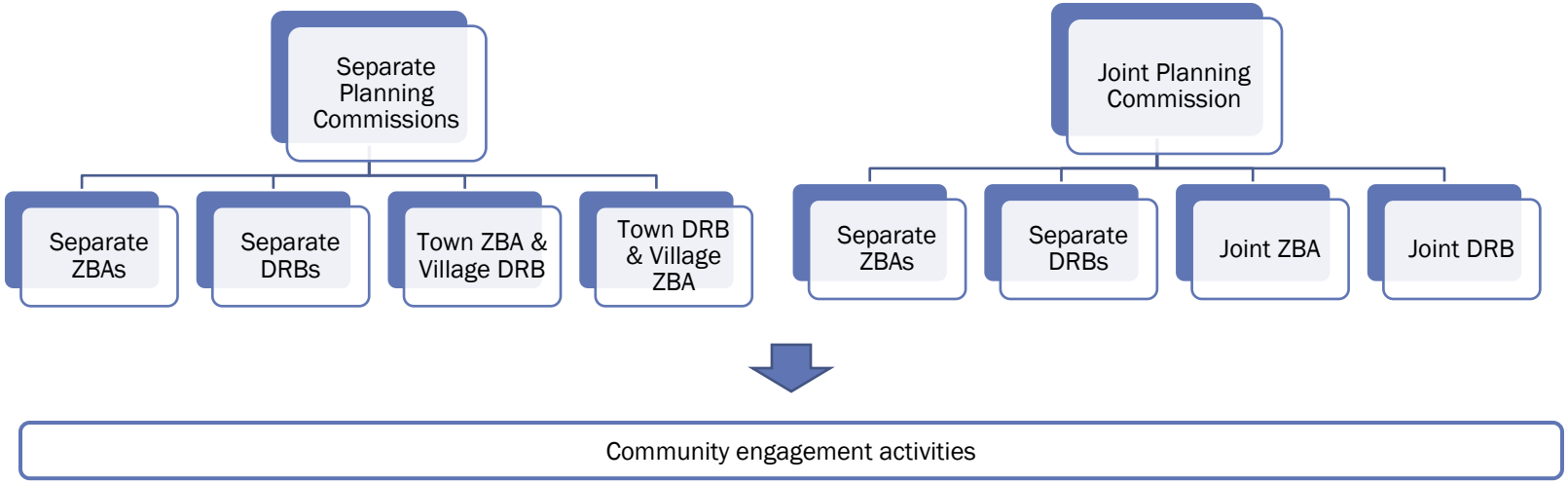
6-9PM

Essex Junction Recreation Department

Agenda Review

- 6:00 Introduction & Agenda Review
- 6:05 Session 1 Follow-up
- 6:15 **Planning Today** – What's the "baseline" look like?
- 6:55 Break
- 7:00 **Planning Structures** – What are options for long range planning and development review?
- 7:45 Temperature Read – Where are we on the issues?
- 7:55 Break & Principles Posters
- 8:10 **Temperature Read** – Discussion
- 8:40 **Design Principles** – Can we come to agreement on them?
- 8:55 What's Next?

There are several options for planning governance.....



Any of which would be involved in community engagement activities.

Community Survey Quick Take

Quick Take: Respondents

- 274 responses
- 51% Town outside Village, 46% Town inside Village
- 40% lived in Essex more than 20 years
- Almost 60% have never attended a Planning Commission meeting

Quick Take: Planning in Essex Today

- More respondents understand how planning works in the Town outside the Village than in the Town inside the Village (though neither was over 50%)
- Most respondents didn't know how to respond to statements related to how planning works today
- When they did have an opinion there was a broad spectrum of responses.
- Many "additional comments" related to dissatisfaction with recent projects and growth.

Quick Take: Thoughtful Growth

- More respondents had opinions on these statements
- About half believe there is a desire for shared vision and/or synergistic relationship (vs. about 30% who do not)
- More split on similarities or differences on issues
- Almost 80% of respondents agree that greater collaboration between the two parts of Essex would lead to more thoughtful growth although there was more diversity in responses about whether priorities are the same
- "Additional comments" related to rationale of whether or not there should be greater collaboration

Planning Focus Group Quick Take

Break – 5 minutes!

Temperature Read

Thoughtful Growth in Action Working Group Session #2

Session Info

- October 28, 2015
- 6:00 to 9:00PM
- EJRP

Our Goals for Meeting:

- Learn about and discuss how Essex planning works today
- Learn about different structural options for planning related boards
- Confirm planning governance design principles
- Get a sense for where participants are on key planning issues
- Identify additional information needed for developing structural options

For more info

www.essextgia.com

Agenda

- 6:00 Introduction & Agenda Review
- 6:05 Session 1 Follow-up
- 6:15 Planning Today – What's the "baseline" look like?
- 6:55 Break
- 7:00 Planning Structures – What are options for long range planning and development review?
- 7:45 Temperature Read – Where are we on the issues?
- 7:55 Break & Principles Posters
- 8:10 Temperature Read – Discussion
- 8:40 Design Principles – Can we come to agreement on them?
- 8:55 What's Next?

Project Goals

- To increase the community's understanding about how planning works today.
- To engage in a conversation about how planning can honor and build on the unique characteristics of the Town inside the Village and the Town outside the Village – to achieve "thoughtful growth".
- To explore possible paths to improve planning governance while maintaining or improving cost efficiency.
- To make a recommendation to the Town Selectboard and Village Trustees on potential planning governance changes.

Session Ground Rules

- Treat all members of the group with fairness and respect.
- Listen carefully.
- Try to be patient.
- Share "air time."
- Be polite and direct.
- Assume good intentions.
- Be willing to find a "third way."
- Look for a win, win solution.
- Work to stay open to a range of perspectives.
- Have a sense of humor.
- Be fully present.

TGIA PRIMER: PLANNING IN ESSEX

What is the purpose of this primer?

Thoughtful Growth in Action (TGIA) is exploring alternatives to the planning governance structure in the Town of Essex and Village of Essex Junction. This primer was developed for use by the project's Working Group and anyone else interested in understanding more about how planning works in Essex today. The Working Group is a 26-member volunteer group charged with developing a recommendation regarding possible planning governance changes.

What is planning?

According to the American Planning Association, planning is "w*hen government officials, business leaders, and citizens come together to build communities that enrich people's lives."* Practically speaking, planning is about how communities decide where to develop and where to conserve land and natural resources. It informs a variety of issues including but not limited to housing, economic development, transportation, historic preservation, and climate resiliency.

Where does the authority to plan come from in Vermont?

The Vermont Planning and Development Act [24 V.S.A. Chapter 117] enables regional and municipal planning. In a nutshell it:

- Encourages development that "maintains the historic settlement pattern of compact village and urban centers separated by rural countryside"
- Coordinates planning between the state, regional planning commissions, and municipalities
- Enables municipalities to create planning commissions, zoning boards of adjustment, development review boards and other advisory committees (e.g. historic commissions, design review committees, conservation commissions)
- Allows municipalities to create municipal (aka comprehensive, town, village) plans
- Allow municipalities to adopt regulatory and non-regulatory tools in order to implement their municipal plans.

How does planning affect everyday lives of Essex residents?

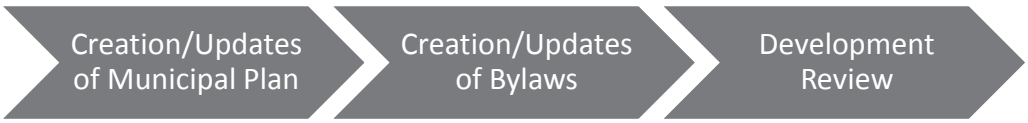
In many ways! The neighborhoods we live in, the streets we drive on, the sidewalks we walk on, the parks we play in…all of these things and much more are shaped by planning decisions.

Photo courtesy of Village of Essex Junction

Who plans in Essex?

Planning starts with the residents of Essex. **Community members** are encouraged to participate in planning in a variety of ways. Generally, the earlier residents become involved in the planning process, the greater the impact they can have in shaping decisions.

Different stages of planning.
Community members are able to influence planning the earlier on in the process they become involved.



Opportunities for residents to participate are typically shared in the following ways:

- Postings in municipal offices and libraries
- Town and Village websites
- Legal notices in Essex Reporter
- Front Porch Forum
- Weekly Village Newsletter
- Email lists for Town Planning Commission and Zoning Board Agendas, Town Plan updates.

Both the Town outside the Village and the Town inside the Village go beyond the legal requirements for posting notices of planning activities.

State statute enables different types of **boards and commissions** to be created that can inform planning at the municipal level. Here are some of the key roles of different bodies:

Planning Commissions: Prepare and propose the Municipal Plan and related regulations (e.g. zoning or subdivision by-laws), implement regulations (unless a Development Review Board exists) and undertake planning studies.

Zoning Boards of Adjustment (ZBA): Review conditional use permits, variances and appeals of decisions made by the Zoning Administrative Officer.

Advisory Commissions/Committees: Assist with preparing, adopting, and implementing the municipal plan. Commissions and committees may also advise municipal boards, applicants, and interested parties during the review of development applications.

Openings on all boards are advertised at the municipal offices, on municipal websites and often through other channels (e.g. the Town inside the Village shares openings in its weekly newsletter, on notice boards and actively recruits possible members). To apply, residents send a letter of interest to the Municipal Manager and are interviewed by the Selectboard or Trustees at a regularly-scheduled meeting.

A municipality can appropriate funds to support planning activities, which can include hiring **staff**. A municipality must appoint an Administrative Officer who assists with development review. Other municipal departments work with planning regularly including public works, parks and recreation, police and fire. Schools also contribute to planning processes.

The **Town Selectboard** and the **Village Trustees** play important roles in planning, too. Both appoint members to their respective Planning Commissions, Zoning Boards and Advisory Committees. The Selectboard adopts bylaws and sends the Town Plan to

Current Board & Staff Structures. This table illustrates how boards and staff are structured today along with key state guidelines.

Element	Town of Essex	Village of Essex Junction	State Guidelines
Planning Commission	• 7-member board • 4- year terms • Meets twice/month • Appointed by Selectboard	• 7-member board • 3-year terms • Meets twice/month • Appointed by Trustees	• 3-9 members • Appointed by legislative body (LB) with term lengths determined by LB or elected for terms from 1-4 years
Zoning Board of Adjustment	• 5-member board • 3-year terms • Meets once/month as needed • Appointed by Selectboard	• 5-member board • 3-year terms • Meets as needed • Appointed by Trustees	• 3-9 members • Can include 1 or more PC members • Appointed by LB with term lengths determined by LB
Community Development Staff	Director (100% time) Planner (100%) Zoning Admin. (100%) Secretary (100%) GIS Coordinator (10%)	Director (100% time) Asst. Zoning Admin. (60%) Comm. Relations Asst. (20%)	• Must have a zoning administrative officer if bylaws are in place
Advisory Boards	Conservation Committee Economic Development Commission Energy Committee Trails Committee	Bike/Walk Advisory Committee Capitol Program Review Committee Tree Advisory Committee	• Minimum of 3 members • Meet minimum of 4 times/year • Appointed by LB with term lengths determined by LB

voters at Town Meeting. The Trustees adopt the Village Comprehensive Plan and bylaws, after taking comments from the public.

What is a Municipal Plan?

The Municipal Plan (sometimes called a Comprehensive, Town or Village Plan) creates a vision for the future of a town, usually looking ahead five to 10 years. It must be compatible with the goals of the Vermont Planning and Development Act and a regional plan. It also must include specific elements detailed in state statute. The Plan needs to be updated every five years and approved by a regional planning commission (some updates are major re-writes while others reflect only minor changes). Its local adoption enables the creation of all regulatory and non-regulatory tools and is necessary for communities to be eligible for a variety of state and federal funding.

Both the Town inside the Village and the Town outside the Village have municipal plans, which must be compatible with the Chittenden County Regional Planning Commission's regional plan. The Town outside the Village is currently using its 2011 version and will bring a 2016 update to Town Meeting voters in March. The Village Trustees adopted a new Village Plan in 2014.

What are the key planning regulations?

A municipality may adopt a variety of regulations in order to implement its Municipal Plan. Those regulations include but are not limited to:

Zoning districts and bylaws (aka zoning code): Dictate what types of development are allowed in different parts of town including allowable uses, requirements for minimum lot sizes, amount of impervious surfaces, setbacks from property lines, etc. Municipalities develop standards for different zoning districts (i.e. different parts of town).

Site plan review: Process required for all land developments greater than one and two-family houses.

Subdivision bylaws: Establishes standards and procedures for the development of land into two or more lots.

The Town outside the Village has zoning regulations (revised in 2014) and subdivision regulations (revised in 2011). The Town inside the Village has a land development code (includes zoning and subdivision bylaws) that was last revised in 2011 and is undergoing updates now. The site plan review process is embedded in the bylaws.

What's a subdivision?

A subdivision is the development of land into two or more lots. There are four standard classifications for subdivisions:

Major subdivision: A project of six or more houses or lots or any project requiring a new street or extension of public water or sewer. (In the Town inside the Village, it's a project over five lots or not classified as a Minor subdivision.)

Minor subdivision: A project of three to five houses or lots that does not require a new street or extension of public water or sewer. (In the Town inside the Village, it's a project of five or fewer lots or minor adjustments to the lot lines of three or more lots.)

Boundary adjustment: A project that changes existing boundaries but where no new lot is created.

Simple parcel: A project that turns one lot into two lots.

Both the Town outside the Village and the Town inside the Village allow for "planned developments", which enable a greater level of design or amenity than is allowed under the standard subdivision and zoning requirements. **Planned Unit Developments** (PUDs) may incorporate a variety of uses whereas the **Planned Residential Developments** (PRDs) only allow residential uses.

What is development review?

Development review is the process that an applicant goes through for any land development project in a community. The review process is intended to ensure that the applicant is meeting the requirements of the local bylaws. The number of steps in the review of development applications depends on the type and complexity of the project.

Community development staff encourage pre-application meetings to discuss projects and each application is reviewed on a case-by-case basis so that staff can advise applicants on the steps they must complete for approval. Projects with "regional impacts" must also go through the State's Act 250 review process, which typically occurs towards the end of a municipal review process.

The figures on pages 8 and 9 illustrate the basic application review process one goes through in the Town outside the Village and the Town inside the Village[1]. While the two processes are very similar the distinction among them often comes more from the different approaches and culture around planning and growth between Town outside the Village and the Town inside the Village. For instance, Village Community Development staff are more inclined to work with potential applicants to shape the design of a project prior to the submittal of an application. In the Town outside the Village, applicants may choose to attend a Conceptual Plan meeting with the Planning Commission as well.

The figures illustrate a variety of steps including:

[1] The figures focus on new residential development or non-residential uses as opposed to alterations to existing structures. Generally, alterations to existing structures are reviewed by staff. Also, there are a few other instances where an application may go to the ZBA or PC such as temporary uses or unspecified uses or in the case of an appeal of a review decision made by staff.

Conditional use review: Required for the permitting of specific types of use (detailed in zoning regulations) that could have an undue adverse effect on the character of an area in which it would be located, community facilities and services, traffic and roads or properties or uses near the proposed project.

Variance review: Required if an applicant requests a waiver from some part of the zoning regulations due to unique challenges of the site. A variance is only granted if not doing so would cause undue hardship on the owner and if it would not significantly impact the area in a negative way or harm general public welfare.

Site plan review: Required of any application except one to two family houses, it ensures that the lay-out and design of a project adheres to zoning and subdivision bylaws. In the Village, this occurs in two steps: Conceptual Site Plan review and Final Site Plan review. The Town outside the Village often completes Site Plan review in one Planning Commission meeting.

Consent Agenda Review: Used when only a boundary adjustment or simple parcel subdivision is needed. Other simple projects, such as minor amendments to existing buildings, may also be processed through consent agenda.

Sketch plan review: Required for all minor and major subdivisions, this step is a relatively informal introduction to a project during which the Planning Commission identifies a range of issues that need to be addressed by the applicant at the next step in the review process. This step usually involves a conceptual idea by an applicant and occurs before the applicant spends significant resources on the more detailed plans required for later steps.

Preliminary plan review: Required for all major subdivisions, this step is where the bulk of detailed review occurs. This technical review looks at issue like roads, landscaping, storm water management, utilities, etc. At this point an applicant has spent significant resources preparing materials for the application.

Final plan review: Required for all minor and major subdivisions, this step is mostly about addressing any outstanding issues from sketch plan review or preliminary review.

While community members are welcome at any stage of a project's application review, the earlier they become involved, the more their input can influence the outcome. For instance, a resident will have much more of an ability to influence a particular subdivision application if they participate at the sketch plan approval stage as opposed to waiting until the final plan approval stage.

What else do our boards and staff take on besides the review of applications?

Planning is much more than development review. Beyond the required updates to the Town Plan and Village Comprehensive Plan and periodic updates to zoning, subdivision, and/or land development codes, a variety of studies and special initiatives are undertaken to improve the future of Essex. Recent examples include Design Five Corners, the Scenic Protection Manual, the Bicycle and Pedestrian Plan, and the Open Space Plan. All these activities fall into the category of **long range planning**. Findings and recommendations from planning studies can be incorporated into zoning, subdivision and/or land development codes.

In 2014, approximately 66% of the Town Planning Commission meeting time and 50% of Town Planning Staff time was spent on long range planning. The Commission's time spent on long range planning in 2014 was higher than in most years due to the Town Plan update.

In the same year, approximately 85% of the Village Planning Commission meeting time and 70% of Village Planning Staff's time was spent on long range planning. These numbers represent a higher percentage of time spent on long range planning because the Village updated its Municipal Plan and held a charrette for the design of Five Corners.

How much do we spend on planning?

The budgets for the two Community Development departments are one indicator. The Town's FY2016 Community Development budget was $432,588. Ninety-three percent of this total goes towards staff salaries and benefits. The Village's Community Development FY2016 budget was $249,937 (with about 79% going towards staff salaries and benefits). These costs are offset in part by related fees (e.g. zoning hearing or subdivision filing fees) but the majority of the funding comes from property taxes.

For additional planning work, both Community Development staffs are instrumental in securing grants for a variety of planning studies and related activities. From 2011 to 2015, the Village has brought in $7.6 million to support planning related projects including funds for road improvements, sidewalks, tree planting and village design. From FY2011 to FY2015, the Town has brought in $1.6 million to support planning including funds for sidewalks, stormwater management and other bicycle and pedestrian improvements. Although the requirements for different funders vary there is a concern that Essex collectively could receive less funding if the Town and Village planning functions were formally consolidated even if the two remained distinct municipalities.

Has planning in Essex always been separate?

Here's a brief chronology of the history:

1967: Comprehensive Plan for Town of Essex and Village of Essex Junction; updated in 1970

1972: Village and Town outside the Village adopt separate zoning regulations

1974: Town updates its Municipal Plan with subsequent updates every several years

1991: Village updates its Municipal Plan with subsequent updates every several years

In addition, volunteer board members spend many hours in meetings and reviewing materials. In 2014, the Town Planning Commission met for approximately 40 hours and the Town Zoning Board met for about six hours. The Village Planning Commission met for about 30 hours and the Village Zoning Board met for two hours. The meeting hours do not adequately represent all the hours contributed by volunteers as a significant amount of time can be spent on updates to municipal plans, specific planning studies and/or reviewing development applications.

Do the Town and the Village ever plan together?

Yes. Recent joint efforts include:

- Heart & Soul of Essex
- Bicycle and Pedestrian Plan
- Joint Stormwater Committee
- All Hazards Mitigation Plan
- CCRPC Circ Alternatives Program

Additionally, even if a particular project is sponsored solely by either the Town inside or outside the Village, residents of any part of Essex are encouraged to participate. For instance, Design Five Corners was fully sponsored by the Village of Essex Junction but welcomed the participation of all town residents.

In terms of the development of Municipal Plans, the Town inside the Village and Town outside the Village can formally comment on each other's plans during Chittenden County Regional Planning Commission's review process. Town and Village staff communicate on a regular, yet informal basis. In the past the Planning Commissions have met jointly (most recently a few times during Heart & Soul of Essex) but have not done so in the past couple of years.

Could Essex's planning be structured differently?

A municipality may create a **Development Review Board**, which takes on all tasks of the Planning Commission and Zoning Board of Adjustment related to the implementation of regulations (i.e. the development review process). In such a scenario, the Planning Commission would continue to handle long range planning. Either the Village or the Town outside the Village could make this change if their planning functions remain separate. (See the Primer on Structural Options for Development Review for more information on this topic.)

A municipality that has one or more municipalities within its boundaries – such as the Village of Essex Junction inside the town of Essex -- can create a **Joint Planning Commission**. The individual municipalities may still have their own municipal plan and bylaws. However, practically speaking a municipality with a Joint Planning Commission and a single Zoning Board of Adjustment (or Development Review Board) can more easily enforce one set of bylaws and plan according to a single municipal plan.

Between the extremes of remaining entirely separate or fully consolidating exists a variety of in-between options that could be considered. For instance, a more formal process could be put in place to encourage board and staff cross-communication and joint planning workshops. At least one Vermont town, Morristown, has adopted Rules of Procedure for joint boards that are not formal Joint Planning Commissions but do encourage a greater degree of shared planning.

The existing Advisory Boards/Committees would remain in any of these scenarios unless changes were made by the Selectboard or Trustees. Also, a variety of other Advisory Boards/Committees are possible (e.g. Design Advisory Board) but discussion of these bodies is outside the scope of the TGIA project.

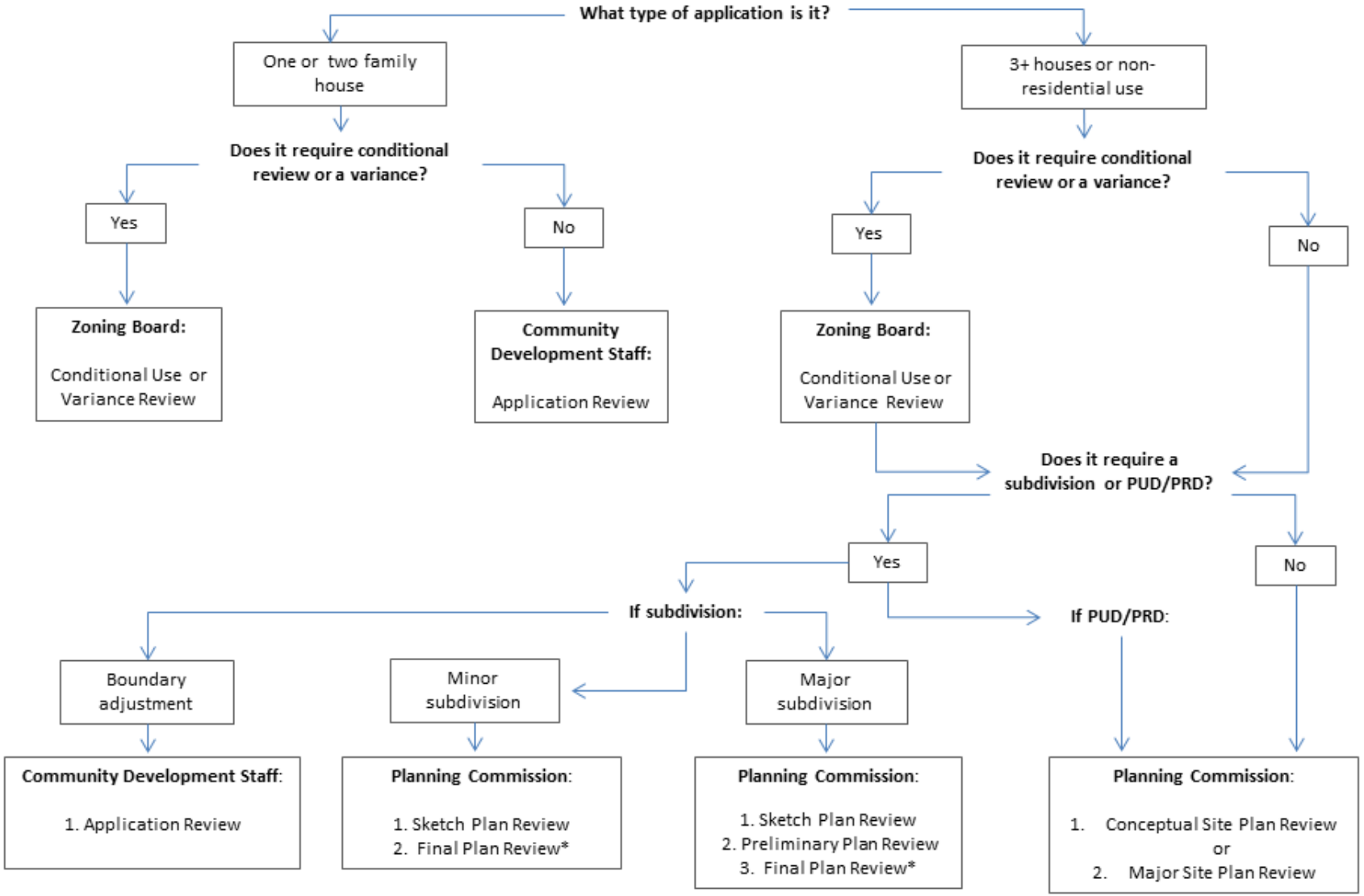
More about this document:

This primer was developed as a resource for the TGIA project and it may be amended or improved in the coming months based on Working Group feedback. Information contained in it was derived from the following sources:

- VT State Statutes
- Town of Essex Municipal Plan
- Town of Essex Zoning Bylaws
- Town of Essex Subdivision Bylaws
- Town of Essex FY2016 Budget
- Village of Essex Junction Municipal Plan
- Village of Essex Junction Land Development Code
- Village of Essex Junction FY2016 Budget
- Discussions with municipal staff

The Development Review Process in the Town INSIDE the Village

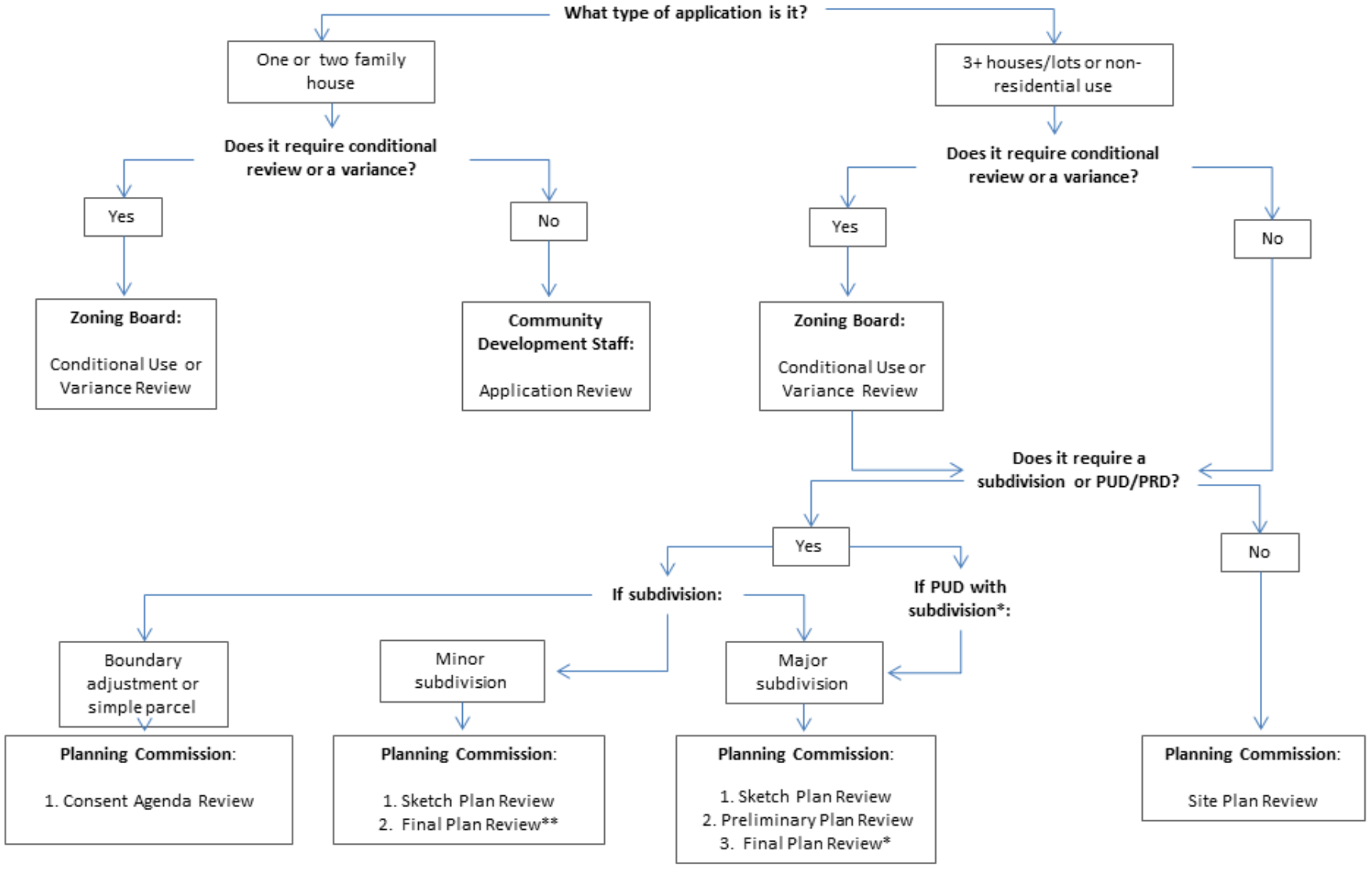
For New Houses or New/Alterations to Non-residential Uses



*Site Plan review is typically consolidated into a preceding subdivision step. If it is not then the Planning Commission would require an application to go to Site Plan Review.

The Development Review Process in the Town OUTSIDE the Village

For New Houses or New/Alterations to Non-residential Uses



*A PUD/PRD without subdivision is considered under Conditional Use Review - it would be heard first by the Zoning Board and then go the Planning Commission for Site Plan review.

**Site Plan review is typically consolidated into a preceding subdivision step. If it is not then the Planning Commission would require an application to go to Site Plan Review.

TGIA: A PRIMER ON THE STRUCTURAL OPTIONS FOR DEVELOPMENT REVIEW

What is the purpose of this primer?

Thoughtful Growth in Action (TGIA) is exploring alternatives to the planning governance structure in the Town of Essex and Village of Essex Junction. This primer was developed for use by the project's Working Group and anyone else interested in understanding more about how planning works in Essex today. The Working Group is a 26-member volunteer group charged with developing a recommendation regarding possible planning governance changes.

What is development review?

Development review is the process that an applicant goes through for any land development project in a community. The review process is intended to ensure that the applicant is meeting the requirements of the local bylaws.

Is development review planning?

Many people's experience related to the review of a specific development proposal is the only exposure they have had to "planning" in a town. But, the actual planning (often referred to as **long range planning**) happens well before the review of a specific proposal. It happens when a community:

- Develops a Municipal Plan
- Studies a particular issue like how to make a downtown more pedestrian friendly or how to create connections among existing recreational trails.
- Enacts changes to regulations like zoning or subdivision bylaws.

For more information on Planning in Essex check out the complementary primer on the topic (link).

Where does Essex get the power to review applications?

The Vermont Planning and Development Act [24 V.S.A. Chapter 117] enables a municipality to create and implement regulatory tools like a zoning code so long as that municipality has adopted and has in effect a municipal plan and a planning commission.

What are the different structures allowed for the review of development applications?

Municipalities can choose to use one of two primary structures to review applications:

Planning Commission/Zoning Board of Adjustment (PC/ZBA): In this option, the Planning Commission reviews all land development. The Zoning Board of Adjustment reviews cases when there is a conditional use review, a variance, or an appeal of a local zoning administration officer's decisions. (There are a few other types of applications a ZBA may review including but not limited to temporary uses and unspecified uses). This is the structure in both the Town outside the Village and the Town inside the Village.

Development Review Board (DRB): In this option, the Development Review Board takes on all the responsibilities of development review as opposed to applications potentially having to go through two boards.

Additionally, many municipalities allow certain types of applications to be fully reviewed by municipal staff alone. The degree to which this occurs varies from town to town. State statute actually allows for a local legislative body to enable local planning staff to substitute as a planning commission and hold all of its powers.

What's the case in Essex?

The Planning in Essex Primer illustrates the general process for the review of development applications. In terms of actual applications, the majority of all applications go only to the Planning Commissions in Essex. In 2014, the Town's Zoning Board reviewed six applications (of which only one then went before the Planning Commission) and the Village Zoning Board reviewed two applications (neither of which went before the Planning Commission). While the exact numbers of applications vary from year to year, the general trend is that the two Planning Commissions handle the majority of application review and few applications are required to go before both boards.

The Town outside the Village and the Town inside the Village allow for some review by staff as the Planning in Essex Primer describes.

What are the pros/cons of moving to a DRB?

The table below illustrates common pros and cons of moving from a PC/ZBA structure to a PC/DRB structure. Some of these points apply more to Essex than others.

In the TGIA process to date (i.e. research and public input), the core questions related to consideration of a DRB fall into three areas:

- **Planning**: Is it beneficial to have the PC focus solely on long range planning activities? How much of a concern is it that the PC may lose touch with realities of application review or that a DRB might not be in touch with the long range planning perspective?
- **Administrative**: Is it beneficial to have a more streamlined "one-stop shop" for application review? Is there a danger in having too expedited of a review process?
- **Human Resources**: Is it beneficial to have our PC members have to just play a long range planning role (where they can talk about issues and encourage public participation) vs. now where they have to juggle the long range planning role with their application review role (where they cannot talk about applications with members of the public outside of a public hearing).

CONSIDERATIONS	PROS	CONS
Planning	• PC can focus all its efforts on long range planning • Municipal plans and bylaws can get updated more often • PC has more time for special studies and non-regulatory activities, including public outreach	• PC can lose touch with realities of development review • DRB may lack a long range planning perspective when making decisions
Legal	• Eliminates the potential for the PC and ZBA to issue contradictory decisions • Allows for "Local Act 250 review" to include determinations that become rebuttal presumptions in state Act 250 proceedings • Can reduce number of local decisions that may be appealed to court	• May limit the application of a bylaw provision, as interpreted by one review board, and narrow the scope and breadth of review decisions • The DRB lacks party status in Act 250, which may result in determinations that conflict with positions of the PC
Administrative	• Allows for coordinated review of applications, including the potential consolidation of several review processes under one board • Can reduce the number of hearings, notices, staff reports and decisions to be issued and deadlines to be managed by the municipality	• Individual review proceedings – if more comprehensive in scope – may take longer and require more administrative and technical capacity – particularly if hearings are conducted on the record in accordance with the Municipal Administrative Procedure Act
Human Resources	• Only one board (the DRB) needs to be trained in quasi-judicial hearing processes • PC is free to conduct all its affairs with broad public participation (free from concern for ex parte communications)	• Where application numbers are high, the DRB could become overwhelmed by the caseload – additional administrative assistance (e.g. the appointment of a hearing officer or expanded administrative review) may be required
	Excerpted from VT Land Use Education & Training Collaborative (2004). *Appropriate Municipal Panels.*	

What if the Town or Village wants to make a change but not the other?

If the Town outside the Village and Town inside the Village choose to keep their Planning Commissions as separate entities one or both could choose to move to a DRB structure. If they decide to move towards a Joint Planning Commission then they would have to choose whether to retain the current ZBA structure or move to a DRB structure.

As noted in the Planning in Essex Primer, Essex could decide to create a Joint Planning Commission while keeping review functions separate.

What does it take to make a change from a PC/ZBA to a PC/DRB?

The Selectboard or Village Trustees must vote to create a DRB within their respective municipality. This vote must be timed carefully so that current work of the ZBA is concluded before warning new cases for the new DRB. It is also necessary to determine how current board membership would transition to a new board structure.

A charter change may be required depending on the situation. Neither Town nor Village charter precludes a joint PC, ZBA or DRB, but the Village charter does require that all PC/ZBA members be Village residents. So a joint anything would require a charter change from the Village to allow Town outside the Village residents on the board (or non-Essex residents).

A charter change may also be required for a shift to a DRB, potentially for either Town or Village. Both charters call for a PC and ZBA. Some towns, like Milton, have a DRB despite a charter that says ZBA. Others, like South Burlington and Williston, have charters that specify DRB. The VT League of Cities and Towns did not have any information that resolved this question so additional research will be necessary.

A charter change requires approval from voters, and from state legislature.

More about this document:

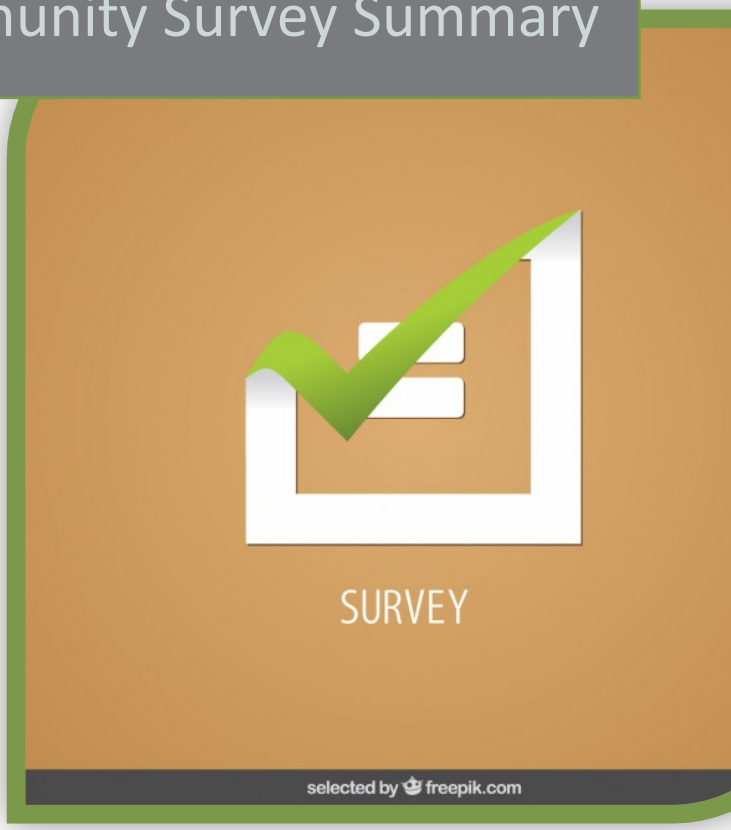
This primer was developed as a resource for the TGIA project and it may be amended or improved in the coming months based on Working Group feedback. Information contained in it was derived from the following sources:

- VT State Statutes
- Town of Essex Charter
- Town of Essex Zoning Bylaws
- Town of Essex Subdivision Bylaws
- Village of Essex Junction Land Development Code
- Village of Essex Junction Charter
- Discussions with municipal staff
- Review of the materials below, which provide more information:

Krohn, Lee A. (2013). *Executive Summary – Development Review Boards* for the Chittenden County Regional Planning Commission. This 11-page memo provides a solid overview of the issues with moving from a PC/ZBA structure to a PC/DRB.

VT Land Use Education & Training Collaborative (2004). *Appropriate Municipal Panels.*
This 4-page summary explains the different structures and issues around development review.

TGIA: Preliminary Community Survey Summary



November 3, 2015
On behalf of the Thoughtful Growth in Action Project

www.essextgia.com

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Project Overview

Thoughtful Growth in Action is exploring new approaches to planning governance in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards a shared vision, however, is complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project would explore what different planning governance models could look like and which ones would be a good fit for Essex.

Purpose of this summary

This document summarizes findings from a community survey that was conducted from September 21 through October 26, 2015. The purpose of the survey was to get participants' insights on how they perceive planning in the Town of Essex and Village of Essex Junction.

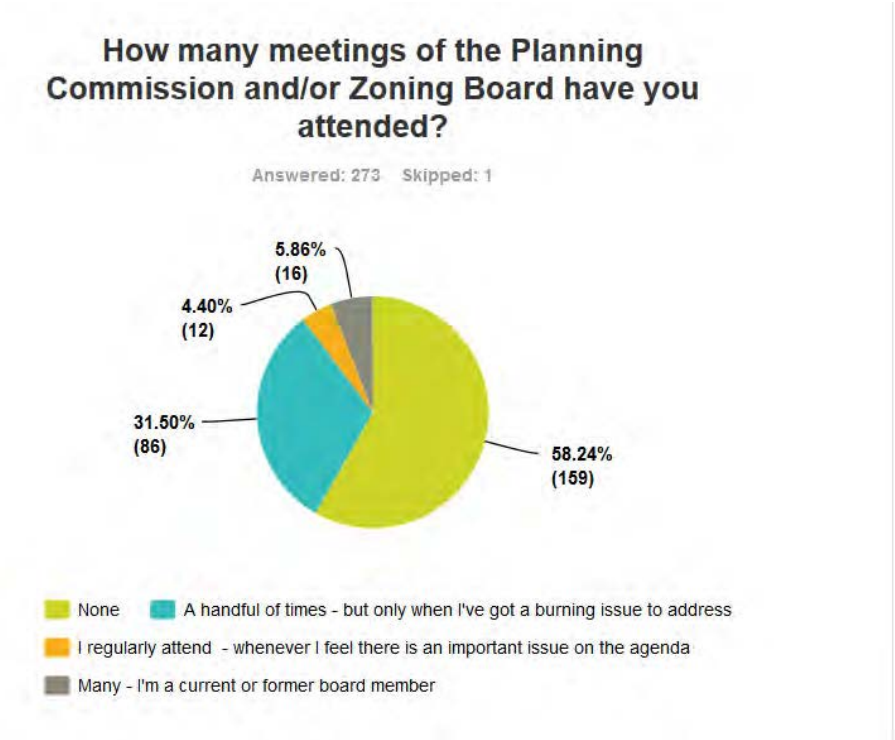
This information will be used to inform a series of conversations of the Working Group, which is charged with coming up with a recommendation for how Essex can improve planning. The recommendation will go to the Town Selectboard and Village Trustees in early 2016.

Survey Participants

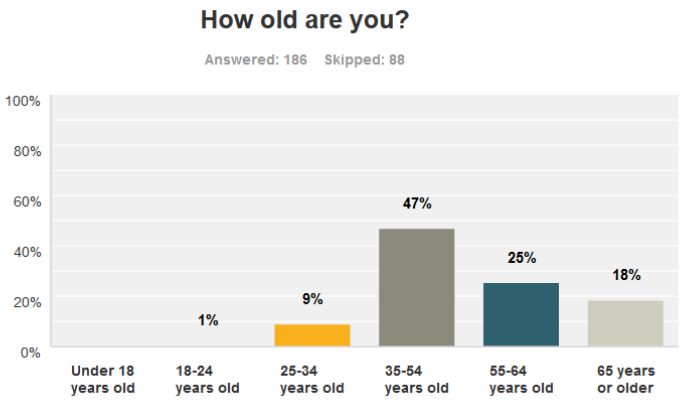
Over 270 people took the community survey:

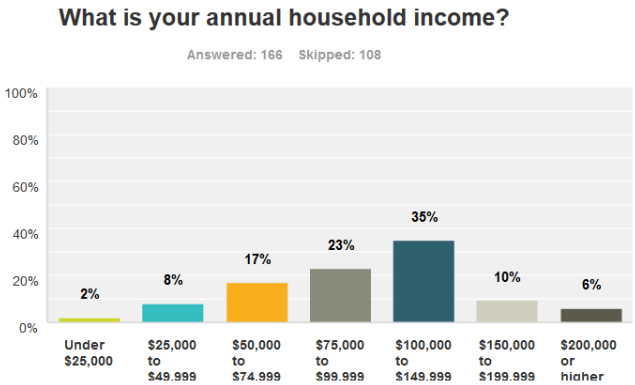
- **Residency**: Respondents were almost evenly split between residents of the Town outside the Village and the Town inside the Village (51% and 46% respectively). About 3% of respondents live outside Essex. About 40% of respondents have lived in Essex for more than 20 years.

- **Experience with Planning**: Almost 60% have never attended a Planning Commission meeting. Thirteen percent participated in the September Community Workshop that occurred as part of this project.



- **Demographics**: Almost 50% of respondents are between 35-54 years of age with another 43% that are 55 years and older. Eighty-four percent of respondents hold a bachelor's degree or higher. Respondents' household incomes were more mixed with half of respondents reporting incomes of less than $100,000 and half with incomes of $100,000 or greater. [Note that about 30% of respondents chose to skip demographic questions.]





Planning in Essex Today

Respondents were asked to respond with their level of agreement to a series of statements about how they think planning is working today in the Town outside the Village (TOV) and the Town inside the Village (TIV). The tables on pages 5 through 8 illustrate responses to those statements. Looking across responses, a few themes emerge:

- A higher percentage of respondents understand how planning works in the TOV than in the TIV (40% to 29% respectively). When we segmented the data by place of residence, predictably residents from each part of the community indicated higher levels of understanding for their own parts Essex. Notably, more Village residents indicated an understanding for Town planning than Town residents understood Village planning (34% compared to 9%).

- Over half the respondents indicated "don't know" for most of the statements for both parts of the community. When we segmented the data by place of residence, the "don't know" responses dropped for residents when asked about their part of the community but were still fairly high. Town only residents indicated much less knowledge about statements related to Village planning.

- For respondents who indicated agreement or disagreement with the statements, there was a spectrum of answers from question to question. Generally, Town only residents seemed to have higher levels of agreement with statements about the TOV compared to Village residents who seemed to indicate lower levels of agreement with statements about the TIV.

- Respondents were also provided with a way to add additional comments about how planning is working today (see pages 14-27 for detailed comments). Many of those comments related to the following issues:
    - Dissatisfaction with recent or recently approved projects for a variety of reasons (e.g. process around the decisions, aesthetics of the projects, potential municipal costs, perception that Essex is a "developer's town"). The Saxon Hill and Five Corners projects were mentioned several times as context to people's concerns.
    - Need for more long range planning around issues like traffic management, housing, public transportation and a sidewalk network.
    - Need to improve how and when planning issues are communicated.
    - Lack of and/or desire for coordination between two parts of the community.

- It should be noted that almost 25% of survey respondents chose not to answer the questions related to the statements below.

Town OUTSIDE the Village Statements (All Responses)

	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree	Total
I understand how planning works in the Town of Essex.	8.87% 18	31.53% 64	28.57% 58	22.17% 45	8.87% 18	203
I believe the Town's current Comprehensive Plan (document that guides future direction of the Town) and supporting regulations (e.g. zoning code) provide a strong framework for future planning and growth in the Town.	2.99% 6	22.89% 46	56.22% 113	13.93% 28	3.98% 8	201
I believe that the Town's development review process (the steps an applicant goes through to develop land) is efficient and effective.	1.00% 2	19.90% 40	51.74% 104	21.89% 44	5.47% 11	201
The current Selectboard, Planning Commission and Zoning Board, provide strong and consistent leadership on planning issues.	2.99% 6	19.90% 40	45.77% 92	23.38% 47	7.96% 16	201
The current Community Development staff is knowledgeable and helpful.	8.00% 16	21.50% 43	58.00% 116	9.00% 18	3.50% 7	200
The Town is able to adequately address longer term planning issues.	2.01% 4	14.57% 29	54.27% 108	19.10% 38	10.05% 20	199
The Town communicates well about planning issues and how community members can participate in planning.	6.03% 12	30.65% 61	29.15% 58	20.60% 41	13.57% 27	199
The Town makes an effort to collaborate with the Village of Essex Junction on planning issues.	2.51% 5	23.12% 46	56.78% 113	13.57% 27	4.02% 8	199

Town OUTSIDE the Village Statements (Town Resident Responses)

	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree	Total
I understand how planning works in the Town of Essex.	8.65% 9	34.62% 36	28.85% 30	19.23% 20	8.65% 9	104
I believe the Town's current Comprehensive Plan (document that guides future direction of the Town) and supporting regulations (e.g. zoning code) provide a strong framework for future planning and growth in the Town.	2.00% 2	33.00% 33	47.00% 47	14.00% 14	4.00% 4	100
I believe that the Town's development review process (the steps an applicant goes through to develop land) is efficient and effective.	0.98% 1	23.53% 24	47.06% 48	22.55% 23	5.88% 6	102
The current Selectboard, Planning Commission and Zoning Board, provide strong and consistent leadership on planning issues.	3.00% 3	26.00% 26	41.00% 41	24.00% 24	6.00% 6	100
The current Community Development staff is knowledgeable and helpful.	9.90% 10	22.77% 23	58.42% 59	6.93% 7	1.98% 2	101
The Town is able to adequately address longer term planning issues.	0.99% 1	18.81% 19	50.50% 51	20.79% 21	8.91% 9	101
The Town communicates well about planning issues and how community members can participate in planning.	6.93% 7	31.68% 32	22.77% 23	22.77% 23	15.84% 16	101
The Town makes an effort to collaborate with the Village of Essex Junction on planning issues.	3.00% 3	28.00% 28	62.00% 62	6.00% 6	1.00% 1	100

Town OUTSIDE the Village Statements (Village Resident Responses

	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree	Total
I understand how planning works in the Town of Essex.	5.38% 5	29.03% 27	29.03% 27	26.88% 25	9.68% 9	93
I believe the Town's current Comprehensive Plan (document that guides future direction of the Town) and supporting regulations (e.g. zoning code) provide a strong framework for future planning and growth in the Town.	2.13% 2	11.70% 11	69.15% 65	13.83% 13	3.19% 3	94
I believe that the Town's development review process (the steps an applicant goes through to develop land) is efficient and effective.	1.08% 1	13.98% 13	58.06% 54	20.43% 19	6.45% 6	93
The current Selectboard, Planning Commission and Zoning Board, provide strong and consistent leadership on planning issues.	1.06% 1	12.77% 12	53.19% 50	23.40% 22	9.57% 9	94
The current Community Development staff is knowledgeable and helpful.	4.35% 4	19.57% 18	61.96% 57	9.78% 9	4.35% 4	92
The Town is able to adequately address longer term planning issues.	2.15% 2	7.53% 7	61.29% 57	18.28% 17	10.75% 10	93
The Town communicates well about planning issues and how community members can participate in planning.	4.30% 4	29.03% 27	35.48% 33	18.28% 17	12.90% 12	93
The Town makes an effort to collaborate with the Village of Essex Junction on planning issues.	2.15% 2	17.20% 16	52.69% 49	20.43% 19	7.53% 7	93

Town INSIDE the Village Statements (All Responses)

	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree	Total
I understand how planning works in the Village of Essex Junction.	**5.67%** 11	**22.68%** 44	**42.78%** 83	**22.68%** 44	**6.19%** 12	194
I believe the Village's current Comprehensive Plan (document that guides future direction of the Village) and supporting regulations provide a strong framework for future planning and growth in the Town.	**2.08%** 4	**16.15%** 31	**56.77%** 109	**18.23%** 35	**6.77%** 13	192
I believe the Village's development review process (steps an applicant takes to develop land) is efficient and effective.	**1.05%** 2	**10.99%** 21	**60.21%** 115	**17.80%** 34	**9.95%** 19	191
The current Village Trustees, Planning Commission and Zoning Board, provide strong and consistent leadership on planning issues.	**1.58%** 3	**14.74%** 28	**57.89%** 110	**18.42%** 35	**7.37%** 14	190
The current Community Development staff is knowledgeable and helpful.	**3.68%** 7	**13.16%** 25	**67.89%** 129	**10.00%** 19	**5.26%** 10	190
The Village is able to adequately address longer term planning issues.	**1.05%** 2	**8.95%** 17	**56.32%** 107	**23.16%** 44	**10.53%** 20	190
The Village communicates well about planning issues and how community members can participate in planning.	**3.66%** 7	**22.51%** 43	**45.55%** 87	**17.80%** 34	**10.47%** 20	191
The Village makes an effort to collaborate with the Town of Essex on planning issues.	**2.12%** 4	**20.63%** 39	**62.96%** 119	**11.11%** 21	**3.17%** 6	189

Town INSIDE the Village Statements (Town Resident Responses)

	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree	Total
I understand how planning works in the Village of Essex Junction.	1.05% 1	8.42% 8	57.89% 55	24.21% 23	8.42% 8	95
I believe the Village's current Comprehensive Plan (document that guides future direction of the Village) and supporting regulations provide a strong framework for future planning and growth in the Town.	2.11% 2	6.32% 6	72.63% 69	15.79% 15	3.16% 3	95
I believe the Village's development review process (steps an applicant takes to develop land) is efficient and effective.	1.06% 1	3.19% 3	77.66% 73	10.64% 10	7.45% 7	94
The current Village Trustees, Planning Commission and Zoning Board, provide strong and consistent leadership on planning issues.	2.15% 2	8.60% 8	74.19% 69	8.60% 8	6.45% 6	93
The current Community Development staff is knowledgeable and helpful.	3.23% 3	9.68% 9	81.72% 76	4.30% 4	1.08% 1	93
The Village is able to adequately address longer term planning issues.	1.06% 1	1.06% 1	71.28% 67	18.09% 17	8.51% 8	94
The Village communicates well about planning issues and how community members can participate in planning.	2.13% 2	11.70% 11	64.89% 61	13.83% 13	7.45% 7	94
The Village makes an effort to collaborate with the Town of Essex on planning issues.	2.17% 2	19.57% 18	66.30% 61	9.78% 9	2.17% 2	92

Town INSIDE the Village Statements (Village Resident Responses)

	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree	Total
I understand how planning works in the Village of Essex Junction.	9.78% 9	34.78% 32	30.43% 28	20.65% 19	4.35% 4	92
I believe the Village's current Comprehensive Plan (document that guides future direction of the Village) and supporting regulations provide a strong framework for future planning and growth in the Town.	2.22% 2	22.22% 20	43.33% 39	21.11% 19	11.11% 10	90
I believe the Village's development review process (steps an applicant takes to develop land) is efficient and effective.	1.10% 1	15.38% 14	43.96% 40	26.37% 24	13.19% 12	91
The current Village Trustees, Planning Commission and Zoning Board, provide strong and consistent leadership on planning issues.	1.10% 1	17.58% 16	43.96% 40	28.57% 26	8.79% 8	91
The current Community Development staff is knowledgeable and helpful.	3.30% 3	13.19% 12	57.14% 52	16.48% 15	9.89% 9	91
The Village is able to adequately address longer term planning issues.	1.11% 1	14.44% 13	42.22% 38	28.89% 26	13.33% 12	90
The Village communicates well about planning issues and how community members can participate in planning.	4.40% 4	30.77% 28	27.47% 25	23.08% 21	14.29% 13	91
The Village makes an effort to collaborate with the Town of Essex on planning issues.	2.20% 2	20.88% 19	61.54% 56	10.99% 10	4.40% 4	91

Thoughtful Growth

A key value of planning in Essex is "thoughtful growth". Respondents were asked to respond to a series of statements related to thoughtful growth (the statements were developed based on the input received at the project's September Community Workshop). The tables on pages 10 and 11 illustrate responses to those statements. Looking across responses, a few themes emerge:

- A higher number of respondents had opinions on this series of questions (the "don't know" responses ranged from only 11-40% with most being on the lower end of that range).

- About half of respondents believe there is a desire for a shared vision and/or that there is a synergistic relationship between the two parts of the community, compared to about 30% of respondents who do not. This finding did not vary much between residents in different parts of Essex.

- On the specific issues of economic development and open space, the majority of respondents felt these opportunities look different between the two parts of the community.

- On other issues including housing and transportation, responses were more evenly divided between respondents thinking there are similar opportunities and those who think they are different.

- In terms of planning priorities, just over 40% of respondents disagree that they are the same between the two parts of the community with 20% agreeing they are the same (almost 40% indicated a "don't know" response). A higher number of Village residents disagree that priorities are the same (49%) compared to 35% of Town only residents.

- Almost 80% of respondents agree that greater collaboration between the two parts of Essex would lead to more thoughtful growth. This percentage was higher for Town only residents (85%) compared to Village residents (74%).

- Respondents were also provided with a way to add additional comments about the issue of thoughtful growth (detailed comments are on pages 24-27). Many of the comments related to the question of whether greater collaboration around planning would be beneficial. Some comments spoke to the differences as the reason why collaboration may not be necessary and/or work (e.g. different densities, different populations, different issues and priorities) while other comments noted the differences (in some cases) but indicated that there would still be a benefit in planning together.

- It should be noted that almost 25% of survey respondents chose not to answer the questions related to the statements below.

Thoughtful Growth Statements (All Responses)

	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree	Total
I believe their is a desire for a shared vision for the Town inside the Village and the Town outside the Village.	8.74% 16	39.34% 72	24.04% 44	22.95% 42	4.92% 9	183
I believe there is a synergistic relationship between the Town inside the Village and the Town outside the Village (i.e. that one relates to and depends on the other).	11.54% 21	40.11% 73	19.78% 36	24.18% 44	4.40% 8	182
Economic development opportunities look the same between the Town inside the Village and the Town outside the Village	4.40% 8	13.74% 25	28.57% 52	44.51% 81	8.79% 16	182
Open space opportunities look the same between the Town inside the Village and the Town outside the Village	2.72% 5	6.52% 12	18.48% 34	53.80% 99	18.48% 34	184
The need for diverse housing choices, including affordable housing, is the same in the Town inside the Village and the Town outside the Village.	10.56% 19	28.33% 51	26.67% 48	26.67% 48	7.78% 14	180
The need for pedestrian friendly transportation (e.g. walking, biking) is the same in the Town inside the Village and the Town outside the Village.	16.48% 30	25.82% 47	14.29% 26	34.07% 62	9.34% 17	182
The need to manage traffic is the same in the Town inside the Village and the Town outside the Village.	14.29% 26	26.37% 48	10.99% 20	38.46% 70	9.89% 18	182
I believe that the Town inside the Village and the Town outside the Village have the same priorities around thoughtful growth.	4.42% 8	14.36% 26	39.23% 71	30.94% 56	11.05% 20	181
I believe that greater collaboration between the Town and Village would lead to more thoughtful growth.	43.89% 79	35.00% 63	11.11% 20	2.78% 5	7.22% 13	180
I believe that greater communication and public education would lead to broader community participation in planning.	46.41% 84	33.15% 60	11.05% 20	6.63% 12	2.76% 5	181

Thoughtful Growth Statements (Town Resident Responses)

	Strongly Agree	Agree	Don't know	Disagree	Strongly Disagree	Total
I believe their is a desire for a shared vision for the Town inside the Village and the Town outside the Village.	3.19% 3	43.62% 41	26.60% 25	23.40% 22	3.19% 3	94
I believe there is a synergistic relationship between the Town inside the Village and the Town outside the Village (i.e. that one relates to and depends on the other).	8.60% 8	43.01% 40	23.66% 22	22.58% 21	2.15% 2	93
Economic development opportunities look the same between the Town inside the Village and the Town outside the Village	5.38% 5	13.98% 13	30.11% 28	41.94% 39	8.60% 8	93
Open space opportunities look the same between the Town inside the Village and the Town outside the Village	3.16% 3	5.26% 5	18.95% 18	56.84% 54	15.79% 15	95
The need for diverse housing choices, including affordable housing, is the same in the Town inside the Village and the Town outside the Village.	10.75% 10	24.73% 23	31.18% 29	26.88% 25	6.45% 6	93
The need for pedestrian friendly transportation (e.g. walking, biking) is the same in the Town inside the Village and the Town outside the Village.	19.15% 18	20.21% 19	15.96% 15	35.11% 33	9.57% 9	94
The need to manage traffic is the same in the Town inside the Village and the Town outside the Village.	14.89% 14	27.66% 26	10.64% 10	37.23% 35	9.57% 9	94
I believe that the Town inside the Village and the Town outside the Village have the same priorities around thoughtful growth.	5.38% 5	16.13% 15	43.01% 40	29.03% 27	6.45% 6	93
I believe that greater collaboration between the Town and Village would lead to more thoughtful growth.	46.74% 43	38.04% 35	8.70% 8	1.09% 1	5.43% 5	92
I believe that greater communication and public education would lead to broader community participation in planning.	51.61% 48	27.96% 26	11.83% 11	8.60% 8	0.00% 0	93

Thoughtful Growth Statements (Village Resident Responses)

	Agree		know		Disagree	
I believe their is a desire for a shared vision for the Town inside the Village and the Town outside the Village.	14.46% 12	36.14% 30	20.48% 17	21.69% 18	7.23% 6	83
I believe there is a synergistic relationship between the Town inside the Village and the Town outside the Village (i.e. that one relates to and depends on the other).	15.66% 13	34.94% 29	15.66% 13	26.51% 22	7.23% 6	83
Economic development opportunities look the same between the Town inside the Village and the Town outside the Village	3.61% 3	13.25% 11	28.92% 24	44.58% 37	9.64% 8	83
Open space opportunities look the same between the Town inside the Village and the Town outside the Village	2.38% 2	8.33% 7	19.05% 16	50.00% 42	20.24% 17	84
The need for diverse housing choices, including affordable housing, is the same in the Town inside the Village and the Town outside the Village.	10.98% 9	32.93% 27	23.17% 19	23.17% 19	9.76% 8	82
The need for pedestrian friendly transportation (e.g. walking, biking) is the same in the Town inside the Village and the Town outside the Village.	14.46% 12	31.33% 26	13.25% 11	31.33% 26	9.64% 8	83
The need to manage traffic is the same in the Town inside the Village and the Town outside the Village.	13.25% 11	24.10% 20	12.05% 10	39.76% 33	10.84% 9	83
I believe that the Town inside the Village and the Town outside the Village have the same priorities around thoughtful growth.	3.61% 3	12.05% 10	36.14% 30	32.53% 27	15.66% 13	83
I believe that greater collaboration between the Town and Village would lead to more thoughtful growth.	43.37% 36	31.33% 26	10.84% 9	4.82% 4	9.64% 8	83
I believe that greater communication and public education would lead to broader community participation in planning.	43.37% 36	37.35% 31	9.64% 8	3.61% 3	6.02% 5	83

Planning Communication Channels

The following table illustrates respondents' answers to how they hear about planning and development issues (they could select all that apply). Highlights include:

- Top channels included newspapers (74% of responses) and Front Porch Forum (72% of responses)
- Word of mouth was also important at 44% of responses.
- Municipal channels (e.g. Village newsletter, municipal websites) and Facebook all received about 20% of responses.
- Other channels included: Various municipal meetings (e.g. Selectboard, Planning Commission), smaller networks like neighborhood meetings or condo associations, annual Town/Village meetings and at local gathering places like the Farmers' Market and libraries.

Answer Choices		Responses	
Newspapers		74.63%	203
Town or Village website		22.79%	62
Postings at Town/Village offices		5.15%	14
Town Planning Commission or Zoning Board email list		9.56%	26
Village newsletter		20.59%	56
Front Porch Forum		72.06%	196
Facebook		20.22%	55
Other social media		2.21%	6
Word of mouth		44.49%	121
Other (please specify)	Responses	6.99%	19
Total Respondents: 272			

Barriers to Planning Participation

The following table illustrates respondents' answers to what limits their participation in planning (they could select all that apply). Highlights include:

- Only 14% indicated that they don't experience any barriers to planning.

- Top barriers (i.e. those receiving 35% or more responses) include:
  - 45% - Lack of online options to participate
  - 41% - The time required to participate (regardless of specific timing of individual activities)
  - 37% - The timing of most planning activities (i.e. weekday evenings)
  - 37% - I do not believe my input will matter

- The majority of "other" responses related to the planning process in some way, most notably perceptions that input is not welcome or is not considered in decisions. Other responses related to people's limited time (e.g. work travel, small children) and a few pertained to the need to improve how information is communicated (e.g. timeliness and greater detail on what is happening). Pages 27 and 28 list the "other responses".

Answer Choices	Responses
I don't experience any barriers to participation.	14.21% 26
The timing of most planning activities (i.e. weekday evenings).	36.61% 67
The time required to participate (regardless of the specific timing of individual activities).	40.98% 75
Lack of online options to participate.	45.36% 83
I don't know how to find out what's happening and/or how I can participate.	24.04% 44
I don't feel I know enough about planning issues to participate.	32.24% 59
I don't feel comfortable speaking in front of large groups.	16.39% 30
It's hard for me to get out to meetings.	29.51% 54
I don't like to be in situations where there may be conflict.	10.38% 19
I do not believe my input will matter.	37.70% 69
I am not interested in planning issues.	1.09% 2
I don't trust local government.	9.84% 18
Other (please specify) Responses	17.49% 32

Detailed Survey Comments

The following tables include specific comments received by question. They are loosely categorized for ease of reading.

Category	Do you have any additional thoughts on what's working or could be improved in how the Town of Essex plans?

Development Review

- Whatever they are building at the 5 corners is ruining the village and it's image/how the 5 corners looks. It's a hideously large structure that should have never been allowed to be built right there.
- Make sure projects approved do not add costs to current residents.
- Stop developing every square inch of vacant property
- The giant warehouse that currently houses the Town Offices but otherwise was empty -- why were developers permitted to clearcut such a large area and build such a large building without evidence that there was demand for the space? We have a lot of commercial property in Essex and Williston that is empty and the building continues.
- I think communication perhaps in the form of a letter which include a summary of the pros and cons of the various projects should be sent to residents for a vote. Not everyone has a computer. We are limited by my husband's disability. He is a stroke survivor and has physical and cognitive handicaps. As a result it is difficult to get to meetings though I care deeply about growth decisions.
- legalese of notices in Essex Reporter is incomprehensible to many of us. I think there should be frequent easily understood reports of proposals. Some that are truly problematic (5 corners, property next to Spa/Resort) were well advanced before I knew about them -- and too late to have significant input. (I think the traffic issues at Essex Way & the Circ are going to be disastrous. It's already dangerous).
- Feels like decisions and plans are made in a vacuum. Is there any notification process for property owners when plans may have an effect on the value, marketability, or cost of their property?
- There is development near my house that we found out about only through a concerned neighbor. My husband went to a planning meeting but he and my neighbors were told it was too late - the decision was already made.
- Support Design Review Board system implementation.
- I feel there is 'disjointed integration' of town plan focus and specific details surrounding stipulations and various details regarding applications that are approved. Enforcement is weak. This is an area that has been difficult in the past and continues to be, from my perspective.
- The overall vision laid out in the existing town plan seems good. The draft of the new town plan incorporates values identified by the community during the Heart & Soul process which is also good. However, the regulatory framework does not seem to be adequate. New buildings have gone up in recent years that are unsightly and there doesn't seem to be a framework that would prevent this type of thing from happening again. There needs to be some sort of mechanism to help the town have more control of the aesthetics of what is being proposed and built in our community.
- More responsible development for residential and commercial permitting.
- I believe to many loop holes are available for development plans and we're only going to see an increasing number of developers taking advantage of them. As the planning process currently sits I strongly believe Essex Town and Village will be hugely developed within the next 10-15 years.

- Development often seems to underway and approved before the general public knows about it. When there is disapproval of a development project, it goes ahead anyway. The typical squeezing of as much as possible in a small space seems to be happening even though we have lots of unused space around. For example building as close to the road as possible so no road improvements can ever happen at 5 corners, squeezing semi-commercial development into the area next to the Essex Inn ruining the natural feel for the Inn, view and encroaching on residential area. The folks of Lang Farms neighborhood didn't want it, but there it is.
- The interpretation of the process by staff/planning commissions seem mostly in favor of developers and short-sighted.
- Staff is experienced and knowledgeable but I don't feel that a lot of credence is given to the needs of residents in areas bordering new developments. Developers have more of a say than residents.
- I think it very unfortunate that the developers control the town growth, not the board, not the town plan and that the board will not enforce the town plan provisions when a violation occurs. Whenever something not consistent with the plan comes up it is automatically granted a waiver. Constant growth is simply driving up taxes and the residents have no control over it when indeed they should have all the control over it. At this point I see no reason to even bother with the effort and expense of creating a town plan since it is not implemented and does nothing for us economically, environmentally or aesthetically.
- Seems like all "planning" is done by developers. Doesn't really seem like public input is desired or listened to. We have lived here almost 20 years and I don't feel that either the Town or Junction has developed in an aesthetically pleasing or logical way.
- The game is rigged. Essex is known as a developers' town. The Town Manager maintains cozy relationships with developers. Essex lacks a DRB, and the powers that be prefer it that way. Citizens participate in the process, but generally speaking, the SB and the Planning Commission do what they want anyway. Saxon Hill is a recent example. This leads to disaffection and alienation, which is exactly what to Town Manager wants. This way, he controls the agenda and the SB and PC fall into line.
- I have been involved with the Saxon Hill RPDI zoning challenges over the past 5 years or so. Throughout the process there has been a large portion of the voters expressing concern over the development proposals in this area. Throughout the process the planning commission as largely discounted the opinions of the citizens and on many cases the chair of the committee has been outwardly disrespectful to those opposed to the plans. There has been a distinct siding with the developers by the planning commission. Hiding behind the excuse that the zoning is "too confusing" they have systematically eroded the quality and character of the area. The warehouse project is an abomination without any tangible benefit to the area.
- seems really skewed towards developers. do we really need hundreds of new condos/apartments every year?

- Since 2010 hundreds of Essex Residents have attended planning commission and select board meetings and expressed that they wanted the recreational land at Saxon Hill to be preserved as specified in the town plan. The response at the first few planning commission meets can be best captured by the response of one planning commission member who shouted back at the audience "It's his land, he can do what he wants". In subsequent meetings the Planning Commission listened, but gave no response. As they continued to present a plan which gave away the conserved area, they made it clear our only recourse was to turn down the town plan, which the residents did, by a margin by more than 2 to 1. Fast forward to this spring, when the Vermont Environmental Court, Docket No. 42-3-11 Vtec ruled on Hector LeClair's motion to rule that Essex Junction did not have specific enough regulations to deny his sand extraction request. His position was systematically and thoroughly disproved in that ruling. I wonder if any of the Select Board members thoroughly read this document. The land was sold to Mr Senegal, who presented a different offer to the Select Board to resolve the sand extraction dispute. This offer was accepted by the Select Board, in a closed door executive meeting, from 10:30 to 11:30 at night with no notice to the public. At an informational hearing two weeks later, the Select board chair stated that people could hold a straw vote on the proposal or comment but it would have no effect since the deal was approved and done. One of the residents suggested that we could fight it in environmental court. The town manager was sitting across from me and quietly said the words "you don't have standing". And there you have Essex politics in a nut shell. Our town manager tries to maneuver the planning commission and select board to very pro-development decisions, which is fine since he does believe this is in the town's best interests, but he does it in a way that circumvents the will of the residents. How else can you described a closed door executive ruling with no option for resident input, after the residents voted by more than 2 to one, in an unusually large turnout to preserve Saxon Hill recreation. Temporarily zoning 27 acres industrial, stripping it of all vegetation so only sand is left, then rezoning it conserved is not conserving it. Just look at the land which has already been sand extracted and "reclaimed". The clearly expressed will of the people, expressed and scores of meetings, and an over whelming vote has been trampled on. The point is not if it is a good or bad deal, but the trampling on the public's right to meaningfully participate
- What the town put Hector LeClair through over the past twenty years was criminal. telling him how to develop property he owns is not right. And then turning down hundreds of acreage that could have been used for parks and recreation was foolish. There was too much history between him and panning commission. We need new leadership. Maybe when IBM leaves property values will go down, then our taxes will be less.

<u>Specific Planning Issues</u>

- High property taxes will eventually drive me out of Essex.
- Traffic issue. Needed lights, stop signs , speeders. Response from town departments not adequate.
- Traffic patterns through Essex could be improved with coordinated traffic lights. Route 15 and 2A and 289 can become bumper to bumper
- Two things that I feel should be improved: Essex Center bus service should be expanded to 7 days a week, and covering more of the day - maybe only once an hour, but throughout the day. Bike paths should be separate from the road and connect the town and EJ with no gaps
- If you really cared about the town/village: the Circ would be completed, wouldn't waste money on a bike path from Susie Wilson toward St Michael's College, would not encourage multi level apt complexes in the Jct or approve more commercial space when there is so much vacant commercial space in the area already. DPW wastes a lot of time and taxpayer money. Takes forever to complete repairs. I've repeatedly seen workers sitting inside road excavations for hours doing no work. Town and Village are slowly merging without taxpayer consent....I doubt Jct taxes will go down as a result.

- Improve alternative transportation options that are safe for youth to travel throughout the Town (within and outside of the village. Provide safe pathways and if necessary crossing guards so that children 3-12 can be encouraged to walk/bike to school if they live under a mile from the building. Find ways to discourage individual carpooling to drop off and pick up kids at schools (carbon footprint, does not support no idling laws) Ensure that there are adequate low income housing within areas accessible by public transportation. Support developers that plan for and support diversity in housing accommodations Utilize students where possible to gather data required for thoughtful planning (reduces tax payer costs, educates the future generation on thoughtful, community centered planning and civil responsibility) Utilize technology whenever possible to enable citizen participation in the planning process - both real time interactive and indexed easily accessible replay with built in opportunity to provide input..
- stop building so many elder apartments. Not everyone wants to live in 600 square feet. also permit more single level houses and townhouses. All I see are the same looking apartment buildings everywhere. Not keeping with a town character.
- As more and more development occurs, the current roadways/highways become more and more congested. With the nixing of the cirucmferential highway, it appears that there are few alternate routes if a major accident occurs on Rt. 15, 117 or Rt. 2A. Why not include light rail commute between Burlington and Essex Junction as an alternate to cars?
- Issues with things such as composting which Essex staff are not adequately trained to deal with is an example of the lack of knowledge about pressing issues impacting our entire state. The fact that parking issues keep businesses from coming to Essex are another example of how the the town of Essex does not appreciate local business and what it brings to the community. There is a lack of understanding of the issues that the handicapped and seniors face daily in walking on the sidewalks in Essex and Essex Junction. There is a strong need for seamless sidewalks as many seniors and people with disabilities have to use the road vs. sidewalks to avoid uneven pavement. There is a strong disconnect in this community in understanding poverty and the issues that face many people.
- I believe that in this Town what's working is that certain local businesses and industries are lining their wallets on the backs of the rest of us taxpayers. Mass transportation and park and ride lots which would cut down on the terrible rush hour traffic and school drop offs lines is not being sufficiently promoted -but instead the number of single passenger vehicles are more and more increasing traveling our main streets. And this trend will worsen as more living spaces are being added to our crowded 5 corners area. BTW, I avoid (as many others do) certain stores near 5 corners because I know that trying to pull out of their driveway or parking lot would be impossible during rush hour. Our wild, undeveloped public green space in the Town is rapidly disappearing and the majority of us (families and active persons especially feel it) who have an appreciation of trails, parks, biking and walking are being pushed aside for the financial incentives of the few. The lack of cross walks across Education Dr., Rt. 15 and Pearl Street near the fast food restaurants (but the Village Planners made sure there were twice as many streetlights as necessary- cha ching) where pedestrians frequently cross are just a few examples showing where the Selectboard, Planning and Zoning folks' priorities are. And don't get me started on the scarcity of bike racks and bike lanes.

<u>Other</u>

Consider the new news site Essex Balloteer essex.balloteer.news

I chose "Don't know" but I really mean I don't disagree but I also can't say my answer would be positive.

(The 2nd entry above should have the word "provides", not "provide" since the subject is the Plan.)

Planning Process

- There needs to be adequate amplification at every town and village meeting so everyone can easily hear what is going on.
- I should be more informed!
- The town could better publicize planning meetings and decisions.
- I feel that the town's system of planning and development review is generally efficient and effective without creating unnecessary bureacracy for residents and developers. Town leadership is also strong, practical, and long-sighted when it comes to particularly important issues like conservation and economic development. One idea to get the public more involved is to host workshops or create a FAQ/introductory document about how the planning and development review process works in the town.
- better communication and a stronger alliance between the town and village involvement of the public in issues more variety of ways and medias to allow the public to become involved
- How about short blips (something like "Did you know...") once a month or so in the Essex Reporter or Front Porch Forum about planning in Essex?
- I wish you had a neutral button rather than a Don't Know. They (Neutral vs Don't Know) are two very different options between Agree and Disagree. My first three Disagree's are actual neutral. There's plenty of room for improvement but they're trying. The current Town Plan is cumbersome. The draft of the next one is a huge improvement, but you asked about the current one.
- Town meeting approval of Comprehensive Plan gives voters ultimate say
- I think much broader approaches to planning should be considered. Why would a project that is in violation of code be allowed to progress, get a hand spank, then be allowed to proceed to completion? Are we bringing in all the minds that can think about our future or only following the Chittenden County (dated) recommendations. We need to PLAN for this area, keeping in mind the Vermont brand and the shifting employment. Our schools are challenged; our police are challenged; are we talking to these institutions or allowing a report to justify our actions?
- My "disagree" for both the development review process and long-term planning should be understood as an observation of the structure of the process and not the people involved. The development review process is, to my mind, managed competently but because it's the planning commission that does all of the development review, they really get short shrift on the planning side. They should be able to focus entirely on planning and have the zoning board changed into a development review board which would handle all project review, approval and zoning issues.
- There hasn't been a calculation of the costs of growth or a sewer capacity study as designated by the Town Plan and only the profits of growth are considered with only vague estimates as to the cost of growth to existing residents. Conditional uses are often considered mandates by the planning commission, the buildings in the Town Center and the issue with Saxon Hill are examples of the lack of consideration of existing residents.
- We don't really do "planning" we do development review. The town lacks a real vision for long term planning. The Town Plan is visionary and really doesn't mesh with the zoning and subdivision regulations. There is a constant echo of "yeah, we need to address that in the regs."
- Current planning / zoning stinks. The Town doesn't need 4 story low income buildings. We are going to look like winooski !
- The town officials have a narrow and very socialist view or focus with no respect or regard for the private property rights of it's citizens. There is no longer an attitude of town officers being the servant of the people, there is an arrogant we know best so we'll decide whats best for our town. We need to get back to letting the people and the free market system decide the direction. Government has gotten too big and too intrusive from the federal level down to the state and now even to the town level. Our founding fathers would be getting out their guns or at least the tar and feathers!

- Public input is marginalized, almost ignored, at meetings. Also, I think it is inappropriate for commission members to address some attendees on a first name basis.
- The taxpayers get the 'oh, thanks for coming to the meeting' but we don't get HEARD.
- As a resident, I do not see a "shared vision" for the development of the town. Would like to see more side walks and community space. Also I see a lot of building (CVS development, Allen Martin development, and now the new development by the Essex). I wonder what is the long-term plan. Our schools seem to be almost over crowded. Do we have the infrastructure to support all this development and do we want it!
- The longer-term planning question and collaboration with Village Planning questions could be misinterpreted to mean we need a DRB, when I think a different mix of personnel on existing boards, for example, might make a huge difference.
- Make a projection of the needs in the future for different types of buildings and use as a guide in zoning and permitting and not just nod the head any time a developper has a vision and it doesn't conflict with current zoning. Generate style guide to preserve the desired looks of the village more than just building height i.e. steepness of roofs, setbacks from road, landscaping requirements, other architectural and asthetic features (material limitations, color palettes) Think about infrastructure associated with new buildings - make routes efficient, walkable, enjoyable to walk... for example my current preschool is in an industrial area, not on the bus route - I have to drive but I would love to walk, bike or bus my daughter to day care (reduce traffic through five corners in the mornings!!!) I would love to grocery shop by bus, bike or walking but placement of retail vs. residential regions are not supporting a community where people can avoid driving through five corners or driving in general. Putting parking lots behind buildings also increases walkablility (so I don't have to cross a parking lot where many people don't drive in lanes but straight across, to get to the store). Just some thoughts...

Structural Issues

- I think that town staff does a great job and they are a very dedicated group of people. It's unfortunate that the vocal minority consider themselves "the community" at large, and continually state they their voices are not being heard. I believe that there is a way to help educate/inform the public about how and when their input can be the most effective, and I think that the town staff can help facilitate that better. Also I would like to see both the Town & Village move to a more conventional model in terms of Planning Commission/ Development Review Board vs. our current model of a PC/ZBA. That being said, I am on the TGIA working group, so I've been privy to all of the conversations we've been having:).
- The whole Town and Village thing is very confusing to me. I don't know what issues are specifically Town related and which are Village related. In terms of government, laws, etc - I don't know who works for which area and which laws apply to which area. Clarity and communication around these areas would be helpful. I feel like I get lots of updates about things and movements that are going on, but it's very confusing.
- merge repetitive services!
- Include the Village.
- Merge!
- I think that there should only be one planning committee for the whole Town of Essex This separation of village and town needs to end

Category	**Do you have any additional thoughts on what's working or could be improved in how the Village of Essex Junction plans?**

Development Review

- Stop developing every square inch of vacant property

- It's critical to communicate planning decisions before big changes (crescent connector, giant building at the five corners on Pearl and Park) go through. I heard about the crescent connector at a village meeting, after it was already on its way to completion. The village needs to push the information out. Many residents won't visit the website regularly, just in case something has happened. I didn't know the planning commission had an email list. Front Porch Forum and the Essex Reporter are the absolute minimum.
- This all comes back to the planning for the building which is replacing People's United Bank. Most people were unaware of what was happening until it was too late. When it is finally finished, that new structure will not have many admirers - and people will be saying, "How did this happen?" Some of us who did get involved were told it was 'too late' for changes because the process was too far along. Also that the decisions are by the Planning committee (as well as the state) - and not the population as a whole. While there may be notices for meetings, it is hard to know what is being discussed and not easy to be present for all of them. By the time it comes for 'public comments', it is already too late.
- There seemed to be a lot of input from Village residents against the new building going up at Five Corners but we're stuck with it now.
- Five corners is ruined, poor planning.
- Somehow that steel and concrete thing on the south west corner of 5 Corners slipped thotough. The best thing that could happen to it would be a very localized earthquake.
- I was left with a bad experience while trying to express my concerns with the development of the former Chittenden bank property at the 5 corners. It seems like the trustees and planning board had their agenda and dismissed my concerns related to it. I am someone who hates to get involved (very shy) and when I stepped up, I felt that my concerns did not matter. I am reticent to try again anytime soon.
- It looks to me like anyone with enough cash to back them up can build any monstrosity they want in the village.
- The Village has an obligation to share information about the status of the 5 Corners project.
- I think the monstrosity at the 5-corners should never have been approved. Why is it that that building can be as big and ugly as the developer decides and yet I can't get a permit to rebuild my garage a little bigger? It's a ridiculous double standard.
- How can anyone really support what the Village, and planning commission (small letters for sure) , are doing with what you let go on at the Old Five Corners?? I know you claim to listen to people but the older people in the village, who really care, sometimes are not able to get out at night. We have lived here 43 years, now our son and family live here, and we what to protect them.
- Merge repetitive services! That horrendous monstrosity at the Five Corners is a HUGE mistake. I work at Kinney Drugs and talk to a lot of locals. I haven't met anyone yet who is in favor of it.
- Have villagers attend more meetings. They feel that they are not heard when they come because the developer gets their way anyway no matter how much they object. The developer usually does their homework so their plans fit with the village plan so when they come they get shot down. It is frustrating. What can we (PC) do to hear them and work the developer plan at the same time?
- Read through the Town and Village zoning regulations. Im many places the town plan says "shall", in a corresponding place the Village regulation says "may", giving the board way to much discresion to ignore the regulations.
- Similar to the town, I feel the developers have an upper hand in what gets built. Residents concerns don't seem to have much influence when concerns are raised. I the the trustees have the interest of the citizens in mind, but my experience with the planning commission is limited.
- seems really scewed towards developers. do we really need hundreds of new condos/apartments every year? does every plot of land need multi-house put on it. No village anymore just, lots of subdivided buildings, condos, apartments.

- Engaging the village residents on major developments would be a start. I do not know a single resident who approves of the building at 5 corners, due to it's size and traffic congestion that will increase. Already, there has been a significant change since the stoplight next to Rocky's was added. Also, the removal of Loretta's with yet another apartment building is another example of how out of touch these boards are with Village residents.
- no more suburban ideas and buildings. This is the brainchild of a limited development director who has proven many a time that he is in for his own vision
- I don't know much about the planning process. I'm mostly disappointed with the huge building going up at 5 corners that is out of character and will probably entice more such building in that area. I may be wrong but I don't think that is what folks want around here. I'd like to know more about what the master plan is. I would hate for Essex to become like every other commercialized area, effectively designed to make the most money for the property owner.
- I do not agree with the new building at the 5 corners. The size will detract from the historical buildings used by the village and the Lincoln Inn. I do not believe it is the right fit. I also DISAGREE with the crescent connector that has been planned. That will also detract from the historical feel of the village. It will completely change the 5 corners and anger those who drive thru the village by adding additional traffic lights. I do not think there was enough in formation sent to residents. When finally hearing about this I emailed the president and the planner but never heard a response. I also believe if someone is a planner for the village then that person should truly represent the village as a resident of this village. That is the only way to understand what folks want and what would work best.

<u>Specific Planning Issues</u>

- I like the fact that recent building in the Junction has been centered right around Five Corners where there is more access to public transit. However, I feel like the Global Foundries factory is the elephant in the room in EJ planning. Do we have plans for what happens if they shutter the factory? Could we at least reclaim road access through that area, easing traffic for those traveling between the east and south of the five corners?
- I do whatever it takes to avoid 5 corners. Unless the traffic issue is resolved, the Village will continue to struggle.
- If you really cared about the town/village: the Circ would be completed, wouldn't waste money on a bike path from Susie Wilson toward St Michael's College, would not encourage multi level apt complexes in the Jct or approve more commercial space when there is so much vacant commercial space in the area already. DPW wastes a lot of time and taxpayer money. Takes forever to complete repairs. I've repeatedly seen workers sitting inside road excavations for hours doing no work. Town and Village are slowly merging without taxpayer consent....I doubt Jct taxes will go down as a result.
- Support efforts that reduce the invisible divisions between the Village and the Town outside of the village - safe transportation from each of the commerce centers to the developments in the vicinity. Strong public transportation options to encourage ALL town residents to shop local first before taking our income outside of the Town of Essex. Opportunities for students that live outside of the village to participate as interns or volunteers within the village (reduces cost basis, educates the next generation about the treasure (village) they have so close by. Educates youth who have grown up in rural or development settings about the value of a down town, walking, supporting local vendors etc etc
- Allowing the development of residential/business complex on the former Chittenden Bank property only adds to congestion at the Five Corners and certainly limits what could be done to change traffic patterns at the five corners. It seems that the village has plenty of high density apartments where NECI had its first apartments. It seems unreasonable that the Fairgrounds are listed as agricultural use when many events that occur there have nothing to do with agriculture and each year the CVFair has fewer agricultural events and more commercial events. That land should be taxed as part of the master plan.

- The direction our town is going in is sad. All of these apartments are turning the place into the town people moved to Essex Junction to avoid. Is anyone thinking about traffic, runoff, school overcrowding?

Other

- I have never really paid attention to the Village's process.
- Not familiar with village issues.
- I have no experience with the village government.
- I wish you had a neutral button rather than a Don't Know. They (Neutral vs Don't Know) are two very different options between Agree and Disagree.
- Is this a test to see if we change our minds since anwering the same questions above?
- First, should the second entry end with 'in the Village'? While I didn't see how to communicate this in the selections above, my impression of the Plan for the Village is that, it it brings in more tax revenue, have at it! It seems to be pretty much all they care about!

Planning Process

- think it needs to be better communicated.
- getting on Front Porch Forum and sending emails to interested residents would help if the village wants more residents to participate in the day to day board meetings
- Same as above: How about short blips (something like "Did you know...") once a month or so in the Essex Reporter or Front Porch Forum about planning in Essex Junction? Just very short tidbits about planning and development, regulations available, etc?
- There need to be alternative ways for the public to become informed and have a voice in planning decisions. Planning commission meetings are extremely intimidating and unwelcoming and there isn't an effective process in place for meaningful public participation. One exception to this is when the village hired Julie Campoli to create a vision for the village downtown. That process was participatory, welcoming, and well designed. Julie incorporated ideas and preferences from residents into her plan. My hope is that this plan will not sit on a shelf, but will serve as a guidepost and inspiration for planning staff, the planning commission and residents.
- By the way, meetings really, really, really need to be on a different day of the week than Tuesdays.
- I think the village is too focused on reports that are dated (Chittenden County housing and development) as they make decisions. They do not talk to police or schools. There is a plan in place that will alter the face of the village. May the buildings not sit empty as the employers leave. The village needs to be more reactive.
- Village voters don't have final say on Comprehensive Plan - this is not good.
- I don't think you have involved the community enough in all these poorly thought out plans for development around the 5 corners. I think you also need to stop allowing so many apartment buildings to go up in town. It's increasing our traffic problems and your traffic study that was done for the new bypass probably hasnt even taken all this increased traffic into consideration. You are spoiling the small town feel of essex junction. My family dates back to the early 1900's in the village and I have lived here myself for over 25 years. It's always develop, develop, develop. ...how about actually leaving us with some open unspoiled land for once rather than giving the Handy's of this world permit after permit for apartment buildings, in addition to all the other developers you seem to just sign off blindly on.That monstrosity at the 5 corners should've never been allowed to go up.
- I have more experience and knowledge of the town's planning and development system than the village's, which may bias my viewpoint. However, I have seen the Village Trustees and Community Development staff struggle with particular development issues. I also feel that there is a bit of a disconnect between the Trustees/CD staff and residents when it comes to understanding villagers' real concerns and their long-term vision for the Village.

- Tighten regulations to prevent smoke shops and vape stores. Not what we want for the culture of our community!
- I believe to many loop holes are available for development plans and we're only going to see an increasing number of developers taking advantage of them. As the planning process currently sits I strongly believe Essex Town and Village will be hugely developed within the next 10-15 years.
- Again, "don't know" in my case means "meh." It seems like our boards make decisions that are less emotionally based than the Town's. I see the village dealing with long term issues more than the town. But there is inconsistency between what the trustees want vs what the PC wants, in some cases. I like and prefer that the trustees have more interaction with the PC than the Select Board and take an active role in long term planning for the village and village center in particular. Our development staff is definitely knowledgable but does not interact with the public well. Communication with the public is poor, though improving.
- Make a projection of the needs in the future for different types of buildings and use as a guide in zoning and permitting and not just nod the head any time a developper has a vision and it doesn't conflict with current zoning. Generate style guide to preserve the desired looks of the village more than just building height i.e. steepness of roofs, setbacks from road, landscaping requirements, other architectural and asthetic features (material limitations, color palettes) Think about infrastructure associated with new buildings - make routes efficient, walkable, enjoyable to walk... for example my current preschool is in an industrial area, not on the bus route - I have to drive but I would love to walk, bike or bus my daughter to day care (reduce traffic through five corners in the mornings!!!) I would love to grocery shop by bus, bike or walking but placement of retail vs. residential regions are not supporting a community where people can avoid driving through five corners or driving in general. Putting parking lots behind buildings also increases walkablility (so I don't have to cross a parking lot where many people don't drive in lanes but straight across, to get to the store). Just some thoughts...

<u>Structural Issues</u>

- collaboration is given lip service lack of faith in the knowledge of the officials
- I have never lived in the Junction and haven't paid attention to this but wanted to take the chance to say that it makes sense to me that the departments be merged. The problem of dancing to the tunes of multiple fiddlers is one about which to be concerned but given the granularity of the various zoning districts, it seems that is a soluble problem. Maybe by making a development review board and planning commission a little bigger (7 each) and trying to ensure rough parity between the Junction and Town outside the Junction. Maybe 5 is a bigger number. Committees don't necessarily flourish when they expand. But you get the point.
- I think that it is inefficient for the Village and Town to have duplicate planning and zoning process. Except for the sidewalk improvements in 5 Corners and by the Fairgrounds, there does not seem to be a "vision" or reason to exist as a destination except for the Train Station.
- If have limited experience with Village-specific planning activity, living outside the Village. As I observe development activity, it appears there is no coordination between Village and Town efforts. Recent Village decisions regarding the 5-corners development and the access road around the Ewing property are key examples. I don't think there is effective downstream thinking put into development issues and the impact to the Town. (I also feel there may be some iss from the Town's decision-making also. This is not strictly a Village issue.)

- Consistent leadership, but I think of "strong" as positive. Do NOT thing it's positive. Bull headed maybe .... And knowledgeable maybe, but helpful, not at all sure I'd use that word... The monstrosity being built at 5 corners, over many (many) complaints and people knowing about it too late to do anything is ample evidence that the village is NOT adequately addressing long term planning issues, that they DO NOT communicate well.... And why on earth SHOULD the village collaborate with the town on planning issues? What does the Town care about what goes on in the village? They have written us off and not allowed us to merge with or separate from them. They don't want to share our tax burden, and want us to keep paying for our roads etc w/no help - even though we are supposedly part of the town. Why would we want to plan with them? Do they care about sidewalks in the village? height of buildings in the village? Why would I want to let them have a say? Do they actually live here and know our concerns? They are worried about sprawl, and box store development, and dirt roads in the wild blue yonder and bussing issues w/their schools etc. WE ARE NOT. What is there to collaborate on? What kind of "unified direction" can you have when one's interests are so different? We do NOT see eye to eye!
- I think that town staff does a great job and they are a very dedicated group of people. It's unfortunate that the vocal minority consider themselves "the community" at large, and continually state they their voices are not being heard. I believe that there is a way to help educate/inform the public about how and when their input can be the most effective, and I think that the town staff can help facilitate that better. Also I would like to see both the Town & Village move to a more conventional model in terms of Planning Commission/ Development Review Board vs. our current model of a PC/ZBA. That being said, I am on the TGIA working group, so I've been privy to all of the conversations we've been having:).

Category	**Please feel free to add an explanation of your responses here or provide any additional comments about the issue of thoughtful growth in Essex.**

<u>Differences</u>

- The town and village have different requirements because of the different densities. For example, both need to accommodate pedestrians and bicycles, but the needs of each will probably be met differently. (On a related note, the lack of planning for bicycles in the rework done on Susie Wilson Road a few years ago was a missed opportunity that will be with us for many years.)
- I believe to many loop holes are available for development plans and we're only going to see an increasing number of developers taking advantage of them. As the planning process currently sits I strongly believe Essex Town and Village will be hugely developed within the next 10-15 years.
- There are much fewer opportunities within the Village for open space, I would agree though that there is a shared desire to maintain some open space both in the Town and the Village
- I believe that on the whole, merging Village and Town planning / zoning etc. is a bad idea, especially for the Village. There are really two communities here with two very very different mindsets. One with more of an urban tilt, the other a much more rural feel. I don't see them working well together as they have competing interests.
- In Essex (town?) or Village of EJ? Assuming these questions are re: ESSEX (not village) and have answered that way. As stated in last group of comments I do NOT think our concerns, interests, needs, development opportunities, open space concerns, or anything else are either similar or interdependent. Our density is different, needs different, populations different. The village needs to be concerned with walkable/bikable transportation and needs in a way the town does not. Portions of the town might (like Hannafords/lang farm shopping and the Susie Wilson areas) need to consider bus routes and walkability etc, but even then not the same way as the refugee populations and the disabled and such who live in the more "urban" setting of the village do. People often move to the village b/c they want to be "closer in" - people move to the town

to get "space". Sprawl is not even a topic of conversation in the village. Urban density is. There is nothing very similar at all between the two in my opinion.

- Are demographics the same between the town and the village and the town outside the village? I doubt it so. So priorities are different when it comes to what people want budgets to be spent on. Broader community participation in planning would require greater influence of such a participating community on outcomes as we currently have. Otherwise it is a waste of my time.
- I believe that people in both the town and the village would like to see a vibrant town center with open space surrounding it. I think the question about whether the town inside and outside the village have the same priorities is a tricky one. I think a lot of people will strongly disagree with this question, since the way development happens inside and outside the village may need to look different to achieve what people are looking for. However, that doesn't necessarily mean the priorities are different.
- On the three issues that I checked "disagree": economic development, housing, and traffic management, it is not that I don't believe the issues are common to both but rather the solutions may be different given the different character/geography of the two 'communities'.
- Town inside the village has more need for pedestrian friendly transportation as there is no school bussing. Also there is more traffic in this area.
- I think transportation and pedestrian related planning are more complicated in the village and need to be planned more thoughtfully. I think pedestrian/biking related planning needs to be improved in the town to allow for more connectivity.

Other

- Unfortunately, unless something affects the "status quo" most people are uninterested in the future. Maybe some radical proposals will generate more interest.
- I believe the essence of good planning is being a good neighbor.
- age
- What is important to me is not what people say, rather what decisions and actions are taken. I have been told there is agreement to collaborate ... but when I see decisions being made with what appears to be conflicting results, the the synergy (or desire for synergy) is not there.
- Please edit for grammar -- their / there.
- their' should be 'there' in question 1
- Shouldn't it be "I believe there is a desire..."

Planning/Process

- Communication is key but within that lies an understanding of the issues and the people served. Essex from many I have talked to appears to be an elitist thinking area. There is a strong schism between the people who serve this area and the people who live here. The elitists drive the community while only one or two public officials truly understand the true issues in this community. See It Click FIx It is only used by the Junction but the town does not- strong evidence of how this could be merged to be more effective yet issues with how the Maple Street Pool starting charging out of town rates to Essex Town residents after the improvements to the pool indicates an area that needs improvement.
- I would hope that that last one could happen. One reality though is that everyone has limited time and many demands on that time therefore I think people tend to worry about their backyard for the most part.
- For some of us who are getting older it is not always easy to get to a meeting. A comprehensive mailing that is easy to understand would be helpful.
- Not just communication, but that the things the residents discuss are not only heard, but are followed through. Many give up because participating in meetings or events doesn't seem to matter.

Collaboration Rationale

- Merge and grow as one community already!
- We can be better together and capitalize on each of our unique assets to build a cohesive community.
- I think the density of the Junction and its general lack of open space pose a number of different questions about development than you have in the Town outside but that doesn't mean it wouldn't be beneficial to look at their overall development together. We have different zoning districts for a reason, this would be just an expansion of that model and would be like any small city elsewhere in the US with a more dense urban (?) core and less dense periphery.
- YES to more collaboration between the Town and Village! We all want the same things, and, while the areas may look different (Town has more potential for open space, while Village has more pedestrian needs), I feel that by pooling resources, more thoughtful growth can be accomplished. I'm not sure what the hangup with this is, but we need to get past it.
- If we grouped the two areas together and had thoughtful conversations about the shared visions and goals, I could see us developing a common approach to development and growth.
- Though the Village and the town outside of it are different places with different goals and needs, I believe they are closely inter-dependent, and collaborative or unified approaches to development and community planning are essential to achieving the vision that all residents want to see in both administrative areas.
- Beyond ridiculous that the Village and the Town operate separately on most issues. Share police, fire, road maintenance and recreation, etc. Traffic must be addressed. New housing in the Town growth area is exploding. But what about road capacity?
- I'll start by asking to eliminate the long and confusing "town inside the village" and "town outside the village" terminology. Feels like a forced effort-"Essex Town" and "Essex Village" might give the same sense of unity the other terms are going for without feeling forced. I think there is a great opportunity to leverage the character of both the town and village together to create a really good single development vision. That being said I think we need more creative leaders that listen more earnestly to what people want in terms of character. The Heart and Soul project outlined what mattered to a lot of folks but I don't sense much has changed. We need leadership with bigger vision. Right now it feels very piecemeal and we're getting a patchwork of development favoring developers.
- Whether inside or outside the Village, we all use the same resources these days (e.g. parks, roads, supermarkets, Expo) and it would make sense to act like one community instead of doing things twice in sometimes clashing ways.
- too bad this effort to combine the village and the town outside the village did not happen sooner--Essex would be a better place today if earlier efforts to combine the gov't had been successful way-back-when
- Sorry - but there is a spelling error in question one - it should be there, not their. Be more careful. I'm a very strong supporter that Essex Town and Essex Jct. Village should be ONE community.
- I am sick of paying double taxes for the village and the town! Stop that!!

Specific Planning Issues

- We need more affordable housing within the village. Most of us who grew up here have moved because the cost of rent keeps going up but our paychecks don't go up. It is sad how expensive it has become to live at home.
- I don't see a link between additional mixed use housing and school planning
- Bike/ walking paths should make it possible to access all parts of the town and village. They should also connect with paths in adjoining communities.
- Growth is never "thoughtful."
- What exactly is "thoughtful growth" other than a cliche? Busting height limits and caving to the developers in Saxon Hill (thereby contributing to deforestation) are not what I would call thoughtful.

- Stop the development. The village is starting to look like New Jersey. Do not cave in to real estate company's just so they can make money. The village is way over crowded , the air and noise pollution is BAD. Lets try to save Vermont!
- Complete the Circ and forget about the bike lane from Susie Wilson to St Michael's college. DPW takes forever to do repairs and wastes a lot of time in the process....seems very inefficient with poor planning and execution.
- Would love to see more bike / walking paths in Essex and a focus on supporting the downtown. Less development
- the town and village do not address walker safety right on reds at intersections result in walkers being endangered by reckless drivers taking their right on red as if it was a given right see it click it fix it not used in both village and town inadequate leadership and knowledge on pertinent topics coming from the state on recycling mandates and when they go into effect' Lack of walker safety sidewalks and biker lanes

Village Specific

- Village missed a real opportunity with the current bank redevelopment project. Five Corners is the heart of the community (including TIV, TOV and all of greater Essex). Unfortunately, the scale of the building is a mistake. However, the Crescent St extension could be a real opportunity.
- Overall, I think growth has been managed well, with the significant exception of what is happening at five corners. It makes me question the process.
- I can't really comment on much with the town. I just have an increasing dissatisfaction and distrust in those that are governing development in the village. I feel that many of these plans that have gone through should've been put out for the residents to vote on.

Question regarding any other challenges to participation:

- The meetings are not well publicized.
- easy, transparent access to the planning process through my daily travels throughout the Town (schools, libraries, other public gathering spaces have visible access to information and encourage resident input.
- Notices are often sent with only a couple hours notice - too late to plan my schedule around them.
- Not knowing exactly what will be discussed.
- I live outside the state but still like to follow its developments on Front Porch Forum and the Village website.
- As a SB member, I'm asked not to attend PC meetings, lest I influence the outcome (I help appoint the members).
- Possible conflict of interest
- I participate but have unfortunately come to distrust our local government.
- i do not trust the people who tend to participate.
- With regard to whether my input matters: the game often appears to be rigged in favor of large developers and ignores the common interests of the community as a whole.
- Although planning issues are important, meeting are generally dry and boring UNLESS there is a burning issue. Perhaps opportunities for online input could help. So there's the question - How do we involve folks BEFORE a contentious issue arises.
- not enough public opinion surveys on the issues
- I generally am happy with the growth of the Village

- Saving it for when I retire!
- my old age
- I work nights, so it is hard to make meetings.
- I'm currently on 3 different boards/commitees, 2 of which are in the town, i don't have much more free time to commit.
- I'm spending my limited time when I have small kids on education issues. Maybe planning will be a priority when I am older. Obviously all these things are related, so thanks for working on this piece of the puzzle.
- I travel for work often, so am not able to participate because of my work schedule. There needs to be an alternative 'virtual' meeting option so people can participate from where ever they may be if physical attendance is inconvenient.
- I live at the Fort. I don't feel much a part of the town and I feel our needs are overlooked.
- Had 2 babies in the last 3 years, so I don't have time or get out much!
- I travel out of state 10 months out of the year
- I am made to feel uncomfortable.
- I don't feel participation by the community at large is welcome by town government, the boards and town / village manager.
- Essex breaks the Open Meeting Law. Most decisions seem made before people are asked to participate. The place is run like a little kingdom, with just a few insiders getting their way.
- Read my comments on Saxon Hill. How much more participation could there possibly be? and yet the town manager / select board find a way to circumvent our will and make a final decision allowing no public input.
- I participate where I feel strongly, but I am frustrated at the outcome even when there is overwhelming concern from citizens the projects move on and in some cases behind closed doors.
- The residents of Essex feel ignored. We can speak, but the boards, the staff and the manager have already made the decisions. Meetings are just a required formality.
- The village meeting room is not set up well for public particiation
- The way the meetings are structured, it is hard to give meaningful input. I think we need to make sure that are regulations and rules allow us to bring the vision in our town plans to life. If these regulations are in place, I won't find it necessary to try to get to all the planning meetings. If they aren't in place, even if I go to planning meetings, my concerns won't be able to have an impact on the outcome.
- not welcoming

Executive Summary – Development Review Boards
By Lee A. Krohn, AICP
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October, 2013

A Development Review Board (DRB) replaces all of the development review that used to be shared or split between the Planning Commission (PC) and Zoning Board of Adjustment (ZBA), creating a 'one stop shop' for all review. So before, where a project might have required site plan review by a PC (access, parking, circulation, landscaping, lighting, etc) and then also conditional use review by a ZBA (traffic or other issues), these would now be consolidated into a single review process just with the DRB. The DRB also hears variances, waivers, expansion of nonconforming uses/structures, appeals of a zoning administrator actions, etc...). The underlying intent was to free up the Planning Commission to just do planning, the important work that often got pushed to the back burner due to the need for site plan reviews, and to streamline the development review process with just one board. Note that 'streamlining' relates to efficiency and effectiveness, and is not intended to imply rushing projects through, nor less than thorough and complete review.

Regarding process: to create a DRB simply requires a vote of the Selectboard. It does require care in timing the transition, so that the ZBA's current work or hearings are concluded, and then warning any new cases for the new DRB. I recommend joint discussion with the PC and ZBA (and perhaps also the Selectboard) to consider fully the practical and philosophical issues involved, determine together whether to make the change, and if so, how to make that happen, and when. This also involves discussion of which board members might want to continue in their present positions, or who might want to move to a different board... There are many ways to do all of this. In Manchester's case, after joint discussions, it was easy: all PC members wanted to stay put, and the ZBA members all wanted to stay on as DRB members. For clarity in the community, we planned the transition to begin on January 1 of a new year, and managed the hearing docket accordingly.

An essential follow up element is to create a system of clear communication between the boards, so that each is aware of the other's work, needs, and actions. You don't want the PC to end up planning in a vacuum, and you want the DRB to have an easy way to let the PC know of suggestions for bylaw improvements.

There is also a useful publication available online here:

http://www.vpic.info/Publications/Reports/Bulletins/AppropriateMunicipalPanels.pdf

Background Information about Development Review Boards

Historically, under Vermont statutes, land use matters had been planned for and regulated through Planning Commissions and Zoning Boards. In many communities, the PC was responsible for both planning functions and development review; the ZBA's role was primarily for appeals, variances, and the occasional conditional use. The result typically was an overburdened Planning Commission, driven by legal timeframes for land use decisions that precluded the ability to do much real planning work, and an underworked Zoning Board. I experienced this years ago as Chair of the Putney Planning Commission, where we had to add extra meetings to do both project review and zoning bylaw/town plan work, yet the ZBA almost never needed to meet.

In 1993, the legislature authorized the creation of a Development Review Board, whose function encompassed all regulatory review previously handled by the PC or ZBA: site plan review, conditional use review, appeals, variances, and design review. The idea was to consolidate these reviews before one Board for the benefit of applicants and the community, and to free up Planning Commissions to *plan*. For once, the state made something optional: towns could choose to implement this or keep the existing structure, whichever would work better for each community.

For many towns, this was a godsend. However, in Manchester, there was not the same level of concern at that time. We had already managed to even out the collective workload to a certain extent. We allowed staff to handle the simpler zoning applications so they never even had to go to the Boards, and we had already shifted a wider range of land use review (conditional uses, major developments) to the ZBA. Thus, when we considered this matter in 1995, we did not feel it was helpful or necessary to 'get the job done'. Indeed, we were one of the first communities to give this serious thought, and the analysis I wrote then was for years the *de facto* statewide 'white paper' on the subject; that information, in updated form, is included here. FYI, Manchester did adopt a DRB in 2002, and it has worked very well to date.

As you'll see in the attached analysis, there are advantages and disadvantages to each system. One exists and is thus more familiar; the other may feel novel, and thus may raise concerns for that reason alone. I believe that most or all towns that have adopted a Development Review Board find it useful and effective, and once in place, I am not aware of any town that went back to the old system. The only downside risk is losing clear lines of communication between PC and DRB, and keeping the PC 'in the loop' so they are not planning in a vacuum.

DRB - Pros

Consolidate/streamlines development review before one board;
Clearer, more comprehensive and detailed decisions;
Frees up the PC to concentrate solely on planning; and
Can allow opportunity to create 'rebuttable presumptions' in Act 250 regarding Town Plan conformance *(I don't believe many towns have taken this step).*

DRB - Cons

Concentrates all review 'power' in one body;
Potential problem of the Planning Commission planning or writing bylaws in a vacuum, without direct experience applying those plans and rules in context of development review;
Potential problem of the DRB not having a deep understanding of spirit, intent, and legislative history of a bylaw (but nor did the ZBA);
Potentially longer time frame for simple projects;
Additional effort, paper, and expense – formal written decisions ("Findings of Fact and Conclusions of Law"), all decisions sent by certified mail, etc...; and
Can add a third municipal "party" to Act 250 proceedings.

Clearly, there are interesting issues on all sides, and I recommend considering both qualitative and quantitative aspects of each idea. My goal is to facilitate informed discussion on these matters, and to help each community understand options, choices, and ramifications... so that each may decide for itself which system may work best; and further, if change is desired, then to clarify the process by which that change may be made.

According to the Vermont Institute for Government, the Selectboard has the authority to create a Development Review Board by motion and vote; this would include determining the size of the board and terms of office. By law, a DRB may have between 5 – 9 members, and may also have alternates who could serve in case of absence or conflict of interest. Establishing a DRB also dissolves the Zoning Board. As with all Town Boards, the members would be appointed by the Selectboard: they could simply appoint current ZBA members to the DRB, they could advertise and interview for these positions, or they could juggle the current PC and ZBA memberships into a new PC and DRB. If a community also has a Design Review Board, then this remains in place, but their recommendations would go to the new DRB instead of the PC.

Development Review Board, continued discussion...

As noted above, the process itself of creating a DRB is quite simple: a resolution of the Selectboard is all it takes, along with a decision about membership and terms of office. That resolution would become effective whenever stated (a transition period is often suggested to allow current cases to be concluded). Eventually, the Zoning Ordinance should be updated to clarify the new roles, but this is not needed before the DRB becomes legally effective.

The fundamental question is whether a community believes that a change to a DRB system would be helpful. It's likely that a collective opinion or consensus of the PC & ZBA will be helpful as feedback for the Selectboard.

Further, and as appropriate regarding community needs and values, as well as board/staff dynamics, *and with or without a change to a DRB*, a community may wish to delve deeper into its systems to consider other types of changes to improve the effectiveness or efficiency of development review. These might include, and only apply if a town has staff to help...

1. Allow staff to review simple boundary line adjustments between properties, so that these do not require the cost, delay, and complexity of Board review unless warranted or necessary.

2. Define and clarify "substantial" or "material" changes to approved projects, so that minor changes to site plans or projects might not need Board review. Guidelines and thresholds can be created by which to consider these... for example, "material modifications that create new or additional impacts greater than those already addressed by the Board".

3. Allow staff to resolve final details of trees, landscaping, or exterior lighting where appropriate, perhaps within general or site-specific policies or guidelines.

4. Allow staff to approve new lighting on signs if it meets community standards for type, design, shielding, intensity, screening, etc.

These could allow minor changes to projects to be approved by staff, while always reserving the right to refer questions or issues for Board-level review if needed. I have seen many cases where an applicant discovered

something they wanted to change mid-construction, but left it as approved because they didn't have the time (or interest) to go back through the hearing process again. In my experience, these typically are improvements that were not thought of, or could not reasonably have been anticipated originally, but might not have been approvable by staff under the bylaws and permits in place at that time.

If deemed desirable or appropriate, some of these changes may require amending the Zoning Ordinance; others might be handled more as policy decisions implementing the Ordinance. Each community will decide for itself how best to proceed, if at all, and in what form and context.

In summary, the ultimate goal is to seek consensus on whether to shift to a DRB system; and with or without that, whether to make other changes in the regulatory system; and finally, if changes are desired, in what timeframe those changes might best be made.

To help further inform that conversation, please find below some older and more recent comments received on early experiences with the shift to a DRB. As you'll see, these are almost universally quite positive; the primary concern noted being a possible "disconnect" between planning and implementation: that the PC may lose or lack a direct connection to how the rules they write actually work; and that the DRB may lack depth of understanding of the spirit and intent of the rules, and how they came to be. The importance of building and maintaining this connection is quite clear: whether having the boards meet together on a periodic basis, and/or via staff-based communication, sharing of meeting agendas, or by other means.

Finally, and perhaps a whole different dimension to consider at another time, is the overall planning and zoning process: board/staff roles/responsibilities/interactions, how and where meetings or hearings are publicized, where meetings are held, room layout, meeting management, setting a tone for respectful dialogue, handling difficult situations or personalities, clarifying process and issues for all parties, and the like. None of this presumes we're not already doing things well; it's just a suggestion that these essential matters are worth (re)considering from time to time...

Development Review Board Experiences – old and new

Our experience in the Rutland Region is positive. The Planning Commission gets to Plan and the DRB gets to be the quasi-judicial body and unless your regs are so written, the applicant doesn't find himself before multiple boards that may have multiple ideas about his project. From an administrative perspective it's much cleaner. We have heard from some localities that have not proceeded with DRBs that the PC doesn't want to give up control or that they feel that having drafted the regulations they are in the best position to interpret it. This might be overcome by having members of the PC on the DRB.

Mark Blucher, Executive Director, Rutland Regional Planning Commission

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...one thing we've heard is that, in the towns w/ DRB's, there's a growing sense that the drafters of regs, the planning commissioners, are getting too removed from actual application of the regs - affecting their ability to know what will work well. It's good, if you've got anybody who can stand it, to have some sort of liaison between the two...probably end up being you.

Peg Elmer, Planning Director, Dept of Housing & Community Affairs

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My exposure to a DRB is somewhat equal to that of the PC or ZBA; approximately half the Franklin/Grand Isle Region towns have a DRB. I understand that towns and applicants enjoy the luxury of one review board, and the expanded PC time to focus on planning, studies, etc. Implementing a DRB is one of the recommendations to address affordable housing issues in a town. Apparently the difference in review time is marked enough to encourage the switch. Hope this is informative and helpful.

Tim Beaucage, Staff Planner, Northwest Regional Planning Commission

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Hi Lee,

As a frequent applicant who has many times been before both the old style Plan Com/ZBA structure and the new DRB system, I definitely prefer DRBs. The reasons why are the obvious ones -- and they have proven true in my experience.

Too many times I've been forced to bounce back and forth between a municipality's ZBA and PC, each with ideas differing from the other's of how to resolve issues. Even when they don't have conflicting ideas, it still often requires the same issues to be reviewed by two different boards with twice as many public hearings. In my experience, this complexity and duplication has mushroomed enormously over the past decade as more and more communities have adopted such things as design review criteria, more detailed conditional use criteria and "mini-Act 250 criteria". Sometimes such criteria have either automatically fallen under ZBA purview (such as for conditional use) or have been placed there by the choice of the municipality (such as for "mini-Act 250" criteria).

Once a project is approved, there are often two or even three separate permits that cover very similar issues: one issued by the ZBA, one by the PC, and one by Act 250. So as a permittee, I find myself having to hunt through three different permits trying to remember which one imposed which condition and which body I need to report back to about which item, and what the subtle differences are between them all. It can be very confusing and time consuming, even for someone like me who does this sort of work all the time. What about the poor little guy who has never done it before, or does it rarely?

The DRB allows a thorough and complete review with ample public input before a single board (even if it often still involves multiple sets of criteria) and a single permit is issued. Of course a project may still have to go through Act 250, but nonetheless, this is much cleaner and clearer for all involved. It also leaves the Planning Commission free to truly plan -- something that I strongly support!

Even as an applicant, I've sometimes been frustrated about the slow pace of planning when a community says it is "thinking about" or "working on" revisions to its Municipal Plan or regulations, but can give little assurance about how soon it will be done since the Planning Commission is so busy on project reviews. Conversely, I've been frustrated as an applicant when review of my application has been postponed because the Planning Commission has reserved a series of meetings or half of every meeting for working on a revised master plan or zoning! Bottom line: in today's world, I think the double role of regulatory review and true planning can be too much to ask of a single volunteer board. Thanks for asking.

David G White, Consultant

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Just a quick reply to your question on DRBs. I have found that the size of the community has a big influence on the decision to move to a DRB. In conversations with my smaller communities where the PC and ZBA are the same group of individuals, moving to a DRB system is vitally important. Many boards incorrectly review everything in one hearing making due process suspect. Legally these towns would need to opening the hearing and review conditional use and then close the hearing and reopen as a planning commission meeting to review site plan criteria. The obvious solution is that DRBs make for a cleaner review process for both the applicant and board members. For the larger communities in Lamoille County, members usually do not sit on both boards. The push to DRBs in these towns has been the opportunity to have the PC return to planning.

Larger towns without DRBs are not as involved in grant writing, town plan rewrites, zoning bylaws, and other critical roles of the commission. Our larger towns with DRBs have made more progress on Downtown designation, transportation enhancement grants, municipal planning grants, and other opportunities they otherwise would have passed up.

Mike Miller, Senior Land Use Planner, Lamoille County Planning Commission

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From Bennington, Dan Monks finds that the DRB system works better than their former PC & ZBA approach. He feels that it has simplified their regulatory system, and has resulted in better decisions

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Williston established a DRB several years ago. The reason for doing so was a common one: The Planning Commission spent most of its time reviewing site plans and subdivisions instead of planning. Of course, the ZBA's workload was considerably lighter, reviewing only conditional uses, and the occasional appeal or variance. Adoption of the DRB has of course centralized development review into one board -- with a very heavy workload. The one board review has proven successful, and in the cases of projects involving conditional use and site plan review, board input is more consistent. The PC is free to concentrate on planning matters. Hope this is helpful.

Scott Gustin, Williston Town Planner

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In spite of the transitional difficulties in Hinesburg, I found the change to be very positive. One of the most important aspects of this division of labor that is too often overlooked, is the fact that you no longer need to train two boards in the quasi-judicial process. While you lose some of the depth of perspective you get from Planning Commissions in the PC/ZBA system, I believe the specialization created by the PC/DRB structure makes best use of our precious volunteer members' time and energy.

While the most commonly mentioned reasons for adopting a DRB (reducing duplication and potential for conflicting decisions) are important ones, consider also that the DRB/PC structure is more logical and understandable to applicants and the general public than the PC/ZBA system. I know there are many reasons why towns stick with the old structure but from legal, administrative and public relations points of view, it makes good sense to separate the legislative functions from the judicial, and to conduct all local development review before one board.

Faith Ingulsrud, Planning Coordinator, DHCA

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Lee: I offer another viewpoint, even if it is not my own. Charlotte looked into creating a DRB a few years ago and opted not to. There was significant resistance from the ZBA. They claimed that they were a quasi-judicial board, and had to swear in witnesses and carry on in a judicious manner, while the Planning Commission was less legally oriented. They felt that combining the two jobs would either make the their work less judicious then they felt it should be, or would make the typical Planning Commission approvals much more ponderous and bogged down in judicial proceedings than they needed to be. While actual experience does not seem to back up their view, it is at least worth considering.

Jim Donovan, ASLA, AICP
Wilbur Smith Associates

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Hi Lee:

Happy to hear that Manchester is revisiting DRBs; let us know if your Selectboard makes the change. In response to your questions:

(1) You are correct, changing from a ZBA to a DRB couldn't be procedurally more easy. See: 24 V.S.A. Sec. 4461. The Selectboard may simply vote to do so; voter approval is not required. Since the change necessitates that the Board establish the membership numbers, terms of office for the permanent and alternate DRB members and the effective date of the switch, generally this action takes the form of a formal resolution.

(2) There is no statutory requirement to make the necessary 'housekeeping' changes to the bylaws either preceding or subsequent to the creation of the DRB. Further, failure to do so does not forestall the DRB's authority to review development applications. By operation of law, once the SB 'creates' a DRB, the ZBA ceases to exist and the PC's development review authority shifts to the DRB. 24 V.S.A. Sec. 4461(a). Our recommendation is to amend the bylaws as soon as practical to eliminate confusion in the documents for the public at large as well as the boards and administrators.

(3) The SB's resolution should specify a date by which the DRB initiates its duties. Usually, there is a transitioning period allowed in order for the ZBA to finish up any pending business to the DRB.

Let me know if you have questions. Gail Lawson, VLCT Law Center

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I'm on my town's DRB, and was on it when we transitioned from a ZBA. I also served on the PC before that. I believe the DRB has improved both the regulatory process as well as the planning process. One thing that has helped us are periodic (annual or biannual) meetings of the respective bodies to share information. Brian Shupe, VNRC

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I'm on my town's DRB, and was on it when we transitioned from a ZBA. I also served on the PC before that. I believe the DRB has improved both the regulatory process as well as the planning process. One thing that has helped us are periodic (annual or biannual) meetings of the respective bodies to share information. Shirley Fortier, UVM

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Positive. A real savings for developers and neighbors. Jon Anderson, Attorney

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I would never want to go back to before the DRB option. It works very well, especially when the DRB communicates with the Planning Commission (and vice versa). Todd Thomas, Morristown

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I've worked in communities with DRBs as well as communities with ZBAs. In all cases, the DRB system seems to work better

I am also on the Planning Commission in my hometown. We moved to a DRB system five years ago. I was very concerned at that time that the long term "planning" perspective would get lost when applications were reviewed. While this happened early on, moving subdivision and site plan review to DRB has freed up the PC to really focus on developing clear guidelines in the regulations, as well as undertaking some exciting non-regulatory projects. Prior to having a DRB, review of the Plan and zoning regs always happened at the end of the PC meeting when everyone was exhausted and wanting to go home. Seth Jensen

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First, congrats on your new job. I just began as the new town planner for St. Albans. We have a DRB and Planning Commission. We have two on both the DRB and the PC. I am new to the job, so I can't compare it with how it worked before. However, in my experience, the PC has been alienated from how policy decisions are implemented. the DRB does not apply many planning concepts/goals in its development review, and we miss some of the big picture. We have the additional complication of having different staff for the PC and the DRB. I provide support to the PC while the ZA supports the DRB. Maren Hill, St. Albans

So… as you can see, the clear theme of experience with DRBs has been quite positive. The one recurring concern is the possible disconnect between planning and implementation; whether the spirit and intent of bylaws is understood and applied in regulatory decisionmaking. Clear and ongoing communication between PCs and DRBs is key, whether in actual joint meetings, and/or facilitated by staff. Other than that, the DRB system appears to work well for all involved.

Prepared by Lee A. Krohn, AICP
Senior Planner, Chittenden County Regional Planning Commission
October 2013

CHITTENDEN COUNTY RPC
Communities Planning Together

TGIA Working Group Summary #3

Prepared by Delia Clark & Ariana McBride
November 23, 2015
On behalf of the Thoughtful Growth in Action project
www.essextgia.com

Project Overview & Working Group Role

Thoughtful Growth in Action (TGIA) is exploring the new approaches to planning governance structure in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards a shared vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project is exploring what different planning governance models could look like and which ones would be a good fit for Essex.

The Working Group is a 24-member volunteer group charged with developing a recommendation regarding possible planning governance changes. It kicked off its work with an Orientation on September 9, 2015 and is meeting monthly through December 2015.

Members will work towards a set of recommendations based on information from a mix of activities including:

- Two community workshops
- Online community survey
- "Meeting in a box" community discussions
- A Planning Focus Group
- Educational readings and presentations
- Working Group discussions

The Group's recommendation will go to the Town Selectboard and Village Trustees in early 2016.

Session Summary

The Working Group for Thoughtful Growth in Action (TGIA) held its third session on November 18, 2015 at Essex Junction Parks and Recreation from 5:30 to 8:30PM. Attended by 21 Working Group members plus project staff, the session focused on reviewing and discussing planning governance scenarios; working towards agreement on a preferred governance scenario; and presenting key engagement challenges based on research to date.

Participant List: John Alden, Maura Collins, Sue Cook, Ned Daly, Paula DeMichele, Paula Duke, Mary Jo Engel, Greg Farkas, Theresa Fletcher, Matt Gibbs, Ben Gilliam, Dana Hanley, Sharon Kelley, Ron Lawrence, Mitch Lefevre, Greg Morgan, Robin Pierce, Sarah Salatino, Tom Weaver, Irene Wrenner, Vanessa Zerillo.

Staff & Steering Committee Members: George Tyler, Max Levy, Greg Duggan, Delia Clark and Ariana McBride

Other Guests: William Parkinson

Session 2 Follow-up

Delia confirmed the Session #2 summary with participants.

Key Findings & Planning Governance Scenarios Presentation

Ariana spoke to key findings from the research to date and then presented five planning governance scenarios. All the information she presented was provided in more detail in the Key Findings and Planning Scenarios document provided prior to the meeting (document and presentation are available on the project website).

She noted that the five scenarios represent a range of options along a "change continuum" (i.e., from no structural change to total planning governance consolidation). They are not an exhaustive list of options and elements from each can be mixed and match to a degree. Also, she noted that a number of non-structural recommendations could help address some of the key findings from the research.

Comments & Questions about Scenarios document

- Would planning commissions have more time to focus on long range planning with shift to a development review board?
    - Planning Commissions would have more time to focus on long range planning if development review shifted to a DRB.
- Is outside funding related to grant funding still available to Village and Town separately?
    - Yes, so long as the Town and Village are separate municipalities.
- Where would members of co-planning committee in Scenario 3 come from?
    - Existing board members.
- There are many permutations of all joint scenarios?
    - Yes.
- Lots of training is available - how to fit volunteers' lives?

    - Will look into training options.
- Would any scenario impact taxes, if all are volunteers?
    - There would be fewer boards in Scenarios 4 and 5 but the level of development review is likely to stay the same and there would still need to be work done on long range planning.
- Outside consulting required for all scenarios?
    - Support to help with the transition to a new governance structure would likely be necessary.

Scenarios Assessment

Delia facilitated the group through three exercises to help assess each scenario with the aim of narrowing from five scenarios down to a fewer number to pursue in the next session. The activities included:

1. **Discussion Matrix**: The group evaluated each of the scenarios, looking at pros, cons and identifying any questions.
2. **By the Principles Worksheet**: Each working group member then did an individual evaluation of each scenario based on the five principles.
3. **Dot Straw Poll:** Participants participated in a straw poll in which each member placed dots on the chart to indicate their preference among the scenarios.

Discussion Matrix

Here is a table summarizing input from the discussion matrix exercise:

	#1 BASELINE	# 2 NEW REVIEW	#3 CO-PLANNING	#4 JOINT PLANNING	#5 WHOLE ENCHILADA
PROS	• Requires no changes • Works pretty well • Easy to sell to the public and educate them about • "If it ain't broke, don't fix it" • Planning group connected to everyday decisions • Currently receive few criticisms from development community • Non-structural solutions could help solve current criticisms, eg: transparency • Not having to make staffing changes • Developers having to go to two boards adds a good level of scrutiny	• More equitable distribution of work load • More time for long-range planning by planning commission • Change offers opportunity for increased public awareness • Opportunity to layer design review with DRB • Trend in communities around VT • Might attract new interest for board members • Fewer planning board meetings • A simple change – easy to communicate • Less potential for staff chaos • Fewer staff reports	• Formalize communication among boards	• Possibly not so many plans to update • Might be a way to get village and town outside the village balance in communication, visioning, understanding of concerns • Recognizes that we are one town – moves us in that direction • Mirrors economic development comm. Tells whole story, vs. half story • Easy to understand, public is ready for it, palatable, streamlines government • Balances out work load • Increased opportunity for shared vision, more cohesive • Efficient use of resources • Greater focus, pulls more of community into long range planning • Diminish line between village and town outside the village • The merging of visions • Developers have one plan to work off of	• Not so many plans to update • Might lend itself to staff located near each other • Simple and straight-forward • Long-range planning, balance of village and town outside the village • Goes with trends of consolidation in Essex (education, public works) • Lends itself to 4-6 neighborhood planning groups that would actually review projects (like Burlington) • A single group handling all applications streamlines workload • Easier for developers • Signals solidarity – a single community with joint interests

CONS	• Village board members must be from the village while town members can be from the village or town outside the village • Some criticisms – lack of transparency • Uneven work loads • Limited opportunities to plan jointly, including big picture visioning, joint execution of big ideas, like: trees, bike paths, and planning related to one jurisdiction • Twice as many seats on all boards • Lack of collaboration between village and town outside the village • Hard to explain to the public • Duplicative process for developers	• Doesn't go far enough • More work for DRB, than current ZBA • Difficulties with transitions for current members • Doesn't enhance collaboration between village and town outside the village • Planning Commission might lose touch with regulations • Still fuzzy to explain to the public • (See notes from last meeting – all those things!)	• Another layer of government • Increased burdens on staff to make it happen • Off-putting to citizens • We're already doing it, in a less formal way	• Would require one-time outside consulting to implement transition • Public perception that this is part of a plot to merge village and town outside the village • Differences between village and town outside the village bylaws, could be seen as favoring one or another • Village vision for 5 Corners doesn't equal town vision for 5 Corners, maybe • Ditto town center, would need resolving • Possibly a rocky transition	• Would require one-time outside consulting to implement transition • Overwhelming workload for DRB • Doesn't have DRB's that can focus on particular areas of the town, its bylaws, culture, and philosophy • Increased workload for DRB • Might be perceived as a conspiracy to merge Essex • Residents might not feel they have personal attention • Too fast, raises fears of merger
QUESTIONS	• What does the broader community expect? • Confusion: who can participate on which board indicates questions around scope of control and influence. Where does one end and the other begin? Are they affecting one another?	• How would training be provided to DRB in ways that work for people's lives and that clarifies the roles? • How to handle current applications during the transition?	• None	• Would there be fewer staff reports? • Could the make-up include Economic Development Commission? • How does Burlington manage? What does that look like? • How different are village and town outside the village	• What are the joint charter issues, if any? • Would there be fewer staff reports? • How does one board manage it all? (eg: Burlington) • Could we have District DRB's, not just village and town outside the

				perspectives and views? • Are village and town outside the village differences similar to differences among neighborhoods? • How would appointments be made to Planning Commission? • How much work would it take to consolidate planning? • When would merging of visions into town wide plan happen? Before or after? • Are there legislatively mandated staffing changes?	village, but if four seems ridiculous, why not two? Why not one? • Could you have neighborhood level DRB's? • Would we hav-e to have one town plan? • How are neighborhood planning assemblies staffed? • How are NPA's different from just convening neighbors? • Are NPA's objective?

By the Principles Worksheet

As a tool to aid in the discussion and deliberation of planning governance scenarios, participants used a "By the Principles" Worksheet to rank the different scenarios on a 1 to 5 scale (with one being their top choice); first, by individual principle and then as a composite score.

The following is a tally of the rankings and comments made by participants. The tallies below indicate the aggregate ranking for the scenarios (i.e. the lower the number the higher it ranked). In some cases, participants only ranked some of the scenarios, which is why the "vote" numbers do not always add to the same amount.

Please note that this info was used primarily to help participants think through the scenarios according to the principles and help inform the group discussion. It is not a vote on preferences, however, the information did inform a straw poll exercise later in the session.

1. **Principle #1: Encourage long range planning that…**
   - **Is guided by an understanding of the shared interests and interrelationship between the Town outside the Village and the Town inside the Village;**
   - **Supports priorities that reflect the unique characteristics of both; and**
   - **Receives on-going, focused attention by the Planning Commission(s).**

     - Joint Planning – 33
     - Whole Enchilada – 45
     - New Review – 61
     - Co Planning – 77
     - Baseline - 78

Comments:

- Scenario 2 with facilitated communication between PCs
- 1, 2, 3 are the same - 3 adds another layer that may help this principle most. 4 and 5 are really the same too for this principle.

2. **Principle #2: Support a development review process that…**

- **Enables a consistent, transparent and efficient application review process;**
- **Balance rights of property owners and members of the community; and**
- **Reflects the vision and goals of Municipal Plan(s)**

  - Joint Planning – 33
  - Whole Enchilada – 38
  - New Review – 57
  - Baseline – 71
  - Co Planning - 86

Comments:

- Scenario 2 keeps municipal plans separate for more "accurate" visioning
- Joint DRB will have too much work and will probably stress staff as well.

3. Principle #3: Develop boards and staff that….

- **Uphold the vision and goals of the Municipal Plan(s);**
- **Can maximize the use of their knowledge, skills and interests; and**
- **Communicate consistently and effectively among each other.**

  - Joint Planning – 32
  - Whole Enchilada – 39
  - New Review – 65
  - Baseline – 76
  - Co Planning - 79

Comments: None.

4. Principle #4: Resource a planning governance structure that…

- **Maintains or lowers the cost to the taxpayer,**
- **Ensures a high quality of service; and**
- **Supports manageable workloads for boards and staff.**

  - Joint Planning – 33
  - Whole Enchilada – 44
  - New Review – 58
  - Baseline – 73
  - Co Planning - 88

Comments: None

5. Principle #5: Encourage community participation that…

- **Fosters a greater understanding of how planning works;**
- **Uses effective and intentional engagement opportunities; and**
- **Uses a varied range of communication channels.**

  - Joint Planning – 29
  - Whole Enchilada – 34
  - New Review – 54
  - Co Planning – 74
  - Baseline - 76

Comments:

- I don't think any scenario addresses community engagement/understanding
- Scenario 2 is easiest to communicate
- Should be achievable with any option

- Neighborhood assemblies (non structural initially) could be a component here

6. Composite Order

- Joint Planning – 24
- Whole Enchilada – 33
- New Review – 47
- Baseline – 60
- Co Planning - 67

Comments:

- See a progress towards #5 – Scenario 2 with facilitated communication and then onto 4 and 5 later. Improved processes to keep town and villagers updated on the goings-on.
- Neighborhood planning boards seem like an unnecessary layer
- Do not see #3 as a real option.
- Would need a process around changes including possibility of additional contracted staff initially gradually fading as processes became more familiar.
- We need info on the conflicts in the two sets of bylaws. We could make a recommendation that simply would not work mechanically as they are now.
- Where does the requirement for Form Based Code apply in this process, or does it?
- We need to come out of this process with a plan for educating residents for ongoing public input (not just one meeting).
- Non-structural recommendations seem to be central – define them.
- If public accountability is to be honored, some DRB or Joint Planning members need to be elected not appointed.
- Move from ZBA to DRB makes sense. Moving to joint planning over time makes sense too. Recommended path: New Review →Joint Planning→ Whole Enchilada. Ranks are based on path, not end state preference.

Dot Straw Poll

Participants then participated in a straw poll in which each member placed dots on the chart to indicate their preference among the scenarios. The purpose of this exercise was to see if we could narrow the number of scenarios to carry forward to the next session. Participants received three dots to place:

- First choice (red dot, 3 points)
- Second choice (green dot, 2 points)
- Third choice (yellow dot, 1 point)

	1st (Red Dots)	**2nd (Green Dots)**	**3rd (Yellow Dots)**	**Total Points**
BASELINE	2	0	3	6+3= **9 points**
NEW REVIEW	2	4	12	6+8+12= **26 points**
CO-PLANNING	0	0	0	**0** points
JOINT PLANNING	21	12	1	63+24+1= **88 points**
WHOLE ENCHILADA	9	9	2	27+18+2= **47 points**

Following the dot voting, the group discussed the results. The core outcome from that discussion was that several people voted for Scenarios 1 and 2 because they felt there needs to be a slow transition towards a longer term "end destination" of Scenarios 4 or 5. Specific comments included:

- Likes 4 and 5, but wants to move more slowly, first moving staff together into one building
- 4-5 may be ultimate destination but stage it in: 2 to 4 to 5
- Want to stage it in so as not to lose subtle differences between town and village
- Best to recommend a destination and leave specifics of transition up to staff
- Still want to answer questions raised for all five scenarios.

Ariana agreed to present some phased scenarios at the next session.

Community Engagement Challenges

Ariana did a short overview of the top community engagement challenges and ideas to address them from the research to date. She noted that she would be distributing a survey to Working Group members to get their take on the challenges and ideas, which will inform a more focused community engagement discussion at the next session.

Post Session Evaluation

At the end of the session, participants were asked to share any thoughts they had about the sessions via an open ended comment form. Here is the feedback:

- Interesting, thought provoking, engaging
- Thanks for flushing every thought, question and idea thoroughly. I feel like when I come in the door I am not sure what is going on but the facilitated conversations are educational, informative and friendly. It feels productive.
- Great – final proposal should offer a phased in view of a change. The Selectboard will decide if Option #4 or #5 is the end point. I would love to point them in both directions. Thanks for all you are doing.
- I learned a great deal tonight, especially from the conversations. I can see how the process is working now – hopefully, the Selectboard and Trustees will as well.
- Very professional as usual. Personal note: I am having a problem downloading from Adobe. Word or PDF is more accessible. Is some hot decaf coffee or hot cider possible next time? These are very long meetings.
- Need to process tonight's info.
- Progression going well and enjoy process. Looking forward to continued discussion on community engagement.
- So happy we are close to consensus. The fact that there were so many 4s & 5s surprised me. We were more aligned than I expected.
- No comments tonight.
- It is nice to go to a meeting where there is public participation!
- I feel like we made a lot of progress tonight! Keep up the good work!
- Meeting too long – this meeting was productive.

- I'm so impressed with how you've taken this huge issue (and all of the lack of knowledge on the part of the participants) and sliced and diced it. And paused and elaborated on it, such that people are understanding, contributing, feeling good about this. Thank you!
- You two are absolutely awesome facilitators and I am amazed at the progression of information we have made it through. I am so grateful to be part of the process. Thank you!
- Still feeling like most of what I am looking for are not in the structural alternatives discussed.
- No comment tonight.
- Good progress today. Good facilitation. I can see the light at the end of the tunnel.
- We definitely need to make community engagement the priority for discussion next time. It's the elephant in the room.
- Going fine. I am already trying to sort through the selection/appointment process, bylaws, control by Village on town stuff and control by Town on village stuff – if Village is still allowed to have independent say (by Charter).
- No comment

Thoughtful Growth in Action:
Re-imagining Essex's Planning Governance

Working Group Session #3

November 18, 2015

5:30 to 8:30PM

EJRP

Agenda Review

- 5:30 Agenda Review & Session 2 Follow-up
- 5:40 Planning Governance Scenarios Presentation
- 6:10 Decision Matrix Exercise & Discussion
- 7:10 Break & By the Principles Worksheet
- 7:30 Narrowing Preferences Exercise & Discussion
- 7:50 Community Engagement Challenges & Discussion
- 8:25 What's Next?

Key Findings

What have we learned?

Planning Today

- ✓ How is planning structured currently in the village and the town outside the village?
- ✓ What's working well about it and where do people see opportunities for improvement?

Shared Planning Potential

- ✓ What could be the benefits of sharing planning functions across the Town and Village?
- ✓ What are the challenges and/or concerns about shared planning?

Board Structure

- ✓ What is the range of options for board structure?
- ✓ What are the pros/cons of different structures?
- ✓ Are they different between the Town and Village?

Community Engagement

- ❑ How does the planning structure interact currently with the broader community?
- ❑ What's working well and where do people see opportunities for improvement?
- ❑ How can we educate community members about every stage of the planning process so that they better understand when and how they can influence planning decisions?

What other considerations should the Town and Village take into account?

What kind of planning do we want?

Principle #1: Long Range Planning

Principle #2: Development Review

Principle #3: Boards & Staff

Principle #4: Resources

Principle #5: Community Participation

Findings: Long Range Planning

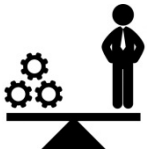
- Recognition of Differences
- Desire for Collaboration
- Desire for Long Range Planning

Findings: Development Review

- Resident Experience
- Perceptions of Review Efficiency
- Increasing Review Complexity
- Balancing Interests
- Plan Connectivity

Findings: Staff & Boards

- Good Staff Communications
- Limited Board Communications
- Uneven Board Roles
- Potential to Match Skills and Interests



Findings: Resources

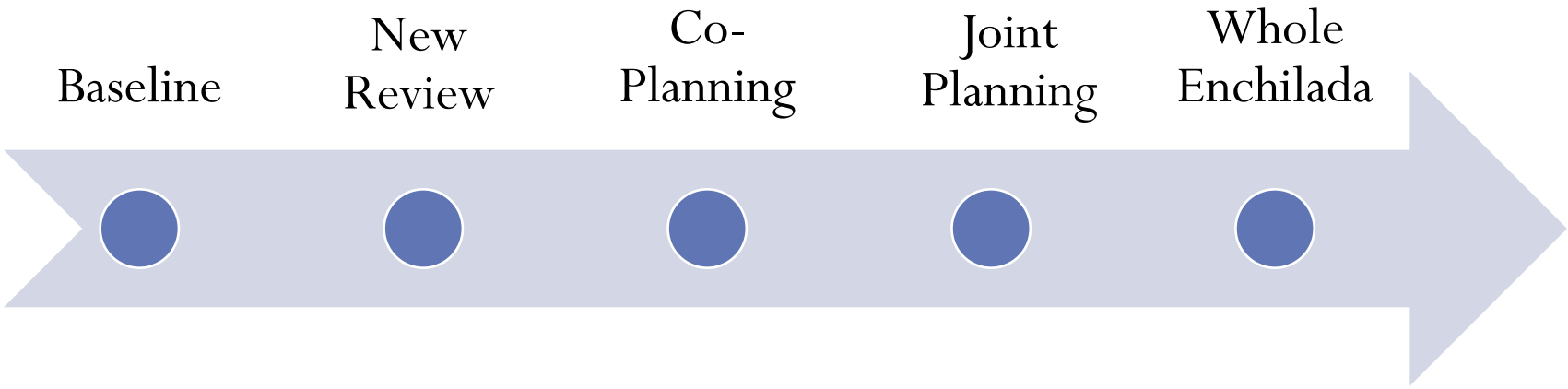
- Staff Capacity
- Resource Allocation
- Outside Funding

Findings: Community Engagement

- Community Understanding
- Community Communications
- Participation Opportunities
- Civic Culture

The Scenarios

Scenario Snapshot



Change Continuum

Baseline Scenario

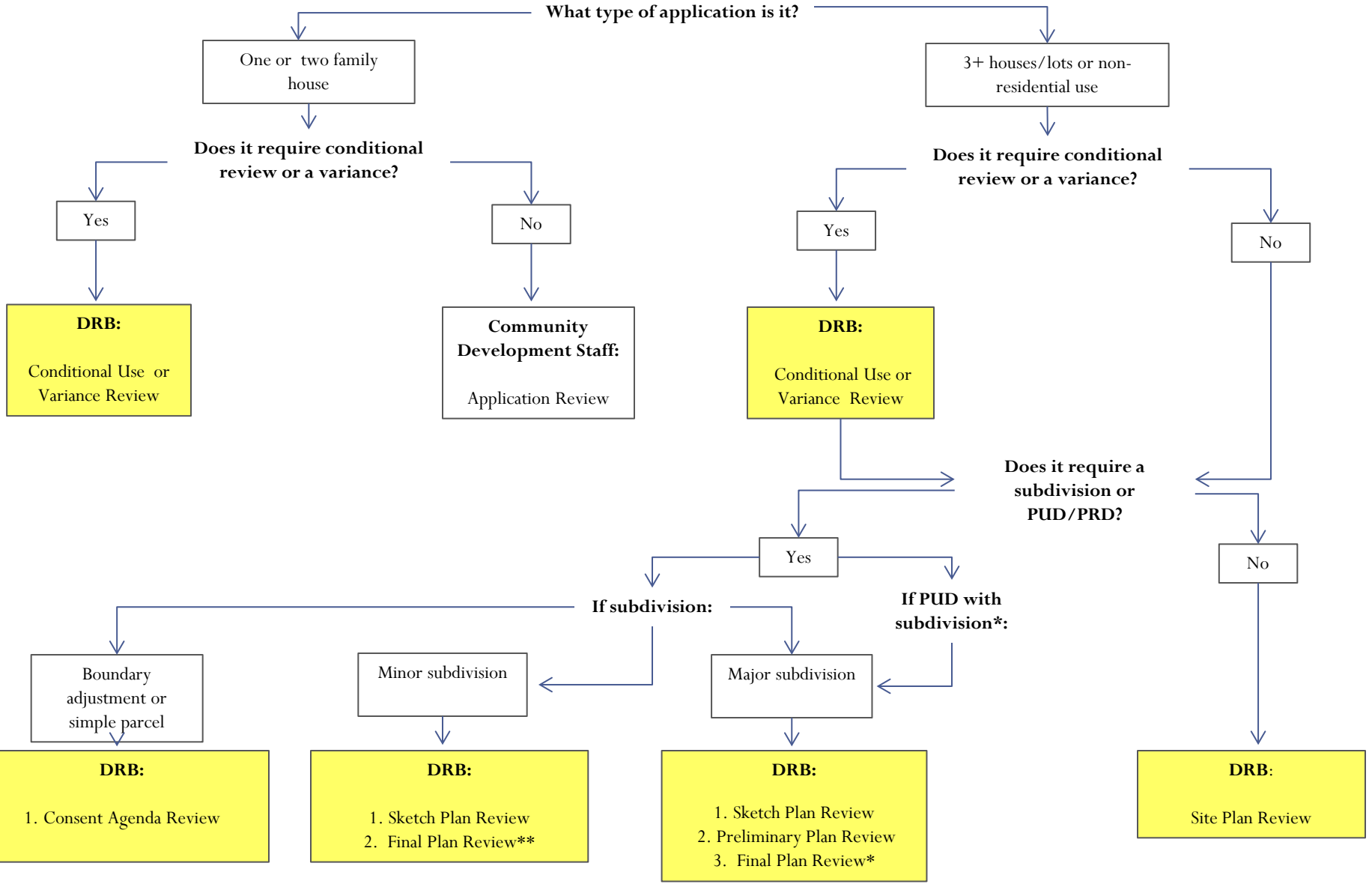
Element	Detail	Same or Different from Today?
Planning Commission	Separate	Same
Zoning Board or DRB	Separate ZBAs	Same
Staffing	Separate	Same
Municipal Plan	Separate	Same
Bylaws	Separate	Same
Development Review	Separate	Same

New Review Scenario

Element	Detail	Same or Different from Today?
Planning Commission	Separate	Same
Zoning Board or DRB	Separate DRBs	Different
Staffing	Separate	Same
Municipal Plan	Separate	Same
Bylaws	Separate	Same
Development Review	All review goes to DRBs	Different

The Development Review Process in the Town OUTSIDE the Village

For New Houses or New/Alterations to Non-residential Uses

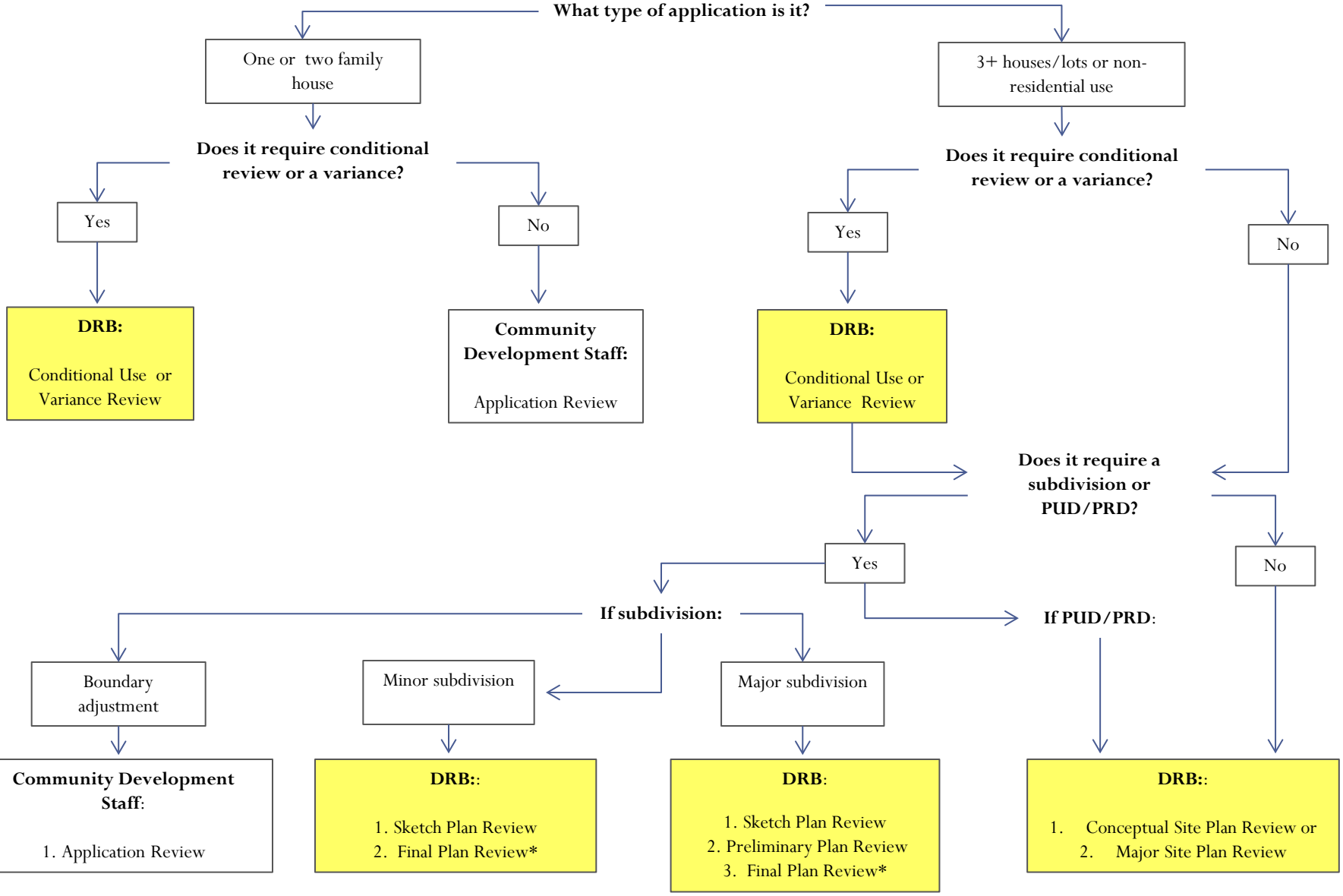


*A PUD/PRD without subdivision is considered under Conditional Use Review - it would be heard first by the Zoning Board and then go the Planning Commission for Site Plan review.

**Site Plan review is typically consolidated into a preceding subdivision step. If it is not then the Planning Commission would require an application to go to Site Plan Review.

The Development Review Process in the Town INSIDE the Village

For New Houses or New/Alterations to Non-residential Uses



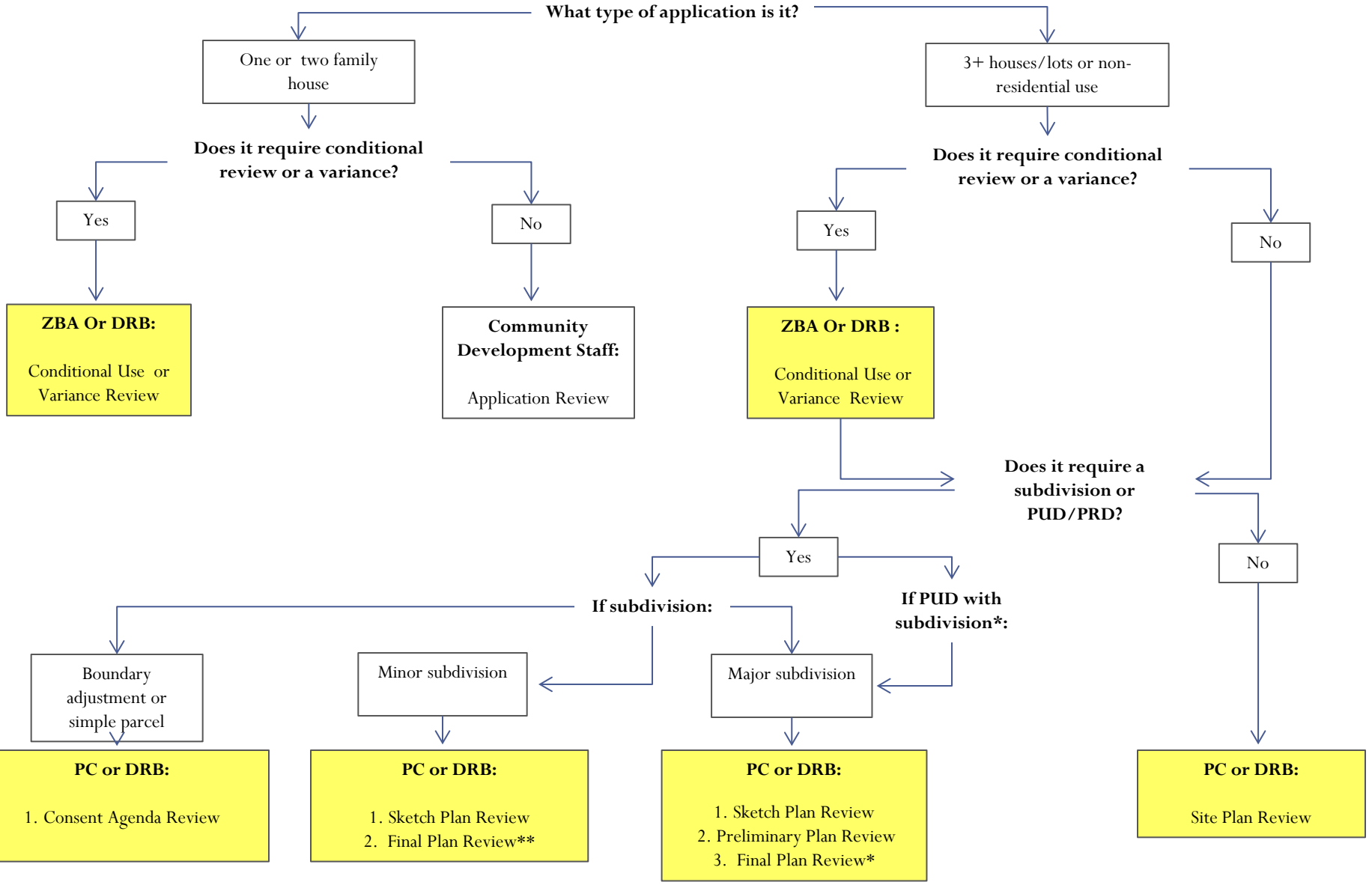
*Site Plan review is typically consolidated into a preceding subdivision step. If it is not then the Planning Commission would require an application to go to Site Plan Review.

Co-Planning Scenario

Element	Detail	Same or Different from Today?
Co-Planning Committee	Shared	Different
Planning Commission	Separate	Same
Zoning Board or DRB	Depends	Depends
Staffing	Minimally Shared	Different
Municipal Plan	Separate	Same
Bylaws	Separate	Same
Development Review	Depends	Depends

The Development Review Process in the Town OUTSIDE the Village

For New Houses or New/Alterations to Non-residential Uses



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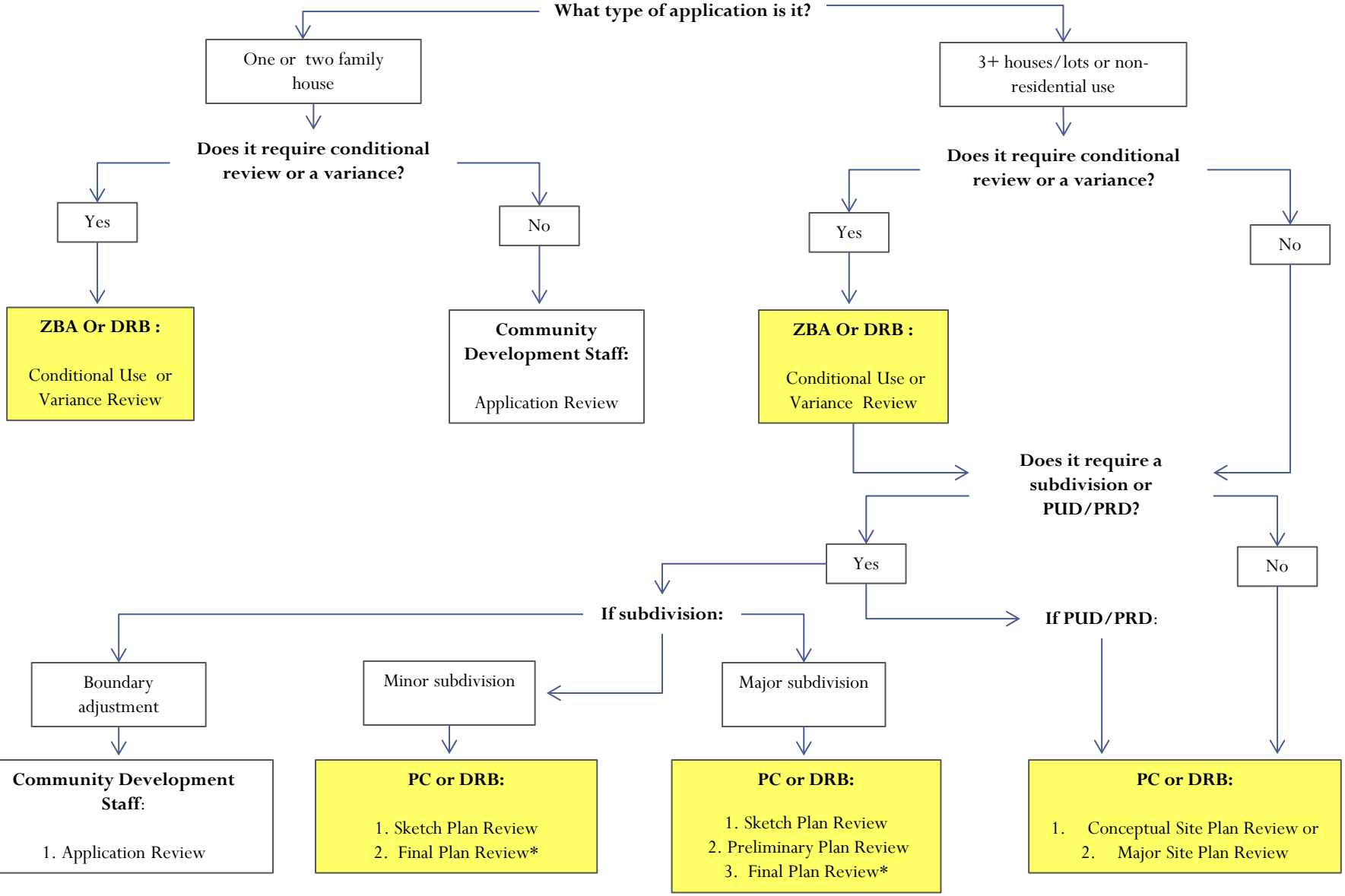
**Site Plan review is typically consolidated into a preceding subdivision step. If it is not then the Planning Commission would require an application to go to Site Plan Review.

The Development Review Process in the Town INSIDE the Village

For New Houses or New/Alterations to Non-residential Uses



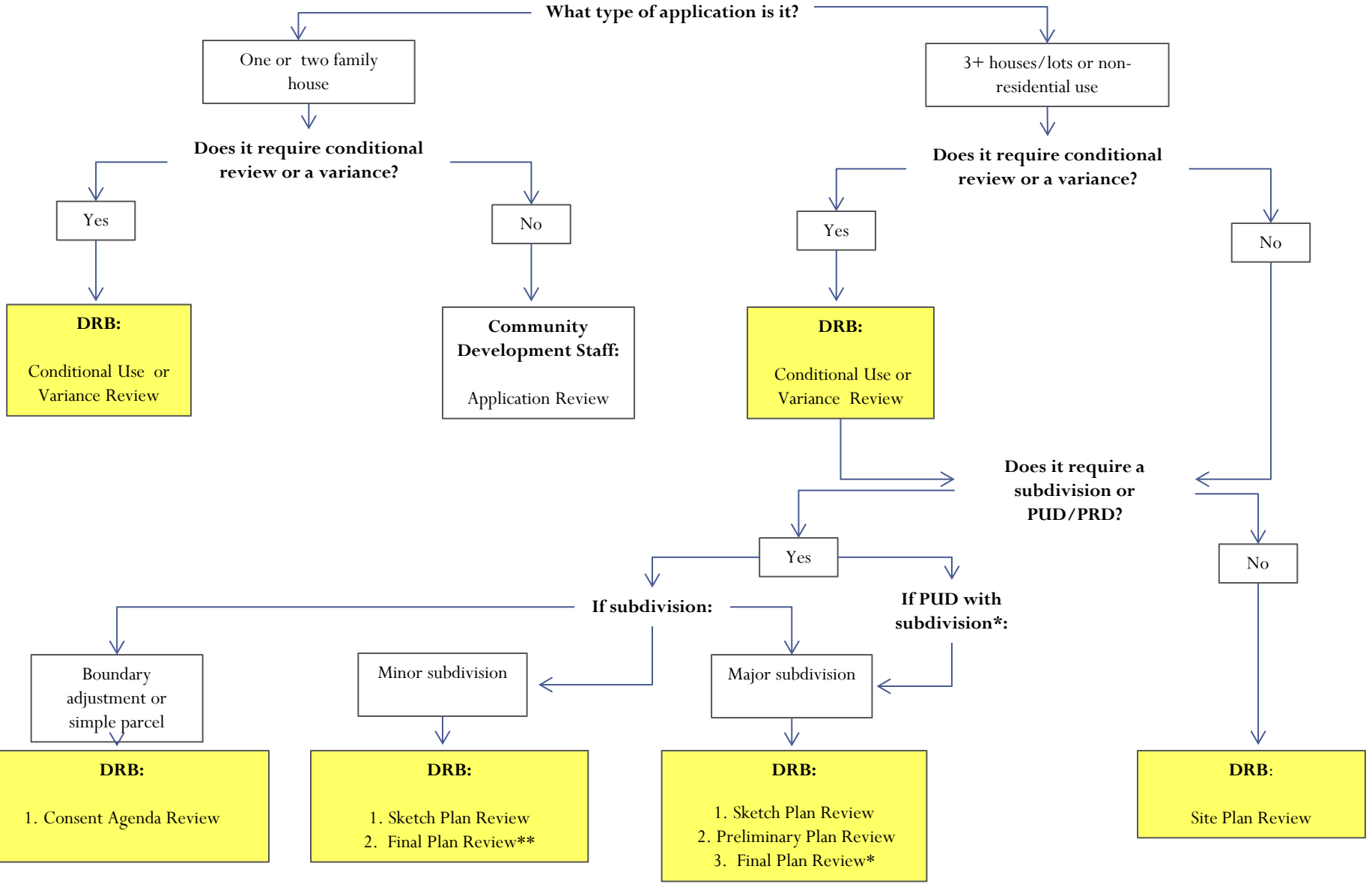
*Site Plan review is typically consolidated into a preceding subdivision step. If it is not then the Planning Commission would require an application to go to Site Plan Review.

Joint Planning Scenario

Element	Detail	Same or Different from Today?
Planning Commission	Shared	Different
Zoning Board or DRB	Separate DRBs	Different
Staffing	Partly Shared	Different
Municipal Plan	Shared	Different
Bylaws	Separate	Same
Development Review	All review goes to DRBs	Different

The Development Review Process in the Town OUTSIDE the Village

For New Houses or New/Alterations to Non-residential Uses



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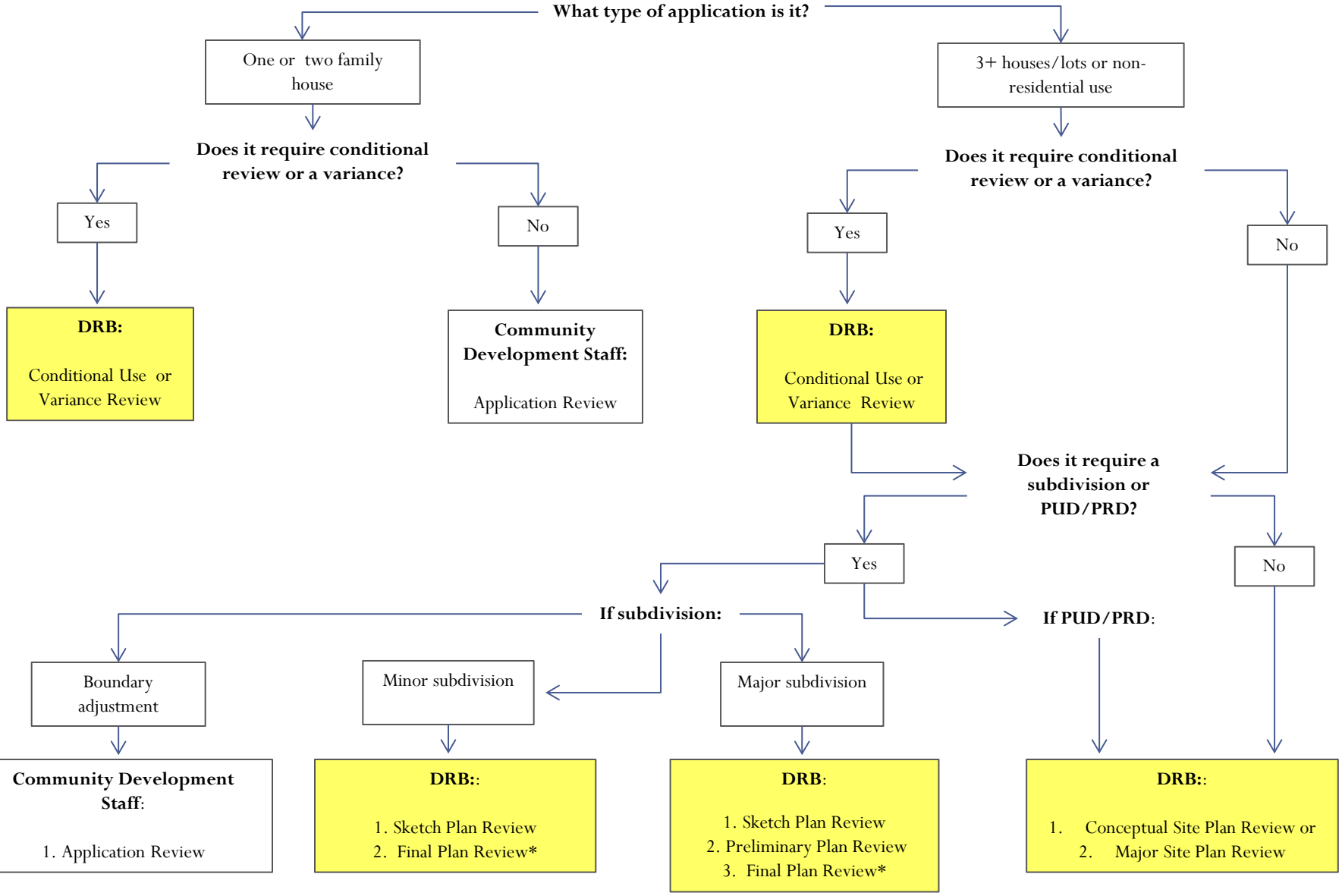
The Development Review Process in the Town INSIDE the Village

For New Houses or New/Alterations to Non-residential Uses



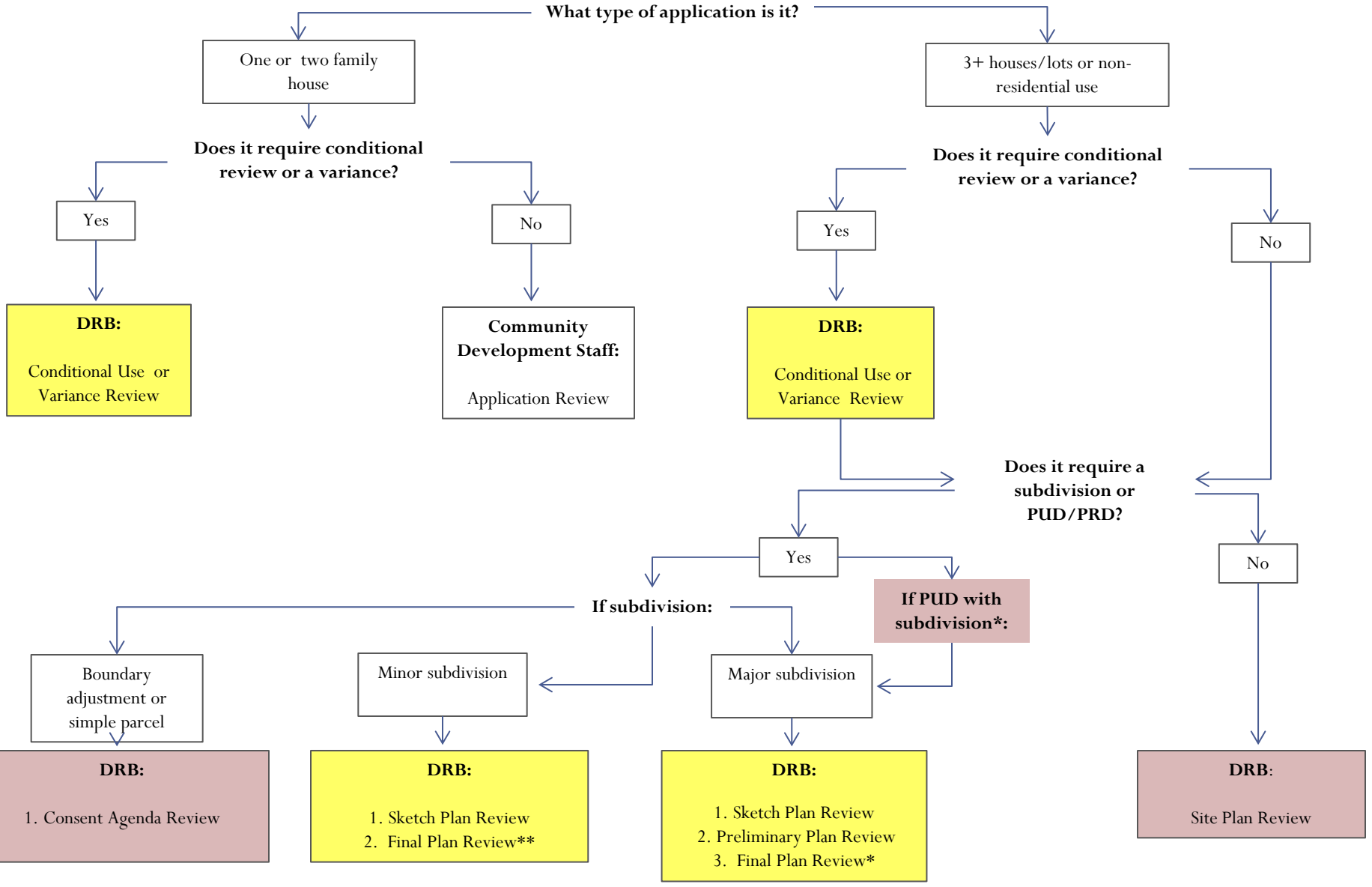
*Site Plan review is typically consolidated into a preceding subdivision step. If it is not then the Planning Commission would require an application to go to Site Plan Review.

Whole Enchilada Scenario

Element	Detail	Same or Different from Today?
Planning Commission	Shared	Different
Zoning Board or DRB	Shared DRB	Different
Staffing	Shared	Different
Municipal Plan	Shared	Different
Bylaws	Shared	Different
Development Review	All review goes to DRBs	Different

The Development Review Process

For New Houses or New/Alterations to Non-residential Uses



*A PUD/PRD without subdivision is considered under Conditional Use Review - it would be heard first by the Zoning Board and then go the Planning Commission for Site Plan review.

**Site Plan review is typically consolidated into a preceding subdivision step. If it is not then the Planning Commission would require an application to go to Site Plan Review.

Questions?

Community Engagement Challenges

Findings: Community Engagement

- Community Understanding
- Community Communications
- Participation Opportunities
- Civic Culture

Recommendations

1. Online tracking system for applications
2. Quarterly newsletter re: board activities
3. Board member trainings
4. Co-location of Community Development staff
5. Development of planner primers/quick guides
6. Development of protocols/tools for planning meetings
7. Exploration of new communication and engagement tools
8. Development of community partnerships
9. Consistent use of communication and engagement tools
10. Creation of neighborhood planning structures
11. Development of a public participation protocol
12. Re-allocation of staff resources to support communications and/or engagement

Thoughtful Growth in Action Working Group Session #3

Session Info

- November 18, 2015
- 5:30 to 8:30PM
- EJRP

Our Goals for Meeting:

- Review and discuss planning governance scenarios
- Work towards agreement on a preferred governance scenario
- Discuss and confirm top community engagement challenges

For more info

www.essextgia.com

Agenda

- 5:30 Agenda Review & Session 2 Follow-up
- 5:40 Planning Governance Scenarios Presentation
- 6:10 Decision Matrix Exercise & Discussion
- 7:10 Break & By the Principles Worksheet
- 7:30 Narrowing Preferences Exercise & Discussion
- 7:50 Community Engagement Challenges & Discussion
- 8:25 What's Next?

Design Principles

Principle #1: Encourage long range planning that…

- Is guided by an understanding of the shared interests and interrelationship between the Town outside the Village and the Town inside the Village;
- Supports priorities that reflect the unique characteristics of both; and
- Receives on-going, focused attention by the Planning Commission(s).

Principle #2: Support a development review process that…

- Enables a consistent, transparent and efficient application review process;
- Balance rights of property owners and members of the community; and
- Reflects the vision and goals of Municipal Plan(s)

Principle #3: Develop boards and staff that…

- Uphold the vision and goals of the Municipal Plan(s);
- Can maximize the use of their knowledge, skills and interests; and
- Communicate consistently and effectively among each other.

Principle #4: Resource a planning governance structure that…

- Maintains or lowers the cost to the taxpayer,
- Ensures a high quality of service; and
- Supports manageable workloads for boards and staff.

Principle #5: Encourage community participation that…

- Fosters a greater understanding of how planning works;
- Uses effective and intentional engagement opportunities; and
- Uses a varied range of communication channels.

TGIA KEY FINDINGS & SCENARIOS
For Working Group Session #3

Introduction

TGIA's purpose is to explore new approaches to planning governance in the Town of Essex and Village of Essex Junction. The project stems from the belief that the community wants a shared Essex vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards that vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards of Adjustment.

TGIA has used a variety of methods to gather information on how planning works today in Essex, what concerns or hopes people have for future planning and different options for how planning could be structured in the community.

These methods have included:

- Research on Essex's planning structure and different options for governance using sources like its municipal plans, bylaws and budgets, Vermont Statutes, the Vermont Planners Association network and VT League of Cities and Towns.
- Six interviews with individuals that could provide insights into Essex's current situation, speak to experiences from other communities with different planning structures or offer a regional perspective.
- Interviews with all Working Group members who have varied perspectives and planning experience
- A Community Workshop that attracted about 60 participants.
- A Community Survey that received 274 responses.
- A Planning Focus Group attended by 11 representatives from the two Planning Commissions, Zoning Boards of Adjustments and Community Development staffs.
- Two Working Group Sessions that have explored planning issues.

Approximately 300 Essex residents have participated in the project to date.

Key Findings

The information gathered across these activities has informed a set of key findings that highlight challenges and opportunities facing planning in Essex today. The findings are organized by the principles that have been developed as part of the TGIA process. They are meant as a starting point for discussion among Working Group members at the November 18 session.

Principle #1: Encourage long range planning that…

- **Is guided by an understanding of the shared interests and interrelationship between the Town outside the Village and the Town inside the Village;**
- **Supports priorities that reflect the unique characteristics of both; and**
- **Receives on-going, focused attention by the Planning Commission(s).**

Key Findings

1. **Town/Village Differences:** There are differences between the character and approach to growth and conservation in the Town outside the Village and the Town inside the Village. For instance, while economic development and open space protection are important to both parts of the community, the shape of those opportunities looks different in the Village and in the Town outside the Village.

   Consequently, there is a concern that a consolidated planning framework may lose sight of distinct issues and priorities of each part of Essex – or worse, have the agenda for one part of the community supersede the other. On the flip side, others feel there is the potential to recognize, build on and better balance these differences if planning were to be more consolidated because the overall plan for the community could be strengthened by looking across Essex as a whole.

For instance, conversations about where growth should be concentrated could consider the whole of Essex as opposed to having separate conversations about places like Corners and the Town Center.

2. **Collaboration:** A number of project participants expressed a desire for greater collaboration across the two parts of town. While there are examples of coordinated planning these are generally ad hoc. There is potential for a more formalized structure to support greater collaboration.

3. **Long Range Planning:** There is a perceived need on the part of the community and a desire on the part of the boards to focus more on long range planning. While both Planning Commissions do long range planning it comes primarily in the form of updates required by Statute. Both expressed interest in doing more proactive and "visionary" planning.

   In addition, long range planning has to take a back seat to development review requirements of the Planning Commissions (i.e. if there is a large number of applications to be reviewed then long term planning must be postponed). The application work load is steady although there are crunch times or unique cases like Saxon Hill that take up a disproportionate amount of time on the part of Planning Commissioners and staff.

   In the Town outside the Village, staff work to ensure focus on long range planning by dedicating every other Planning Commission meeting to long range planning projects. The Village has also spent significant time on long range planning through the Village Plan update and the Village Trustees have initiated special projects like Design Five Corners.

   Long range planning could benefit from greater attention from the Planning Commissions but it could also be improved through other mechanisms as well (e.g. greater resources for more in-depth and participatory planning projects, more opportunities from cross-community dialogue about shared issues).

Principle #2: Support a development review process that…

- **Enables a consistent, transparent and efficient application review process;**
- **Balance rights of property owners and members of the community; and**
- **Reflects the vision and goals of Municipal Plan(s)**

Key Findings

1. **Resident Experience**: Numerous participants spoke to dissatisfaction with the development review process particularly about the level of influence (or lack thereof) residents have in the review of specific applications and the outcomes of those application reviews. While there may be validity to that criticism in certain cases a broader issue appears to be that residents do not understand how or when they can have the most influence in planning.

   Many residents' experiences are limited to speaking at a hearing for a particular project. These hearings are one of the last steps in a longer process that moves from municipal plan development to bylaw development to the specifics of development review. Residents are often coming into the process when legally their opinion cannot influence the decision in a significant way.

2. **Review Efficiency**: There is a perception that development review would be more efficient if applications went to only one board as opposed to potentially two. Currently, only a handful of applications go to the Zoning Boards in any given year and even fewer go before both boards. While moving to a one-stop process (i.e. adopting a Development Review Board model) would improve the perception of the process and simplify it for some applications, it's likely that enabling more administrative review of applications or simplifying the subdivision bylaws would do more to streamline review.

3. **Review Complexity**: Projects are getting more complex which require staff to work more with applicants to prepare applications for a board hearing. This increases staff work load and also can leave citizens with the sense that decisions have been made without public input.

4. **Balancing Interests:** There is a need to balance the desire of the land owner or applicant for clarity around rules and process with the interests of other residents to ensure a development does not have a negative impact on the community or their neighborhood. It has also It has been raised that the specifics a development application review (e.g. in the nuance of the decision and requirements as opposed to outright acceptance or denial) may have more do with the personalities and skills of particular board members as opposed to the bylaws or guiding municipal plans.

5. **Plan Connectivity**: The current system enables the Planning Commission to understand the realities of development review when updating the municipal plans or bylaws and for it to consider the intent behind those guiding documents when reviewing applications. There is a concern that shifting review powers to one board (like a Development Review Board) would create disconnect between long range planning and development review.

Principle #3: Develop boards and staff that...

- **Uphold the vision and goals of the Municipal Plan(s);**
- **Can maximize the use of their knowledge, skills and interests; and**
- **Communicate consistently and effectively among each other.**

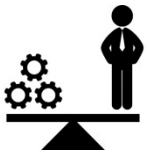
Key Findings

1. **Staff Communications:** Community development staff communicate well across the Town and Village albeit mostly informally. They plan together as part of the Chittenden County Regional Planning Commission and have the opportunity to review each other's plans as part of that agency's municipal plan review process.

2. **Board Communication:** Currently, there is not regular communication across boards in either part of town or across the two parts of Essex.

3. **Board Roles**: Zoning Board members are underutilized (i.e. they meet only a few times a year) whereas Planning Commissioners meet twice monthly. It's possible for the Zoning Board to take on more responsibilities, or for a move to a Development Review Board, but these changes could make the Planning Commission less relevant to municipal decision making.

4. **Skills and Interests:** There is the potential to better align with the skills and interests of volunteers if long range planning and development review were separated out. Anecdotally, some towns that have moved to a Planning Commission/Development Review Board model have had an easier time filling board seats with this separation of tasks. However, if the Planning Commission grows less relevant to decision making it's possible that there may be greater difficulty in filling those seats.



Principle #4: Resource a planning governance structure that…

- **Maintains or lowers the cost to the taxpayer,**
- **Ensures a high quality of service; and**
- **Supports manageable workloads for boards and staff.**

Key Findings

1. **Staffing**: Most input received indicated satisfaction with the current level of service although many noted that staff seem at capacity. This appears to be the case particularly in the Village where there are 1.8 Full Time Equivalent (FTE) positions dedicated to community development (compared to 4.1 FTEs in the Town). Some of the challenge for staff relates to the number of night meetings associated with supporting all the municipal boards.

2. **Resource Allocation**: While there is a desire to keep costs manageable there is also a desire to ensure that planning functions well and that Essex can allocate resources effectively to support planning priorities. Currently, about $680,000 is allocated to the Community Development departments collectively. The majority of that money goes towards staff salaries and benefits. There is not much in the current budgets to support additional planning initiatives (e.g. taking on specific long range planning projects).

3. **Outside Funding**: Both Community Development departments bring in outside funding. So long as the Town of Essex and the Village of Essex Junction remain as separate municipalities they should both remain eligible for key funding sources like regional transportation funds or statewide planning grants.

Principle #5: Encourage community participation that…

- **Fosters a greater understanding of how planning works;**
- **Uses effective and intentional engagement opportunities; and**
- **Uses a varied range of communication channels.**

Key Findings

1. **Community Understanding:** While project participants expressed concern with the development review process, even more noted a lack of understanding for how planning works in Essex. There is a need to develop resources so that residents can better understand planning and development review. Also, there is the potential to develop different methods and tools to use in planning or development review meetings to help participants understand the process and their role in it regardless of whether they have studied up beforehand.

2. **Communications**: While Essex goes above and beyond statutory requirements regarding public notice for planning activities there are still criticisms that more could be done or that the messaging around planning issues could be more effective. There are specific challenges that municipal staff will need to overcome to use existing channels better or to using new channels (e.g. current limits on monthly posts to Front Porch Forum or costs of advertising in local papers or using new digital platforms). Better communication will need a coordinated and focused effort.

3. **Participation Opportunities**: Top barriers to participation relate to how busy people are today and their desire for alternative ways to participate (i.e. beyond the typical evening meeting). There is a desire for more online options to participate as well as more "hyper local" opportunities, which could be through smaller online networks or more

neighborhood based structures. There are examples of Essex using different participatory methods such as the Heart & Soul Neighborhood Conversations.

As with communications, additional engagement will require resources in the form of staff time, volunteer effort or outside expertise. While some may jump to the conclusion that Essex could just do what it's currently doing differently it's not quite that easy; many of the meeting structures in place today are required by law. While there is potential to modify current structures it will also be necessary to adopt wholly new approaches to engagement that complement existing structures.

4. **Civic Culture:** Some residents expressed distrust of planning and/or a sense that their voices don't matter. Some of this perception will likely improve as a result of efforts to improve planning education, communications, and engagement opportunities. However, changing civic culture is a long process. Community engagement is not a one-off thing; it takes years of effort to create a healthy culture of civic engagement (and unfortunately only one bad experience to set that progress back). The more you can do to build a sustainable infrastructure to support public participation the better.

Non-Structural Recommendations

While structural changes will address some of the findings above, many of them will be better addressed through non-structural recommendations that could be adopted in any governance board structure.

Recommendations include:

Long Range Planning

- Create regular opportunities for cross Town-Village conversation on key issues that affect both parts of the community (e.g. bi-annual workshop of key boards and commissions).

Development Review

- Consider simplifying bylaws around development review to streamline process while maintaining high review standards.
- Develop online tracking system for applications received so that anyone can monitor an applications' status.

Board Members

- Develop quarterly board newsletter that highlights happenings across all municipal boards in Town and Village.
- Hold trainings for all new board members and refresher courses for continuing board members.
- Review approach for recruitment and selection of board members.

Staff

- Consider ways to better coordinate night meetings so that workloads are more manageable (which would be a benefit to volunteer board members as well).
- Consider the potential to co-locate Community Development staffs to continue to encourage collaboration and enable residents to go to a single place for planning information.

Education

- Develop primers on planning processes including municipal plan development, bylaw development and the development review process for citizens so they can understand the process and their role in it.
- Develop protocols and resources for board members to use in meetings to help inform participants of their role in different types of planning decisions.

Communications

- Explore "new" methods like text based messaging to spread the word more effectively.
- Develop on-going partnerships with other community organizations who could help spread the word about planning issues

- Determine whether it's possible to re-allocate existing staff responsibilities to create a position dedicated to support a municipal communications program across departments.

Participation

- Develop a consistent approach to using online and remote tools for engagement.
- Consider creation of a neighborhood based planning structure that could be activated when there is a relevant planning issue or project at hand.
- Develop a public participation protocol to enable and institutionalize new forms of engagement.
- Determine whether it's possible to re-allocate existing staff responsibilities to create a position dedicated to support a municipal engagement program across departments.

Governance Scenarios

The following scenarios reflect a spectrum of options for structural changes. This section is organized as follows:

- Snapshot of each scenario along with an example from another VT community;
- Comparison table of their key features;
- Checklist of steps necessary to transition to different structures; and
- Table of how they compare by design principle.

Please note that this set of scenarios is not an exhaustive list but rather provides a variety of options to discuss as a group, which will inform discussions that move us towards preferred solutions. Also, it is possible to mix and match elements from one scenario to another.

Scenarios Not Considered

The following scenarios were considered but are not included in the set of scenarios:

The Either/Or Model: There is no scenario that presents Separate Planning Commissions with either the Town or Village adopting a Development Review Board and the other keeping a Zoning Board of Adjustment. These options are not presented because: 1) the rationale for keeping the current Zoning Board structure or moving to a Development Review Board structure are represented in other scenarios and, 2) findings to date indicate there is no distinct rationale for why one would choose to make this change and not the other. The ultimate choice on this structural issue may rest more in whether Essex chooses to move towards a Joint Planning Commission structure, which would point more towards moving to a Development Review Board model.

Joint Planning with Zoning Boards: Further research eliminated a Joint Planning Commission with either a Joint or Separate Zoning Boards of Adjustment. We searched for other larger VT communities that have a Planning Commission/Zoning Board structure to see how they allocate development review responsibilities. Hartford was the only larger community (population 10,000) that has this model but its volume of application review (in 2014) was much lower than in the Town of Essex and Village of Essex Junction combined. It's possible to shift more review to the Zoning Boards or to administrative review but this option seems less desirable because the primary value in retaining the current structures is so that Planning Commissions understand realities of development review and can provide a long range perspective. This value would be diminished by shifting more review off their plate and it's unlikely that only small changes would lower the workload enough for the Planning Commission to manage long range planning and development review.

The "Morristown" Model: Further research indicated that communities that had shared planning commissions prior to state enabling legislation on Joint Planning Commissions, like Morristown and Woodstock, have been able to grandfather in pre-existing structures between their towns and villages that are not enabled in the legislation today. In Morristown, the Town Selectboard and Village Trustees had pre-existing arrangements through which they jointly appoint board members and adopt municipal plans and bylaws.

District Model: Further research eliminated the District Planning example (i.e. Mad River Planning District). District planning is enabled by State Statute (VSA 24, 121) and is largely to encourage coordination of services across distinct municipalities (it's often used for schools, less so for planning). In the case of Mad River, it came about as a result of longer term ad hoc collaboration in combination with the need to mitigate the effects of the Sugarbush Ski resort on the towns of Fayston, Warren and Waitsfield.

The Mad River District is governed by a Steering Committee that consists of a Selectboard Member and a Planning Commission member from each of the three member Towns, a business representative from the Mad River Valley Chamber of Commerce, and a non-voting representative from Sugarbush Resort. The Central Vermont Regional Planning Commission (CVRPC) has a non-voting ex-officio seat. The three

towns and Sugarbush fund the Planning District equally and the District has two staff members who support a variety of long range planning efforts including serving as the primary planner for all three towns. All towns maintain separate Planning Commission and Development Review Boards.

This alternative seems unlikely in Essex for a few reasons. First, Essex Junction is already part of the larger Town of Essex and a variety of services have already been consolidated without applying the district model approach. Second, it's unlikely that adding this additional structural layer would address the design principles in a more effective way than simpler models that are proposed in the Scenarios or in combination with some of the non-structural recommendations.

Scenario Snapshots

SCENARIO #1: BASELINE

This scenario is the same as the structure that is in place today. However, there are a variety of non-structural options that could shift how planning happens even if the current structures remain (see Non Structural Recommendations section).

SCENARIO #2: NEW REVIEW

This scenario maintains separate Planning Commissions but eliminates the Zoning Board of Adjustments replacing them with a Development Review Boards. All the development review functions of the current Planning Commissions would shift to the Development Review Boards.

EXAMPLE

Hyde Park had a Joint Planning Commission and single Development Review Board from 2005 through 2015. In 2012, it adopted a unified Town/Village Plan and was in the process of unifying its bylaws when earlier this year the Village Trustees decided to split from the joint planning structure without prior discussion with the Town Selectboard or Joint Planning Commission in order "To implement our vision for Village growth..." The Village established a separate Planning Commission consisting of the 5 elected Trustees and a Development Review Board consisting of 2 elected Trustees and 3 appointed residents. The primary reason for the move was the desire to ensure that the new-Form Based Code would be strictly enforced.

SCENARIO #3: CO-PLANNING

This scenario creates a new advisory co-planning committee that would include representatives from both Planning Commissions, Zoning Boards or Development Review Boards and possibly the Selectboard and Trustees. It would serve as a formal body to encourage collaboration but would have no statutory power.

Committee members would be jointly appointed by the Trustees and Selectboard. The Committee would meet a few to several times a year (likely bi-annually to quarterly). This scenario maintains separate Planning Commissions and Zoning Boards/Development Review Boards. There would be two municipal plans and two sets of bylaws, which would be adopted in the same manner they are today.

EXAMPLE

We have not found a specific example for this scenario. To some degree it's like a "lite" version of Mad River District Commission with a primary focus on creating a formal way for the boards to have dialogue and foster collaboration.

SCENARIO #4: JOINT PLANNING

This scenario creates a formal Joint Planning Commission as enabled under State Statute. Planning Commissioners would be appointed by the Selectboard with the possibility of establishing a formal process by which Trustees could nominate members and /or make

recommendations. It maintains separate Development Review Boards that would be appointed by their respective legislative bodies. There would be a municipal plan of which a Village Plan would be a chapter; the municipal plan would be adopted at Town Meeting by voters. The Village could still hold its own process for the development and adoption of the Village Plan. There would be two sets of bylaws that would be updated by their respective legislative bodies (i.e. Selectboard or Trustees).

EXAMPLE

The closest example is that of Woodstock. Woodstock has one Planning Commission and separate Development Review Boards. It has one municipal plan and two sets of zoning regulations.

Woodstock has had a single Planning Commission since the 1970s and never had to adopt a formal Joint Planning Commission structure. It moved from separate Zoning Board of Adjustments to separate Development Review Boards around 2000. The Town Selectboard and Village Trustees jointly adopt Commissioners and each adopts members to their respective DRBs.

Every five years the Planning Commission updates it municipal plan. The year after plan adoption it updates the Town bylaws and then the following year it updates the Village bylaws. The Plan is adopted jointly by the Selectboard and Trustees following public hearings, which are also jointly held. Bylaw changes are adopted by either the Town Selectboard or Village Trustees as necessary.

SCENARIO #5: THE WHOLE ENCHILADA

This scenario creates a formal Joint Planning Commission and Joint Development Review Board. Planning Commissioners would be appointed by the Selectboard with the possibility of establishing a formal process by which Trustees could nominate members and /or make recommendations. There would be one municipal plan and one set of bylaws. As with the appointment process it could be possible to establish a formal mechanism by which the Trustees could recommend changes to the municipal plan and/or bylaws. Updates to the municipal plan could be adopted at Town Meeting and bylaw changes would be adopted by the Town Selectboard. The Village could still adopt special plans and bylaws that would apply only in the Village.

EXAMPLE

The Town and Village of Waterbury have had a Joint Planning Commission, combined Municipal Plan, and combined Zoning Regulations for over twenty years and made the switch from separate Zoning Boards of Adjustment to a Joint Development Review Board in 2012. Board appointments are made by the Town Selectboard with Village Trustees input. Both the Selectboard and Trustees vote to adopt the municipal plan and bylaw amendments. In the case where a bylaw change only affects the Village then only the Trustees vote on the amendment.

KEY FEATURES					
	Baseline	**New Review**	**Co-Planning**	**Joint Planning**	**Whole Enchilada**
Planning Commission	Separate PCs • 7 member boards • Current appointed terms remain (4 years in Town, 3 in Village) • Meet twice/month	Separate PCs • 7 member boards • Current appointed terms remain (4 years in Town, 3 in Village) • Meet once/month	Co-Planning Committee • # members TBD • Terms TBD • Meet 2-4 times/year Separate PCs	Joint PC • 7-member board (can have 3-9 members) • Joint appointments with 3-4-year terms • Meet once-twice/month	Joint PC • 7-member board (can have 3-9 members) • Joint appointments with 3-4-year terms • Meet once-twice/month
Zoning Board or DRB	Separate ZBAs • 5 member boards • Current 3-year appointed terms remain • Meet as needed	Separate DRBs • 5 member boards (can have 5-9 members) • Decide on 3 or 4-year appointment terms • Meet once/month	Separate DRBS or ZBAs • 5 member boards (can have 5-9 members) • Appointed terms of 3-4 years • Meet once-twice/month	Separate DRBs • 5 member boards (can have 5-9 members) • Appointed terms of 3-4 years • Meet once-twice/month	Joint DRB • 5 member boards (can have 5-9 members) • Joint appointments with 3-4-year terms • Meet once-twice/month
Staffing	• Separate staffs	• Separate staffs	• Separate staffs for PCs and development review • Potential for co-staffing the advisory committee depending on the topic at hand	• Separate staffs for development review • Potential for co-staffing of PC depending on the topic at hand	• Need to integrate how staff would support DRB • Potential for co-staffing of PC depending on the topic at hand
Guiding Documents	• Two Municipal Plans • Two sets of bylaws	• Two Municipal Plans • Two sets of bylaws	• Two Municipal Plans • Two sets of bylaws	• One Municipal Plan with Village Plan Chapter • Two sets of bylaws	• One Municipal Plan • One set of bylaws
Development Review Changes	• No changes	• Any application requiring more than administrative review would to one of the two DRBs.	• Any application requiring more than administrative review would to one of the two DRBs or go through the process as they do if ZBAs are maintained.	• Any application requiring more than administrative review would to one of the two DRBs.	• Any application requiring more than administrative review would go to the Joint DRB. • Need reconcile different treatments of some applications such as planned unit development review and boundary adjustments.

PATHWAY TO ADOPTION					
	Baseline	**New Review**	**Co-Planning**	**Joint Planning**	**Whole Enchilada**
Charter Change	Not necessary	Possible	Not necessary	Possible	Possible
Joint Structure Adoption	Not necessary	Not necessary	• Joint Appointments	• Joint Appointments • Joint PC	• Joint Appointments • Joint PC • Joint DRB
Board Transitions	Not necessary	Necessary	Some overlap in membership with committee and other boards	Necessary	Necessary
Municipal Plan Changes	Not necessary	Not necessary	Not necessary	Necessary	Necessary
Bylaw Updates	Not necessary	Necessary	Not necessary	Necessary	Necessary
Earliest Transition Timing	N/A	Late 2016/early 2017 assuming no charter change	Anytime following decision by Selectboard & Trustees	Late 2017/early 2018	Late 2017/early 2018

More detail on pathway steps above (note that these are still being confirmed by the Town Attorney):

Charter Changes: The Selectboard and Trustees would need to determine whether a Charter change is necessary to create Development Review Boards. If a Charter change is necessary, then the change would need to be first approved at the annual Town and Village meetings and then passed by the State Legislature. Generally, the Legislature accepts the will of the community's wishes on these kinds of changes.

Joint Appointment Procedures: The Selectboard and Trustees would need to develop Rules of Procedure for making Joint Appointments to any Co-Planning or Joint Boards. They can do this by legislative vote.

Joint Planning Commission, Joint Development Review Board: The Selectboard and Trustees would need to adopt a change to a Joint Planning Commission and Development Review Board. They can do this by legislative vote.

Board Transitions: The Selectboard and Trustees would need to determine how appointments would be made and what would happen to existing board member appointments.

Municipal Plan Changes: In the Joint Planning or Whole Enchilada scenarios, the Town would need to adopt the Village Plan by reference as a chapter in the Municipal Plan at Town Meeting in the short term with the longer term goal of developing an integrated plan.

Bylaw Updates: In the New Review, Joint Planning and possibly the Co-Planning scenarios, bylaw updates would be necessary to address the shift of review powers to the Development Review Board. Bylaw updates can be made by vote by the Selectboard and Trustees. In the Whole Enchilada scenario, in addition to making necessary changes regarding development review, the Trustees would need to adopt the Village Unified Development Code by reference in the short term with the longer term goal of developing more integrated bylaws.

Transition Timing: Votes(s) to create a Development Review Board must be timed carefully so that all work of the existing Zoning Boards of Appeal would be completed and there could be a window of time to get the Development Review Board members appointed, addressing any changes necessary to Planning Commission membership and establishing rules of procedure. Ideally, this transition happens at a slower time of year for applications, likely in the later months of the year. If municipal plans need to be updated then the earliest that could happen would be the 2017 Town Meeting.

By the Principles

The following tables provide commentary on possible effects of the different scenarios as they relate to the design principles. These are intended as a starter, or "strawman" list, that will be refined at the next Working Group session.

Long Range Planning

Baseline	1. Maintains distinction between Town and Village so issues and priorities continue to be addressed as they are now. 2. Continues potential for ad hoc collaboration across the Town and Village but does not institutionalize any shared planning functions. Could hold annual workshop of planning related boards and staff to share key issues and initiatives and discuss collaboration. 3. Does not increase time spent on long range planning unless more applications can be reviewed administratively or by the ZBA or review procedures are streamlined.
New Review	1. Same as Points 1 & 2 in Baseline. 2. Increases time spent on long range planning by Planning Commissions.
Co-Planning	1. Creates a shared planning structure so that the Town and Village can discuss together long range planning issues while maintaining their separate authority.
Joint Planning	1. Creates a shared planning structure so that the Town and Village can plan together around long range planning issues and bylaw development and increases overall time spent on long range planning by shifting development review to DRBs.
Whole Enchilada	1. Same as Point 1 in Joint Planning.

Development Review

Baseline	1. Continues Planning Commission role in both application review and long range planning thus directly maintaining the link between these two activities. 2. Does not address issues around transparency, efficiency, consistency or balance of rights and interests without adopting complementary non-structural recommendations.
New Review	1. Simplifies development review process by having applications reviewed by one board. 2. Eliminates Planning Commission role in development review. To counteract the potential disconnect between the boards, could hold bi-annual workshops between Planning Commissions and their respective Development Review Boards in order to discuss any issues in the review process or discuss potential plan or bylaw updates. 3. Same as Point 2 in Baseline.
Co-Planning	1. Same as Points 1-3 in New Review if shifts to a DRB. 2. Maintains distinction between Town and Village development review which may alleviate any concerns over the control over the permitting of new development.
Joint Planning	1. Same as Points as in Co-Planning.
Whole Enchilada	1. Same as Points 1-3 in New Review. 2. Increases possibility that development projects would be more consistently reviewed across Essex as there would be one set of bylaws.

Staff and Boards

Baseline	1. Does not address imbalance in workload between Planning Commissions and Zoning Boards of Adjustment. 2. Does not address potential for greater skill alignment with board roles or need for additional training. 3. Maintains relevancy of Planning Commissioner role in development review. 4. Does not address potential for better communication across boards. 5. Does not change role of staff members.
New Review	1. Same as Point 4 in Baseline. 2. Addresses imbalance in workload between Planning Commissions and Zoning Boards of Adjustment. 3. Addresses potential for greater skill alignment with board roles or need for additional training but could reduce relevancy of Planning Commission member role in municipal decision-making. 4. Staff responsibilities would need to be re-aligned to support the Development Review Boards.
Co-Planning	1. May or may not address Points 1-3 in Baseline depending on ZBA/DRB choice. 2. Improves communication across Town and Village by creating a Co-Planning Committee. 3. Staff responsibilities would need to be re-aligned to support Co-Planning Committee.
Joint Planning	1. Same as Points 1-3 in New Review. 2. Improves communication across Town and Village by creating a shared Planning Commission. 3. Staff responsibilities would need to be re-aligned to support Joint Planning Commission and the Development Review Boards.
Whole Enchilada	1. Same as Points in Joint Planning – staff responsibilities would need to be further re-aligned to support both Joint boards.

Resources

Baseline	1. Maintains existing costs, levels of service and workloads though they may need to be re-examined if any non-structural recommendations are adopted.
New Review	1. Same as Points in Baseline.
Co-Planning	1. Would increase the number of meetings since there would be an additional Committee to support. 2. Would increase workload in short term in order to create Committee. 3. Would increase workload of any board members who also served on the Committee as well as that of staff supporting the Committee. 4. Would need to examine workloads if non-structural recommendations are adopted.
Joint Planning	1. Would reduce the number of night meetings since there would be one less Planning Commission. 2. Would increase workload in short term in order to make necessary changes to board structures and municipal plan. 3. Would need to examine workloads if non-structural recommendations are adopted.
Whole Enchilada	1. Same as Points in Joint Planning.

Community Engagement

Baseline	1. Does not address community engagement concerns without the adoption of non-structural recommendations.
New Review	1. Does not address community engagement concerns without the adoption of non-structural recommendations. It's possible that simplifying the review process will make it easier to understand for some.
Co-Planning	1. Would not address community engagement concerns without the adoption of non-structural recommendations.
Joint Planning	1. Would not address community engagement concerns without the adoption of non-structural recommendations. It's possible that simplifying the review process and adopting a single municipal plan will make it easier to understand for some.
Whole Enchilada	1. Would not address community engagement concerns without the adoption of non-structural recommendations. It's possible that simplifying the review process, adopting a single municipal plan and bylaws will make it easier to understand for some.

TGIA Working Group Summary #4

Prepared by Delia Clark & Ariana McBride
December 18, 2015
On behalf of the Thoughtful Growth in Action project
www.essextgia.com

Project Overview & Working Group Role

Thoughtful Growth in Action (TGIA) is exploring the new approaches to planning governance structure in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards a shared vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project is exploring what different planning governance models could look like and which ones would be a good fit for Essex.

The Working Group is a 24-member volunteer group charged with developing a recommendation regarding possible planning governance changes. It kicked off its work with an Orientation on September 9, 2015 and is meeting monthly through December 2015.

Members will work towards a set of recommendations based on information from a mix of activities including:

- Two community workshops
- Online community survey
- "Meeting in a box" community discussions
- A Planning Focus Group
- Educational readings and presentations
- Working Group discussions

The Group's recommendation will go to the Town Selectboard and Village Trustees in early 2016.

Session Summary

The Working Group for Thoughtful Growth in Action (TGIA) held its fourth session on December 9, 2015 at Essex Junction Parks and Recreation from 5:30 to 8:30PM. Attended by 22 Working Group members plus project staff, the session focused on reviewing and discussing planning governance scenarios; working towards agreement on a preferred governance scenario; and presenting key engagement challenges based on research to date.

Participant List: John Alden, Andrew Brown, Maura Collins, Sue Cook, Paula DeMichele, Brad Dousevicz, Paula Duke, Mary Jo Engel, Greg Farkas, Theresa Fletcher, Matt Gibbs, Ben Gilliam, Dana Hanley, Sharon Kelley, Ron Lawrence, Mitch Lefevre, Greg Morgan, Robin Pierce, Johnathan Schumacher, Tom Weaver, Irene Wrenner, Vanessa Zerillo.

Staff & Steering Committee Members: Max Levy, Greg Duggan, Delia Clark and Ariana McBride

Session 3 Follow-up

Delia confirmed the Session #3 summary with participants.

Planning Governance Scenarios Presentation & Discussion

Ariana presented the updated governance scenarios, which were refined based on discussion at the last session and the Working Group member survey that was conducted between Sessions 3 and 4. All the information she presented was provided in more detail in the Scenarios 2.0 document provided prior to the meeting (document and presentation are available on the project website). She also noted that several from the development community were sent inquiries regarding the current development review system. Key observations include:

- Most respondents cited no major issues with current review processes.
- Generally, all like the idea of creating efficiencies. Some felt this could be done through a development review board (DRB), others suggested looking for efficiencies within the existing system (e.g. more administrative review).
- Noted that the approach/agendas of the actual board members has more weight in the issue of review than the board structure.

Comments & Questions about Scenarios document

- How will the timing of implementation be sorted out? What voice will staff have in determining the timing and tasks of the transition?
    - The specific timing of implementation would be up to the Selectboard, Trustees, staff and relevant boards. The phasing in the document was just one example to illustrate key considerations.

- Final report should reflect pending legislation about plan update requirements.
    - Noted.

- As Essex is roughly a third the size of Burlington, can we assume that more of the review is handled administratively there?

- Had an inquiry out to Burlington, likely more is reviewed administratively.

- How can we ensure that developers feel safe expressing issues and concerns – this requires anonymity.
  - Noted.

Straw Polling & Discussion

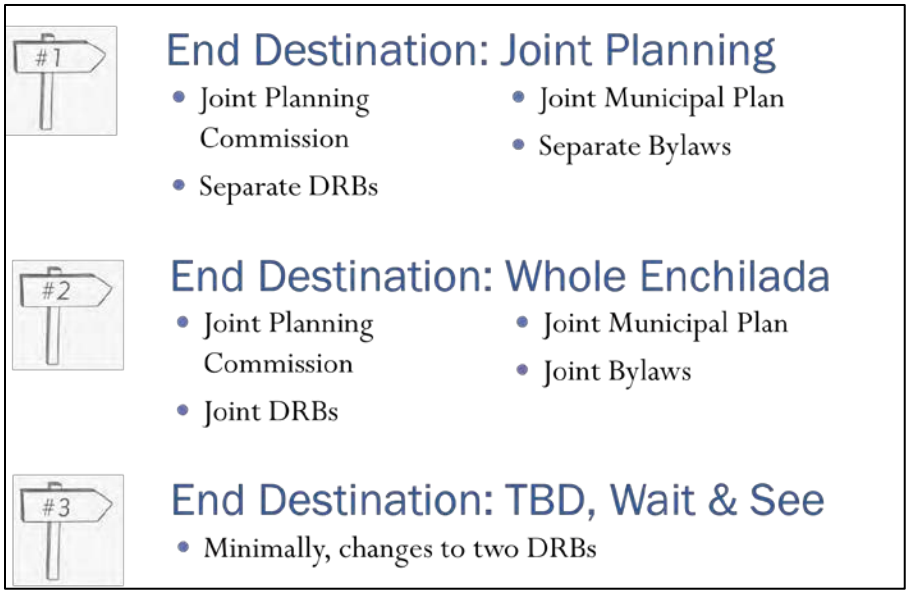
Members were asked to take a straw poll using a form hand-out, which were then compiled and shared with the group. The goal of the straw poll was to see whether the group could get above the "orange line" on any of the scenarios. The "orange line" is a consensus building tool where members were asked to rate each scenario on the following scale:

1) It is my first choice
2) I could live with it

3) I need more info before deciding
4) I am opposed to it

Members were encouraged to note why they responded the way they did, particularly if their response fell below the orange line.

Here is a slide comparing the scenarios (more information on each is noted in the Scenarios 2.0 document on the project website):



Here is a summary of the polling results:

	Joint Planning	Whole Enchilada	TBD
My first choice	10	7	2
I can live with it	11	8	10
I need more info before deciding		2	1
I am opposed		4	8

Here is a summary of the comments made on the forms by scenario:

Joint Planning	<u>In Support</u> • I appreciate the efficiency and transparency, but it also honors the separate bylaws of town and village <u>Could Live With It</u> • This option may be difficult to staff both DRBs. I only worry that if this is the case, that the quality of review may lack. • Doesn't go far enough.
Whole Enchilada	<u>In Support</u> • Why? I think it's time to be one community. • Even if there is a longer timeline, this would be my first choice • I see absolutely no reason why the Town and Village are separate in any way except for history. I trust that smart planning will keep the town rural and the village dense. <u>Could Live With It</u> • I just don't think this plan would honor the unique differences between the town and the village. <u>Need More Info</u> • How to ensure transparency and inclusivity? • Need more attention to methods for public input at some point • Concerns about too much administrative review <u>Opposed</u> • I don't think this is feasible at this time
TBD	<u>Opposed</u> • My perspective is that we need to merge planning at long range/overall community level for structural benefit. • I do not believe this moves us toward any improvement; there is no specific goal. • This isn't enough, Essex needs to move forward. • We really should have better customer service and increased efficiencies. Plus joint planning means better cooperation for less competition between our community. • I really think we need a firm goal and that any ambiguity would be detrimental to achieving a positive outcome.

	• This is what's wrong with government: inaction. I have total faith that even if we do the "whole enchilada" that we would stop and reassess along the way. So TBD is built into the other options because we'd determine (TBD) what tweaks are needed along the way. • No point in staying "as is" – seems to be akin to putting head in the sand.

Following sharing of the straw poll discussion several more questions/points were raised:

- Questioning of what the actual problem is:
    - Several noted current system works well and wondered why one scenario was not to keep current system as is (two PCs/ZBAs)
        - Noted that this scenario was dropped due to feedback on survey that went out between the sessions, which seemed in line with where group's interest was in last session
        - Since haven't discovered anything broken thought this would be an option presented.
        - Revisited project goals and principles developed
        - Noted that last session identified pros/cons of current system
        - Noted that while nothing may be wrong there is an opportunity to improve current system
        - Elected boards are in alignment about looking for efficiencies – staying with the status quo is not what's happening politically right now
- Concern over how a transition would be made – "devil's in the details"
    - Staffing -2016 works plans are already in so is a question of how work would get done at least in the example phasing presented in the Scenarios 2.0 document
    - How resources would be allocated
    - How the community would be engaged in continued transition discussions
- Bigger issue seems to be about public perception of governance as opposed to the governance structure (see community survey summary)
- See more frustration from land owners about physical separation of the two community development offices (that they are in different buildings and that the town's office is actually in the village).

Community Engagement Ideas

Ariana presented a summary of the engagement challenges and ideas (detailed in the Community Engagement Ideas document available on the project website). She also noted that a new project recently approved by the Selectboard and Trustees, in partnership with Essex Heart & Soul, could be an ideal way for the input from this session to be continued.

Group comments on the presentation included:

- Concern that property abutters feel unheard when they voice their concerns about a project – others felt that those concerns are considered in review.
- Planning is people – it all boils down to the experience, perspective of boards.
- Noted that ideas needed to be attached to resources and funding
- A few ideas were added to the list (see list below for additions)

Impact Feasibility Matrix

Delia led the group through an impact feasibility assessment where members rated each idea on the following scales:

- Impact on community understanding and participation in planning – high, medium, low
- Feasibility (e.g. funding, political will, legal, etc.) – high, medium, low

Here are all the ideas along with their nicknames (used to illustrate how ideas rated in the impact feasibility chart below):

Communications 2.0

1. Develop local partnerships. PARTNERSHIPS
2. Research new ways to communicate. RESEARCH COMM
3. Use/continue communications channels consistently. CONSISTENT COMM
4. NEW IDEA - Target communication (both in terms of audience and project being communicated) TARGET COMM

Participation 2.0

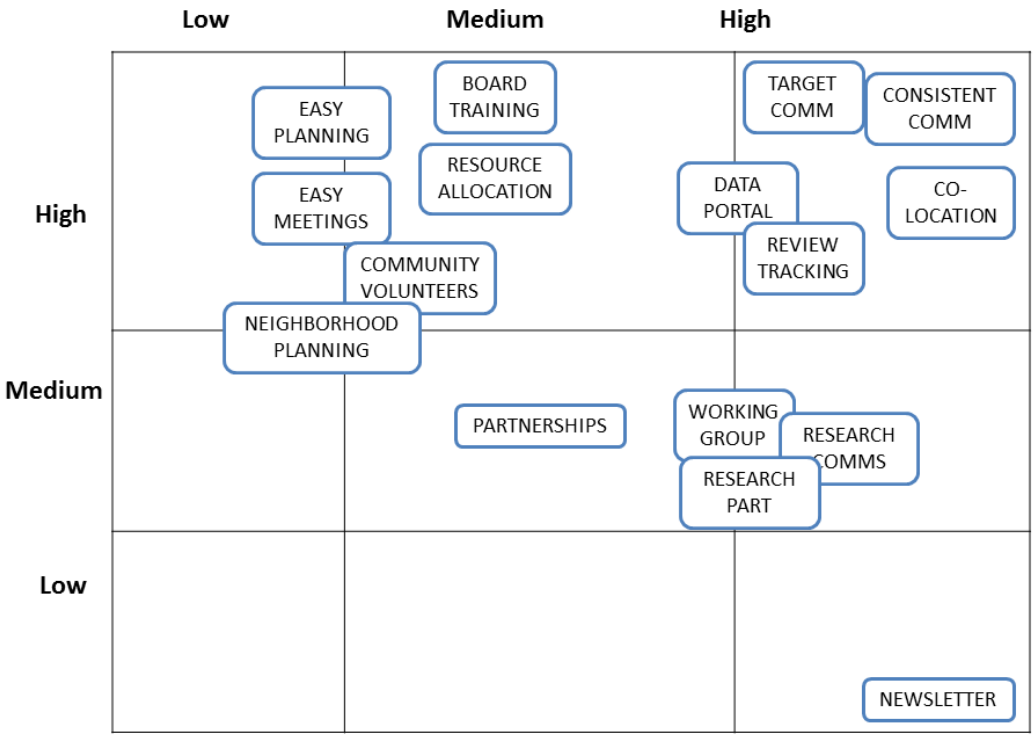
1. Make planning easy to understand. EASY PLANNING
2. Make meetings easy to understand. EASY MEETINGS
3. Research new participation methods and tools. RESEARCH PART
4. Explore potential of neighborhood planning structures. NEIGHBORHOOD PLANNING
5. Develop a public participation ordinance. ORDINANCE

Open Access

1. Develop a quarterly municipal boards newsletter. NEWSLETTER
2. Develop an online system for tracking development applications. REVIEW TRACKING
3. Develop an open access data portal. DATA PORTAL

Human Resources

1. Support board member training. BOARD TRAINING
2. Consider co-location of Community Development Staff. CO-LOCATION
3. Consider re-allocation of resources to support staffing dedicated to communications and public participation. RESOURCE ALLOCATION
4. Form a community engagement working group. WORKING GROUP
5. NEW IDEA - Engage community member volunteers. COMMUNITY VOLUNTEERS



During the exercise members shared a few observations:

- Noted that Colchester has a data sharing program that could be considered to see how it works and whether it's used.
- Noted that if there were a new Working Group (or possibly through the new Heart & Soul project) that research on participation and communications tools could be completed.

Confirming Recommendations

Ariana noted that the following Working Group recommendations would be made to the Selectboard and Trustees:

- Will share key findings from the research and discussions.
- Will share the results of the straw poll along with the "why" information discussed in this session and in session 3.
- Will share the impact feasibility matrix results.

Upcoming Activities

Community Workshop

- Group agreed on January 13 evening as the date with a snow date of January 20. (UPDATE: 1/20 is not available for a snow date.)
- Agreed to help with small group facilitation (in roles noted prior to last community workshop)
- Will hold a short small group training prior to the workshop
- Would like a few Working Group members to help with delivery of the presentation

Final Report

- Due to Trustees/Selectboard at end of February
- Will provide time for Working Group to review – all are encouraged but not required to review it.

Final Presentation

- Likely to be in March
- All are encouraged to attend but Delia and Ariana will do the heavy lifting on the presentation
- Ariana will send report and presentation dates out once they are set.

Wrap Up

Delia wrapped up the final Working Group session by asking the same question raised at the start of the first session: what three words describe how you are feeling right now about the project?

The word cloud is on the cover sheet of this document.

Post Session Evaluation

At the end of the session, participants were asked to evaluate their experience as a Working Group member. Here are responses by question:

1. **Was it worth your time to participate as a TGIA Working Group member?**

   17: Yes
   0: No
   3: I want to see what happens next
   1: Added yes and I want to see what happens next

   Additional comments:

   - Absolutely worth it, thank you.
   - So worth it! I learned so much and it was really fun to meet and work with other interested community members.
   - Feels like we made progress on creating a more rational planning system in Essex.
   - Need more focus on engagement.

2. **Do you feel you had ample opportunity to share your perspectives and opinions?**

   20: Yes
   1: No

   Comments:

   - More hand votes, less argy-bargy to close out decisions – they were too long.
   - Facilitators did a great job engaging folks.

3. **Do you feel the facilitators encouraged discussion and respected all perspectives?**

   20: Yes
   0: No

   If no, what would you have liked to see done differently?

   Comments:

   - You both were very professional and skilled in your approach.

- Not sure staff should have been part of task force. Definitely needed as a resource, but multiple agendas beyond reshaping community were likely injected.

4. Do you feel the facilitators provided enough information to help the group make informed choices about planning governance?

18: Yes
3: No

Comments:

- Would have been helpful to start with the planning structures review/options that we had in session #2. That info was very fundamental to the mission.
- More answers from Trustees and Selectboard in order to make informed decision.
- Could have been more complete research. But, in the end, this conversation was very specific to Essex so additional background would not have changed outcome.
- Enough resources in a broad sense but still a lot of details to work out.
- Sorry. I felt I was being asked to make a recommendation for a structure about which I could never really understand the impact. I also feel that we missed the greater point about planning, community and governance.
- Unbelievable information shared via facilitators.

5. Were the design principles helpful to you in evaluating the different governance scenarios?

15: Yes
2: No
1: Added somewhat
1: Added ½ and ½
1: Added Meh

Comments:

- Helpful to continue to keep them front and center.
- Never looked at them.
- Having principles or guiding structure is only way to generate a response structure.

6. Do you feel that the Working Group structure worked effectively as a model for exploring community issues?

18: Yes
1: No
1: Added maybe
1: Added yes and no

Why or why not?

- A beginning! The structure and the facilitators provided a great conduit for learning and communicating.
- Focused on structure and stayed above the fray.
- Great guidance through process and addressed initial skepticism.
- But not as effective as a smaller group would have been.
- It was interesting, but it was sometimes difficult to keep everyone up to speed.
- It sometimes felt like the direction towards the conclusions was already decided. Not sure if that is true or not.
- The combination of interested (passionate) community reps and a crisp well facilitated process really worked!
- As best as it could with what we were told.
- Yes – a way to move big issues incrementally.
- But easy to lead them toward a certain goal. "Ask the right questions, you can most any answer."
- While I had hopes that were not met, a structured conversation is a very good thing.

Maybe?

- This process was too complex to use in a broader community group – was frequently too long and discussions stalled.

7. What did you find to be the most rewarding part of the experience?

- The information that I didn't know that I know better.
- Learning the current model and exploring the options. The exercises were very helpful in sorting out opinions, ideas, pros and cons.
- Opportunity to learn more on subject.
- Ability to freely share opinions.

- Participating in my community and helping drive change and progress.
- Becoming more educated about planning.
- Reaching some fundamental consensus.
- Meeting people from the community.
- Talking.
- Seeing how many people showed up.
- Discussing and hearing the perspectives of my fellow community members.
- I really liked hearing the different perspectives on each issue offered by the diverse group. Sometimes it surprised me, but it always helped me with my own perspective.
- Consensus building and respectful engagement by group members.
- Large working group representing many perspectives.
- Learning from each other.
- People coming together and talking.
- We reached consensus on a scenario…I hope the report will point out that the "Full Enchilada" was a strong second with 4 opposed. I'm guessing several of those opposed were staff.
- Great to see all the different viewpoints as we wrestled through the issues.
- New appreciation for boards and staff.

8. What did you find to be the most challenging or frustrating part of the experience?

- Huge range of opinions and experiences in the group.
- All the detail – somewhat overwhelming
- Sometimes not feeling as educated/informed as others to share my opinions.
- Herding the sheep – especially vocal rants.
- Tackling such a complicated topic in four meetings, but I feel we were mostly successful. I do agree with some other comments that it would have been useful to spend more time on community engagement although it might have been wasted time.
- Complicated topic.
- Long meetings.
- Not everyone was grasping the concepts and there was a lot of hand holding.
- Connecting the theoretical with the practical.
- The lack of a holistic outlook – one side of the issue.
- I was not frustrated at all! This is a challenging exercise, no doubt!
- People often didn't understand the directions they were given in order to achieve the desired result.
- Lack of attention to design review as part of the quagmire.

- Feel unable to communicate need for training/sensitivity to certain issues without offending existing staff/board members. I realize it's human nature to believe we're doing the best possible job. But all of us need to be open to hearing constructive criticism no matter how much we know in a subject area and how long we've served vs. the "uninitiated" (sp) meeting attendees who, nevertheless always deserve our respect.
- Although I valued the perspectives of the planning staff, there may have been too many represented and that perspective/voice was louder than the general publics.
- Misconceptions of many of the people in the group regarding current planning.
- Many topics to deal with.
- As stated before, I think we missed the main purpose – an exploration into the planning process.

9. Is there anything else you'd like to share about this experience?

- Thank you both for your work and efforts on our behalves.
- Ariana and Delia – you rock! And I love your super big sticky notes!
- Well worth the time and money.
- The facilitators did a phenomenal job coordinating such a large group.
- Great facilitating!
- You guys did a great job!
- Wondering about the next phase.
- Feel the answer was predetermined.
- Thank you so much for the opportunity to participate!
- All good. I hope we haven't created a monster.
- I continue to be impressed by the citizens involved and participating in our community.
- Excellent job moving us to our goal. Thank you Ariana and Delia!
- Facilitators did a great job with what they were given to work with, felt like they were directed to lead towards a DRB.
- Thank you both for all your effort.
- Nice job on facilitation.

Thoughtful Growth in Action:
Re-imagining Essex's Planning Governance

Working Group Session #4

December 9, 2015

5:30 to 8:30PM

EJRP

Agenda Review

5:30 Agenda Review & Session 3 Follow-up

5:40 Planning Governance Scenarios Presentation

6:00 Scenarios Straw Polling & Discussion

6:30 Community Engagement Presentation & Discussion

7:00 Impact Feasibility Matrix

8:00 TGIA Recommendations & Next Steps

8:20 Wrap Up

Scenarios 2.0

Questions from the reading?

End Destination: Joint Planning

- Joint Planning Commission
- Separate DRBs
- Joint Municipal Plan
- Separate Bylaws

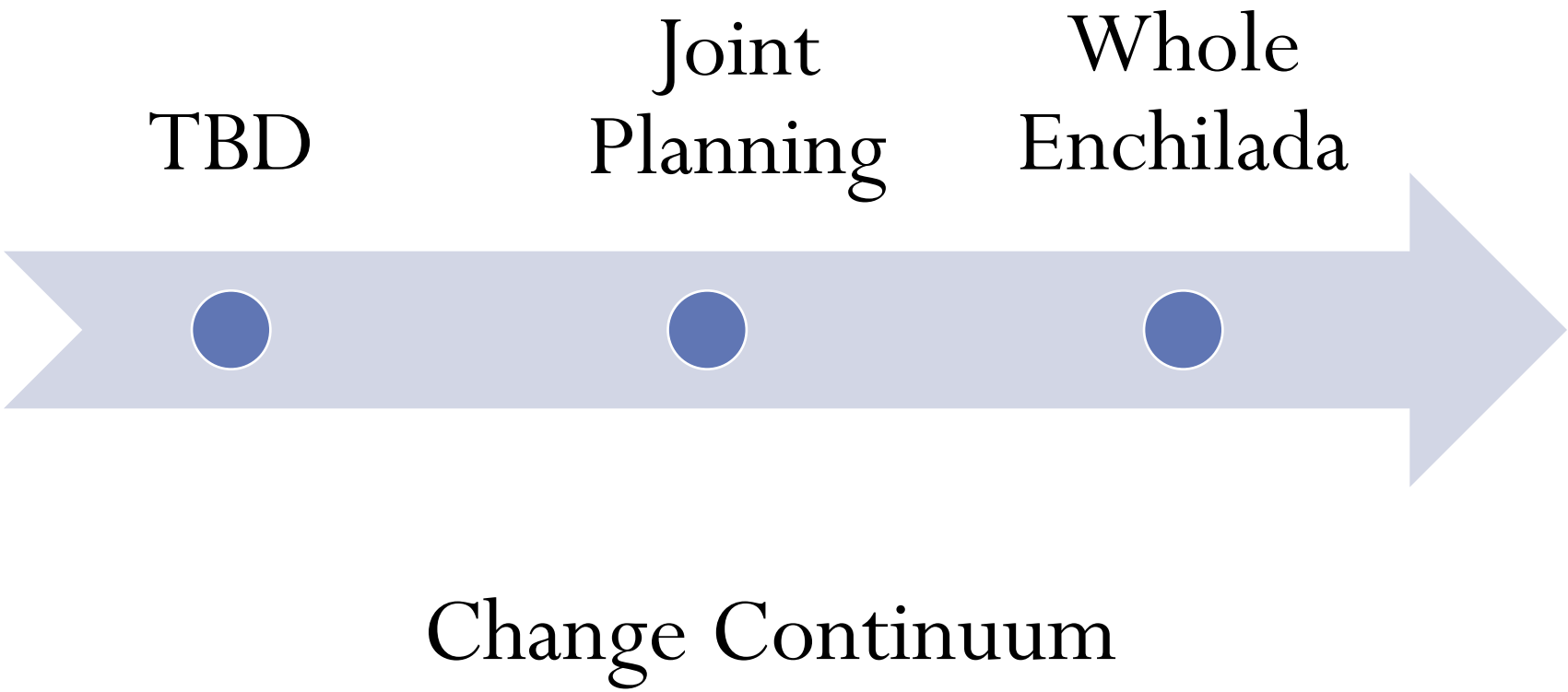
End Destination: Whole Enchilada

- Joint Planning Commission
- Joint DRBs
- Joint Municipal Plan
- Joint Bylaws

End Destination: TBD, Wait & See

- Minimally, changes to two DRBs

Scenario Snapshot



Scenarios 2.0 Straw Poll

1) It is my first choice
2) I could live with it

3) I need more info before deciding
4) I am opposed to it

Community Engagement

Findings: Community Engagement

- Community Understanding
- Community Communications
- Participation Opportunities
- Civic Culture

Communications 2.0 Ideas

1. Develop local partnerships
2. Research new ways to communicate
3. Use communication channels consistently

Participation 2.0 Ideas

1. Make planning easy to understand
2. Make meetings easy to understand
3. Research new participation methods & tools
4. Explore neighborhood planning structures
5. Develop a public participation ordinance

Open Access

1. Develop municipal boards letter
2. Develop online system for tracking development applications
3. Develop open access data portal

Human Resources

1. Support board member training
2. Consider co-location of Community Development Staff
3. Consider re-allocation of resources to support staffing dedicated to communications and public participation
4. Form a community engagement working group.

Other Ideas?

Impact Feasibility Matrix

Next Steps

Upcoming Activities

1. Community Workshop
   - Confirm date
   - Working Group Member role

2. Final Report
   - Due in February

3. Trustees/Selectboard Presentation
   - Feb/March

Wrap Up

Thoughtful Growth in Action Working Group Session #4

Session Info

- December 9, 2015
- 5:30 to 8:30PM
- EJRP

Our Goals for Meeting:

- Determine preferred governance structure scenario(s)
- Determine a prioritized set of ideas on how to improve community engagement
- Evaluate Working Group process

For more info

www.essextgia.com

Agenda

- 5:30 Agenda Review & Session 3 Follow-up
- 5:40 Planning Governance Scenarios Presentation
- 6:00 Scenarios Straw Polling & Discussion
- 6:30 Community Engagement Presentation & Discussion
- 7:00 Impact Feasibility Matrix
- 8:00 TGIA Recommendations & Next Steps
- 8:20 Wrap Up

Design Principles

Principle #1: Encourage long range planning that…

- Is guided by an understanding of the shared interests and interrelationship between the Town outside the Village and the Town inside the Village;
- Supports priorities that reflect the unique characteristics of both; and
- Receives on-going, focused attention by the Planning Commission(s).

Principle #2: Support a development review process that…

- Enables a consistent, transparent and efficient application review process;
- Balance rights of property owners and members of the community; and
- Reflects the vision and goals of Municipal Plan(s)

Principle #3: Develop boards and staff that…

- Uphold the vision and goals of the Municipal Plan(s);
- Can maximize the use of their knowledge, skills and interests; and
- Communicate consistently and effectively among each other.

Principle #4: Resource a planning governance structure that…

- Maintains or lowers the cost to the taxpayer,
- Ensures a high quality of service; and
- Supports manageable workloads for boards and staff.

Principle #5: Encourage community participation that…

- Fosters a greater understanding of how planning works;
- Uses effective and intentional engagement opportunities; and
- Uses a varied range of communication channels.

TGIA/Scenarios 2.0

The purpose of this document is to:

1. Respond to questions raised about the planning governance scenarios presented in Working Group Session #3.

2. Lay out refined scenarios that illustrate a phased approach to three different potential end destinations for planning governance.

This document builds from information in the Key Findings & Scenarios report and discussion at Working Group Session #3. Also, it is accompanied by a companion Community Engagement Ideas document that speaks to additional non-structural options for consideration.

Scenario Questions from Session #3

#1 BASELINE QUESTIONS

What does the broader community expect?

TGIA was born in part from an expressed community desire to consider a different approach to planning governance, which was highlighted in the Heart & Soul of Essex project. Heart & Soul of Essex was a two-year project that engaged approximately 1,000 Essex residents living inside and outside the Village of Essex Junction.

Heart & Soul identified six values shared by the entire community. Four of the six values spoke directly or indirectly to planning across municipal boundaries. The value of **Thoughtful Growth** called for balanced planning of residential, business and recreational development, as well as the preservation of open spaces. The **Community Connections** value described the community's desire for "unified planning between village and town governments." The **Health & Recreation** and **Safety** values expressed the importance of sidewalks, bike lanes and paths that connect the entire community.

The project was also born from discussions among the Town Selectboard and Village Trustees regarding potential consolidation of services to improve effectiveness and efficiency. While there is an interest in consolidating services, TGIA has no pre-determined outcome. Its intention is exploratory: To understand how planning works today in Essex and consider other pathways for how planning could be structured. The results of the project will inform future discussions and deliberations of the Selectboard and Trustees.

Who can participate on which board indicates questions around scope of control and influence. Where does one end and the other begin? Are they affecting one another?

Currently, residents from any part of Essex, including the Village, can serve on the Town's Planning Commission. The Town's Planning Commission is responsible for long range planning and development review in the Town outside the Village.

In contrast, the Village's Charter allows only "qualified voters of the Village" to serve on the Village Planning Commission. The Village's Planning Commission is responsible for long range planning and development review in the Town inside the Village.

State statute allows for non-residents to serve on a municipal planning commission so long as the majority of members are residents of the municipality in question.

#2 NEW REVIEW QUESTIONS

How would training be provided to DRB in ways that work for people's lives and that clarifies the roles?

There are a variety of options for trainings including existing programs and the potential to tailor programs specifically for the needs of Essex. More information on board member training can be found in the companion Community Engagement Ideas document.

How to handle current applications during the transition?

In a nutshell, existing applications would need to be closed out prior to the creation of a DRB. Ideally, the

transition to a DRB would occur at the slowest time of review for Essex (potentially the end of the calendar year). The legislative boards could adopt the DRB and note a specific start date to occur in the future. A few months prior to the scheduled DRB start, applicants would be notified that existing applications will need to be completed by a specified date and staff would stop accepting applications until the new DRB was created. Once the Trustees and/or Selectboard vote to create a DRB and it starts functioning the ZBA would cease to exist.

#3 CO-PLANNING QUESTIONS

No questions.

#4 JOINT PLANNING QUESTIONS

Would there be fewer staff reports?

Staff reports relate to development review so changing board structure will not affect the number as the number of reports ties to the number of applications. In theory, there will be fewer staff memos to the Planning Commission since there would only be one as opposed to two commissions. However, the Joint Planning Commission would have more time for long range planning so it is likely staff would be reporting to it on more planning issues.

Could the make-up include Economic Development Commission?

It is possible for members of the Economic Development Commission to serve on either the Planning Commission or one of the DRBs. It may require a Charter change in the Village as the current charter prohibits Planning Commissioners from holding other positions in the Village.

How does Burlington manage? What does that look like?

Assuming this question relates to how Burlington manages development application review. The response includes Essex numbers for reference.

Please note the following numbers presented are from FY2014. Also, note that zoning permits are required for numerous projects, many of which are very minor in community impact (e.g. signs, home additions, garages, swimming pools, etc.), which is why the total permit number is so high in comparison with the numbers reviewed by the various boards.

Variation in the percentage of applications heard by the boards likely relates to a few factors:

- The overall level of major land development activity. For instance, the Village of Essex Junction is more built out than the Town outside the Village so it's going to have fewer applications that need to go to the PC or ZBA.

- The number of applications can be misleading in terms of workload as the same application can carry over multiple meetings. For instance, an application for a subdivision can go through at least three meetings.

- The number of projects that can be handled through an administrative review and approval process.

The Examples:

- According to Burlington's City Report, the City reviewed 902 zoning permit applications with a with a 97.7% approval rate). Of the 902 permit applications, 74 applications and 7 appeals of administrative decisions were heard by the DRB, which represents 9% of all applications.

- The Town of Essex issued 185 zoning permits. Of the 185 permit applications, 30 were heard by either the PC or ZBA, which represents 16% of all applications.

- The Village of Essex Junction issued 150 zoning permits. Of the 150 permits issued, 7 applications were heard by either the PC or ZBA, which represents 5% of all applications.

How different are Village and Town outside the Village perspectives and views?

Assuming this question relates to how these perspectives are reflected in the two municipal plans: Part of the process of creating a unified municipal plan would be to review both the Town and Village Plans to determine where they are compatible and where they conflict. While it's likely there will be conflicts to resolve, ample precedent exists in other communities in terms of how to balance more urban village issues with more rural town issues. One potential conflict that has been flagged is how to reconcile growth among the different centers in Essex.

Are Village and Town outside the Village differences similar to differences among neighborhoods?

A review of the current municipal plans and data from the Heart and Soul of Essex project could likely shed light on some of the differences between different parts of the community. Additionally, if Essex were to move towards a unified municipal plan then part of that process could further examine these differences. For instance, Colchester develops its municipal plan, in part, from the neighborhood level up. For more information on this example, please see the companion Community Engagement Ideas document.

How would appointments be made to Joint Planning Commission?

The Town Selectboard and Village Trustees would need to determine the process for appointments to the Joint Planning Commission. There are three examples that can serve as precedents but Essex would need to determine what arrangement is best suited for the community. Examples include:

- *Morristown*: The Selectboard and Trustees adopted formal rules of procedure for joint appointments to boards. There are no criteria related to geographic representation (i.e. no set numbers of seats go to town or village residents).

- *Enosburg Falls*: The Selectboard and Trustees agreed at a public meeting that the Planning Commission and DRB appointments would be made jointly by each Board. There is no formal agreement specifying any additional detail. There has not been any turnover on either of those two public bodies since their creation just a short time ago.

- *Waterbury*: Board appointments are made by the Selectboard with Trustees input.

How much work would it take to consolidate planning?

There are a number of steps that would need to occur in order to consolidate planning in Essex as the Pathway Scenarios section of this document lays out. In this scenario consolidation means forming a Joint Planning Commission, forming two Development Review Boards and moving towards a unified municipal plan. The specifics and timing of these steps would need to be determined by the Selectboard and Trustees. Here are some general issues to address:

- **Charter changes**: In the case of the Village, it's clear that the Village would need to make changes and both the Town and Village attorneys agree that the cleanest way to enable planning governance changes in either municipality would be through charter changes.

- **Commission appointments**: The Selectboard and Trustees would need to determine how appointments will be made and how/if current board members will be transitioned onto the Joint Planning Commission and DRBs. Depending on how charter changes are specified it could be possible to first shift to the two DRBs and keep Planning Commissions separate and then in the future shift to a Joint Planning Commission.

- **Creation of the Joint Planning Commission and DRBs**: The Selectboard and Village Trustees would need to vote to create the Joint Planning Commission and DRBs.

- **Creation of a unified municipal plan**: In the short term, the Planning Commission could follow the Town and Village Plans until the next statutory deadline plan updates. The next deadline would be in the Village in 2019 so it's likely that a unified planning process would need to begin no later than 2018.

When would merging of visions into a town wide plan happen? Before or after (the creation of a Joint PC)?

A joint visioning process could take place as part of the first unified plan process and it could build on the work done through Heart and Soul of Essex.

Are there legislatively mandated staffing changes?

No.

#5 WHOLE ENCHILADA QUESTIONS

What are the joint charter issues, if any?

See above question in #4 regarding charter issues.

Would there be fewer staff reports?

See above question in #4 regarding staff reports.

How does one board manage it all?

See above question in #4 regarding workload of other cities.

Could we have District DRB's, not just village and town outside the village, but if four seems ridiculous, why not two? Why not one?

State Statute enables the creation of a single DRB for a municipality. The reason why Essex could have up to two is because it is technically two municipalities.

Could you have neighborhood level DRBs?

See question above. It is possible to create neighborhood level review of development applications. For instance in Burlington, applicants proposing a development with "major impact review" are required to go before the Neighborhood Planning Assembly in which the project would be located. Major impact review is defined in the Burlington zoning code. Please see companion Community Engagement Ideas for more info on neighborhood level planning.

Would we have to have one town plan?

Ideally, Essex would move towards a unified municipal plan over time but in the short term a Joint Planning Commission could have two municipal plans. Johnson, VT is an example of where this is the case although the community is currently underway with the process of consolidating its plans.

How are Neighborhood Planning Assemblies different from just convening neighbors? How are NPAs staffed? Are NPAs objective?

Burlington's NPAs are formal neighborhood units that play specific roles in planning. See companion document on Community Engagement Ideas for more information.

Refined "Pathway" Scenarios

The scenarios below represent three possible pathways (i.e. phased approaches) to different "end destinations" for planning governance. At the December 9 session, we will ask Working Group members to indicate their preference among these three options with the intent of getting to a preferred scenario to recommend to the Town Selectboard and Village Trustees. If we are unable to get to a single preferred scenario then the final recommendations will detail the findings related to the pros/cons of each scenario. As a reminder, the Working Group recommendation is not binding; its purpose is to provide the Selectboard and Trustees with information and insights on the issue of planning governance.

In a nutshell the pathways are:

END DESTINATION: JOINT PLANNING
Presents a four-phase pathway to be initiated in 2016 and run through 2019, at which point a Joint Planning Commission and two separate DRBS would be in place.

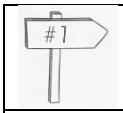
END DESTINATION: WHOLE ENCHILADA
Presents a five-phase pathway to be initiated in 2016 and run through possibly 2024 (municipal plan update deadline), at which point a Joint Planning Commission and Joint DRB would be in place. The phasing incorporates an assessment of whether the Selectboard and Trustees want to move towards a Joint DRB prior to that change.

END DESTINATION: TBD, CHANGE, WAIT AND SEE
Presents a five-phase pathway to be initiated in 2016 and where two DRBs would be in place by 2019 but Planning Commissions would remain separate. At a point in the future following the shift to DRBs, the Selectboard and Trustees would assess whether they want to move to a Joint Planning Commission and/or DRB.

Please note that Working Group members will be asked to indicate their preference for the stated "end destinations" not the specifics of the pathways detailed below.

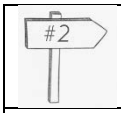
The details of pathways presented are conceptual. While they speak to specific actions that could occur in each phase of the pathway the details of those actions would need to be determined by the Selectboard and Trustees working in collaboration with other local stakeholders.

They are presented to show the types of activities that would occur based on potential charter changes in 2018. This date was selected because it is possible Essex will be looking to make other changes to the charters at that time. It's possible that charter changes could happen sooner or later depending on what the Selectboard and Trustees choose to do with this information and how it relates to other charter issues they may be considering.



END DESTINATION: JOINT PLANNING

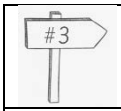
Phase & Timing	Actions	Parties Responsible
Baseline 2.0+ 2016	1. Plan for 1-2 joint workshops of planning related boards to occur in 2016.	Community Development Staff
	2. Anticipated adoption of 2016 Town Municipal Plan.	Selectboard, Voters
	3. Consider bylaw changes related to the implementation of the Town and Village Plans.	Planning Commissions, Selectboard, Trustees
	4. Review board processes, meeting calendars and meeting protocols to assess whether it's possible to reduce the number of night meetings.	Town Manager, Boards, Community Development Staff
	5. Consider non-structural recommendations related to community engagement.	Selectboard, Trustees, Municipal staff
	6. Determine how appointments would be made to joint boards and general approach to transitioning existing members.	Selectboard, Trustees
	7. Develop a community education campaign to explain changes to planning governance and refine approach based on input.	Selectboard, Trustees, Municipal staff
Transition, Part 1 2017	1. Anticipated town vote on municipal charter changes related to formation of DRBs, joint boards and joint planning.	Selectboard, Voters, Trustees
	1. Prepare for State Legislature consideration of charter change.	?
	2. Design approach to a unified comprehensive plan process to begin in 2018.	Community Development Staff, Planning Commissions
	3. Develop transition plan for existing Planning Commission and Zoning Board members.	Selectboard, Trustees, PCs, ZBAs
Transition, Part 2 2018	1. Anticipate State Legislature passing municipal charter changes.	State Legislature
	2. Develop procedures for Joint Planning Commission and separate DRBs.	Community development staff
	3. Adopt Joint Planning Commission and separate DRBs (to start at a specified date in 2019).	Selectboard, Trustees
	4. Complete all land development applications in process.	Community Development Staff, PCs, ZBAs
	5. Initiate a unified municipal plan process.	Community Development Staff, PCs
New Planning 2019	1. Initiate Joint PC and DRBs and appoint members.	Selectboard, Trustees
	2. Adopt unified municipal plan.	Selectboard, Voters, Trustees
	3. Initiate updates to both sets of zoning bylaws.	Community Development Staff, Joint PC, DRBs



END DESTINATION: WHOLE ENCHILADA

Phase & Timing	Actions	Parties Responsible
Baseline, 2.0+ 2016	1. Plan for 1-2 joint workshops of planning related boards to occur in 2016.	Community Development Staff
	2. Anticipated adoption of 2016 Town Municipal Plan.	Selectboard, Voters
	3. Consider bylaw changes related to the implementation of the Town and Village Plans.	Planning Commissions, Selectboard, Trustees
	4. Review board processes, meeting calendars and meeting protocols to assess whether it's possible to reduce the number of night meetings.	Town Manager, Boards, Community Development Staff
	5. Consider non-structural recommendations related to community engagement.	Selectboard, Trustees, Municipal staff
	6. Determine how appointments would be made to joint boards and general approach to transitioning existing members.	Selectboard, Trustees
	7. Develop a community education campaign to explain changes to planning governance and refine approach based on input.	Selectboard, Trustees, Municipal staff
Transition, Part 1 2017	1. Anticipated town vote on municipal charter changes related to formation of DRBs, joint boards and joint planning.	Selectboard, Voters, Trustees
	2. Prepare for State Legislature consideration of charter change.	?
	3. Design approach to a unified comprehensive plan process to begin in 2018.	Community Development Staff, Planning Commissions
	4. Develop transition plan for existing Planning Commission and Zoning Board members to Joint Planning Commission and DRBs.	Selectboard, Trustees, PCs, ZBAs
Transition, Part 2 2018	1. Anticipate State Legislature passing municipal charter changes.	State Legislature
	2. Develop procedures for Joint Planning Commission and two DRBs.	Community development staff
	3. Adopt Joint Planning Commission and two DRBs (to be initiated at a specified date in 2019).	Selectboard, Trustees
	4. Complete all land development applications in process.	Community Development Staff, PCs, ZBAs
	5. Initiate a unified municipal plan process.	Community Development Staff, PCs
New Planning, 1.0 2019	1. Initiate Joint PC and DRBs and appoint members.	Selectboard, Trustees
	2. Adopt a unified municipal plan.	Selectboard, Voters, Trustees
	3. Initiate updates to both sets of bylaws.	Community Development Staff, Joint PC, DRBs
New Planning,	1. Assess how Joint Planning is working and whether there is still a	Selectboard, Trustees, boards,

2.0 TBD – potentially at next required municipal plan update in 2024 or before	desire to pursue a Joint DRB. 2. Design and implement process for combining bylaws. 3. Develop transition plan for existing DRB members to Joint DRB. 4. Develop procedures for Joint DRB. 5. Complete all land development applications in process. 6. Adopt Joint DRB (to be initiated on a specific date). 7. Creation of Joint DRB and appointment of members.	municipal staff, others Community Development Staff, Joint PC Selectboard, Trustees, DRBs Community Development Staff, DRBs Community Development Staff, DRBs Selectboard, Trustees Selectboard, Trustees



END DESTINATION: TBD, CHANGE, WAIT AND SEE

Phase & Timing	Actions	Parties Responsible
Business as usual, 2.0+ 2016	1. Plan for 1-2 joint workshops of planning related boards to occur in 2016. 2. Anticipated adoption of 2016 Town Municipal Plan. 3. Consider bylaw changes related to the implementation of the Town and Village Plans. 4. Review board processes, meeting calendars and meeting protocols to assess whether it's possible to reduce the number of night meetings. 5. Consider non-structural recommendations related to community engagement. 6. Determine how appointments would be made to both Planning Commissions and DRBs. 7. Develop a community education campaign to explain changes to planning governance and refine approach based on input.	Community Development Staff Selectboard, Voters Planning Commissions, Selectboard, Trustees Town Manager, Boards, Community Development Staff Selectboard, Trustees, Municipal staff Selectboard, Trustees Selectboard, Trustees, Municipal staff
Transition, Part 1 2017	1. Anticipated town vote on municipal charter changes related to formation of DRBs, joint boards and joint planning. 2. Prepare for State Legislature consideration of charter change. 3. Develop transition plan for existing Planning Commission and Zoning Board members to both Planning Commissions and DRBs.	Selectboard, Voters, Trustees ? Selectboard, Trustees, PCs, ZBAs
Transition, Part 2 2018	8. Anticipate State Legislature passing municipal charter changes. 9. Develop procedures for both Planning Commissions and DRBs. 10. Adopt DRBs (to be initiated at a specified date in 2019).	State Legislature Community development staff, boards Selectboard, Trustees

	11. Complete all land development applications in process. 12. Initiate Village Plan Update	Community Development Staff, PCs, ZBAs Village Community Development Staff, Village PC
New Review, 1.0 2019	1. Initiate DRBs and appoint members to both DRBs and make adjustments to PCs as necessary. 2. Adopt Village Plan Update 3. Initiate updates to Village bylaws.	Selectboard, Trustees Trustees Village Community Development Staff, Village PC, Trustees
New Planning, 1.0 TBD – potentially prior to next required village plan update in 2024	1. Assess how DRBs are working whether there is still a desire to pursue a Joint Planning Commission. 2. Future steps TBD based on above assessment	Selectboard, Trustees, boards, municipal staff, others Selectboard, Trustees

TGIA/Community Engagement Ideas

This document refines the community engagement challenges and ideas initially presented in the Key Findings & Scenarios document. The information below reflects responses to the Working Group Survey distributed between Sessions #3 and #4.

Top Engagement Challenges

The research leading up to Session 3 had pointed to four primary community engagement needs:

1. Address a lack of understanding for how planning works in Essex.
2. Improve how planning is communicated in Essex.
3. Create new options to enable greater participation (e.g. online options, neighborhood based options).
4. Institutionalize engagement and communications capabilities so they can be used consistently across a variety of community issues and projects.

Additional Working Group input provided the following perspectives:

- Bring planning and action to an even more local level (neighborhoods, schools, parks) with projects through which people can see the results of their participation.
- The importance of building trust given the dissatisfaction among some residents for some high-profile planning decisions.
- Not to lose sight of statutory requirements for how meetings are communicated.
- To explore new participation options that are not limited to online and neighborhood based options.
- To appreciate all that is being done already to communicate planning and provide an open environment for planning decisions.
- Make raw data available to Essex residents, which could lead to citizen analysis and possible proposing solutions to issues. It could also be an engagement strategy for young tech types.

Engagement Ideas

The following provides information on the engagement ideas initially presented in Working Group Session #3, which have been refined based on Working Group feedback and additional research. At the December 9 session, Working Group members will be asked to prioritize these based on their likely level of impact as well as likely feasibility. We'll do this prioritization as a group so that we can benefit from all the knowledge in the room.

Communications 2.0

The following ideas are aimed at improving communications efforts in Essex:

1. **Develop local partnerships.** Essex has a history of working with local organizations and groups to help spread the word about projects (e.g. asking to post event info in school newsletters or through community Facebook pages). Most of these arrangements are ad hoc but it is possible to formalize partnerships to more easily share information across a variety of projects.

2. **Research new ways to communicate.** Essex already communicates in lots of ways – local papers, Front Porch Forum, newsletters, etc., but there is always room for improvement. Communications is about message and medium; it's about what you say *and* how you say it that matters in the community context.

   The first step is to determine how people want to receive information from their community (e.g., a short survey or interactive board at Town Meeting could be one way to collect this info). Then it's possible to figure out what tools will work best and in budget. Even when budgets are tight it's possible to improve communications. A recent blog post on the Citizens Institute on Rural Design website shares top tips on this topic.

3. **Use communications channels consistently.** Once it's known how best to communicate information, then those approaches must be used consistently. This consistency will help build clearer expectations about how information will be shared and where people can go to get news. Town Community

Development staff noted that they are already creating a Communications Plan as a result of this effort, which is a great step towards institutionalizing best practices.

Participation 2.0

The following ideas are aimed at improving public participation in planning in Essex:

1. **Make planning easy to understand.** While planning deals with complex issues it is possible to develop resources that break down the basics for people. These resources will enable people to more easily and productively participate in planning discussions.

   There a variety of resources already available on general planning topics through organizations like the Vermont Planners Association, Vermont League of Cities and Towns and the American Planning Association. However, resources tailored to Essex's specific situation will be more helpful to residents.

2. **Make meetings easy to understand.** Municipal meetings must follow certain protocols to stay in line with open meetings laws. While the structure of some meetings can feel formal and intimidating it's possible to take simple steps to make them more inviting and understandable to people who are new to municipal processes. Here are three easy ways:

   - Provide a hand-out explaining the basic purpose of the meeting, guidelines on participation and where meetings agendas/summaries are posted. It could be developed for different types of issues (e.g. explaining different steps in the development review process) and re-used for multiple meetings.
   - Board chairs could state upfront a meeting's purpose and how and when members of the public will be invited to share their questions or concerns.
   - Show/share a roadmap of decision making at every meeting so participants know where they are in the process.

3. **Research new participation methods and tools.** As with communications, it's important to first understand what general ways people would want to engage in planning issues. TGIA has identified some community interest in greater online options and neighborhood options but there could be others.

   Generally, communities are well served to provide a mix of "thick" and "thin" ways to participate in addition to the required meetings and hearings[1]:

   - Thick participation: Enables large groups of people, working in small groups, to learn, decide, and act. Examples) Planning Charrettes, Participatory Budgeting, Growth Allocation Games

   - Thin participation: Activates people as individuals rather than in groups. Examples) Surveys, Open Houses, Crowdsourcing/funding, Mobile Apps.

Did you know?

Over 60% of Americans have a smart phone according to the Pew Research Center and 90% of all text messages are read within 3 minutes according to mobileSQUARED.

Communities are catching onto this trend. Using platforms like Textizen they are using text-based messaging to gather input and share community info.

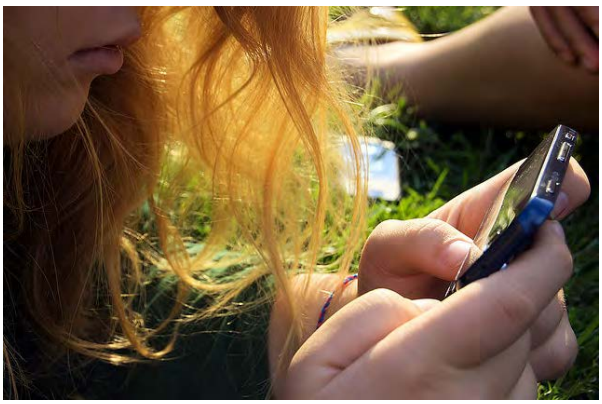


Photo by Brandon Warren, Flikr

[1] Nabatchi, Tina & Matt Leighninger. 2015. Public Participation for 21st Century Democracy. Hoboken, New Jersey. John Wiley & Sons, Inc.

4. **Explore potential of neighborhood planning structures.** TGIA and the Essex Governance Group identified the potential for neighborhood planning structures to add value to planning in Essex. There is some precedent to using neighborhoods in planning. For instance, Heart and Soul of Essex had success engaging at a neighborhood level through its Neighborhood Conversations. There are a variety of neighborhood planning examples:

   Neighborhood Planning Assemblies (Burlington, VT): Burlington has 8 Neighborhood Planning Assemblies (NPAs), one for each of its wards. The following describes their functioning (note most language comes from the NPA website).

   NPAs generally meet monthly and cover topics like:

   - Upcoming ballot questions and candidate forums
   - Reports from elected and appointed officials
   - Presentations from local non-profits and businesses
   - Development projects in the wards.

   Each NPA has a Steering Committee that is elected by NPA membership (members are simply Ward residents who have attended a NPA meeting). Steering Committee members are responsible for scheduling the meetings, setting the agendas, moderating the meetings, and making sure that everyone who wishes to, has an opportunity to speak. Steering Committee members also serve as contacts with City departments and other Neighborhood Planning Assemblies. The Steering Committee is responsible for recording the minutes of each meeting so that they are available for public inspection.

   City of Burlington Community & Economic Development Office (CEDO) staff are responsible for maintaining administrative records, providing technical assistance, administering Neighborhood Planning Assembly funded projects, updating Neighborhood Planning Assembly mailing lists and posting Neighborhood Planning Assembly agendas and mailings. CEDO also helps keep Neighborhood Planning Assembly Steering Committee members aware of City proposals and plans and encourages Neighborhood Planning Assembly involvement in the development and implementation of those plans.

   Each NPA has its own set of bylaws or guidelines. Although most meetings work in the same general way, the bylaws provide rules for the way that decisions are made and recorded.

   To hear more about the origins of the Burlington's NPAs check out Channel 17's recent talk show on the topic. It's slated to present another show on their current function on November 30.

   Neighborhood Planning Units (Colchester, VT): In 2007 Colchester began using neighborhoods to organize its municipal plan. Neighborhoods were used to gather community input as well as organize the land use section of plan.

   In addition, the neighborhoods are activated when the Planning Commission works on specific issues like re-zoning. Residents can sign up to receive emails specific to their neighborhood. While there is no formal process to engage neighborhoods in development review (beyond statutory requirements about abutter notification) the character of the neighborhoods is considered as a criteria when reviewing applications.

   Neighborhood Planning (Golden, CO): The City of Golden develops individual neighborhood plans, which complement a broader, visionary city-wide plan. Additionally, the City of Golden has a small pool of funding available for neighborhood block parties and small neighborhood improvements (funding is limited to less than $750 for improvement projects and $250 for block parties). The funding helps support community building efforts at the neighborhood level.

5. **Develop a public participation ordinance.** Much of the law regarding public participation is outdated and does not match the variety of participatory tools available today. A public participation ordinance is one helpful tool to help empower local decision makers with more of a legal framework to support community engagement. A model ordinance, along with several other helpful tools, can be found in the 2013 Making Participation Legal published by Deliberative Democracy Consortium.

Open Access

The following ideas are aimed at improving access to information in Essex:

1. **Develop a quarterly municipal boards newsletter.** This newsletter could be a resource for municipal boards, staff and residents alike. The Village Newsletter serves as a local example of a successful newsletter. A quarterly schedule may be a reasonable schedule for a newsletter that would cover both Town and Village boards and simple report forms could be developed for board chairs and staff to use to provide content for the newsletter.

> **Newsletter Tools You Can Use**
> There are a range of tools out there to help create newsletters. Mailchimp and Constant Contact are two popular platforms. But even simple tools like List.ly could help jumpstart a collaborative way to development content (below example shows how Toronto, Canada used it to share info about political candidates).
>
>
>

2. **Develop an online system for tracking development applications.** Right now most people would find it difficult to know what developments are being proposed in their part of town. While this information is available if you go to Town Hall for it, a more easier and transparent option could help residents be aware of what's happening in their own neighborhood. For instance, the City of Burlington has an online system where anyone can find out what development applications have been submitted and what stage of review they are in; applications are available in a sortable table (by address) or on a Google Map.

3. **Develop an open access data portal.** Many cities are providing greater access to municipal related data. This access creates greater transparency and can spur local citizen analysis and innovation. Burlington provides another local example of a city who has created an open data portal. Types of information available include: public works permits, police logs, rental housing, property assessments, and city budget info. The City's portal was made possible in part by partnerships with the civic hacker group Code for BTV, which is part of a national movement of volunteers helping to make governments better.

Human Resources

The following ideas are aimed at supporting the human side of community engagement in Essex:

1. **Support board member training**. There are a variety of existing training programs available in VT, possibilities for developed tailored programs in partnership with other partners, and ways to help build skills locally. Some board members do take advantage of programs offered through state programs like the VT League of Cities and Towns, Vermont Planners Association or the State of VT and both the Town and Village cover these costs. However, most out of the box trainings are held at times and places that are not convenient for volunteer board members.

   Here are a variety of ideas (with thanks to Lee Krohn of the Chittenden County Regional Planning Commission for many of these suggestions):

   Vermont League of Cities and Towns: Board trainings are offered by VLCT (day long planning and zoning forums, twice per year); they also offer a palette of on-site training opportunities 'on demand', which could be tailored to topics and timing but would be more expensive. For instance, a single on-demand training is $825 and covers a single topic over a period of one to two hours (example topics include Conducting Effective Meetings and Hearings, Field Guide to Adopting and Amending the Town Plan and Bylaws, How to Interpret Development Plans, Managing Conflicts of Interest and How to Make and Write an Effective Land Use Decision – they even have one titled, "Is a

Development Review Board Right for Our Town?"). Neighboring municipalities can go in on a joint training session to help defray the costs.

The Town Officers Educational Conference (TOEC) and Municipal Officers Management Seminar (MOMS): Both can be helpful and affordable but are also day-long sessions; and not always as focused on a specific need as may be desired. These are annual events held in several locations statewide.

Chittenden County Regional Planning Commission: It's possible that RPC staff could be available to hold trainings. For instance, last year the RPC hosted an evening session for DRB members. Another approach could be to create a small roundtable discussion/presentation with several municipal planners; and/or PC/DRB members from around Chittenden County.

New Member Orientation and Mentorships: When new members are appointed, Community Development staff or Board Chairs could provide a "welcome packet" with key information and have a one-on-one meeting to help orient new members to the position and this is a practice offered in Essex as well. Additionally, long standing (or past) board members are a great resource to new members. A mentorship program could help new members learn the ropes by working with those who understand how the process works and are familiar with the challenges of serving in a volunteer capacity.

Regular "Process" Check Ins: Community Development staff could check in with boards one to two times a year to see how meetings are going from a process perspective and what trainings or resources would be helpful to improve board functioning.

2. **Consider co-location of Community Development Staff.** This idea has been raised through this process and is under consideration by the Town Manager. It could be convenient to residents to have both departments together and beneficial for staff to have more face-to-face time to enable opportunities for interaction and collaboration. However, department re-location it is a facilities management question and would need to consider the value of co-locating other departments that residents frequently use together.

3. **Consider re-allocation of resources to support staffing dedicated to communications and public participation.** While a number of staff members currently undertake these activities as part of their work there could be benefit to a more focused approach where one staff person is dedicated to providing communications and engagement support across a variety of projects and possibly across Town and Village departments. This person could be a go-to resource to town departments, develop relationships with a variety of local partners, and stay current on best practices in community engagement.

4. **Form a community engagement working group.** The TGIA Working Group is making good progress on issues of planning governance structure and by the sessions' end it will also produce thoughtful reflections on community engagement. However, these ideas will not be as fully discussed and vetted as the structural aspects of the project. To continue work on community engagement, the Selectboard and Trustees could form a working group focused specifically on this topic, possibly in partnership with Essex Heart & Soul given its emphasis on the issue.

Please note that Essex Heart & Soul will be working with municipal staff in 2016 to help create, adopt and implement an Essex Public Engagement Protocol for use by all departments. The protocol will allow staff and community members to implement appropriate public engagement for each municipal project.

TGIA/Developer Input

In order to gather more input from the development community on the current development review processes in Essex, Greg Duggan emailed 15 individuals who are familiar with either the Town, Village or both development review processes. He received ten responses as of December 10, 2015.

The detailed responses are organized below by question. Here is a summary of key points from the input:

- Most cited no major issues with current review processes.
- Generally, all like the idea of creating efficiencies. Some felt this could be done through the DRB, others suggested looking for efficiencies within the existing system (e.g. more administrative review).
- Noted that the approach/agendas of the actual board members has more weight in the issue of review than the board structure.

Detailed Responses

1. <u>How do you feel the current development review process is working in Essex?</u>

- It works pretty good. I'd suggest that Sketch should be more informal (Easier to accept an Application, schedule a Hearing and no formal approval necessary as it isn't binding anyways). I wonder why all three (3) Staff members are required to be present at Hearings. Most Municipalities have one (Your counterpart for DRB hearings).
- I have always felt good about the ability to "preview' a project and shape it to resemble what the community would like to see.
- I believe the process in the Village is more development friendly than the town. They work with developers from the early stages, often prior to formal application, to ensure that the process is efficient and not wasteful of time and other resources.
- Honestly, the current process is one that we find to be fair and balanced. The board is excellent at staying focused on zoning rules, while taking a realistic approach to variances and actual conditions on the ground. We find the board is very good at weighing the input of all interested parties. In many towns the review process can feel adversarial, this is NOT the case in Essex. It is truly a community that feels as if it wants to work with developers to find good and meaningful ways to grow both the business and residential communities in town.
- I think generally the development review process in the town is working well. One area that applicants would probably like would be some more capacity for getting into hearings. Obviously there are peaks and valleys with regard to the number of projects being submitted, but hearing delays due to full dockets causes issues for applicants, especially when local approval is the key to move on to other permit applications.
- The process is navigable but I think there are areas which could be improved. Projects should be judged solely on whether they meet allowed uses, density, and dimensional requirements of the zoning regulations. Too often I've seen planning commission meetings turn into a discussion of whether the uses or density is compatible with the surrounding property owners. In my opinion those are discussions which should be had when the zoning regulations and town plan are updated and not when a project is before the board for approval. If a project meets the goals of the town plan and the requirements of a particular zone, I believe it should be approved based on the objective, previously decided upon criteria

2. <u>How similar or different do you think the approach to development review is between the Town and Village?</u>

- By the nature of available land and re-development, we do a lot more work in the Town then in the Junction. The Village is more informal, particularly at the Sketch level. Otherwise, the process / approach is similar.
- I have never followed the Village, so I cannot comment.
- Both the Town and Village are about the same. Eager to say NO rather than being excited about a project, small or large.
- I think my answer to number 1 also answers number 2. I believe that the breadth of knowledge contained in the Village with regard to planning, design and development leads to more successful outcomes for investors and the local community.

- In my experience, the approach is not that different between the two. I have not had a project in front of the village in several years, the last was in the David Crawford era. At that time, there seemed to be some disconnect between staff and board, but I am sure that has been resolved. Staff and Board in the Town seem to be very much in sync.
- A majority of my experience has been in the Town of Essex, less with the Village. With that said the Town and Village share many services, especially utilities, so close coordination between the two is critical. I am in full support of the idea of a shared public works director, whose focus would be on improving roads, sidewalks, water and sewer service to the area as a whole regardless of Town/Junction boundaries.

3. <u>If you are familiar with the PC/DRB model, what appeals to you about it?</u>

- Yes; I was Chair of the Colchester Zoning Board of Adjustment (circa 1995 – 2000) and as a Consultant since 1986, I've witnessed the transition first-hand of most Municipalities to DRB's. The obvious plus (appeal) is that you don't need to go to two (2) review / approval Authorities for projects involving Variances / Waivers, etc… Also, with a DRB, the Planning Commission no longer hears projects, which frees them up to do actual Planning, without adversely affecting lead time for hearing dates.
- In answer to the next questions, to me it comes down to who is sitting on the boards and what their agendas are. I have seen perfectly good plans not work due to a personal agenda of a particular member. Difficult to get away from that as it is a reality. Generally, I like the DRB process as it helps to pre qualify what the town would like to see. The problem then becomes more of the Act 250 process that allows for "agenda" opinions which often have little merit delay and cost or kill a project.
- I'm not familiar with it but it sounds like another layer of reviews.
- I am more familiar with the Village planning process than the Towns. Most Towns have gone to a DRB style system which i feel works well for dealing with both zoning and planning approvals. With that said, the Village system has worked well in the past. Largely the success of a particular system has a lot do to with the planning staff and the PC/DRB/zoning members
- I am not sure the PC/DRB model is necessary. If review is needed from a ZBA and a PC it should be possible, when appropriate, to have both groups present at the same meeting when approvals are needed form both entities.
- I think that the DRB can offer the advantage of taking a slightly wider view of an application. Planning Commissions tend to have a primary focus on the zoning law and a secondary focus on the "bigger picture" (which I prefer).
- PC / DRB – good idea. It lets the DRB focus on administering the rules, and the PC focus on developing/modifying the rules. It is understandably difficult for the PC to accomplish planning task when there is a steady stream of applications to review. Avoiding the need to go before two separate boards for site plans having a conditional use is also a positive.
- Combining the ZBA with PC function into a DRB is a potential benefit for the applicant, as if zoning and planning issues must be addressed, it provides the potential for one hearing for all issues.
- Having worked in many surrounding towns most of which have a planning commission and development review board, I would say I prefer that process over the planning commission and zoning board model Essex currently uses. As I touched upon above too often have development review board meetings turned into discussions about changing zoning or whether an application should be allowed in a zoning district, which the regulations allow for. As a property owner and developer this is extremely frustrating, buying land requires an incredible investment in time, money, taxes, and consultants. I make these decisions based on what I think the demand is and what is allowed within the regulations. I believe the regulations are what all parties (developers, neighbors, town administration) should be bound by because a tremendous amount of volunteer time and tax money have gone into the preparation of those documents and to not hold all projects to the same standard concerns me. Many times I feel like I am trying to hit a moving target.

  Another aspect of the split PC/DRB which I agree with is that you have one board focusing on the future vision and then crafting the regulations to achieve that vision while a completely different board focuses on whether the project at hand meets those goals and regulations. I think having one board in charge of both tasks is too much to ask of a board of 5 or 6 volunteers and can be a potential conflict of interest. Also two boards would get more community members involved in the planning process and offer a separation between planning and review which I think will be good for Essex as a whole. I have personally seen members of the PC swayed by a vocal minority of opponents when the project has been in 100% conformance with the adopted zoning regulations. Again I feel assigning a single board the task of writing and enforcing the zoning regulations is too much work and responsibility for one group.

Combining the Zoning Board review with the Development review board again makes perfect sense as they both serve a similar function which is to interpret the zoning regulations that have been well vetted and approved by the select board as their basis for approving or denying projects.

4. What, if anything, concerns you about the PC/DRB model?

- Most projects don't require ZBA approval, so in that respect the ZBA / PC approach remains workable. However, over the past 30 years it has become harder for Municipalities to attract Board Candidates and/or qualified Candidates. In that respect, one Board (DRB) is a plus. The potential concern is that a DRB depends on the Board make-up. I suggest you want 1 or 2 Members that have good ZBA knowledge, as PC Waivers issued as part of PUD's / PRD's have a much lower threshold than ZBA Variances / Waivers, etc…
- Again, sounds like more complications.
- I answered this in number three. There could be a lack of continuity.
- Because the DRB can be focused of the wider view, it can often be distracted by opposition groups or fringe opponents who are basing their opposition in an emotional reaction as opposed to fact and law. In the simplest of terms, the process should be about zoning law, yet these discussions in a DRB format often wander form that to the larger picture which can be counter productive. Anecdotally, this creates a more disjointed and unpredictable process based on past experiences. When it works, its fine, when it doesn't, the consequences can be costly for all parties, with negative impacts to the community.
- If all applicants are heard by a DRB, the potential for even fuller agendas would occur and with it the potential to have to wait to get on an agenda. With this model there is also the potential for the PC to become less connected with what issues are being brought up at the DRB and impacts on the town planning process.
- No concerns. There could be the potential for the development review board to misinterpret the language of the planning commission but that also happens with the current model because of the turnover of board members.

5. Do you think the best way to streamline the application process is by shifting to a DRB or by keeping the PC/ZBA structure and making other changes (e.g. simplifying the overall review process or letting more applications just go to administrative review)?

- With the right Board make-up, I suggest DRB is the way to go. Again, I suggest the Sketch process in the Town could / should be relaxed.
- Again, I think it comes back to the composition of the members.
- Anything that would simplify would great. Administrative approvals would be helpful if the people granting them actually would do them.
- Also answered this in number 3.
- I would keep the current structure and look for efficiencies. The current process is aided by common goals and understanding of the PC/ZBA boards. While there are advantages to different boards having different primary vantage points, these are out weighed by the conflict that can occur when they are not in agreement (the current Hinesburg situation as a prime example). This can cause gridlock and a development slowdown or halt. To summarize, the Planning Commission conceives and formalizes zoning rules and policy, then in the case of Essex those same members are helping to implement that policy through the review process. By its nature, this structure greatly reduces internal conflict within the municipality, which in our business is a welcome sight.
- Establishing clear criteria for administrative review/approval is suggested. This is a tool that many Towns seem to have eliminated over the last several years (or have such a narrow scope for administrative approval that it is rarely applicable). Going to the DRB for minor changes can be an un-needed exercise for both the applicant, board, and staff. The key is developing a definition for minor changes that both the applicant and Town/Village are satisfied with. Making an allowance for administrative review/approval, where appropriate, seems like the best opportunity to streamline the development review process behind going to a DRB/PC model. Combining the subdivision and zoning regulations into one document, similar to the Village Land Development Code is also advantageous. It is easier to utilize one regulatory document instead of two.
- I think a DRB and more applications processed at the administrative level could provide a more streamlined approach for the applicant as long as hearing capacity is maintained.

- I really like how personal the application process is in Essex Town, but unfortunately, I also think that the town has outgrown this model. Shifting to a DRB, I have been to meetings in South Burlington with 6 items on the agenda and the meeting lasts no longer than 2 hours. I have been to meetings in Essex with 2 items on the agenda and had the meeting last over 4 hours. There was also the problem this past summer when the planning commission reserved one meeting a month to focus solely on the Town Plan this left only one meeting per month dedicated to the review of applications which created a huge backlog of applications. Again I think the workload should be shared between a DRB and PC and that the DRB could easily take over the work load of the ZBA, which from my experience seems pretty light. I also think it is a great idea to let small applications go to administrative review.

6. Do you think development review processes would be improved if Town and Village planning functions were consolidated in some way? Why or why not?

- Not sure. With Merger, it makes since in the long run to have one Board. Similar to my above suggestion on needing ZBA experience on a newly formed DRB, there would need to be careful Board make-up to hopefully have experience from both the Town and the Junction.
- Sorry- again, it depends on the composition of the committee.
- I don't think combining would be good unless it would really save time. Time is money and most in the planning and zoning business never care how long it takes and costs for obtaining permits. The best thing that can be done is to propose a State Law (for Local, State & Act 250 etc.) that allows for anyone holding up a permit by appealing will have to pay all of the applicants expenses, and put up a Bond to assure payment if they lose their appeal. The way it is now those who appeal have nothing to lose and the poor applicant suffers all the costs.
- Anything is possible. The Village has a vision for the Village Center that will bring more interest to the community. Making it a more people friendly area in line with smart growth will bring benefits going forward. This makes the Village Center an attractive investment location, for large and small developers as well as residents. The town and the Town Center seem to be car focused while the Village in the last 5 years has begun to move towards a more humane environment while acknowledging the need to move vehicles more efficiently.
- Having spent a lot of time in Essex over the years and watched the consolidation discussions happen, this is a loaded question for sure. I will leave it at the fact that you have 2 similar structures and it would stand to reason that some streamlining of that could create efficiencies.
- Unsure if combining the Town/Village planning functions would substantially change the development review process. Unless the regulations were substantially changed to modify the process, the steps would be the same. For example, Williston and Burlington have a different process, although many of the review elements are similar to the conventional zoning and subdivision review.
- My concern with consolidation is a loss of capacity to process applications. Assuming that both communities have sufficient site plan and zoning applications to fill the agenda of a DRB in their respective communities, creating just one DRB would create delays for the applicant. Assuming that all of the existing staff is working at full capacity now, there would be no improvement in speed of review with staff consolidation.
- In terms of infrastructure (roads, water, sewer, storm water), absolutely I see an opening to consolidate things when there is a common interest/overlap. But in terms of Town/Junction planning, I am unsure if the issues of concern, goals and visions are similar enough to be unified – I suspect that there would be differences in terms of deciding upon zoning regulations and the like. I am undecided on whether consolidating planning boards and staff is in the best interest of both communities.

7. Is there anything else we should be considering?

- Not that I can think of, at this point.
- I think once a decision on the above has been made, then further thoughts on how to make that decision work best should be considered.
- I believe the Town would be best set by looking at their current development plans going forward. Should they be vehicle centric as they currently seem to be or more pedestrian and bike friendly. The ability to have more administrative review would certainly streamline the process. This has happened on a small scale in the Village.
- Just don't change too much, you guys are doing a great job!!

- If the primary goal is the development of a shared vision between the two communities, it would seem like the very first effort would be the preparation of a new Town plan documenting that vision. The new plan would be for both the Town outside the Village and the Village and the current standing boards, staff and residents from both communities would participate in preparing it. I would suggest that consolidation of staff or boards/commissions or other actions toward consolidation should not occur until common ground can be found in that document.
- Just that many of the projects which the Town reviews are also subject to a long list of state permit requiring review by experts in traffic, storm water, wetlands, streams, and water/wastewater systems. In my opinion the Town regulations should be fairly similar, if not the same as the State regulations. For example, if Essex feels that the storm water rules are not stringent enough they should voice those concerns to the state rather than require separate local permit or having their own higher standard. Along the same lines, if a project triggers state review it seems like a waste of resources to have both the state and town both reviewing the same design. If the town was more comfortable relying on a state permit to satisfy town concerns, it would free up time currently spent by public works so that they could focus on the maintaining existing infrastructure and planning for future improvements.

TGIA Community Workshop #2 Summary

Prepared by Delia Clark & Ariana McBride
January 28, 2016
On behalf of the Thoughtful Growth in Action Project
www.essetgia.com

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Project Overview

Thoughtful Growth in Action (TGIA) is exploring the new approaches to planning governance structure in the Town of Essex and Village of Essex Junction. The project stems from the belief, highlighted by the Heart & Soul of Essex project, that the community wants a shared vision that honors and builds on the unique characteristics of the Village and the Town outside the Village. Moving towards a shared vision, however, may be complicated by the current planning structure of two Planning Commissions and two Zoning Boards. This project is exploring what different planning governance models could look like and which ones would be a good fit for Essex.

Workshop Summary

Thoughtful Growth in Action (TGIA): Re-imagining Essex's Planning Governance held its second Community Workshop on January 13 from 7 to 9PM at Essex High School. Attended by about 40 people, the workshop focused on sharing project findings and recommendations with participants and getting their reactions to the information.

Project activities included:

- A welcome from Max Levy (Town Selectboard) and George Tyler (Village Trustees).
- Keypad polling to learn more about workshop participants.
- An overview of the TGIA project
- A presentation of findings and recommendations
- Small group discussions to collect community reactions
- Presentation of next steps.

Project presentations are available at http://www.essextgia.com/library.html.

Summary of Key Findings

1. **There is a desire for greater collaboration across the Town and Village**. While ad hoc collaboration around planning already occurs across the Town and Village, there was a clear interest in more collaboration.

2. **The differences between the Town and Village matter but so does the relationship between the two**. Many workshop and survey respondents spoke to ways in which the town and village were different yet also complementary.

3. **The current governance structure is not broken but there is potential for improvement.** While both Planning Commissions spend a significant portion of their time on long range planning, there was an expressed desire to dedicate more time to more proactive planning in addition to the state required updates to the municipal plans. There's also the potential to even out board work load and match up volunteers skills better if the boards responsibilities were more distinct. However, it would be paramount to ensure the connection between long range plan and practical application of bylaws and development review.

   Early on in the process some raised the question of whether the current structure made for an inefficient process (i.e. potential for applications to have to go to two different boards). Although there's not much of as efficiency problem as some people thought may be the case at the project's beginning, the perception of the process's simplicity could be improved.

4. **There is room to improve community participation efforts.** Many of the comments TGIA received about development review had to do with community members own experiences with a particular application review process. These comments often related to the feeling of a lack of transparency or a feeling of not being heard. It's likely that some of these experiences related to a mismatch between that resident's expectations about how much influence they could have in the process and what is possible for boards to consider.

Summary of Recommendations

1. Move to create a Joint Planning Commission and two separate Development Review Boards.

This recommendation would create a formal Joint Planning Commission as enabled under State Statute. Planning Commissioners would be appointed by the Selectboard with the possibility of establishing a formal process by which Trustees could nominate members and /or make recommendations. It would create two separate Development Review Boards that would be appointed by their respective legislative bodies. Essex would also move towards the adoption of a single Municipal Plan over time. There would be two sets of bylaws that would be adopted by their respective legislative bodies (i.e. Selectboard or Trustees).

2. **Used a phased approach to structural changes.**

   The transition to a different governance structure will require a thoughtful and deliberate approach. As appropriate, changes should be phased in order to evaluate whether they are producing a more effective planning governance structure.

3. **Empower boards to establish a timeframe and work with staff to make a plan for transition.**

   The Town Selectboard and Village Trustees are ultimately responsible for making decisions about what changes will occur. TGIA encourages both bodies to coordinate with their respective Planning Commissions, Zoning Boards of Adjustment and Community Development staffs to ensure any transition occurs as smoothly as possible. In addition, the broader community should be kept informed about transition plans and provided with opportunities to provide input when appropriate.

4. **Continue to explore and implement ways to improve public participation in planning.**

   More needs to be done to develop the preliminary list of ideas the Working Group developed. It is the hope of TGIA that efforts to address broader issues around community engagement will be picked up and carried forward by the Selectboard and Trustees.

Small Group Discussion

Six small groups made up of a mix of Village and Town residents responded to three questions in relation to the presentation:

1. **What resonated with you?**
2. **What concerned you?**
3. **Was there anything missing from your perspective?**

The following summarizes key points from across the tables. Please note that raw notes from all the tables are listed at the end of this summary.

1. What resonated with you?

- Strong consensus in favor of the 1 PC, 2 DRB model
  - One PC will be able to spend more time on long range planning
  - A good “first step” toward big enchilada
  - Expanded design review
  - Improves citizen “access” [and civic engagement]
- More efficient use of staff
  - Streamlining, better process
  - Redistribution and shared staffing will be good
  - Opportunity to co-locate staff
  - Better communication, shared info
- New model allows one Essex vision
  - Honors the urban/rural split
  - Keeps uniqueness of town and village
  - Increases chances of preserving open space, preserving/improving sidewalks

2. What concerned you?

- The risk of disconnection
  - [Citizen engagement] better if close to gov. Big gov less responsive
  - What are mechanisms for appeal: will citizens feel comfortable going to DRB?
  - Always risk of DRB being disconnected from planning processes
  - Too complex: more streamlining needed: 1 brd, 1 plan, 1 code, etc.
- How do we develop and implement the municipal plan?
  - Certain district's priorities?
  - What about interim? Don't want to make development "mistakes"
  - Risk of DRB affecting growth, economic development [negatively]
  - Aesthetics – a concern of many residents who have not attended meetings
- Staffing Resources, $ and Board member selection
  - What happens to staff?
  - How PC members selected: need equal geographical split in representation to PC: Shared appointments would be best (SB and Trustees)
  - Only so many planning $ resources: need to ensure we can get at those.

3. Was there anything missing from your perspective?

- Some stakeholders are absent [need outreach?]
  - Opposing views from 1 or 2 municipal entities
  - Renters
  - "People not here tonight will not be in favor of consolidation"
- No plans in place for staffing changes
  - Co-locating staff?
  - Merging staff?
- Most Brd members don't have design review training
- Structures for improved communication
  - Between PC and DRB to stay strong and grounded
  - Have PC and 2 DRBs meet jointly annually to stay in snyc?
  - Staff should start meetings of DRB by summing up where we are and how much input is welcomed.

Participation Summary

Keypad polling was used to provide insight into the participation in the workshop. This information is not intended to offer statistical validation of the process, but to understand the characteristics of the participants. For the full responses to the keypad polling view the TGIA workshop presentation at http://www.essextgia.com/library.html.

Residency

- More village residents attended than town residents who live outside the village: 54% of participants live within the village, 33% live in the town outside the village and 13% live elsewhere.
- Longer term residents attended: Eighty percent have lived in Essex more than 10 years with 54% living in Essex more than 20 years.

Demographics

- Participants tended toward middle age or older: 8% are 25-34 years, 26% are 35-54 years, 49% are 55-64 years and 18% are 65 years or better.
- Most participants have a higher level of education: 84% of participants have a bachelor's degree or higher.
- Household income was more on the higher end of the scale: 86% had annual household incomes higher than $75,000.

Planning Participation

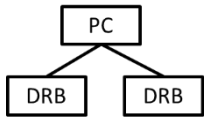
- Participation in typical planning efforts was mixed: 16% had never attended a planning or zoning board meeting, 48% have attended when there has been a burning or important issue on the agenda, 37% are or have been board members.
- Participants had heard about the workshop in a variety of ways: Front Porch Forum and email invitations each had over 20% of the votes; Facebook, word of mouth and the project website/newsletter all received between 10% and 20% of the votes.
- Most participants had participated in the first TGIA Community Workshop – 76% of all participants had attended and 68% of participants received the TGIA project newsletter.

Workshop Comments

Participants were encouraged to fill out a workshop comment form if they desired to leave feedback regarding the workshop. Here are the comments received:

- Great job! Thanks for all the hours and hard work!
- Great job – I think you moved Essex forward.
- Well organized. Wish there were more participants.
- The presentation was very comprehensive in a short period of time. The small group facilitator (Maura) was very good and out group was thoughtful and engaged.
- Good job. Well paced. Good small group discussion.
- More detail good.

- Very little will change without a Design Review Board being created to serve in tandem with a planning commission or development review board. We need to encourage community involvement in the establishment of regulations as we move forward.
- Great presentation in build-up to findings…and then one, weak, non-graphic slide to describe the recommended options. Can we uses same graphic used for options? Keep small reminder graphic in corner of all following slides?
- Great job to the facilitators!



Small Group Notes

The following is the raw notes from each small group discussion:

Table 1

1. What resonated with you?
   - Like separating PC tasks from DRB
   - Like 2 DRBs – allows local review
   - Like staying two communities as it allows more funding opportunities
   - Possibility to co-locate staff

2. What concerned you?
   - What's left unsaid? More moving toward consolidation of T and V.
   - Like to be "close" to govt. If too far away, or too big, less responsive
   - Need equal split in representation to PC. Make sure each stay equitably represented
   - Stitching T and V together one piece at a time is the wrong way to do this
   - PC getting too disconnected is concerning
   - How PC members are selected
   - Timetable? How long? (years)
   - What happens to staff?

3. Was there anything missing, from your perspective?
   - Opposing views from 1 or 2 municipal entities
   - Why not just say "we are dissolving the town – village separation?
   - Why do we have to worry about 2 entities anyway?
   - More input on how to select PC members
   - What happens to staff?
   - Will it be more efficient?
   - Can we co-locate staff? Where?

Table 2

1. What resonated with you?
   - Good to have the PC spend time on long-range planning.
   - Like phased approach of 2DRBs.
   - Now: We are missing out on good ideas. Better communication will be helped with 1 PC.
   - Like that we are going to look at the whole enchilada in the future. We are 1 community and should act like 1.

- Currently PC can't review some factors of design (b/c the village PC only has design review with downtown and is not village-wide. This change will expand the purview of design.
- Redistribution of staff and shared staffing will be good
- It can build on current sharing of info
- H&S picked 6 values, but #7 was open space. 1 board can have a better chance of preserving open space because the village (alone) can't achieve this goal. We need the town in order to achieve this goal.

2. What concerned you?
   - How do we develop the municipal plan to recognize that the village = redevelopment and the town = new development?
   - There are only so many planning resources ($) and we need to make sure we can still get those.
   - Maintaining certain districts as priority ones. Where is development going to be focused?
   - We want to protect the village's connectivity (ie sidewalks) and don't want these changes to hurt that.
   - What's going to happen in the interim? We don't want to make mistakes thru build-out and economic development. This may be exacerbated by the building boom that's happening right now.
   - Want to make sure that any changes don't weaken any existing design review and that we can expand design review to the town, which doesn't do enough design review.

3. Was there anything missing from your perspective?
   - How do we engage renters, a growing segment of the population
   - Structure to ensure communication between PC and DRB stays strong & that the PC stays grounded.
   - If quarterly mtgs between PC and DRB suggested, how do we follow up to ensure this happens?
     - Merging staff will help this

Table 3

1. What resonated with you?
   - Zoning board of adjustment / zoning board
   - Any change should feel accessible
   - Proposal is a good intermediate first step. Cost saving, brings in line
   - Consistency
   - Stop looking @ town in and town outside the village
     - View as separate "zones" in planning

2. What concerned you?
   - How will appeals process work
   - Mechanism for citizens to appeal
   - Will average citizen feel comfortable going to DRB?
   - Separation of planning from development review
     - PC members make-up DRB – subset
     - Review and knowledge (historical import.)

3. Was there anything missing from your perspective
   - BLANK

Table 4

1. What resonated with you?
   - Simplicity/common sense streamlining
   - Difficult for PC to deal with planning and development review (said by former village PC member)
   - Better process to do this way – ie the way proposed by TGIA
   - Likes splitting functions of PC and DRB
   - Model allows one Essex vision – keeps uniqueness of town and village
   - Keeps village from pursuing charter changes
   - 1 PC/2 DRB model becomes possible step toward "full enchildada."
   - Research is terrific: a lot of hard work
   - New system appears to honor rural/urban split – what H&S found during process

2. What concerned you?
   - Appointments – shared appointments would be best on PC
   - Representation on PC should be geographical split (Village/Town outside the Village).
   - DRB reps — we can have reps from Village and Town on both DRBs
   - (Reps be apportioned from Town and Village and appointments be shared by SB and Trustees)

3. Was there anything missing from your perspective?
   - Could Design Review be considered?
   - Code enforcement is needed.

(no table #5)

Table 6

1. What resonated with you?
   - Focus on communication and education aspect will help the community understand and buy – in.
   - The 1 PC and 2 DRBs is a great first step into the future
   - A single PC with one vision, a continuum

2. What concerned you?
   - Streamline the process. Applicants need 2 reasonable length waiting periods.
   - Lopsided support of boards by staff (fewer planning staff in the village).
   - Who handles enforcement of code when the current staff are swamped?
   - Need a more equitable process for appointing PC than just the SB
   - Can developers be more sensitive to what community wants? Bottom up rather than only top down.
   - Community members need to be better informed about when their input is welcomed

3. Was there anything missing from your perspective?
   - Have PC and 2 DRBs meet jointly once a year to stay in sync.
   - Co-locate planning staffs.
   - One Design Review Board to work each DRB to help address the issue aesthetics, which has been a concern of many residents, only some of whom are able to attend meetings. Most brd members don't have design training.

- Add design standards to local regulations.
- Alternate viewpoint: don't the landowner's neighbors have ability to make sure their peers put up structures that fit the look?
- Staff should start the meeting of the DRB by summing up where we are or reach project is and how much input is welcomed at this point (Shawn Kelly has begun to do this on Front Porch Forum).

Table 7

1. What resonated with you?
   - In favor of consolidating services as much as possible, do slowly and thoughtfully
   - Ditto- seemed off that Town and Village weren't combined from the beginning
   - What's best for community as whole? Have always been people for and against combining. Seems to be a movement to combine T&V; Essex more powerful as whole

2. What concerned you?
   - Always risk of DRB being disconnected from town planning processes; can affect growth, economic development; some communities more attractive than others from developer perspective.
   - Nice to go before PC that has come up with plan (during development review)
   - Too complex to have 2 sets of regs coming from 1 plan: more streamlined to have 1 board, I plan, 1 code, etc.
   - People not here tonight won't be in favor of consolidation.

   - Note: Williston example: they have good unified vision with dense areas and very rural areas. Strong trustees and selectboard can help get past disconnect.

3. Blank

Thoughtful Growth in Action:
Re-imagining Essex's Planning Governance

Community Workshop

January 13, 2016

7 to 9PM

Essex High School

Welcome

George Tyler, Village Trustees & Max Levy, Town Selectboard

Meeting Overview

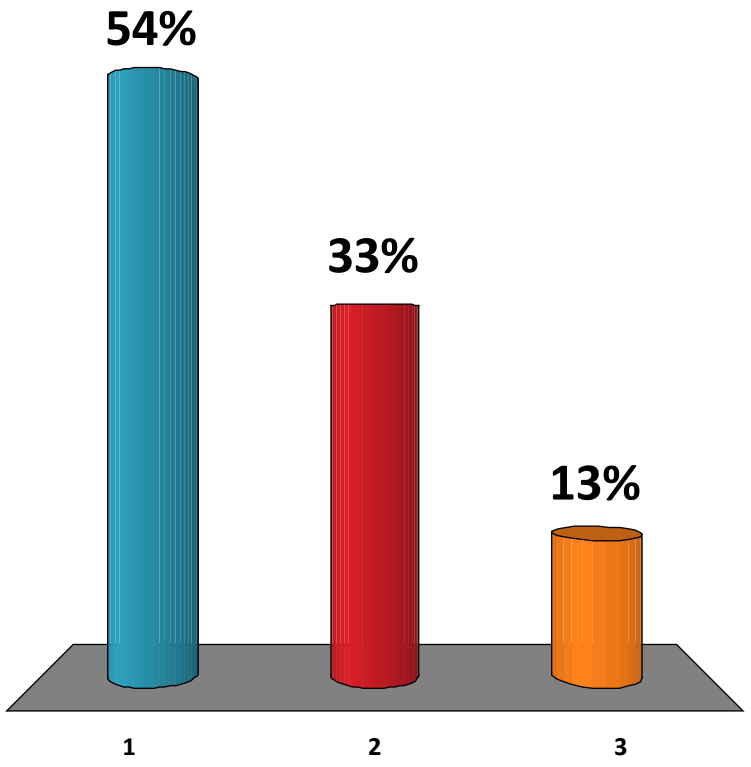
- Who's in the room
- Project Overview
- Project Findings
- Project Recommendations
- Q&A
- Small Group Discussions
- Next Steps

Who’s in the room?

Keypad Polling

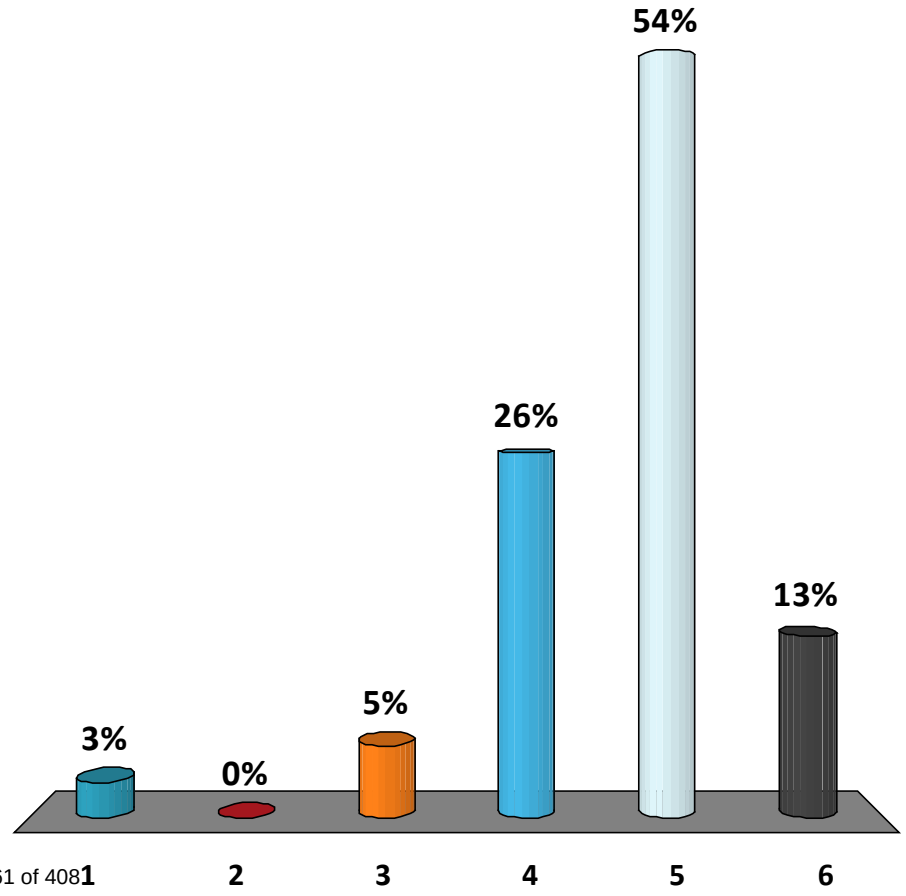
Where do you live?

1. Village
2. Town outside the village
3. Somewhere else



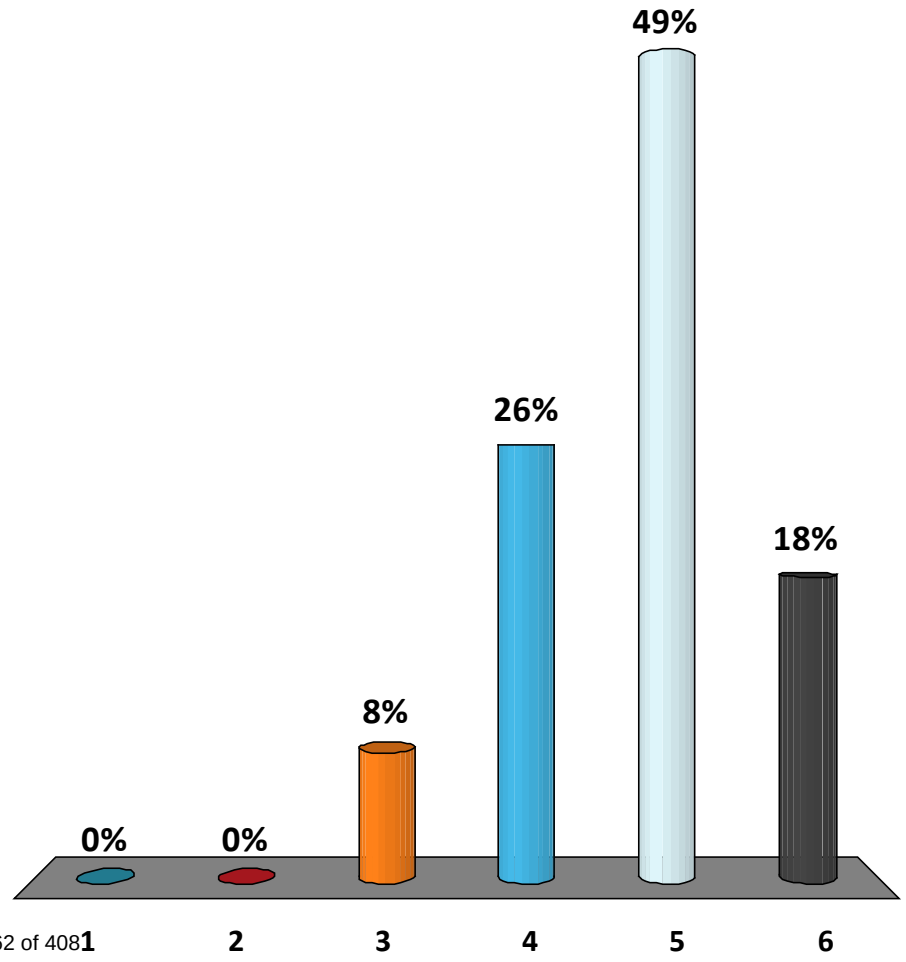
How long have you lived in Essex?

1. Less than 3 years
2. 3 to 5 years
3. 6 to 10 years
4. 11 to 20 years
5. More than 20 years
6. Not applicable



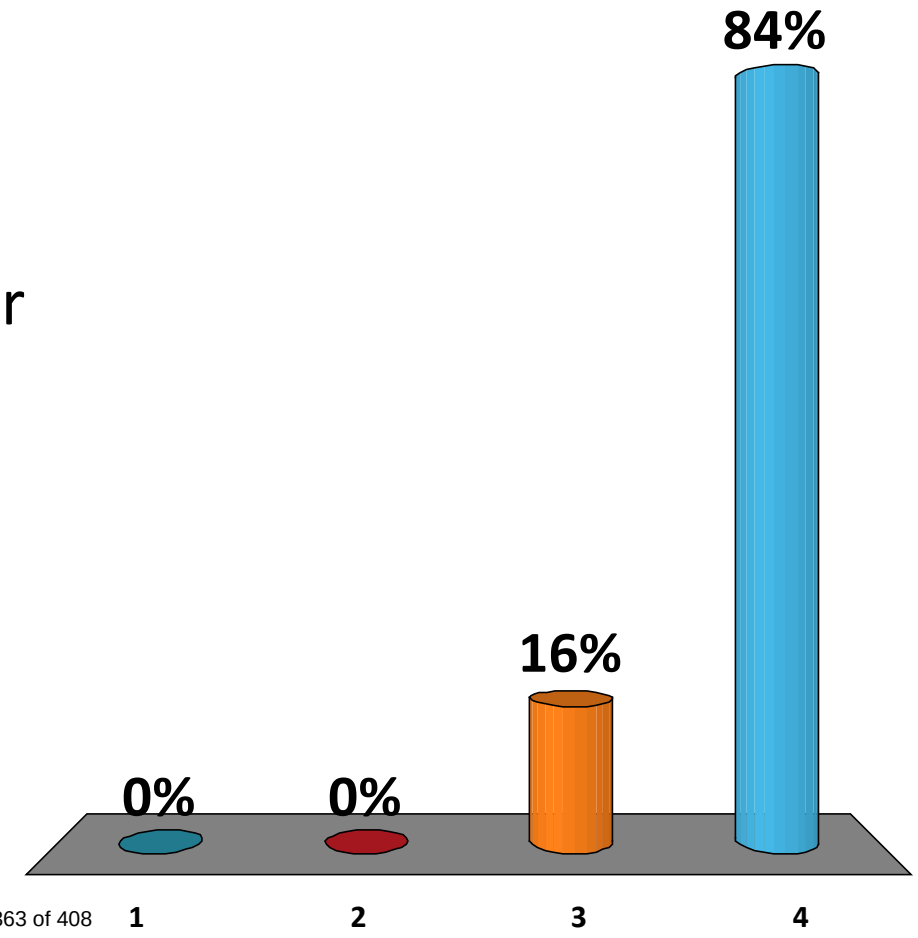
How old are you?

1. Under 18 years
2. 18-24 years
3. 25-34 years
4. 35-54 years
5. 55-64 years
6. 65 years or better



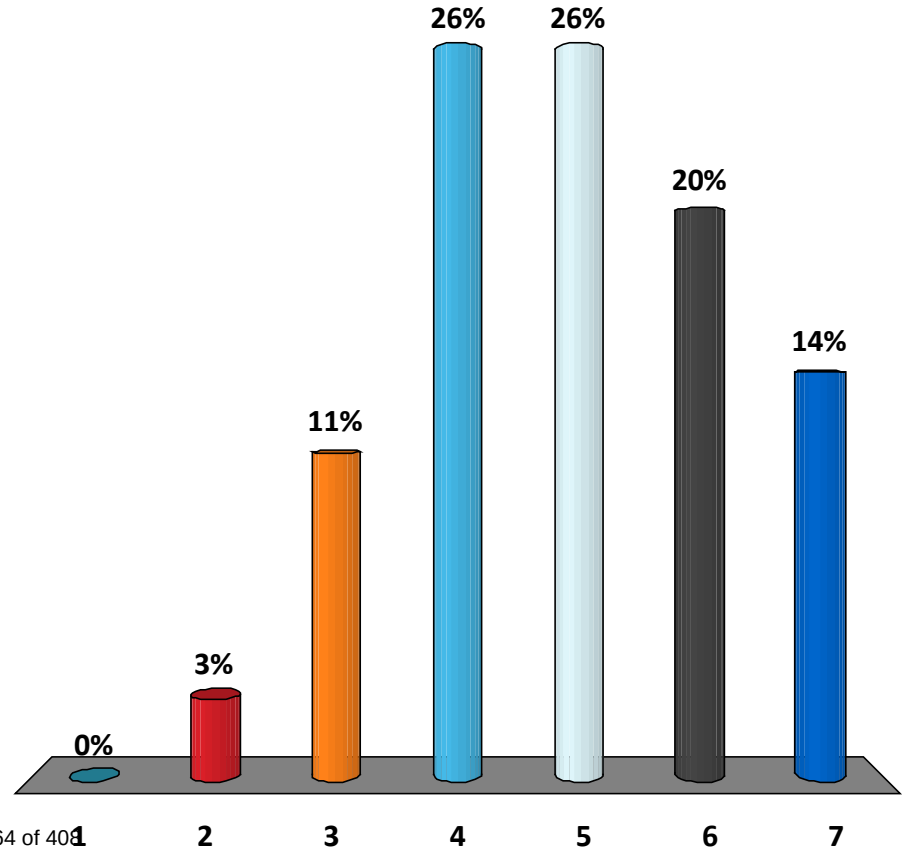
What is your education level?

1. No high school degree
2. High school degree
3. Some college or an Associates degree
4. A bachelors degree or higher



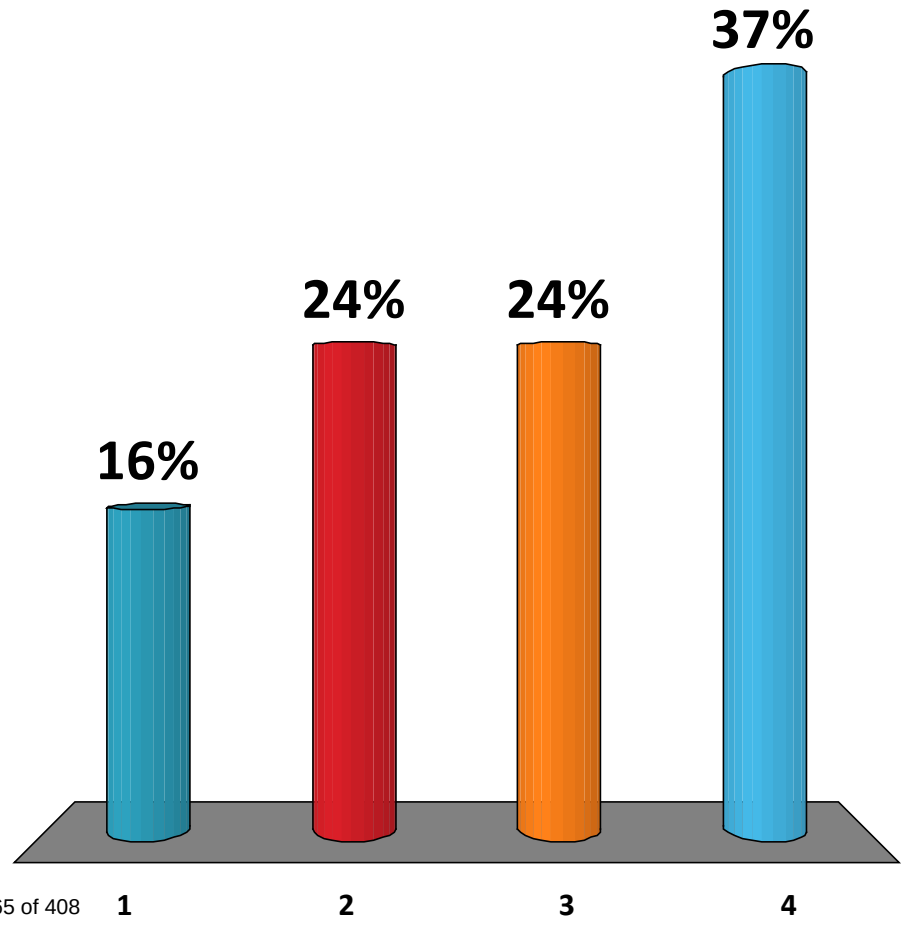
What is your annual household income?

1. Under $25,000
2. $25,000 - $49,999
3. $50,000 - $74,999
4. $75,000 - $99,999
5. $100,000-$149,999
6. $150,000-$199,999
7. $200,000 or higher



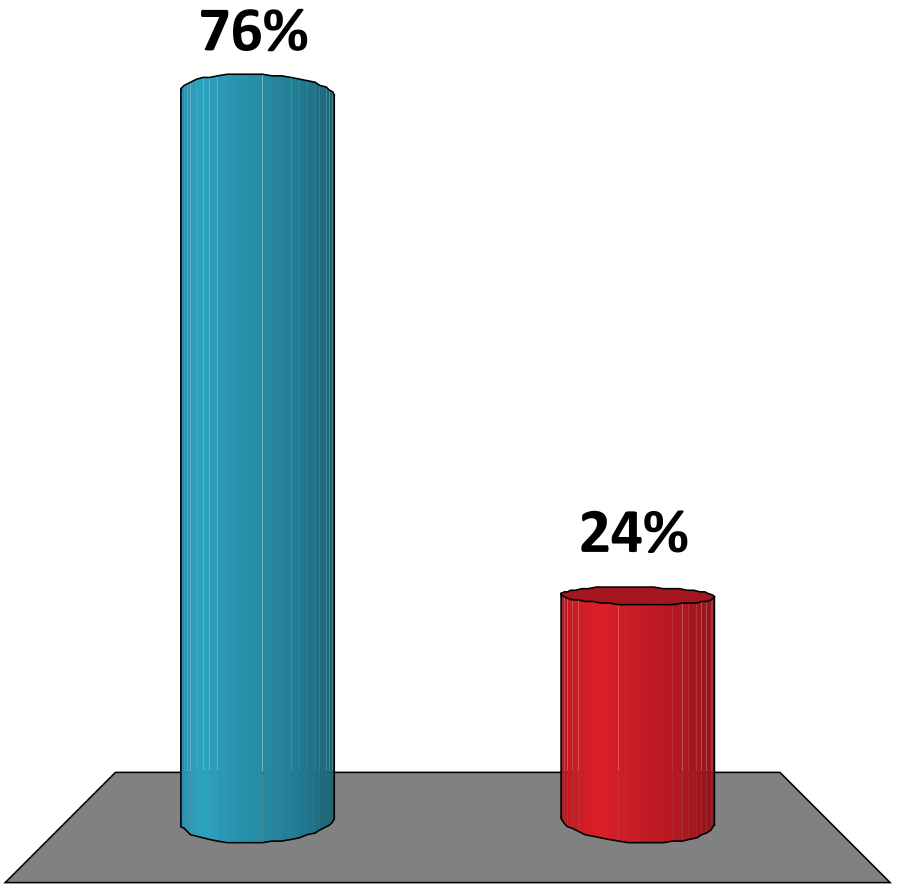
How many meetings of the Planning Commission or Zoning Board have you attended?

1. None – they have meetings?
2. A handful - only when I've had a burning issue
3. I go when I think there is something important on the agenda
4. I stopped counting – I'm a current or former board member



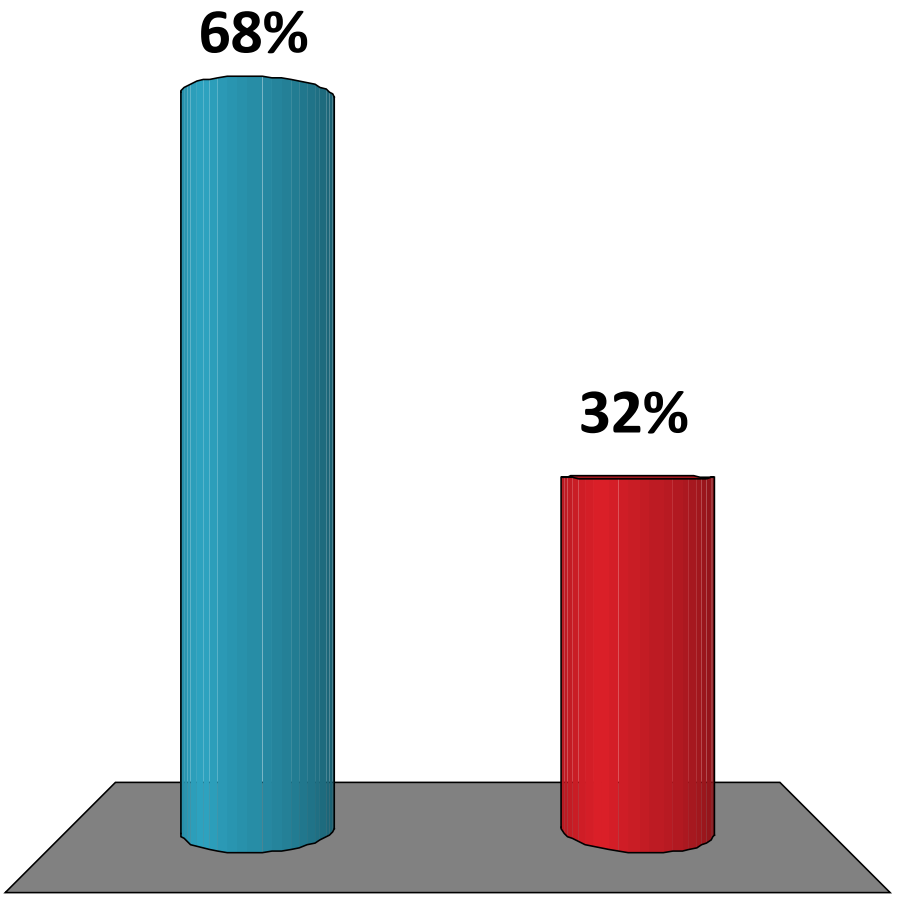
Did you attend the TGIA Community Workshop last September?

1. Yes
2. No



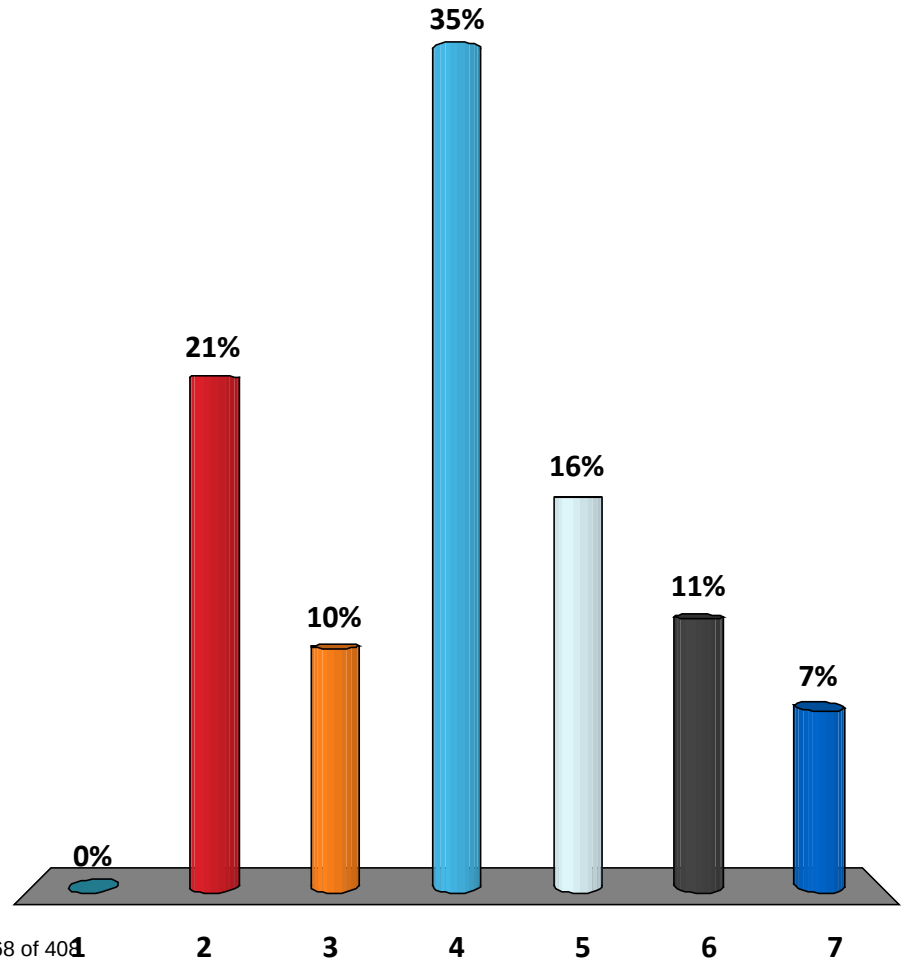
Do you receive the TGIA newsletter?

1. Yes
2. No



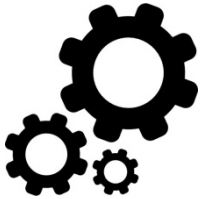
How did you hear about tonight's workshop? (choose up to 3)

1. Press story
2. Front Porch Forum
3. Facebook
4. Email invitation
5. Word of mouth
6. Project website/newsletter
7. Other



Project Overview

What's this project all about?



To create a shared understanding about how planning in Essex works today

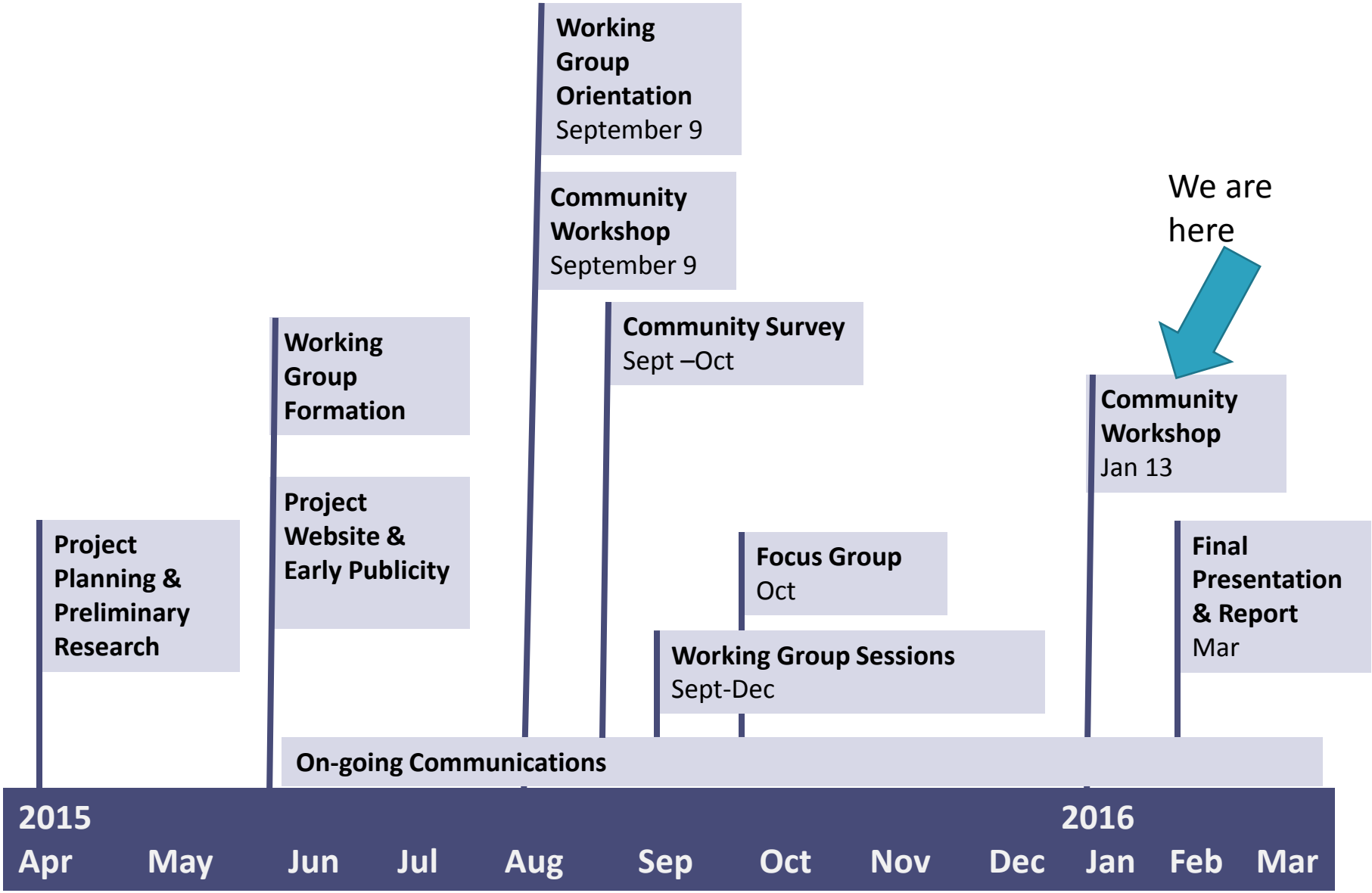
To engage in a conversation about how planning can honor and build on the unique characteristics of the village and the town outside the village – to achieve "thoughtful growth"

To explore possible paths to new planning governance

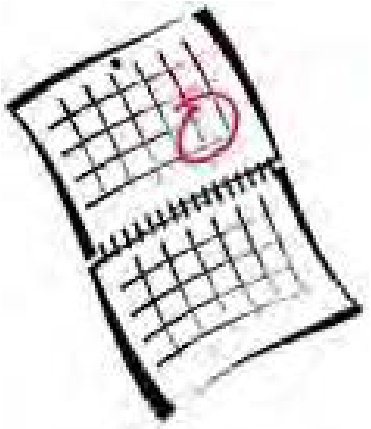
LOCAL
ECONOMY
RECREATION
HEALTH &
COMMUNITY
CONNECTIONS
EDUCATION
THOUGHTFUL GROWTH
SAFETY

What's the end game?

What has happened?



What's coming up?



- Visit us at Town & Village Meeting

  Town Meeting - Feb. 29

  Village Meeting - April 6

- Selectboard/Trustee Presentation

  March 14 at 7:30PM

How to stay involved?

Sign up for the Email Newsletter

Visit the Project Website

Talk with Working Group/Steering Committee Members

Visit us at Town & Village Meeting

Town Meeting - Feb. 29 & Village Meeting - April 6

Attend the Trustees/Selectboard Meeting

March 14 at 7:30PM

TGIA 101

Who is the Working Group?

11 in town outside village

9 in village

4 other

13 men

11 women

Age range 27-71

Residency 3 to 35 years

Mostly homeowners

Varied professions

Varied planning experience

What did the Working Group do?

Planning Today

- ✓ How is planning structured currently in the Village and the Town outside the Village?
- ✓ What's working well about it and where do people see opportunities for improvement?

Shared Planning Potential

- ✓ What could be the benefits of sharing planning functions across the Town and Village?
- ✓ What are the challenges and/or concerns about shared planning?

Board Structure

- ✓ What is the range of options for board structure?
- ✓ What are the pros/cons of different structures?
- ✓ Are they different between the Town and Village?

Community Engagement

- ✓ How does the planning structure interact currently with the broader community?
- ✓ What's working well and where do people see opportunities for improvement?

What guided the Working Group?

Principle #1: Long Range Planning

Principle #2: Development Review

Principle #3: Boards & Staff

Principle #4: Resources

Principle #5: Community Participation

What is planning governance?

The values, rules, structures and people that guide what our community is and what it will become.

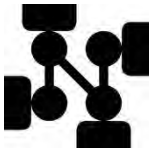
VALUES

- H&S
- “Urban”
- “Rural”

RULES

- Policies
- Regulations

STRUCTURES

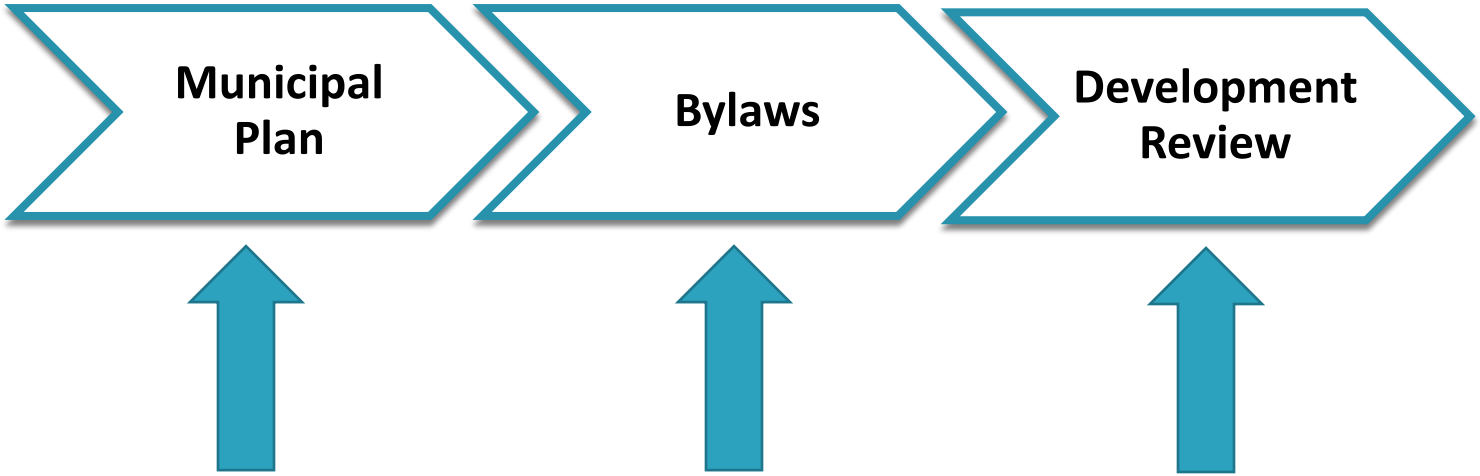


- Selectboard & Trustees
- Planning Commissions
- Zoning Boards
- Other Municipal Boards
- Municipal Departments

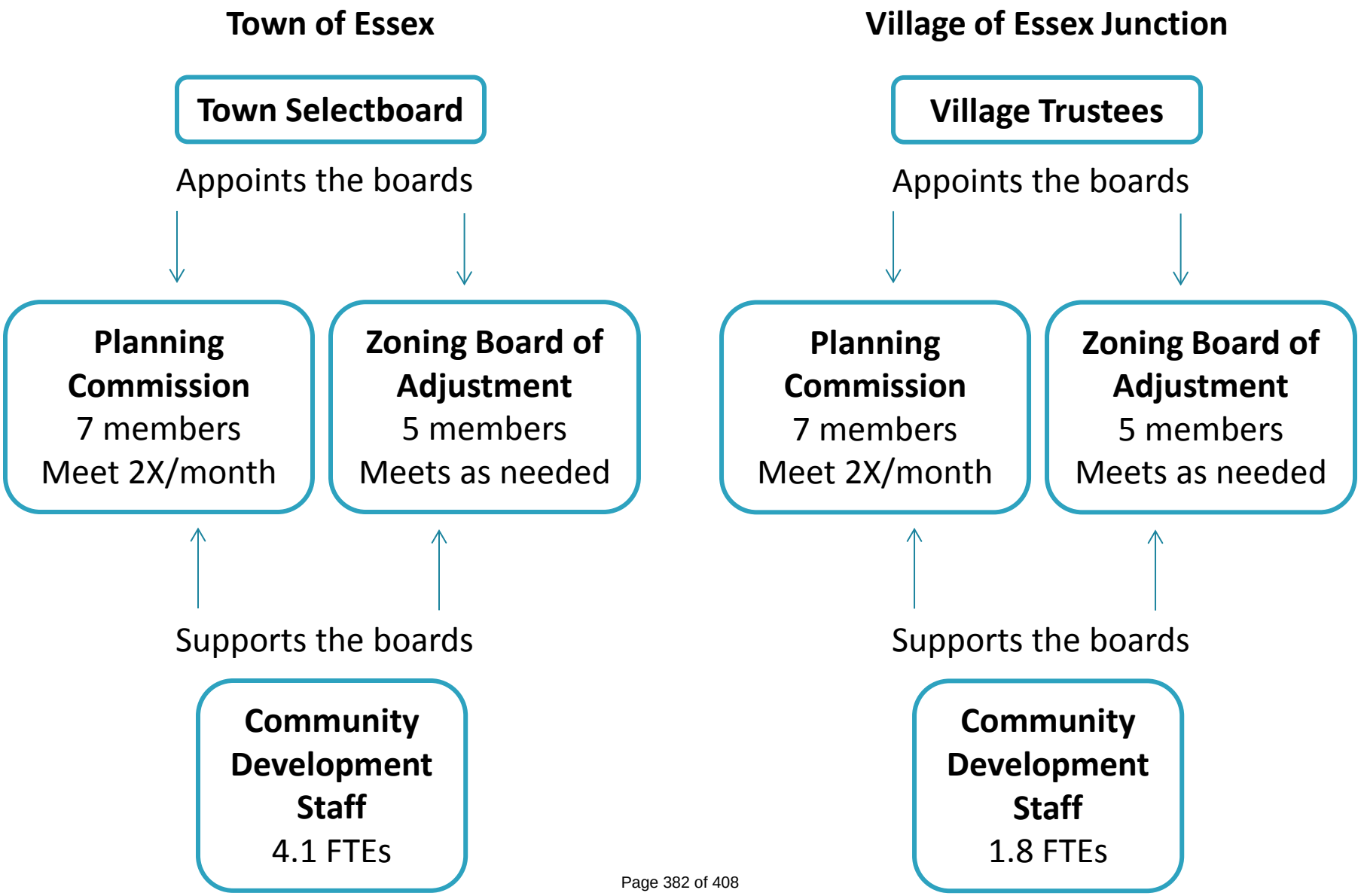
PEOPLE

- Residents
- Business owners
- Land owners
- Developers
- Municipal staff

What about the “rules”?



What's the current governance structure?



What are other options?

Current Structure

Planning Commission

All long range planning & majority of development review

Zoning Board of Adjustment

Small part of development review

PC/DRB Model

Planning Commission

All long range planning

Development Review Board

All development review

Key Findings

There is a desire for greater collaboration across the town and village.

Almost 80% of survey respondents agree that greater collaboration between the two parts of Essex would lead to more thoughtful growth.

Recent ad hoc collaborations include:

- Heart & Soul of Essex
- Bicycle and Pedestrian Plan
- Joint Stormwater Committee
- All Hazards Mitigation Plan
- CCRPC Circ Alternatives Program

Town and Village differences matter...but so does the relationship between the two.

About 50% survey respondents believe there is a desire for a shared vision and/or there is a synergistic relationship between the two parts (vs. 30% who do not share this belief).

Key Differences? Economic development and open space.

The current governance structure is not broken but…

There's a desire for more long range planning.

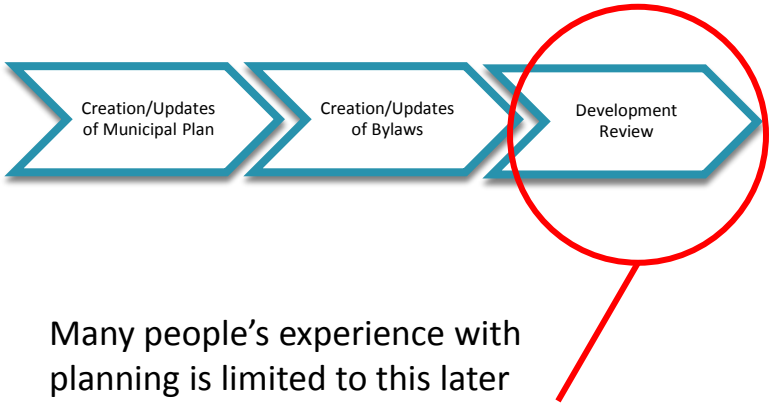
There's potential to even out board work load and match up volunteer skills.

The perception of an efficient process may be improved.

There’s room to improve community participation.

While there is frustration with the current process a bigger issue may be a lack of awareness for how planning works.

Less than 50% survey respondents indicated they understand how planning works in Essex.

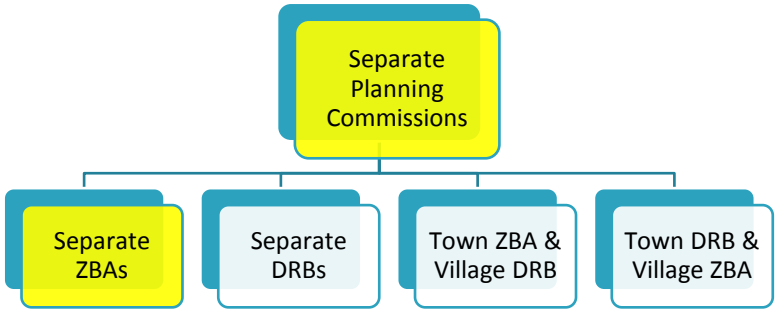


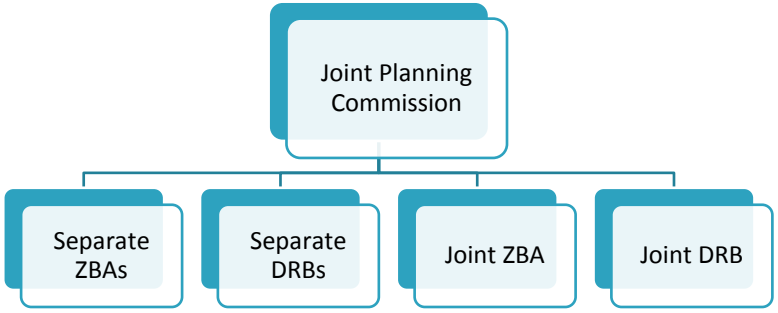
Many people’s experience with planning is limited to this later stage, at which point public influence is limited.

Project Recommendations

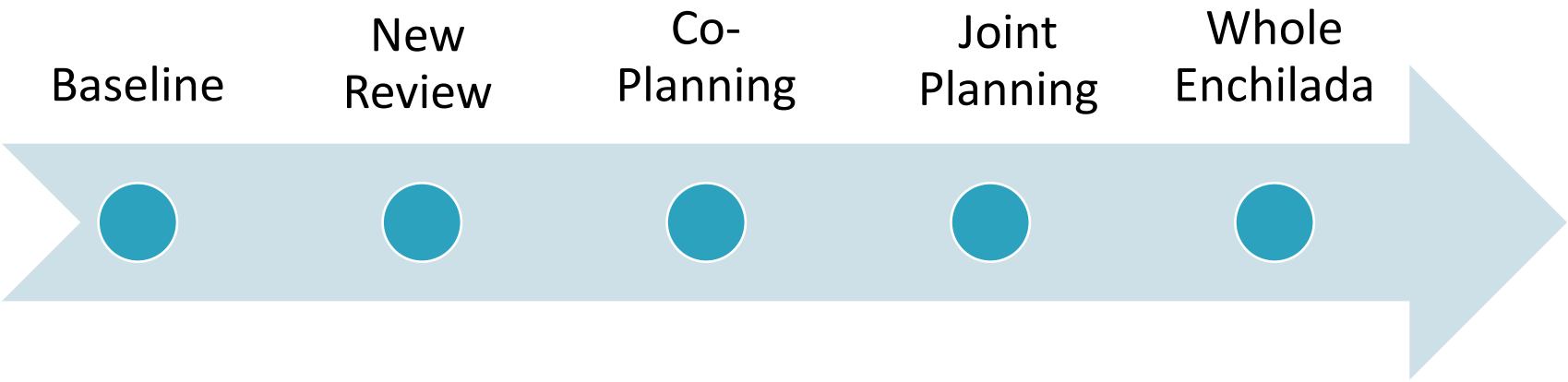
Planning Boards/Commissions

Lots of options…including what Essex has now…





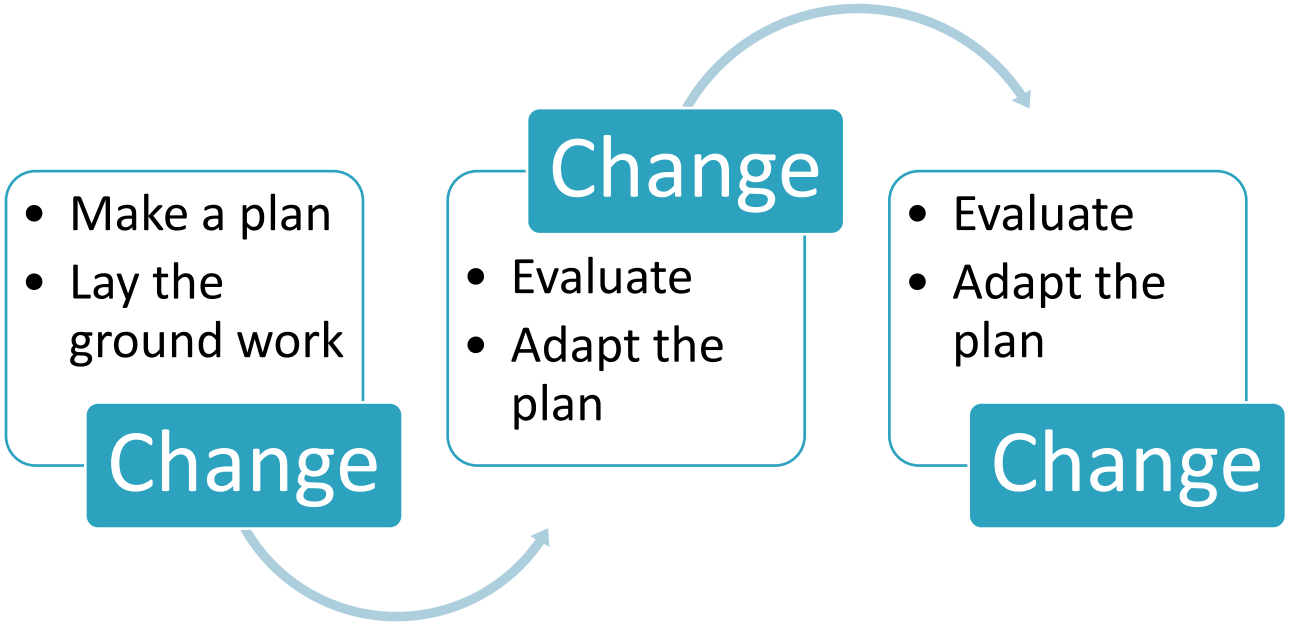
Options were narrowed based on information from community input and Working Group discussion…



Change Continuum

Recommendation #1

Use a phased approach to any structural changes.



…options were narrowed further through Working Group discussion and straw polling…

End Destination: Joint Planning

- Joint Planning Commission
- Separate DRBs
- Joint Municipal Plan
- Separate Bylaws

End Destination: Whole Enchilada

- Joint Planning Commission
- Joint DRBs
- Joint Municipal Plan
- Joint Bylaws

End Destination: TBD, Wait & See

- Minimally, changes to two DRBs

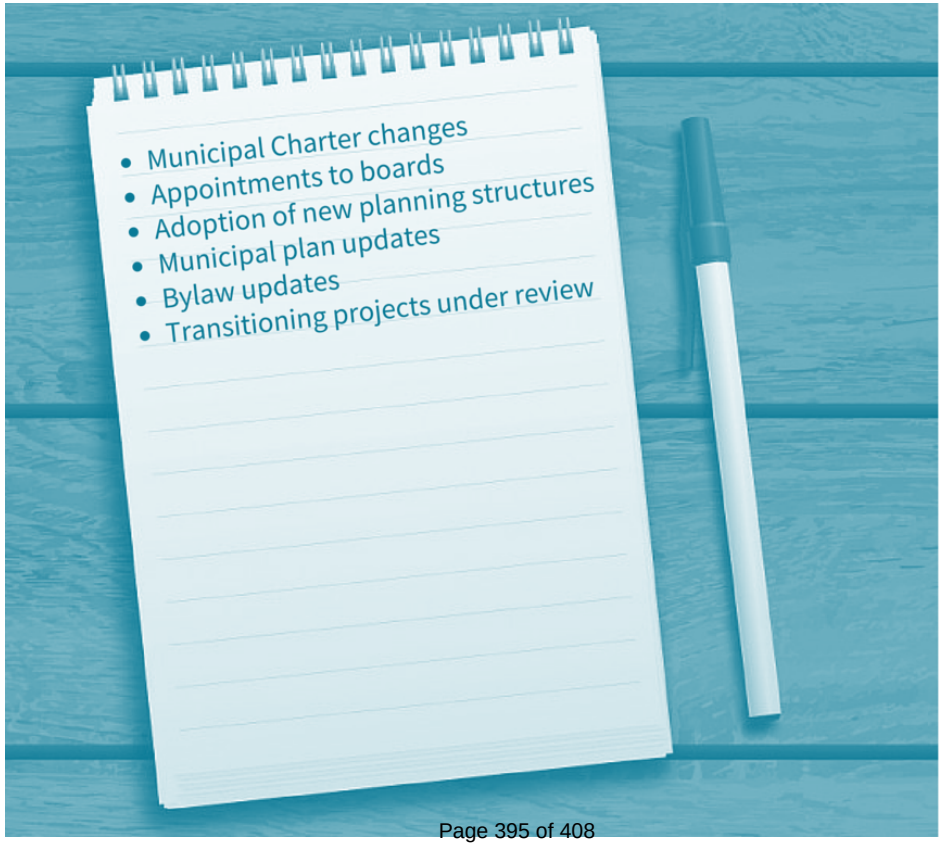
Recommendation #2

Move to create a Joint Planning Commission and two separate Development Review Boards.

Recommended Changes	Same or Different from Today?
Joint (shared) Planning Commission	Different
Separate Development Review Boards (DRBs)	Different
Some Staffing Changes (e.g. co-staffing Planning Commission)	Different
Joint Municipal Plan (over time)	Different
Separate Bylaws	Same
All Development Review handled by DRBs	Different

Recommendation #3

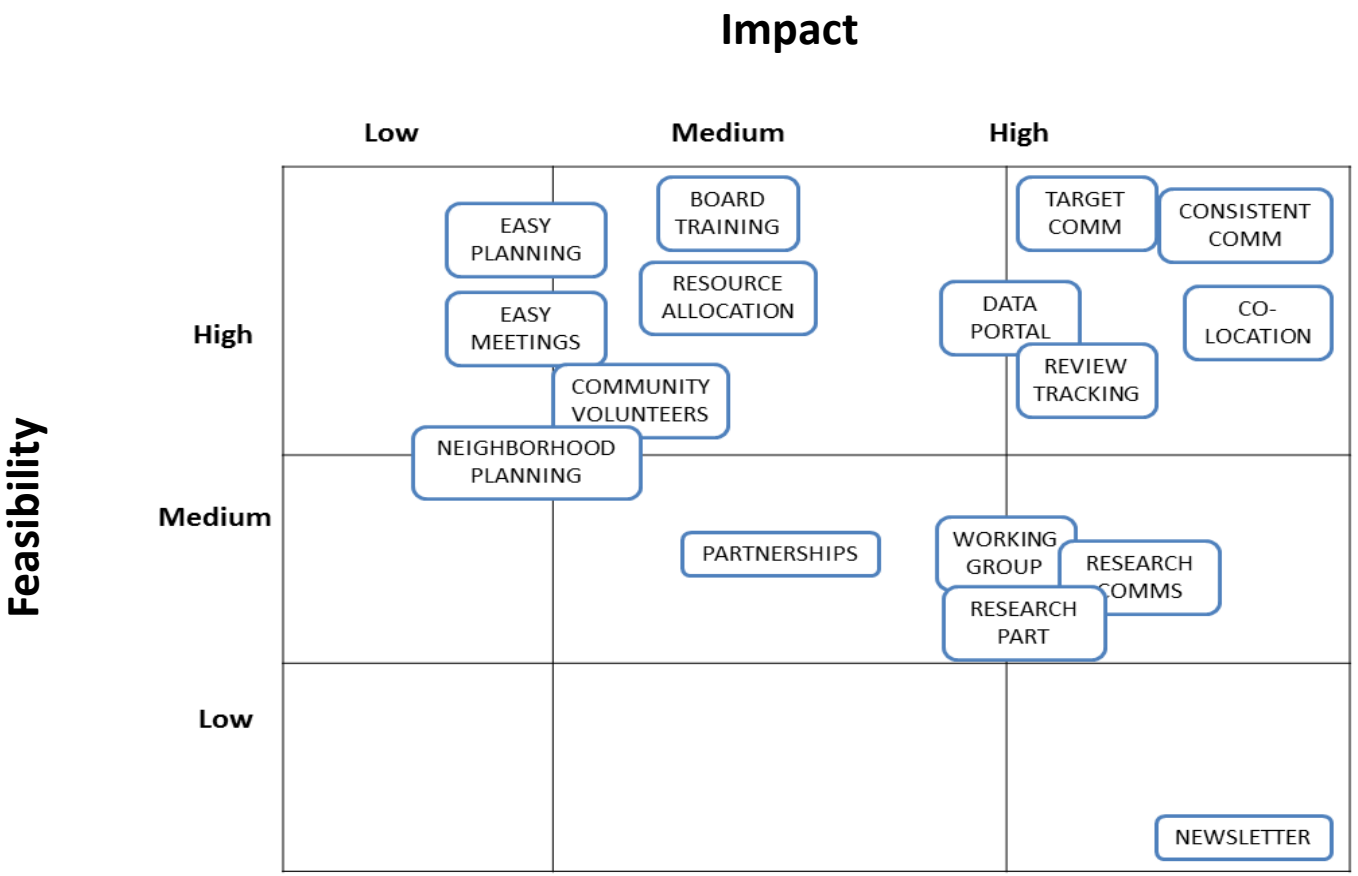
Empower key boards establish a timeframe and plan for making the transition.



Project Recommendations

Community Engagement

Impact Feasibility Assessment



Recommendation #4

Continue to explore and implement ways to improve public participation in planning.

Small Group Discussion

Group Reflections

Next Steps

How to stay involved?

Sign up for the Email Newsletter

Visit the Project Website

Talk with Working Group/Steering Committee Members

Visit us at Town & Village Meeting

Town Meeting - Feb. 29 & Village Meeting - April 6

Attend the Trustees/Selectboard Meeting

March 14 at 7:30PM

Thoughtful Growth in Action Community Workshop

Workshop Info

- January 13, 2016
- 7-9PM
- Essex High School

Our Goals for Tonight:

- To explain the TGIA project
- To hear participants' reactions to project findings and recommendations
- To share how people can stay involved moving forward

For more info

www.essextgia.com

Agenda

- 7:00 Welcome
- 7:05 Meeting Overview & Goals
- 7:10 Who's in the room
- 7:15 Project Presentation
- 8:00 Q&A
- 8:15 Small Group Discussions
- 8:45 Closing & Next Steps

About the Project

Thoughtful Growth in Action (TGIA) is exploring new alternatives to the planning governance structure in the Town of Essex and Village of Essex Junction. The project's impetus is the belief that the community wants to move towards a shared Essex vision that simultaneously honors and builds on the unique characteristics of the Village and the Town outside the Village. Currently, the Village and the Town outside the Village each has a planning commission and a zoning board of adjustment. This project will explore what different planning governance models could look like and which ones would be a good fit for Essex's desire to have a shared vision.

Ways to Stay Involved

Email Newsletter – sign up! (Check the box on our workshop sign in sheet)

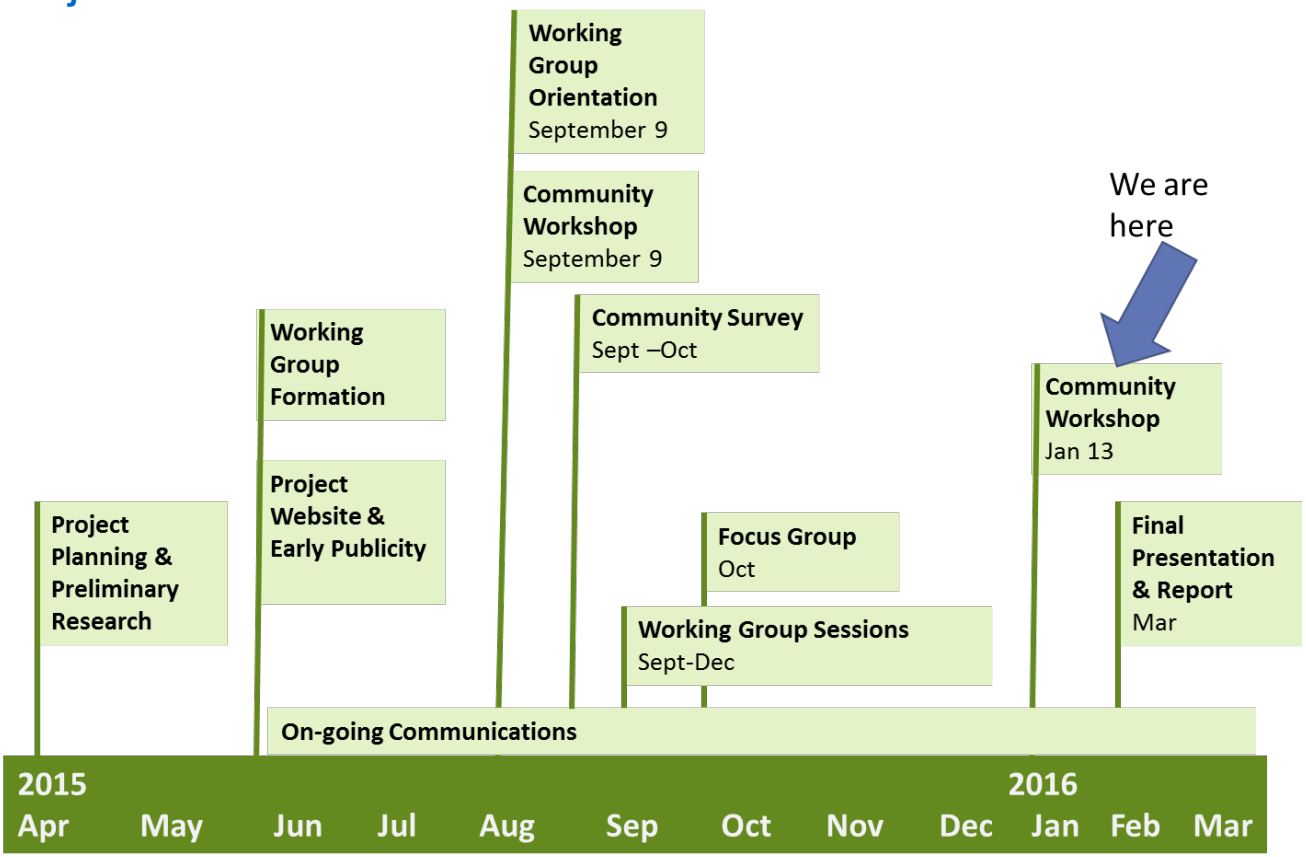
Project Website – check it out at www.essextgia.com

Working Group/Steering Committee Members – sit down for a chat

Visit us at Town Meeting (Feb. 29) and Village Meeting (April 6)

Attend the Town Selectboard/Village Trustees Presentation
March 14 at 7:30PM

Project Timeline



Who's Involved in the Project

The project has relied on a few core groups to move it forward:

- **The Community:** Has provided input on desires for planning governance, helps shapes principles to be used for developing and evaluating governance options, and reflects on project recommendations. In addition to workshops and a survey, other activities were designed to solicit input from current board members and the development community.
- **The Working Group**: Dived into the details and trade-offs among governance options and is responsible for making a recommendation to the Selectboard and Trustees
- **Selectboard & Trustees:** Makes final decision about project recommendations
- **The Steering Committee**: Guides project implementation and manages consultants
- **The Consultants:** Facilitates the public process, provides research and design of governance options, supports project communications, and produces a final report.

Working Group Members: Andrew Brown, Ben Gilliam, Brad Dousevicz, Dana Hanley, Greg Farkas, Greg Morgan, Irene Wrenner, John Alden, Johnathan Schumacher, Mary Jo Engel, Matt Gibbs, Maura Collins, Mitch Lefevre, Ned Daly, Paula DeMichele, Paula Duke, Robin Pierce, Ron Lawrence, Sarah Salatino, Sharon Kelley, Sue Cook, Theresa Fletcher, Thomas Weaver, and Vanessa Zerillo.

Steering Committee: Max Levy (Town Selectboard), George Tyler (Village Trustees), Pat Scheidel (Town/Village Manager), Greg Duggan (Town Planner/Asst. Town Manager), Doug Fisher (Town Director of Admin Services).

Consultants: Delia Clark and Ariana McBride.

TGIA Principles, Findings & Recommendations

January 13, 2016

The following information summarizes key findings and recommendations from the TGIA Working Group sessions. Please note that more detail can be found in the Project Library of the TGIA website at www.essextgia.com.

TGIA PRINCIPLES & FINDINGS

The Working Group developed five principles to help guide the development and evaluation of different planning governance scenarios. These principles were based on community input received at the first Community Workshop, input from a Community survey, and through Working Group discussion. Key project findings are organized around the five principles below.

Principle #1: Encourage long range planning that…

- **Is guided by an understanding of the shared interests and interrelationship between the Town outside the Village and the Town inside the Village;**
- **Supports priorities that reflect the unique characteristics of both; and**
- **Receives on-going, focused attention by the Planning Commission(s).**

KEY FINDINGS

Town/Village Differences: There are differences between the character and approach to growth and conservation in the Town outside the Village and the Town inside the Village. Consequently, there is a concern that a consolidated planning framework may lose sight of distinct issues and priorities of each part of Essex. On the flip side, others feel there is the potential to build on and better balance these differences if planning were to be more consolidated because the overall plan for the community could be strengthened by looking across Essex as a whole.

Long Range Planning: There is a perceived need on the part of the community and a desire on the part of the boards to focus more on long range planning.

Collaboration: A number of project participants expressed a desire for greater collaboration across the two parts of town. Greater collaboration would build on a number of recent ad hoc examples of collaboration.

Principle #2: Support a development review process that…

- **Enables a consistent, transparent and efficient application review process;**
- **Balance rights of property owners and members of the community; and**
- **Reflects the vision and goals of Municipal Plan(s).**

KEY FINDINGS

Resident Experience: Numerous participants spoke to dissatisfaction with the development review process, particularly about the level of influence (or lack thereof) residents have in the review of specific applications and the outcomes of those application reviews. While there may be validity to that criticism in certain cases, a broader issue appears to be that residents do not understand how or when they can have the most influence in planning.

Review Efficiency: There is a perception that development review would be more efficient if applications went to only one board as opposed to potentially two. While moving to a one-stop process (i.e. adopting a Development Review Board model) would improve the perception of the process and simplify it for some applications, it's likely that enabling more administrative review of applications or simplifying the subdivision bylaws would do more to streamline review.

Review Complexity: Projects are getting more complex, which require staff to work more with applicants to prepare applications for a board hearing. This increases staff work load and also can leave citizens with the sense that decisions have been made without public input.

Balancing Interests: There is a need to balance the desire of the land owner or applicant for clarity around rules and process with the interests of other residents to ensure a development does not have a negative impact on the community or their neighborhood.

Plan Connectivity: The current system enables the Planning Commission to understand the realities of development review when updating the municipal plans or bylaws and for it to consider the intent behind those guiding documents when reviewing applications. There is a concern that shifting review powers to one board (like a Development Review Board) would create disconnect between long range planning and development review.

Principle #3: Develop boards and staff that...

- **Uphold the vision and goals of the Municipal Plan(s);**
- **Can maximize the use of their knowledge, skills and interests; and**
- **Communicate consistently and effectively among each other.**

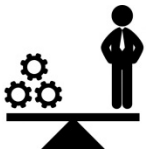
KEY FINDINGS

Staff Communications: Community development staff communicate well across the Town and Village, albeit mostly informally.

Board Communication: Currently, there is not regular communication between the Planning Commission and Zoning Board in either part of Essex nor is there regular board communication across the two parts of the community.

Board Roles: Zoning Board members meet only a few times a year whereas Planning Commissioners meet twice monthly. It's possible for the Zoning Board to take on more responsibilities, or for a move to a Development Review Board, but these changes could make the Planning Commission less relevant to municipal decision making.

Skills and Interests: There is the potential to better align with the skills and interests of volunteers if long range planning and development review were separated out.



Principle #4: Resource a planning governance structure that…

- **Maintains or lowers the cost to the taxpayer,**
- **Ensures a high quality of service; and**
- **Supports manageable workloads for boards and staff.**

KEY FINDINGS

Staffing: Most input received indicated satisfaction with the current level of service although many noted that staff seem at capacity. This appears to be the case particularly in the Village.

Resource Allocation: While there is a desire to keep costs manageable there is also a desire to ensure that planning functions well and that Essex can allocate resources effectively to support planning priorities.

Outside Funding: As long as the Town of Essex and the Village of Essex Junction remain as separate municipalities they should both remain eligible for key funding sources like regional transportation funds or statewide planning grants.

Principle #5: Encourage community participation that…

- **Fosters a greater understanding of how planning works;**
- **Uses effective and intentional engagement opportunities; and**
- **Uses a varied range of communication channels.**

KEY FINDINGS

Community Understanding: There is a need to develop resources so that residents can better understand planning and development review.

Communications: While Essex goes above and beyond statutory requirements regarding public notice for planning activities, there are still criticisms that more

could be done or that the messaging around planning issues could be more effective.

Participation Opportunities: Top barriers to participation relate to how busy people are today and their desire for alternative ways to participate (i.e. beyond the typical evening meeting). There is a desire for more online options to participate as well as more "hyper local" opportunities, which could be through smaller online networks or more neighborhood based structures.

Civic Culture: Some residents expressed distrust of planning and/or a sense that their voices don't matter. Some of this perception will likely improve as a result of efforts to improve planning education, communications, and engagement opportunities. However, changing civic culture is a long process. Most of these issues will not be adequately addressed by structural changes and will require a different set of changes.

TGIA RECOMMENDATIONS

#1: Move to create a Joint Planning Commission and two separate Development Review Boards.

This recommendation would create a formal Joint Planning Commission as enabled under State Statute. Planning Commissioners would be appointed by the Selectboard with the possibility of establishing a formal process by which Trustees could nominate members and /or make recommendations. It would create two separate Development Review Boards that would be appointed by their respective legislative bodies. Essex would also move towards the adoption of a single Municipal Plan over time. There would be two sets of bylaws that would be adopted by their respective legislative bodies (i.e. Selectboard or Trustees).

#2: Use a phased approach to any structural changes.

The transition to a different governance structure will require a thoughtful and deliberate approach. Many issues will need to be worked through including but not limited to: Municipal Charter changes, board appointment procedures, adoption of new planning structures, Municipal Plan updates, Bylaw updates and transition projects under review. As appropriate, changes should be evaluated to ensure they are producing a more effective planning governance structure.

#3: Empower key boards and staff to establish a timeframe and plan for making the transition.

The Town Selectboard and Village Trustees are ultimately responsible for making decisions about what changes will occur. TGIA encourages both bodies to coordinate with their respective Planning Commissions, Zoning Boards of Adjustment and Community Development staffs to ensure any transition occurs as smoothly as possible. In addition, the broader community should be kept informed about transition plans and provided with opportunities to provide input when appropriate.

#4: Continue to explore and implement ways to improve public participation in planning.

TGIA encourages Essex to continue to look for ways to address this issue as the majority of community input related to questions and concerns around how the broader community participates in planning. This project identified and preliminarily assessed a number of possible ways to improve public participation in planning. Additional work will be required to further explore these possibilities, potentially through the upcoming effort that will be co-led by the Selectboard, Trustees, and Heart & Soul of Essex.