



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, AUGUST 23, 2016 at 6:30 PM
LINCOLN HALL, 2 LINCOLN STREET, ESSEX JUNCTION, VT 05452

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS**
 - a. Comments from Public on Items Not on Agenda
 - b. Public Hearing on Land Development Code Amendments – Robin Pierce
 - c. Interview for Library Trustee – Max Holzman
5. **OLD BUSINESS**
 - a. Adoption of Amended Land Development Code – Robin Pierce
 - b. Appointment of Library Trustee – Pat Scheidel
 - c. Status of Recreation Governance Study Committee/Special Village Meeting and Vote in December – Pat Scheidel
 - d. Recreation Governance Study Committee Request for Staff Support – Pat Scheidel
6. **NEW BUSINESS**
 - a. None
7. **MANAGER’S REPORT**
 - a. Trustees meeting schedule
8. **TRUSTEES’ COMMENTS & CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Minutes from Other Boards/Committees:
 - Block Party Committee 8/8/16
 - c. Brownell Library Staff and Director’s Report July 2016
 - d. Letter from VLCT re: Town Fair at CVE 10/5-10/6/16
 - e. Letter to Essex Selectboard 8/15/16
9. **CONSENT AGENDA**
 - a. Minutes of Previous Meeting 8/9/16
 - b. Expense Warrant #17006 dated 8/12/16 in the amount of \$187,965.03
10. **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.

Planning Department will be changed to Community Development Department; Village Plan changed to Comprehensive Plan; Planned Residential Development changed to Planned Unit Development; Sight Triangle to Visibility Triangle and Noise to Sound throughout the Code. Clerical changes and formatting will be corrected throughout the Code.

CHAPTER 1: PURPOSE, APPLICATION AND SEVERABILITY

SECTION 102: PURPOSE.

This Code represents the minimum required standards for development and land use in Essex Junction. It is the intent of the Village to meet or exceed these standards.

SECTION 103: AUTHORITY.

~~G. — Chapter 13: Noise Regulations — 24 V.S.A., Chapter 61 and Village Charter, Article I.~~

SECTION 104: SEVERABILITY.

~~The Land Development Code shall be readopted, with revisions as necessary, within five (5) eight (8) years after the last published update.~~

CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

SECTION 201: DEFINITIONS. (General Definitions, Flood Plain Management Determinations, Sewer Regulation Definitions, Sign Regulations Definitions). Words as defined herein shall be used to interpret provisions of this Code. Interpretation of any words not herein defined shall be made in accordance with the standards specified below.

- B. Official Plan. The Village **Comprehensive** Plan as adopted by the Village Trustees and filed with the Village Clerk is the Official Plan of the Village of Essex Junction. It is the clear intent of this Code to implement the provisions of the **Comprehensive** Plan and the **Comprehensive** Plan shall be consulted to determine the intent of any provisions of this Code. Ordinances, bylaws, or regulations enacted which are in clear conflict with the **Comprehensive** Plan shall not be adopted until and unless the **Comprehensive** Plan is amended.
- C. General Definitions:
3. *"Accessory Apartment"* shall mean a small apartment created within an existing single family dwelling unit, **as defined by state statute.**
 5. *"Accessory Use"* shall mean any use or structure which clearly meets **all** the following **conditions:**
 - (a) It is clearly incidental and customarily found in association with the principal use; **and**
 - (b) It is subordinate in area, purpose and extent to the primary structure and use of the lot; **and**
 - (c) It is not identified in the zoning district as a permitted or conditional principal use.
 12. *"Agriculture PUD"* shall mean a **Planned Unit Development (PUD) located in the Planned Agriculture District.**

38. "Cemetery" shall mean a parcel of land use for the burial of the dead for cemetery purposes, including ~~columbariums columbaria~~, crematories, mausoleums, and mortuaries.
44. "Commercial PUD" shall mean a Planned Unit Development (PUD) located in the Village Center, Highway Arterial, or Transit Oriented Development Districts.
50. "Comprehensive Plan", "Village Plan" or "Plan" shall mean the **Village** Comprehensive Plan for the Village of Essex Junction as adopted pursuant to Title 24, Chapter 119, Section 4385 of Vermont Statutes and filed with the Village Clerk.
58. "Dark Sky Compliant" shall mean hooded or shielded outdoor lighting fixtures that allows no light emission above a horizontal plane.
61. "Dead-end Street" shall mean a street open at one end only without provision for a turnaround and which may be extended into adjoining property.
69. "Double Frontage Lot" shall mean a lot with street frontage on two boundaries.
93. "Freight Rail Distribution Center" shall mean a facility or a group of facilities that perform consolidation, warehousing, packaging, decomposition and other functions linked with handling freight. Their main purpose is to provide value-added services to freight. They can also perform light manufacturing activities such as assembly and labeling. They can accommodate warehouses designed to store goods for longer periods of time.
127. "Massage Therapy" shall mean the scientific manipulation of the soft tissues of the body for the purpose of normalizing those tissues and consists of manual techniques that include applying fixed or moveable pressure, holding, and/or causing movement of, or to, the body to enhance health and healing when undertaken by a Massage Therapist that is certified or registered through the National Certification Board for Therapeutic Massage and Bodywork's certification program, or an approved alternative certification body, for example AMA-VT.
133. "New Unit" shall mean a dwelling unit approved and constructed pursuant to the Land Development Code without credit or consideration for whether it replaces any pre-existing dwelling unit. With respect to any section of this code, there shall be no credit or reduction of any kind for an existing dwelling unit that is replaced by a new unit.
148. "Planned Unit Development" or "PUD" shall mean one or more parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity transfers or increases, as well as the mixing of land uses in non-residential Districts. This plan, as authorized, may deviate from bylaw requirements that are otherwise applicable to the area in which it is located with respect to the area, density or dimensional requirements or allowable number of structures and uses per lot as established in any one or more districts created under the provisions of these regulations. The specific requirements of a PUD and the area, density and dimensional provisions that may be modified are further defined in each district in which PUDs are allowed. ~~an area of land to be developed as a single mixed use entity for a number of dwelling units and commercial and industrial unit uses, if any; the plan for which does not correspond in lot size, bulk, or type of dwelling, commercial or industrial use,~~



~~density, lot coverage, and required opens space under these regulations except as a planned unit development. The number of dwelling units approved shall not exceed the number of dwelling units permitted under Village subdivision regulations unless a waiver is granted under Section 723.~~

- 158. *"Public Meeting"* shall mean any duly noticed meeting at which a quorum (a majority) is present to conduct business.
- 159. *"Public Street"* shall mean a street owned by the municipality.
- 201. *"Temporary Structure"* shall mean any structure in place greater than six months in any 12 month period shall not be considered a temporary structure.
- 209. *"Vehicle Sales"* shall mean the sale of cars, sport utility vehicles and light trucks.
- 218. *"Zero Lot Line"* shall mean a piece of real estate in which the structure comes up to, or very near to the edge of the property line.

G. Sign Regulation Definitions. For the purposes of Section 714 of this Code, the following special definitions shall apply:

- 3. *"Electronic Message Board"* shall mean a sign with a message copy or other display that is produced and periodically changed electronically or electrically that is attached to another sign, or to the support structure. The message copy or display shall be limited to public service announcements, time and temperature, and goods or services available on the premises, and shall consist of words, letters, numbers and punctuation only. Illumination shall be of a constant intensity, and shall not blink, flash or give the appearance of movement.

H. Stormwater Regulation Definitions. For the purposes of Section 713 of the Code, the following special definitions shall apply:

- 8. *"Infiltration"* shall mean the process ~~of percolating storm water into the subsurface soil without an underdrain~~ through which stormwater runoff penetrates into soil from the ground surface.

I. Riparian Buffer District Definitions. For the purposes of Section 5164 of the Code, the following special definitions shall apply:

CHAPTER 3: DECISION MAKING AND ADMINISTRATIVE BODIES

SECTION 301: BOARD OF TRUSTEES. The duly elected Village Board of Trustees shall have all the authority granted it by general law of the State of Vermont and the Village Charter, including, but not limited to, the following:

- A. To adopt the ~~Village Comprehensive~~ Plan and any amendments thereto.
- E. To act pursuant to Section 506 on requests for waivers from the noise standards in ~~Chapter 13 and~~ Section 718.
- H. To act and approve requests regarding access to Rights-of-way and curb cuts pursuant to Sections 509 and 705.

SECTION 302: PLANNING COMMISSION

B. Powers and Duties. The Planning Commission shall have all powers granted municipal planning commissions under the general laws of the State of Vermont, including, but not limited to, the following:

~~4. To prepare, cause to be prepared, or review a Capital Budget and present findings to the Trustees.~~

CHAPTER 4: REGULATION OF LAND USE ACTIVITIES

SECTION 401: APPROVALS REQUIRED. No person shall commence any of the following activities without first obtaining the required approval from the Village. Any building permit may be subject to additional state or federal permits.

A. Approval required for the construction, ~~demolition, or alteration~~ of any structure, the making of any material change in the use of any structure or land, the making of a change in the intensity of use of a structure or land, or the filling of land pursuant to Section 502.

CHAPTER 5: DEVELOPMENT REVIEW PROCEDURES

This Chapter establishes procedures for review of any activity that requires approval under the Land Development Code.

SECTION 501: PROCEDURES OF GENERAL APPLICABILITY

D. Notice of Public Hearings and Public Meetings. Notice of public hearings or meetings required under this Code shall comply with this Section ~~and with Vermont's Open Meeting Law (1 V.S.A. §§ 310-314)~~ unless otherwise specified.

SECTION 502: APPROVAL PROCEDURES FOR ACTIVITIES REQUIRING REVIEW UNDER CHAPTERS 6 AND 7

A. Zoning Permit Requirement. A zoning permit is required for the construction of any structure, the making of any material change in the use of any structure or land, the making of a change in the intensity of use of a structure or land, or the filling of land. For the purpose of this Code, the activities identified in this section are referred to as "development activities".

1. Approval Required. Issuance of a zoning permit shall require review and approval under one or more of the following review procedures, as determined by the staff:

- (a) Permitted Use - Section 502.B
- (b) Conditional Use - Section 502.C
- (c) Temporary Use - Section 502.D
- ~~(d) Exposition Center PUD - Section 502.E~~
- ~~(e) Commercial PUD - Section 502.F~~
- (d) Professional Office Development - Section 502.E
- ~~(g) Agriculture PUD - Section 502.H~~
- (e) Site Plans - Section 502.F

- (f) Home Occupation - Section 502.G
- (g) Signs - Section 502.H
- (h) Accessory Apartments - Section 502.I
- (i) Nonconforming Use - Section 502.J
- (j) Noncomplying Structure - Section 502.K
- (k) Existing Small Lots - Section 502.L
- (l) Planned ~~Residential~~ Unit Development (PUD) - Section 502.M
- (m) Telecommunications – Section 502.N
- (n) Master Plans – Section 502.O

B. Approval of Permitted Uses

3. Approval Standards. Staff shall review an application for a permitted use to determine if it meets the dimensional requirements of Chapter 6 and the development standards of Chapter 7. ~~If Staff Approval will be granted if staff determines that the use meets such standards, it will approve the use.~~

~~E. — Exposition Center PUD. Development activity involving an Exposition Center PUD shall be reviewed under the provisions of this Subsection. For the purposes of this Code, an Exposition Center PUD shall be defined as the development of a parcel of land with multiple buildings, vehicle parking areas and appurtenant facilities for the purpose of conducting indoor and outdoor exhibits, carnivals, fairs, concerts, trade shows and similar events.~~

~~1. — Approval of an application for an Exposition Center PUD requires approval of a Conceptual Plan by the Commission in accordance with the requirements of Section 511.C.~~

~~2. — If the application involves the construction of new buildings or the alteration of existing buildings or facilities, Site Plan approval is also required; see section 502.I.~~

~~3. — Submittal Requirements. In addition to the requirements for submittal of a Conceptual Plan specified in Section 511.C below, a Conceptual Plan for an Exposition Center PUD shall contain the following:~~

- ~~(a) The location and type of all permanent signs.~~
- ~~(b) The location of areas proposed for temporary and permanent signs which are visible from any public street.~~
- ~~(c) The general location of areas to be used for specific purposes or events, including parking.~~
- ~~(d) The general location of permanent fencing, screening and landscaping, including a description of types of plant materials.~~
- ~~(e) The general location of areas to be occupied by temporary structures, including distances between buildings and from structures to property lines. Temporary structures are those not staying in one location for more than two consecutive weeks or not served by water, sewer, and electric power connections.~~
- ~~(f) The approximate location of any proposed roads, sidewalks or bike paths.~~
- ~~(g) A proposed phasing schedule and map.~~
- ~~(h) A description of methods used to estimate the impact of the proposed development on public infrastructure.~~

~~4. — Standards of Review. The Commission shall review the proposed Exposition Center PUD in accordance with the standards specified in Section 612 of this Code.~~

~~5. — Conditions. The Commission may approve the proposed Exposition Center PUD with conditions designed to meet the standards established in Section 612 of this Code.~~

~~6. — Classification and Approval of Activities. Plans for specific activities in an Exposition Center PUD shall be classified by the Community Development Department as permitted activities, temporary activities or major activities, and shall be reviewed in the following manner:~~

~~(a) Permitted activities. Permitted activities require no permits, provided that no new or temporary structures are proposed. The applicant shall notify Staff in writing, not less than two (2) days, excluding weekends and holidays, prior to the activity to ensure that additional review is not necessary. The following are permitted activities:~~

~~(i) Agriculture shows or exhibitions and related sales.~~

~~(ii) Educational workshops.~~

~~(iii) Special training, including driver's education, surveying techniques and similar training activities.~~

~~(iv) Reunions.~~

~~(v) Low intensity recreation activities.~~

~~(vi) Offices directly related to the Fairground's activities.~~

~~(vii) Storage facilities for equipment to be used for maintenance of any approved event or as a seasonal use.~~

~~(viii) Horse boarding.~~

~~(b) Temporary Activities. Temporary activities require staff review and approval. An application for a Temporary Use Permit shall be submitted in accordance with Section 502.D of this Code. In addition to the Temporary Use Permit standards, Staff shall review a temporary activity under the standards in Section 612.~~

~~(i) An application for a temporary activities permit may be submitted for a series of events over a one-year period (an annual permit application) or for individual events. Approval of an annual permit application shall not preclude application for and receipt of any number of single permits for events during the same year.~~

~~(ii) Annual permit applications shall be reviewed within twenty-one (21) days of receipt.~~

~~(iii) Single permit applications shall be reviewed within forty-eight (48) hours receipt.~~

~~(iv) The following shall be deemed temporary activities:~~

~~(aa) Antique shows;~~

~~(bb) Dog shows;~~

~~(cc) Car shows;~~

~~(dd) Craft shows;~~

~~(ee) Group sales (retail associations, car dealerships, clearance sales or similar events);~~

~~(ff) Sales of products associated with another temporary or permitted event;~~

~~(gg) Concerts; and~~

~~(hh) Trade shows.~~

~~(c) Major Activities. The Planning Commission shall hold a public meeting in connection with review of a major activity, and may require a public hearing.~~

~~(i) Standards of review. The Commission shall review each application for a major activity permit on its individual merits. Special consideration shall be given to mitigation efforts proposed to reduce potential community impacts. In granting such a permit, the Commission may impose conditions regarding:~~

~~(aa) Time of the events;~~

~~(bb) Parking and traffic control measures;~~

~~(cc) Temporary off-site parking of recreational vehicles on public property;~~

~~(dd) Noise mitigation;~~

~~(ee) Location of the event within the District; and~~

~~(ff) Impacts which, in the opinion of the Commission, are reasonable and will mitigate adverse impacts.~~

~~(ii) The following shall be deemed major activities;~~

~~(aa) Any event for which a permit has been denied by Staff;~~

~~(bb) Events which last more than five (5) days (excluding set-up and take-down);~~

~~(cc) Any event which exceeds the performance standards specified in Section 718 of this Code, or which exceeds the standards specified in Chapter 13 of this Code.~~

~~(iii) Annual agricultural exhibitions shall be reviewed by staff on an annual basis and are classified as a major use. Staff may approve all activities specified below. The Commission shall review any activity denied by Staff.~~

~~(aa) Normal Activities. Daily shows (other than grandstand shows), education workshops, product demonstrations, agricultural events, food services, booths, carnivals, and any activity within enclosed structures shall be considered as normal activities and shall not be individually reviewed.~~

~~(bb) Cumulative Effects. The cumulative effects of fair activities shall be reviewed annually with Staff, the Police Department and the applicant. Review is restricted to traffic control, lighting, parking, and noise abatement plans. Reasonable efforts shall be made to reduce potential adverse impacts of annual events. In the event that agreement is not reached, the Commission shall consider the outstanding issues at a public meeting on the next Commission agenda.~~

~~(cc) Special Events. Special events, including, but not limited to, concerts, demolition derbies, tractor pulls and other grandstand events shall be reviewed for compliance with standards for noise, dust control, parking and traffic flow. Staff may not grant waivers to any standard included in this Code. If it is expected that noise standards may be exceeded, application shall be made to the Trustees for a waiver in accordance with Section 506 of this Code.~~

~~Staff may approve any special event which does not exceed standards and may impose reasonable conditions regarding control of traffic, noise and dust. In addition, Staff may stipulate hours of operation to ensure conformance with adopted standards.~~

~~7. Signs. Signs in the Planned Exposition Center PUD shall be approved by the Commission as part of Conceptual and/or Site Plan review.~~

~~(a) The Commission shall consider the following:~~

~~(i) Compatibility with the Conceptual Plan.~~

~~(ii) Compatibility with the adjoining property.~~

~~(iii) Visual design.~~

~~(iv) Landscaping.~~

~~(v) Location and size.~~

~~(b) Specific types of signs which may be approved subject to the above, including a single sign with changeable messages to advertise events and signs near the streets to direct pedestrian, bicycle and vehicular traffic to appropriate entrances. The general location and type of Temporary signs shall be reviewed by the Commission.~~

~~8. Expiration of Approvals. Approval for an Exposition Center PUD or approvals for any activities to be conducted at such PUD shall expire in accordance with terms set forth in the approval.~~

~~9. Appeals:~~

~~(a) Any interested person may appeal a decision of the Planning Commission regarding an Exposition Center PUD or conduct of a major activity at an Exposition Center PUD in accordance with the procedures set forth in Section 1707 below.~~

~~(b) Any interested person may appeal a decision of the Staff classifying an activity at an Exposition Center PUD to the Planning Commission in accordance with the procedures set forth in Section 1704 below.~~

~~F. Commercial PUD.~~

~~1. Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Village Center District pursuant to Section 604.G, Highway Arterial District pursuant to Section 605.G and in the Transit Oriented Development District pursuant to Section 608.K.~~

~~2. Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.~~

~~3. Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 604.G, Section 605.G and Section 724.~~

~~4. Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.~~

~~5. Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.~~

~~H. Agriculture PUD~~

~~1. Development activities involving Agriculture PUDs shall be reviewed under the~~

~~provisions of this Subsection. Agriculture PUDs are allowed in the Planned Agriculture District pursuant to Section 613.~~

~~2. Applications shall be reviewed in accordance with the procedures set forth in Section 511. If the proposed Agriculture PUD includes new or altered buildings or facilities, Site Plan approval and/or Subdivision approval may be required.~~

~~3. Submittal requirements. In addition to the submittal requirements established in Section 511, applications for an Agriculture PUD shall include the following:~~

~~(a) The location and acreage of land to be reserved for agricultural purposes.~~

~~(b) Draft legal documents to ensure the continued availability of said lands for agricultural purposes in the future.~~

~~(c) A description and map of areas to receive transferred development rights, if any.~~

~~(d) A description of methods used to preserve agricultural lands other than the transfer of development rights, if applicable.~~

~~(e) Other information as needed to demonstrate compliance with the purpose of Section 613 of this Code.~~

~~4. A Conceptual Plan shall be submitted which includes, at a minimum, the following information:~~

~~(a) Location and acreage of all prime agricultural lands in single ownership.~~

~~(b) Location and acreage of all land proposed to be developed.~~

~~(c) Sending and receiving areas of all land proposed for transfer of development rights.~~

~~(d) Location of all land proposed for conservation of prime agricultural lands.~~

~~(e) Location and acreage of land proposed to be preserved as open space in perpetuity.~~

~~(f) Location and acreage of any lands to be transferred to qualified land trusts or non-profit organizations.~~

~~(g) Proposed phasing schedule.~~

~~(h) Proposed methods of preserving agriculture land.~~

~~5. Standards of Review. The Commission shall review the proposed Agriculture PUD in accordance with the standards specified in Section 613 of this Code. Generally, the Commission shall consider the effect of the proposed development on the Community, public infrastructure and adjoining development. Mitigation efforts, including noise control, traffic control and landscaping shall be considered.~~

~~6. Conditions. The Commission may approve the proposed Agriculture PUD with conditions designed to meet the standards established in Section 613 of this Code.~~

~~7. Expiration of Approval. An approval for an Agriculture PUD shall expire in accordance with terms set forth in the approval.~~

~~8. Appeal. Any interested person may appeal a decision of the Commission regarding an Agriculture PUD in accordance with the procedures set forth in Section 1707 below.~~

F. Approval of Site Plans

4. Site Plan Application Requirements. The applicant shall submit a Site Plan, drawn to scale (including a north arrow) and documentation to include the following:

(c) A survey of the property prepared by a Land Surveyor licensed to practice in

the State of Vermont which shows existing or proposed rights-of-way and easements. This is **only** required for projects that involve new buildings.

(s) Location and type of all proposed signs.

(t) Other **additional** information requested by Staff to provide a clear understanding of the project.

11. Site Plan Amendments/Minor Developments. Amendments to approved Site Plans (~~except site changes in accordance with Section 502.I.11.B~~) shall be classified by Staff as a major or minor amendment based upon the following criteria:

H. Approval of Signs

(d) **Sign** Permit Applications:

SECTION 506: APPROVAL OF WAIVERS TO STANDARDS OF ~~CHAPTER 12 NOISE~~ SECTION 718.B

D. Appeals/Waivers. The Trustees shall review all waiver requests. Waivers may be granted for one event or for multiple events. The Trustees may authorize waivers for the same activity on one or more occasions, or for one or more years.

1. Upon written request, the Trustees may grant a waiver from the provisions of ~~Chapter 13 Noise~~ **Section 718.B** for any activity which has received approval required herein, and:

2. When granting a waiver under this Section, the Trustees may attach reasonable conditions to minimize the impact of the waiver on adjoining properties. Such conditions may include but are not limited to:

(d) Requirements to use particular equipment or procedures to minimize **noise sound**.

E. Appeals. An individual who proposes an activity which Staff determines will result in **noise sound** in excess of the standards of ~~Chapter 13~~ **Section 718.B** may appeal such decision to the Board of Trustees in accordance with the procedures of Section 1705.

SECTION 513: APPROVAL OF ACTIVITIES INVOLVING THE CONSTRUCTION OF A STORMWATER SYSTEM

G. — ~~Properties greater than one (1) acre will require a state stormwater permit in accordance with the Agency of Natural Resources Rules, as covered by permit 3-9020 Construction General Permit. Permits for Stormwater Discharges Associated with Construction Activities.~~ Under the National Pollutant Discharge Elimination System (NPDES), construction projects involving one (1) acre or more of land disturbance require a stormwater permit to discharge stormwater runoff from construction activities, as covered by Construction General Permit 3-9020, which is overseen by The Vermont Department of Environmental Conservation's Watershed Management Division.

CHAPTER 6: ZONING DISTRICTS REGULATIONS

SECTION 601: MULTI-FAMILY RESIDENTIAL 1 (M-F1)

C. Setback Requirements

(b) The proposed setback would be in keeping with the setbacks and character of anticipated future development of the area.

~~Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this Section.~~

G. Planned Unit Residential Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a Multi-Family and/or Single-Family Residential Development.

of a specific proposal.

2. Specific Review Standards

(b) ~~Structural design and~~ Design compatibility with adjoining developed properties.

(g) Use of innovative techniques, including but not limited to, clustering, Zero Lot Lines development, purchase/leaseback arrangements, and the provision of amenities including biking and hiking trails.

3. Waivers. The Commission may waive requirements for lot coverage, setbacks, parking and ~~lot coverage,~~ height based upon the merits of the specific proposal.

SECTION 602: MULTI-FAMILY RESIDENTIAL 2 (M-F2)

C. Setback Requirements

(b) The proposed setback would be in keeping with the setbacks and character of anticipated future development of the area.

~~Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this Section.~~

G. Planned Unit Residential Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a Multi-Family and/or Single-Family Residential Development. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Multi-Family Residential 2 District. Any application for proposed development in the Multi-Family Residential 2 District may, at the applicant's request, be reviewed as a Planned Unit Residential Development under the provisions of this Section. Any application for proposed development in the Multi-Family Residential 2 District which contains more than five (5) units ~~of housing~~ shall be reviewed as a Planned Unit Residential Development unless this requirement is specifically waived by the Commission. Refer to Section 601.G.1-3 for general and specific review standards in addition to waiver information for a PUD.

~~General Review Standards:~~

~~(a) — Physical characteristics of the site and relation to surrounding properties.~~

~~(b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) — Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) — Unique design or land planning characteristics.~~

~~(e) — Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design~~

~~and parking design.~~

~~(f) — The preservation of unique natural physical characteristics.~~

~~(g) — Building design compatibility with adjoining structures.~~

~~(h) — Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

~~2. — Specific Review Standards~~

~~(a) — Proposed traffic flow and circulation design.~~

~~(b) — Structural design and compatibility with adjoining developed properties.~~

~~(c) — Scale and design of proposed structures.~~

~~(d) — Location and setbacks of all proposed structures.~~

~~(e) — Unique physical characteristics of the proposed use.~~

~~(f) — Unique characteristics of the proposed use.~~

~~3. — Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions.~~

~~(a) — Unique physical characteristics of the site proposed for development.~~

~~(b) — Superior building design, lot layout and landscaping design.~~

~~(c) — Provision of public open spaces or superior bicycle and pedestrian access.~~

~~(d) — Joint or combined vehicular access with adjoining properties.~~

SECTION 603. MULTI-FAMILY RESIDENTIAL 3 (M-F3)

C. Setback Requirements

(b) The proposed setback would be in keeping with the setbacks and character of anticipated future development of the area.

~~Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this Section.~~

G. Planned Unit Residential Development. Pursuant to ~~24 V.S.A. §4407(12)~~, The Planning Commission may approve a Planned Unit Development for use as a Multi-Family and/or Single-Family Residential Development. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Multi-Family Residential 2 District. Any application for proposed development in the Multi-Family Residential 2 District may, at the applicant's request, be reviewed as a Planned ~~Unit Residential~~ Development under the provisions of this Section. Any application for proposed development in the Multi-Family Residential 2 District which contains more than five (5) units ~~of housing~~ shall be reviewed as a Planned ~~Unit Residential~~ Development unless this requirement is specifically waived by the Commission. Refer to Section 601.G.1-3 for general and specific review standards in addition to waiver information for a PUD.

~~General Review Standards.~~

~~(a) — Physical characteristics of the site and relation to surrounding properties.~~

~~(b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) — Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) — Unique design or land planning characteristics.~~

- (e) ~~Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~
 - (f) ~~The preservation of unique natural physical characteristics.~~
 - (g) ~~Building design compatibility with adjoining structures.~~
 - (h) ~~Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~
2. ~~Specific Review Standards~~
- (a) ~~Proposed traffic flow and circulation design.~~
 - (b) ~~Structural design and compatibility with adjoining developed properties.~~
 - (c) ~~Scale and design of proposed structures.~~
 - (d) ~~Location and setbacks of all proposed structures.~~
 - (e) ~~Unique physical characteristics of the proposed use.~~
 - (f) ~~Unique characteristics of the proposed use.~~
3. ~~Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions.~~
- (a) ~~Unique physical characteristics of the site proposed for development.~~
 - (b) ~~Superior building design, lot layout and landscaping design.~~
 - (c) ~~Provision of public open spaces or superior bicycle and pedestrian access.~~
 - (d) ~~Joint or combined vehicular access with adjoining properties.~~

SECTION 604: VILLAGE CENTER (VC)

A. Purpose. ~~To provide for a compact commercial center, having a mix of commercial, governmental, cultural and residential uses, and which reflects and reinforces the existing architecture, design and layout. It is the intent of this district to allow as new structures only those structures which are designed and constructed to be visually compatible with the historic character of the Village Center and similar to existing structures.~~ To provide a compact commercial center having a mix of commercial, governmental, cultural and mixed use buildings that are consistent with the purpose of a designated Village Center District, and a neighborhood development area as both are defined by the State of Vermont. The Village Center shall be the core for an ongoing revitalization that will improve the community's vitality and livability and the goal of having a Center that accommodates growth. Due to the historic nature of the residential neighborhoods surrounding the Five Corners area the design and layout of any new developments or infill projects shall acknowledge the importance of the existing streetscape and enhance the area through an architectural design and site layout that enhances pedestrian connectivity to adjacent properties. It is the intent of this district to allow as new structures only those structures which are designed and constructed to enhance the streetscape and add value aesthetically, economically and socially to the Village Center. All applicants should be aware of the fact that the Village Trustees have voted to study the closing of vehicular traffic from a short section of Main Street, extending from the southernmost boundary of 1 Main Street and the War Memorial to the northernmost points of 17 and 18 Main Street. This may affect all properties within this quadrant.

C. Setback Requirements. No requirements for commercial or mixed use buildings. ~~The~~

For single family buildings the front yard setback shall be established by the average setback of the principal structures on the two adjacent lots (or the closest two lots on the same side of the same street) and the minimum setback requirement for the underlying zoning district.

~~Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this Section.~~

E. Design Review and Historic Preservation. ~~Because of the unique and historic qualities of the Village Center District and the special role that it plays in the over-all Village, the Commission is hereby authorized to undertake a special review, as part of its site plan review. Because of the important role the Village Center plays in the regional economy and the unique historic qualities of some of the existing buildings, the Commission is hereby authorized to undertake a special review, as part of its site plan review.~~ 1. Purpose. The purpose of this section is to protect ~~the historic character of the Village Center District including~~ those buildings listed or eligible for the State or Federal Register of Historic Places while accommodating new and appropriate infill and redevelopment supporting increased density and multi-modal development. New buildings and modifications to existing ones shall be subject to design review. ~~be compatible with the historic character of the Village Center District as represented by the design review standards listed in Section 604.E.4.~~



4. District Design Requirements.
 - (a) Design Standards for the Village Center
 - (i) The relationship of building mass and architectural detail to open space and to the relative size of a person shall be reviewed by the Commission in this District. ~~shall be compatible with such established relationships in the district.~~
 - (ii) The predominant direction of structural shape, of placement of openings and architectural details at the front façade shall be harmonious with the core principles of a designated Village Center District. ~~shall be consistent with such established conditions in the district.~~
 - (v) The following architectural elements or features shall be **harmonious compatible** with existing buildings and significant, predominant or established patterns in the district:
 - (b) Secretary of the Interiors Standards for the Rehabilitation of Historic Structures:
 - (i) **An existing** property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
5. Demolition of Historic Structures. The demolition of **listed, or properties eligible for historic listing, historic structures** is discouraged and it is the intent of this section to limit the demolition of historic structures unless the following standards are met.
 - (iv) Any building in non-compliance with the design requirements for historic structures as a result of a fire, flood or similar unforeseen event shall apply within six months of the date of the event for an application to ~~demolition of demolish~~ the building or approval of a plan for restoration.
- (c) Approval for Demolition. Historic buildings that are approved for demolition

require the applicant to comply with the following:

(ii) Assurance from the applicant that the redevelopment plan as approved will be implemented if the historic structure demolition is approved based on the community benefit of the redevelopment plan. In addition, structures approved for demolition based on the community benefit shall not be demolished until construction of the entire project has **been** received all financial resources and regulatory permits.

6. Formula-Based Retail and Restaurants.

(c) Review Standards. In addition to the conditional use review standards, the following criteria pertain to all proposed formula-based retail and restaurant establishments and the expansion of existing ones:

~~(ii) Signage shall be original and not used at other locations of the formula based business.~~

~~(iii) Two or more formula based businesses shall not locate on the same lot or parcel.~~

G. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12)~~, The Planning Commission may approve a Planned Unit Development in the Village Center District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Village Center District. Any application for proposed development in the Village Center District may, at the applicant's request, be reviewed as a Planned Unit Development under the provisions of this Section.

1. Commercial PUD.

~~(a) Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Village Center District pursuant to Section 604.G.~~

~~(b) Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.~~

~~(c) Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 511.B.1-3.~~

~~(d) Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.~~

~~(e) Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.~~

~~1. General Review Standards~~

~~(a) Physical characteristics of the site and relation to surrounding properties.~~

~~(b) Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) Unique design or land planning characteristics.~~

~~(e) Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~

~~(f) The preservation of unique natural physical characteristics.~~

- ~~(g) — Building design compatibility with adjoining structures.~~
- ~~(h) — Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

~~2. — Specific Review Standards~~

- ~~(a) — Proposed traffic flow and circulation design.~~
- ~~(b) — Structural design and compatibility with adjoining developed properties.~~
- ~~(c) — Scale and design of proposed structures.~~
- ~~(d) — Location and setbacks of all proposed structures.~~
- ~~(e) — Unique physical characteristics of the proposed use.~~
- ~~(f) — Unique characteristics of the proposed use.~~

~~3. — Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~

- ~~(a) — Unique physical characteristics of the site proposed for development.~~
- ~~(b) — Superior building design, lot layout and landscaping design.~~
- ~~(c) — Provision of public open spaces or superior bicycle and pedestrian access.~~
- ~~(d) — Joint or combined vehicular access with adjoining properties.~~

H. Building Height. Building heights shall not exceed four (4) stories or fifty-eight (58) feet, whichever is less.

1. Building Height Waiver – The Planning Commission may grant a height waiver up to six (6) stories or eighty-four (84) feet, whichever is less if the Commission determines that the proposed building and site design would not negatively impact the character of the neighborhood. The Commission may place conditions on any building height waiver to ensure that the proposed project does not adversely affect the surrounding neighborhood.

SECTION 605: HIGHWAY-ARTERIAL DISTRICT (HA)

B. Density/Lot Coverage.

2. The maximum total lot coverage shall be sixty-five (65) percent, the sixty-five (65) percent lot coverage may be increased up to eighty (80) percent through a waiver process granted by the Planning Commission using the same criteria outlined in Section 605601.G.3.

F. Building Height. Building height shall not exceed four (4) stories or fifty-eight (58) ~~feet, six stories or seventy-two (72)~~ feet, whichever is less.

G. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12)~~, The Planning Commission may approve a Planned Unit Development in the Highway Arterial District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Highway Arterial District. Any application for proposed development in the Highway Arterial District may, at the applicant's request, be reviewed as a Planned Unit Development ~~under the provisions of this Section~~. Refer to Section 511.B.1-3 for general and specific review standards in addition to waiver information for a PUD.

1. ~~General Review Standards.~~

- (a) ~~Physical characteristics of the site and relation to surrounding properties.~~
 - (b) ~~Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~
 - (c) ~~Design characteristics of the proposal and compatibility to adjoining developed land.~~
 - (d) ~~Unique design or land planning characteristics.~~
 - (e) ~~Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~
 - (f) ~~The preservation of unique natural physical characteristics.~~
 - (g) ~~Building design compatibility with adjoining structures.~~
 - (h) ~~Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~
2. ~~Specific Review Standards~~
- (a) ~~Proposed traffic flow and circulation design.~~
 - (b) ~~Structural design and compatibility with adjoining developed properties.~~
 - (c) ~~Scale and design of proposed structures.~~
 - (d) ~~Location and setbacks of all proposed structures.~~
 - (e) ~~Unique physical characteristics of the proposed use.~~
 - (f) ~~Unique characteristics of the proposed use.~~
3. ~~Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~
- (a) ~~Unique physical characteristics of the site proposed for development.~~
 - (b) ~~Superior building design, lot layout and landscaping design.~~
 - (c) ~~Provision of public open spaces or superior bicycle and pedestrian access.~~
 - (d) ~~Joint or combined vehicular access with adjoining properties.~~
1. Commercial PUD.
- (a) Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Highway-Arterial District pursuant to Section 605.G.
 - (b) Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.
 - (c) Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 511.B.1-3 ~~604.G, Section 605.G and Section 724.~~
 - (d) Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.
 - (e) Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.

SECTION 606: MULTI-FAMILY/MIXED-USE-1 DISTRICT (MF-MU1)

A. Purpose. The Multi-Family/Mixed-Use-1 District is intended to allow high density multi-family development along low intensity commercial uses along major transportation and public

transit corridors. High Density, Mixed Use developments and affordable housing with parking below grade or on the first floor of the building are encouraged. Development in the MF-MU1 District should support alternative modes of transportation, while accommodating the automobile. ~~Developments within this district should be designed in such a way as to build upon the village character found in the core areas of the Village.~~

B. Density/Lot Coverage.

1. The minimum lot size in the MF-MU1 District shall be fifteen thousand (15,000) square feet. The MF-MU1 District shall not have a maximum allowable density. The maximum number of dwelling units shall be determined by the ability to meet the standards of the Land Development Code including, but not limited to, parking, setbacks, lot coverage and building height.
2. The maximum total lot coverage shall be sixty-five (65) percent, the sixty-five (65) percent lot coverage may be increased up to eighty (80) percent through a waiver process granted by the Planning Commission using the same criteria outlined in Section ~~605601~~.G.3.

G. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a MF-MU1 District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Multi-Family Mixed-Use-1 District. Any application for proposed development in the Multi-Family Mixed-Use-1 District may, at the applicant's request, be reviewed as a Planned Unit Development ~~under the provisions of this Section~~. Refer to Section 511.B.1-3 for general and specific review standards in addition to waiver information for a PUD.

1. ~~General Review Standards:~~

- ~~(a) Physical characteristics of the site and relation to surrounding properties.~~
- ~~(b) Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~
- ~~(c) Design characteristics of the proposal and compatibility to adjoining developed land.~~
- ~~(d) Unique design or land planning characteristics.~~
- ~~(e) Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~
- ~~(f) The preservation of unique natural physical characteristics.~~
- ~~(g) Building design compatibility with adjoining structures.~~
- ~~(h) Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

2. ~~Specific Review Standards~~

- ~~(a) Proposed traffic flow and circulation design.~~
- ~~(b) Structural design and compatibility with adjoining developed properties.~~
- ~~(c) Scale and design of proposed structures.~~
- ~~(d) Location and setbacks of all proposed structures.~~
- ~~(e) Unique physical characteristics of the proposed use.~~
- ~~(f) Unique characteristics of the proposed use.~~

- ~~3. Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~
- ~~(a) Unique physical characteristics of the site proposed for development.~~
 - ~~(b) Superior building design, lot layout and landscaping design.~~
 - ~~(c) Provision of public open spaces or superior bicycle and pedestrian access.~~
 - ~~(d) Joint or combined vehicular access with adjoining properties.~~

SECTION 607: MULTI-FAMILY/MIXED-USE-2 DISTRICT (MF-MU2)

B. Density/Lot Coverage

2. The maximum total lot coverage shall be sixty-five (65) percent, the sixty-five (65) percent lot coverage may be increased up to eighty (80) percent through a waiver process granted by the Planning Commission using the same criteria outlined in Section ~~605601~~.G.3.

G. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a MF-MU1 District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Multi-Family Mixed-Use-1 District. Any application for proposed development in the Multi-Family Mixed-Use-1 District may, at the applicant's request, be reviewed as a Planned Unit Development ~~under the provisions of this Section~~. Refer to Section 511.B.1-3 for general and specific review standards in addition to waiver information for a PUD.

~~1. General Review Standards.~~

- ~~(a) Physical characteristics of the site and relation to surrounding properties.~~
- ~~(b) Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~
- ~~(c) Design characteristics of the proposal and compatibility to adjoining developed land.~~
- ~~(d) Unique design or land planning characteristics.~~
- ~~(e) Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~
- ~~(f) The preservation of unique natural physical characteristics.~~
- ~~(g) Building design compatibility with adjoining structures.~~
- ~~(h) Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

~~2. Specific Review Standards~~

- ~~(a) Proposed traffic flow and circulation design.~~
- ~~(b) Structural design and compatibility with adjoining developed properties.~~
- ~~(c) Scale and design of proposed structures.~~
- ~~(d) Location and setbacks of all proposed structures.~~
- ~~(e) Unique physical characteristics of the proposed use.~~
- ~~(f) Unique characteristics of the proposed use.~~

~~3. Waivers. The Commission may waive requirements for setbacks, parking and lot~~

~~coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~

- ~~(a) — Unique physical characteristics of the site proposed for development.~~
- ~~(b) — Superior building design, lot layout and landscaping design.~~
- ~~(c) — Provision of public open spaces or superior bicycle and pedestrian access.~~
- ~~(d) — Joint or combined vehicular access with adjoining properties.~~

SECTION 608: TRANSIT ORIENTED DEVELOPMENT (TOD)

- B. Applicability. Development proposals that involve ~~more~~ more than thirty (30) percent or more of the existing building(s) square footage on the effective date of this ordinance shall be in full compliance with the standards of the TOD District.
1. The use chart in Section 620 identifies the allowed uses in the TOD District, which shall apply on effective date of this code. Non-conforming uses shall comply with the standards in Chapter 8 regarding non-conforming uses.
 - ~~2. The Commission shall not approve any project which does not comply with the regulations established for the TOD District.~~
- F. Building Height. The maximum allowable building height shall be ~~6~~ four (4) stories or ~~eighty-four~~ fifty-eight (58) feet (~~84'~~), whichever is less.
- a. Building Height Waiver – The Planning Commission may grant a height waiver up to six (6) stories or eighty-four (84) feet, whichever is less if the Commission determines that the proposed building and site design would not negatively impact the character of the neighborhood. The Commission may place conditions on any building height waiver to ensure that the proposed project does not adversely affect the surrounding neighborhood.
- H. Access to Public Streets. Curb cuts onto major arterial streets shall be minimized; shared curb cuts and joint access ~~is~~ are strongly encouraged.
- K. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a mixed use development. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the TOD District. Any application for proposed development in the TOD District may, at the applicant's request, be reviewed as a Planned Unit Development. ~~under the provisions of this Section 604.G. Refer to Section 511.B.1-3 for general and specific review standards in addition to major transportation facilities, including public transit, walkways and bike paths.~~ waiver information for a PUD.
1. Commercial PUD.
 - (a) Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Transit Oriented Development District pursuant to Section 608.K.
 - (b) Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.
 - (c) Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 511.B.1-3.

(d) Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.

(e) Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.

~~1. General Review Standards:~~

~~(a) Physical characteristics of the site and relation to surrounding properties.~~

~~(b) Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) Unique design or land planning characteristics.~~

~~(e) Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~

~~(f) The preservation of unique natural physical characteristics.~~

~~(g) Building design compatibility with adjoining structures.~~

~~(h) Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

~~2. Specific Review Standards~~

~~(a) Proposed traffic flow and circulation design.~~

~~(b) Structural design and compatibility with adjoining developed properties.~~

~~(c) Scale and design of proposed structures.~~

~~(d) Location and setbacks of all proposed structures.~~

~~(e) Unique physical characteristics of the proposed use.~~

~~(f) Unique characteristics of the proposed use.~~

~~3. Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~

~~(a) Unique physical characteristics of the site proposed for development.~~

~~(b) Superior building design, lot layout and landscaping design.~~

~~(c) Provision of public open spaces or superior bicycle and pedestrian access.~~

~~(d) Joint or combined vehicular access with adjoining properties.~~

L. Special Uses. Uses identified with an “S” on the Use Chart in ~~the use chart in~~ Section 620 of this Code for the TOD District shall only be allowed on the first story.

SECTION 609: RESIDENTIAL-OFFICE (R-O)

H. Special Standards for Office Conversions. Proposed conversions to non-residential uses shall require Conditional Use and Site Plan approval. In addition to Site Plan standards, the Commission shall review the following special standards:

1. The proposed use shall not cause significant ~~noise sound~~ or traffic impacts on adjoining properties.

SECTION 612: PLANNED EXPOSITION (P-E)

A. Purpose. To provide an area for special events and exposition facilities while minimizing adverse traffic, ~~noise~~ sound and visual impacts. It is the intent of this district to encourage innovation in design and to encourage pedestrian, bicycle and bus access to such events.

G. Exposition Center PUD. ~~Pursuant to 24 V.S.A. §4407(12)~~, The Planning Commission may approve a Planned Unit Development for use as an Exposition Center. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Planned Exposition District.

~~Development activity involving an Exposition Center PUD shall be reviewed under the provisions of this Subsection. For the purposes of this Code, an Exposition Center PUD shall be defined as the development of a parcel of land with multiple buildings, vehicle parking areas and appurtenant facilities for the purpose of conducting indoor and outdoor exhibits, carnivals, fairs, concerts, trade shows and similar events.~~

~~1. Approval of an application for an Exposition Center PUD requires approval of a Conceptual Plan by the Commission in accordance with the requirements of Section 511.C.~~

~~2. If the application involves the construction of new buildings or the alteration of existing buildings or facilities, Site Plan approval is also required; see section 502.F.~~

~~3. Submittal Requirements. In addition to the requirements for submittal of a Conceptual Plan specified in Section 511.C, a Conceptual Plan for an Exposition Center PUD shall contain the following:~~

~~(a) The location and type of all permanent signs.~~

~~(b) The location of areas proposed for temporary and permanent signs which are visible from any public street.~~

~~(c) The general location of areas to be used for specific purposes or events, including parking.~~

~~(d) The general location of permanent fencing, screening and landscaping, including a description of types of plant materials.~~

~~(e) The general location of areas to be occupied by temporary structures, including distances between buildings and from structures to property lines.~~

~~Temporary structures are those not staying in one location for more than two consecutive weeks or not served by water, sewer, and electric power connections.~~

~~(f) The approximate location of any proposed roads, sidewalks or bike paths.~~

~~(g) A proposed phasing schedule and map.~~

~~(h) A description of methods used to estimate the impact of the proposed development on public infrastructure.~~

~~4. Standards of Review of Exposition Center PUD.~~

~~(a) Physical characteristics of the site and relation to surrounding properties;~~

~~(b) Relationship to major transportation facilities, including mass transit, walkways and bike paths;~~

~~(c) Design characteristics of the proposal and compatibility to adjoining developed land;~~

~~(d) Unique design or land planning characteristics;~~

~~(e) Methods used to provide a transition between adjoining uses and proposed~~

uses including, but not limited to, setbacks, screening, fencing, building design and parking design;

(f) The preservation of unique natural physical characteristics;

(g) Building design compatibility with adjoining structures; and

(h) Other criteria, as deemed necessary by the Commission, to evaluate the merits of a specific proposal.

5. Standards for Review of Temporary Activities in an Exposition Center PUD.

(a) The size of the event;

(b) The location of the event within the Planned Exposition District;

(c) Anticipated traffic impacts;

(d) Proposed hours of operation; and

(e) Conformance with performance standards in Section 718 of this Code.

6. Conditions. The Commission may approve the proposed Exposition Center PUD with conditions designed to meet the standards established in Section 612 of this Code.

7. Classification and Approval of Activities. Plans for specific activities in an Exposition Center PUD shall be classified by the Community Development Department as permitted activities, temporary activities or major activities, and shall be reviewed in the following manner:

(a) Permitted activities. Permitted activities require no permits, provided that no new or temporary structures are proposed. The applicant shall notify Staff in writing, not less than two (2) days, excluding weekends and holidays, prior to the activity to ensure that additional review is not necessary. The following are permitted activities:

(i) Agriculture shows or exhibitions and related sales.

(ii) Educational workshops.

(iii) Special training, including driver's education, surveying techniques and similar training activities.

(iv) Reunions.

(v) Low intensity recreation activities.

(vi) Offices directly related to the Fairground's activities.

(vii) Storage facilities for equipment to be used for maintenance of any approved event or as a seasonal use.

(viii) Horse boarding.

(b) Temporary Activities. Temporary activities require staff review and approval. An application for a Temporary Use Permit shall be submitted in accordance with Section 502.D of this Code. In addition to the Temporary Use Permit standards, Staff shall review a temporary activity under the standards in Section 612.

(i) An application for a temporary activities permit may be submitted for a series of events over a one-year period (an annual permit application) or for individual events. Approval of an annual permit application shall not preclude application for and receipt of any number of single permits for events during the same year.

(ii) Annual permit applications shall be reviewed within twenty-one (21) days of receipt.

(iii) Single permit applications shall be reviewed within forty-eight (48)

hours receipt.

(iv) The following shall be deemed temporary activities:

- (aa) Antique shows;
- (bb) Dog shows;
- (cc) Car shows;
- (dd) Craft shows;
- (ee) Group sales (retail associations, car dealerships, clearance sales or similar events);
- (ff) Sales of products associated with another temporary or permitted event;
- (gg) Concerts; and
- (hh) Trade shows.

(c) Major Activities. The Planning Commission shall hold a public meeting in connection with review of a major activity, and may require a public hearing.

(i) Standards of review. The Commission shall review each application for a major activity permit on its individual merits. Special consideration shall be given to mitigation efforts proposed to reduce potential community impacts. In granting such a permit, the Commission may impose conditions regarding:

- (aa) Time of the events;
- (bb) Parking and traffic control measures;
- (cc) Temporary off-site parking of recreational vehicles on public property;
- (dd) ~~Noise~~ Sound mitigation;
- (ee) Location of the event within the District; and
- (ff) Impacts which, in the opinion of the Commission, are reasonable and will mitigate adverse impacts.

(ii) The following shall be deemed major activities;

- (aa) Any event for which a permit has been denied by Staff;
- (bb) Events which last more than five (5) days (excluding set-up and take-down);
- (cc) Any event which exceeds the performance standards specified in Section 718 of this Code.

(iii) Annual agricultural exhibitions shall be reviewed by staff on an annual basis and are classified as a major use. Staff may approve all activities specified below. The Commission shall review any activity denied by Staff.

(aa) Normal Activities. Daily shows (other than grandstand shows), education workshops, product demonstrations, agricultural events, food services, booths, carnivals, and any activity within enclosed structures shall be considered as normal activities and shall not be individually reviewed.

(bb) Cumulative Effects. The cumulative effects of fair activities shall be reviewed annually with Staff, the Police Department and the applicant. Review is restricted to traffic control, lighting, parking, and ~~noise~~ sound abatement plans. Reasonable efforts

shall be made to reduce potential adverse impacts of annual events. In the event that agreement is not reached, the Commission shall consider the outstanding issues at a public meeting on the next Commission agenda.

(cc) Special Events. Special events, including, but not limited to, concerts, demolition derbies, tractor pulls and other grandstand events shall be reviewed for compliance with standards for noise sound, dust control, parking and traffic flow. Staff may not grant waivers to any standard included in this Code. If it is expected that sound standards may be exceeded, application shall be made to the Trustees for a waiver in accordance with Section 506 of this Code. Staff may approve any special event which does not exceed standards and may impose reasonable conditions regarding control of traffic, noise sound and dust. In addition, Staff may stipulate hours of operation to ensure conformance with adopted standards.

8. Signs. Signs in the Planned Exposition Center PUD shall be approved by the Commission as part of Conceptual and/or Site Plan review.

(a) The Commission shall consider the following:

- (i) Compatibility with the Conceptual Plan.
- (ii) Compatibility with the adjoining property.
- (iii) Visual design.
- (iv) Landscaping.
- (v) Location and size.

(b) Specific types of signs which may be approved subject to the above, including a single sign with changeable messages to advertise events and signs near the streets to direct pedestrian, bicycle and vehicular traffic to appropriate entrances. The general location and type of Temporary signs shall be reviewed by the Commission.

9. Expiration of Approvals. Approval for an Exposition Center PUD or approvals for any activities to be conducted at such PUD shall expire in accordance with terms set forth in the approval.

10. Appeals:

(a) Any interested person may appeal a decision of the Planning Commission regarding an Exposition Center PUD or conduct of a major activity at an Exposition Center PUD in accordance with the procedures set forth in Section 1707 below.

(b) Any interested person may appeal a decision of the Staff classifying an activity at an Exposition Center PUD to the Planning Commission in accordance with the procedures set forth in Section 1704 below.

SECTION 613: PLANNED AGRICULTURE (P-A)

G. Agriculture PUD. Pursuant to ~~24 V.S.A. §4407(12)~~, The Planning Commission may approve a Planned Unit Development for an Agriculture PUD, and in connection with such PUD approval, approve the structures and facilities to accommodate any of the uses allowed in the Planned Agriculture District.

4. Standards of Review. ~~The Commission shall review the proposed Agriculture PUD in accordance with the standards specified in Section 613 of this Code.~~ Generally, the Commission shall consider the effect of the proposed development on the Community, public infrastructure and adjoining development. Mitigation efforts, including noise sound control, traffic control and landscaping shall be considered.

~~1. Review Standards. The Commission shall consider the following:~~

5. Density Bonuses. The Commission may approve density increases for any Planned Agricultural proposal. Density shall be calculated on an overall project basis and allowable bonus density on developable land that is preserved may be applied elsewhere in a development.

(a) Standards. The Commission shall consider the standards as specified below:

(iii) The proposal includes amenities, including but not limited to, pedestrian and bikeways, passive and active open spaces, energy efficient designs and alternative energy sources including solar renewable energy sources.

Any proposed development under Section ~~610~~ 613.G.2 - Exceptions shall not qualify for density bonuses.

SECTION 614: FLOOD PLAIN (F-P)

B. Base Flood Elevations and Floodway Limits

2. In areas where base flood elevations and floodway limits have not been provided by the National Flood Insurance Program, ~~i.e., Zone A~~ base flood elevation and floodway information available from State or Federal agencies or other sources shall be obtained and reasonably utilized to administer the provisions of these regulations.

SECTION 615: MIXED COMMERCIAL USE DISTRICT

B. Lot Size/Lot Coverage

2. The maximum total lot coverage shall be sixty-five (65) percent; the sixty-five (65) percent lot coverage may be increased up to eighty (80) percent through a waiver process granted by the Planning Commission using the same criteria outlined in Section ~~615601.G.3.~~

G. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a Commercial or Multi-Family Residential Development. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Mixed Commercial District. Any application for proposed development in the Mixed Commercial District may, at the applicant's request, be reviewed as a Planned Unit Development. ~~under the provisions of this Section 604.G.~~ Any application for proposed development in the Mixed Commercial District which contains more than two thousand five hundred (2,500-sq.-ft.) square feet of commercial space shall be reviewed as a Planned Unit Development or Multi-Family Residential Development unless this requirement is specifically waived by the Commission. ~~Review standards and waiver requirements for a PUD are set forth in Section 511.B.1-3.~~

~~1. General Review Standards.~~

- (a) — ~~Physical characteristics of the site and relation to surrounding properties.~~
 - (b) — ~~Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~
 - (c) — ~~Design characteristics of the proposal and compatibility to adjoining developed land.~~
 - (d) — ~~Unique design or land planning characteristics.~~
 - (e) — ~~Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~
 - (f) — ~~The preservation of unique natural physical characteristics.~~
 - (g) — ~~Building design compatibility with adjoining structures.~~
 - (h) — ~~Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~
2. — ~~Specific Review Standards~~
- (a) — ~~Proposed traffic flow and circulation design.~~
 - (b) — ~~Structural design and compatibility with adjoining developed properties.~~
 - (c) — ~~Scale and design of proposed structures.~~
 - (d) — ~~Location and setbacks of all proposed structures.~~
 - (e) — ~~Unique physical characteristics of the proposed use.~~
 - (f) — ~~Unique characteristics of the proposed use.~~
3. — ~~Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~
- (a) — ~~Unique physical characteristics of the site proposed for development.~~
 - (b) — ~~Superior building design, lot layout and landscaping design.~~
 - (c) — ~~Provision of public open spaces or superior bicycle and pedestrian access.~~
 - (d) — ~~Joint or combined vehicular access with adjoining properties.~~

SECTION 617: NORTH LINCOLN STREET OVERLAY DISTRICT NLSO

- B. Permitted Uses. Uses allowed in the ~~NLOD~~ NLSO shall be those uses identified in Section 620 Use Chart, including all uses identified in both the ~~NLOD~~ NLSO and the underlying zoning district.
- C. Dimensional Standards. Development within the ~~NLOD~~ NLSO shall meet the dimensional requirements of the underlying zoning district including setbacks, lot coverage and building height.
- D. Density. The allowable residential density in the ~~NLOD~~ NLSO shall be established by the underlying zoning district.

SECTION 620: USE CHART

- A. District Abbreviations. For the purposes of this Code, and for the chart presented in this Section, the zoning districts shall have the following abbreviations:
14. Flood Plain District (FP). ~~For information on uses, see Section 611 Flood Plain~~

~~District.~~

16. Professional Office Overlay District ~~For information on uses, see Section 502.G Professional Office Overlay District~~

CHAPTER 7: GENERAL DEVELOPMENT STANDARDS

SECTION 703: PARKING AND LOADING

B. Loading Requirements. All uses shall provide off-street loading spaces except residential uses, ~~financial institutions, offices,~~ or other uses specifically waived by the Commission in accordance with Subsection 7 below.

3. Surfaces. All loading areas shall be hard-surfaced and clearly marked with painting to designate the loading area. This requirement may be waived by Staff or the Planning Commission ~~based upon projected traffic counts.~~

C. Off-Street Parking Requirements.

1. All required parking spaces, ~~with the exception of parallel parking spaces,~~ shall have a minimum width of nine (9) feet and a minimum length of eighteen (18) feet. ~~Parallel parking spaces shall have a minimum width of eight (8) feet and minimum length of twenty-two (22) feet.~~

D. Drive-through Facilities.

2. Stacking requirements. A minimum of six (6) vehicles ~~shall should~~ be accommodated in each stacking lane.

I. Vehicles For Sale. Any vehicle advertised for sale within any District and not in an approved car lot shall obtain a Temporary Use Permit except as specified below and shall meet the following standards:

3. No vehicle for sale may be parked in any public Right-of-way in any district for more than twenty-four hours. ~~except the sale of one personal vehicle by the owner of the vehicle.~~

K. Other Parking Standards and Applicability

1. The Commission may waive the ~~required number of off-street spaces on-site parking requirements~~ for a proposed development only if sufficient alternative parking is available or if a waiver is granted in accordance with Section 703.K.15.

10. Pedestrian access. The design of all parking lots shall incorporate measures to minimize safety hazards to pedestrians. Pedestrian paths shall be designated and clearly marked. Separation of vehicle and pedestrian traffic shall be included in all parking lot plans where possible. The Commission may waive this requirement due to unique characteristics of the lot ~~such as small lots, underground parking~~ or innovative alternative designs.

12. Striping. Hard surfaced parking spaces shall be clearly striped and maintained and shall meet standard parking dimensional requirements as specified in Section 703. ~~or as specifically approved by the Commission.~~

15. Joint Parking Facilities. Joint parking arrangements may be approved by the Commission, provided that the applicant has submitted legal documentation to guarantee continued long-term availability of said parking. Within any shopping center or other

areas where joint parking has been established, the Commission may not approve any **site plan and** site plan amendments or other use changes which would increase parking needs, or any waivers of parking requirements, until the applicant has submitted proof of notice to all tenants or shared parking participants of the proposed change.

16. Waivers. The Commission may waive some or all parking requirements and may place conditions on a waiver as necessary to guarantee adequate parking. The Commission may require any change in use on any property where a waiver has been granted to be reviewed for parking impacts, and the change shall be prohibited if it is deemed to generate a parking deficiency. The Commission shall determine that one or more of the following standards are met at a specific location prior to granting a waiver:

- (a) The proposed uses have staggered business hours with minimal overlap in business hours **which allow for shared use of parking spaces.**

SECTION 704: LIGHTING

B. General Standards. Lighting is allowed in required yards and shall be subject to the following regulations:

3. **All light fixtures shall be hooded or shielded and directed downward at sixty (60) degrees to horizontal, unless otherwise approved, and shall have concealed light sources.**
7. **All private residential exterior light sources shall be Dark Sky Compliant.**

C. Review of Lighting Plans

4. For all parking areas, drives, and walkways an analysis and illuminance level diagram showing a numerical grid of lighting levels, in foot candles, and a table of lighting statistics verifying that the proposed installation conforms to the lighting standards in this section, ~~a waiver for unusual circumstances~~; and building elevations with fixtures, portions of wall to be illuminated.

D. Parking Lot Illumination

5. Energy saving ~~metal halide or mercury vapor~~ LED lamps with a correlated color temperature not exceeding four thousand three hundred (4,300) Kelvin (K) shall be used. ~~except that high pressure sodium may be used in the Light Industrial District and Planned Commercial developments.~~ Special alternatives may be approved by the Commission upon determination that the purposes of this Section are achieved.

9. Lighting shall conform to the Chittenden County Regional Planning Commission “Outdoor Lighting Manual for Vermont Municipalities” or as otherwise approved by the Village Engineer. The minimum lighting level shall be at least two tenths (0.2) foot candles, but not exceed four tenths (0.4) foot candles and the uniformity ratio (~~minimum~~ average to minimum ~~maximum~~) shall be ~~20~~ 10:1, unless otherwise approved by the Village Engineer.

E. Illumination of Building Facades and Landscaping:

2. When allowed lighting fixtures shall be located and shielded so the light is directed only on to the building facade. Lighting fixtures shall not be directed towards adjacent streets or ~~roads-properties.~~

3. ~~————To the extent practicable, lighting fixtures shall be directed downward.~~

F. Roadway Lighting:

1. New or replacement light fixtures on arterial and non-residential collector streets, shall be of cut-off cobra type fixtures with ~~metal halide~~–LED bulbs with a correlated color temperature not exceeding four thousand three hundred (4300) Kelvin, mounted no more than forty (40) feet above grade. Specific alternatives may be approved by the Commission upon determination that the purposes of this Section will be achieved.
2. On other existing Village streets, new or replacement light fixtures, shall match existing styles unless alternatives are approved by the Commission. Fixtures shall have concealed ~~metal halide or mercury vapor~~ LED bulbs with a correlated color temperature not exceeding four thousand three hundred (4300) Kelvin and the height shall match that of existing street lights in the area.
3. On new residential streets, street lights shall use "shoe box" style fixtures on black or bronze anodized poles up to thirty (30) feet in height with ~~metal halide~~ LED bulbs with a correlated color temperature not exceeding four thousand three hundred (4300) Kelvin, unless alternatives are approved by the Commission.
3. The spacing of street lighting fixtures shall be as required by Section 912 of this Code.
4. The selection and location of roadway and street lights shall achieve the recommended illuminance per the American National Standards Institute (ANSI)/Illuminating Engineering Society of North America (IESNA) RP-8, American National Standard Practice for Roadway Lighting. The standards summarized in the table below shall be utilized unless otherwise approved by the Village Engineer.

Street Type	Average Illuminance	Average to Minimum	Maximum Mounting Height, ft
Major	0.9	3	30
Collector	0.6	4	30
Residential	0.4	6	25
Pedestrian Areas	0.4	4	to match street

New and replacement fixtures shall be fully cutoff, fully shielded fixtures to minimize glare and light trespass.

New and replacement fixtures shall be light emitting diodes (LEDs) with a maximum correlated color temperature of 4300K.

SECTION 705: CURB CUT AND ACCESS TO PUBLIC STREETS

C. Commercial and Industrial. All commercial and industrial development shall be designed to meet the following minimum standards.

1. One traffic lane – Twelve (12) to fifteen (15) foot curb-cut
2. Two traffic lanes – Twenty four (24) to thirty (30) foot curb-cut
3. Three traffic lanes – Thirty (30) to forty five (45) foot curb-cut

The Commission shall review proposed curb cuts and the closure or relocation of existing curb-cuts based upon anticipated traffic, turning movements and need to accommodate buses and trucks. The applicant must provide information supporting a request for more than one ~~ten~~ **twelve (12)** foot wide entry and one ~~ten~~ **twelve (12)** foot wide exit.

D. General Standards

1. No more than one curb cut is allowed for each seventy-five (75) linear feet of frontage. Lots containing one (1) or two (2) family dwellings shall have only one (1) curb cut unless a second is specifically approved by the Commission upon determination that special ~~exceptions~~ conditions justify the exception.

E. Alterations Within Public Right-of-way.

The Trustees shall have authority to approve a change within the Public Right-of-way which is not specifically delegated to the Staff by Section 705.B and to the Commission in Section 705.C. Closure or relocation of an existing curb cut (with the exception of the closure or relocation of an existing curb-cut as stipulated by the Planning Commission through Site Plan Review) shall require a Public Meeting by the Trustees. Closure or relocation review may be by written request or may be initiated by the Trustees. The Trustees shall notify by mail all property owners abutting the ~~proposed site proposal~~ and all property owners with a legal interest in the curb cut.

SECTION 706: ACCESSORY USES AND STRUCTURES

C. Set-back Exceptions

2. Utilities. Public utilities and infrastructure may be located within any setback, provided that above ground structures are not located within any required Visibility Triangle. Above-ground utility structures shall be screened with vegetation when said screening does not interfere with the functional characteristics of the structure. To the extent possible above ground structures shall be designed and painted to match the characteristics of adjacent development. ~~To the extent possible, utilities shall be underground.~~ **New and redevelopment projects shall install utilities underground.**

4. Heating, ventilation and air conditioning equipment. Equipment for heating, ventilation or air conditioning which encroaches into a setback by not more than twelve (12) inches shall not be deemed to violate this Code. Equipment placed upon the roof of any commercial or residential structure shall not be deemed a violation of this Code if:
(c) It generates no additional ~~noise~~ **sound** discernable at the adjoining property line.

7. ~~Handicapped Accessible~~ ramps constructed to ~~provide handicapped~~ **provide handicapped** accommodate disabilities ~~access~~ are exempt from setback provisions provided that no reasonable alternative is available and the encroachment is the minimum necessary to provide access. Covered or enclosed ramps shall meet all setback requirements.

D. Satellite Dish Antenna. No satellite dish or other antenna may be erected or placed within any District except in compliance with this Section and with Conditional Use approval.

4. All antenna dishes shall be permanently ground-mounted unless specifically approved otherwise by the **Zoning Board of Adjustment**.

J. Dumpsters or Other Trash Containers:

No dumpster or trash container shall be located or used in any District except in conformance with these standards or approval of a Site Plan.

1. All dumpsters or trash containers located within any District shall be screened from view **from the public Right-of-way** by a nontransparent fence and/or landscaping materials to a height of six (6) feet.

K. Tennis, Basketball or Volleyball Court. These facilities, or similar private recreation facilities, **such as outdoor skating rink facilities**, may be located in rear or side yard setbacks within five (5) feet of any property line; provided, however, they may not be located in any drainage or utility easement.

SECTION 707: FENCES

C. Exceptions.

1. Property located in a Planned Agriculture District may use barbed wire for fencing purposes, provided that said fencing is utilized strictly for agricultural purposes. Properties in the Light Industrial District may also use barbed wire fencing. However conditions may be imposed upon approval to provide **minimize minimal** impacts on neighboring properties.

SECTION 709: PRIVATE STREETS

A. Standards. The Commission may approve a Private Street only as a part of a Planned Development application. The following conditions shall apply to any Private Street:

6. The following streets must be provided as Public Streets and dedicated to the **town Village**, unless waived by the Planning Commission upon determination the waiver would be consistent with the provisions of Section 917 of the Land Development Code:

SECTION 711: HOME OCCUPATIONS. Nothing in this Code shall infringe upon the right of any resident to use a minor portion of a dwelling for an occupation which is customary in residential areas and which does not change the character thereof.

A. Purpose:

1. To protect residential areas from potential adverse impact of excessive traffic, nuisance, **noise sound** and other effects of occupational activities within residential neighborhoods.

B. Review Criteria. All Home Occupations shall meet the following review criteria and standards:

3. The area utilized for the Home Occupation shall not exceed twenty (20) percent of the floor area of the residence, including **attached** garages.
8. No activity shall be conducted on the premises which would interfere with radio or television transmission, nor shall there be any offensive **noise** sound, smoke, dust or heat noticeable at the property line.

SECTION 712: OPEN SPACE REGULATIONS.

Except as specified in this Code, no building, structure or vehicles shall encroach upon any required setback or designated Open Space area. All required setbacks shall be maintained ~~in~~ **grass in vegetative cover** and shall not be covered with any impermeable surface materials except in Commercial Districts where the Commission may approve specific alternatives.

SECTION 714: SIGN STANDARDS.

E. Number of Wall Signs

1. In Commercial and Industrial Districts, the overall number of wall signs shall not be restricted as long as the total square footage of all wall signs does not exceed the size limitation as listed in Section 714.D.~~23~~.
2. In lieu of a freestanding sign an additional twenty (20) square feet of wall signage shall be allowed. However, in no case may a single wall sign exceed the size limitations in Section 714.D.~~23~~.

G. Window Signs

3. Village Center District – Businesses in the Village Center District shall be allowed one (1) internally lit or neon window sign. All internally lit or neon window signs shall not to exceed three (3) square feet and shall require approval of a sign permit. Businesses on a corner lot shall be allowed to have two (2) internally lit or neon window signs, one (1) facing each street frontage. A business that has over one hundred and fifty (150) feet of street frontage shall be allowed two (2) internally lit or neon window signs subject to the size restrictions. All other internally lit permanent, temporary or window signage is expressly prohibited in the Village Center District unless otherwise provided in this ~~article~~ **Chapter**.

I. Freestanding Signs

5. Businesses with Drive-Through Facilities may have one (1) menu board sign in addition to one (1) free-standing sign. A menu board sign shall not exceed forty-eight (48) square feet and shall be screened from ~~view~~ **the public Right-of-way**.

J. Number of Freestanding Signs

2. If a development is located on a lot that is bordered by two (2) Public Streets that do not intersect at the lot's boundaries (Double Frontage Lot) then the development may ~~have~~ not have more than one (1) freestanding sign on each side of the development bordered by such streets.

L. Location and Height Requirements

Unless otherwise allowed in this Chapter, the following shall be required for all free-standing signs and permanent signs.

1. Front Yard Setbacks. Signs must meet the following minimum front yard setbacks:
 - (a) In all ~~Commercial, Residential/Office, Industrial, Exposition and Neighborhood Commercial Districts~~ districts, signs shall be set back no less than

ten (10) feet from the property line.

~~(b) — In all other districts, signs shall be set back no less than ten (10) feet from the property line.~~

M. Sign Illumination and Signs Containing Lights.

Unless otherwise prohibited, signs may be illuminated as specified below:

1. Unless specifically provided for elsewhere in the code, internally illuminated signs are prohibited in Flood Plain, Residential/Office ~~and Neighborhood Commercial Districts~~ and Village Center District. Internally lit signs in the Village Center District may be allowed with approval of the Planning Commission upon determination that the internally lit sign meets the intent of Section 502.KH.1.

9. String lights may be used in connection with commercial premises except as specifically ~~prohibited within this Section. provided herein.~~

N. Miscellaneous Restriction and Prohibitions.

1. Signs located off the lot of the business, except those specified in ~~SECTION~~ Section 714: ~~SIGN STANDARDS~~, are prohibited

Q. Exemptions. The provisions and regulations of this Ordinance shall not apply to the following signs. However, said signs shall be subject to the provisions of Section 502.H:

1. One or two-sided free-standing signs for municipal departments which are used to provide public information, and are deemed to meet the intent of Section 502.H.1. Such signs must be approved by the Planning Commission, may not exceed thirty (30) square feet per side, must be at least fifteen (15) feet from the pavement of any public Right-of-way, must not be located within any Right-of-way, and may not exceed ten (10) feet in height. Such signs may include an Electronic Message Board not exceeding ten (10) square feet on each side of the sign, which may only be used between the hours of 7:00 A.M. and midnight. Information may be displayed on the message board on an intermittent basis, provided each display is at least five (5) minutes in duration. Each department shall be limited to one (1) sign.

SECTION 715: TELECOMMUNICATIONS

B. Criteria For Approval And Conditions. An application for a Wireless Telecommunication Facility permit shall be approved after a hearing when the Planning Commission finds all the following criteria have been met:

4. The Facility will not be illuminated by artificial means and will not display any lights or signs except for such lights and signs as required by Federal Aviation Administration, federal or state law, or this ~~bylaw~~ Code.

14. The Facility will not generate undue ~~noise~~ sound.

D. Removal of Abandoned or Unused Facilities. Unless otherwise approved by the Planning Commission, an abandoned or unused Wireless Telecommunication Facility shall be removed within ninety (90) days of abandonment or cessation of use. If the Facility is not removed within ninety (90) days of abandonment or cessation of use, the Planning Commission may cause the Facility to be removed. The costs of removal shall be assessed against the Facility owner.

Unused portions of a Wireless Telecommunication Facility shall be removed within one hundred and eighty (180) days of the time that such portion is no longer used. Replacement of portions of a Facility previously removed shall require a new permit, pursuant to Section 502.N.5-6 ~~Section V.~~

SECTION 717: DAY CARE AND FAMILY CARE FACILITIES

A. Purpose. To allow for the provision of ~~child and/or adult day care facilities~~ **Day Care and Family Care Facilities** within all Districts and to provide criteria for the review of such facilities.

C. Day Care Facility Standards:

3. A fenced outdoor play area shall not be required if a child care center exclusively provides preschool instruction for not more than three (3) hours per ~~shift day~~, and children are not permitted to play outside.

D. Standards of Review. The Zoning Board shall review all applications for Family and Day Care Facilities as Conditional Use Permits. In addition, review shall include the following:

7. Existing or potential levels of air and ~~noise sound~~ pollution in the area.

SECTION 719: LANDSCAPE AND TREE PLANTING REQUIREMENTS

D. Landscaping.

There shall be a sufficient amount of landscaping and screening, as may be reasonably determined by the Planning Commission, to insure protection of and enhance the quality of the project in question and adjacent properties. The landscape plan must be drawn by a landscape architect, landscape designer, or competent landscape professional, and the landscaping requirement will be a minimum of three (3) percent of the total construction cost for new construction up to \$250,000. For new construction projects above \$250,000, the landscape requirement shall be a minimum of two (2) percent of the total construction cost. In the case of construction projects above \$1,000,000, a landscape architect, licensed by the State of Vermont's Office of Professional Regulation, will be required to prepare a landscape plan. This may be waived in unusual circumstances. The Commission may permit or require improvements to the public Right-of-way in part or in lieu of on-site landscaping to be used to improve the pedestrian environment including street trees, plantings, stormwater retention and pedestrian amenities. With a new use on existing development or renovation on existing property, the applicant must provide landscaping adequate to provide screening and environmental enhancement to the satisfaction of the Planning Commission.

1. **Landscape Plan:**

(a) **Preliminary Site Plan**

(i) **A general concept of the landscaping, in both written and graphic form.**

(ii) **A list of existing vegetation, with the location, type, and size of existing trees of six (6) inches or greater in caliper.**

(iii) **A written plan to preserve and protect significant existing vegetation during and after construction. Such plan will be sufficient detail that the Village of Essex Junction will be able to inspect the site during construction to ensure that the existing vegetation is protected as per plan.**

(iv) The location of existing natural features, such as streams, wetlands, and rock outcroppings.

(b) Final Landscape Plan

(i) All proposed physical improvements, such as buildings, walls, parking areas sidewalks, etc.

(ii) Proposed landscaping materials, including vegetation to remain, types of new plant materials, identified by common name and botanical name, sizes of all new plant materials by height and/or diameter at time of planting and at maturity, quantities of each of the planting materials, and treatment of the ground surface (paving, seeding, or groundcover).

(iii) Methods of controlling erosion and protecting landscaped areas.

(iv) A landscape phasing plan. Construction phasing shall be shown on the landscape plan with landscape and construction activities correlated.

2. Landscaping Requirements:

(a) ~~A minimum of fifty percent (50%) of the required landscaping shall be located within twenty (20) feet of the parking lot.~~ All required landscaping shall comply with the intent and purpose of these regulations.

4. General Requirements

(a) Installation: All landscaping shall follow accepted horticultural practices.

(b) Maintenance: ~~The owner of the building or agent shall be responsible for the maintenance of all landscape areas. Landscaped areas shall be maintained in a healthy, neat, and orderly appearance at all times. All dead plant materials shall be replaced.~~ All planting shown on an approved site plan shall be maintained by the property owner in a vigorous growing condition throughout the duration of the use. Plants not so maintained shall be replaced with new plants at the beginning of the next growing season. Trees with a caliper of less than five (5) inches may be replaced on an inch-by-inch basis with trees of at least two and a half (2.5) inches caliper preferably of the same genus.

(c) Failure to maintain: ~~If landscaping or plant materials installed as a condition of Site Plan approval die, they shall be replaced according to the approved landscape plan.~~ Failure to replace materials per approved plans shall be a violation of this Code.

45. Design Standards:

(d) When planters are used in parking lot interiors, a surface area should be made available for aeration and water infiltration of at least twenty-five (25) square feet per tree. ~~Islands may be graded and planted to serve as collection and treatment areas for stormwater management. It is recommended that sections of curb cut be no more than five (5) feet in length.~~

(k) ~~Grass~~ Vegetative areas should be planted with species normally found in the area.

6. The Planning Commission shall require compliance with any Tree Ordinance or Landscape Design Standards enacted by the Village of Essex Junction, subsequent to the effective date of these regulations.



7. Applications utilizing municipally owned land must be reviewed by the Village of Essex Junction Tree Advisory Committee. The Planning Commission, at their discretion, may ask the Tree Advisory Committee and or the Village of Essex Junction Tree Warden to comment on any landscape plan with regard to tree species selection and location.

8. Example Schematics:

Figure 8.1 Parking Area Landscaping/Screening



From Landscape Guide for Vermont Roadways & Transportation Facilities

Figure 8.2 Perimeter Landscaping for Parking Areas

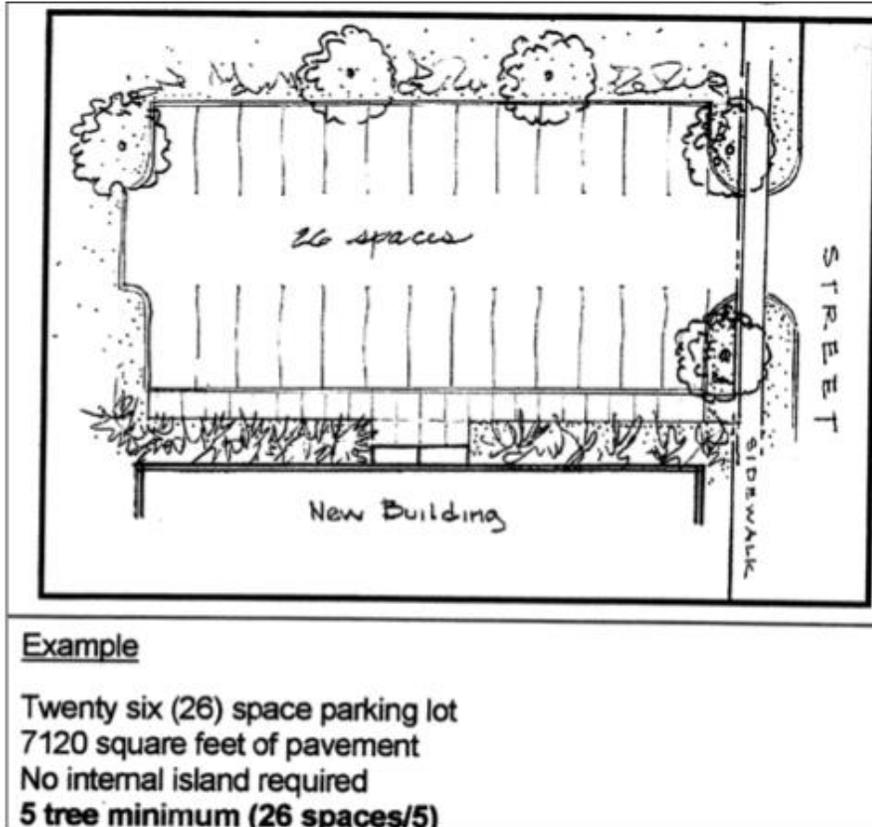


Illustration by Kathleen Ryan, ASLA

Figure 8.3 Internal and Perimeter Landscaping for Parking Areas

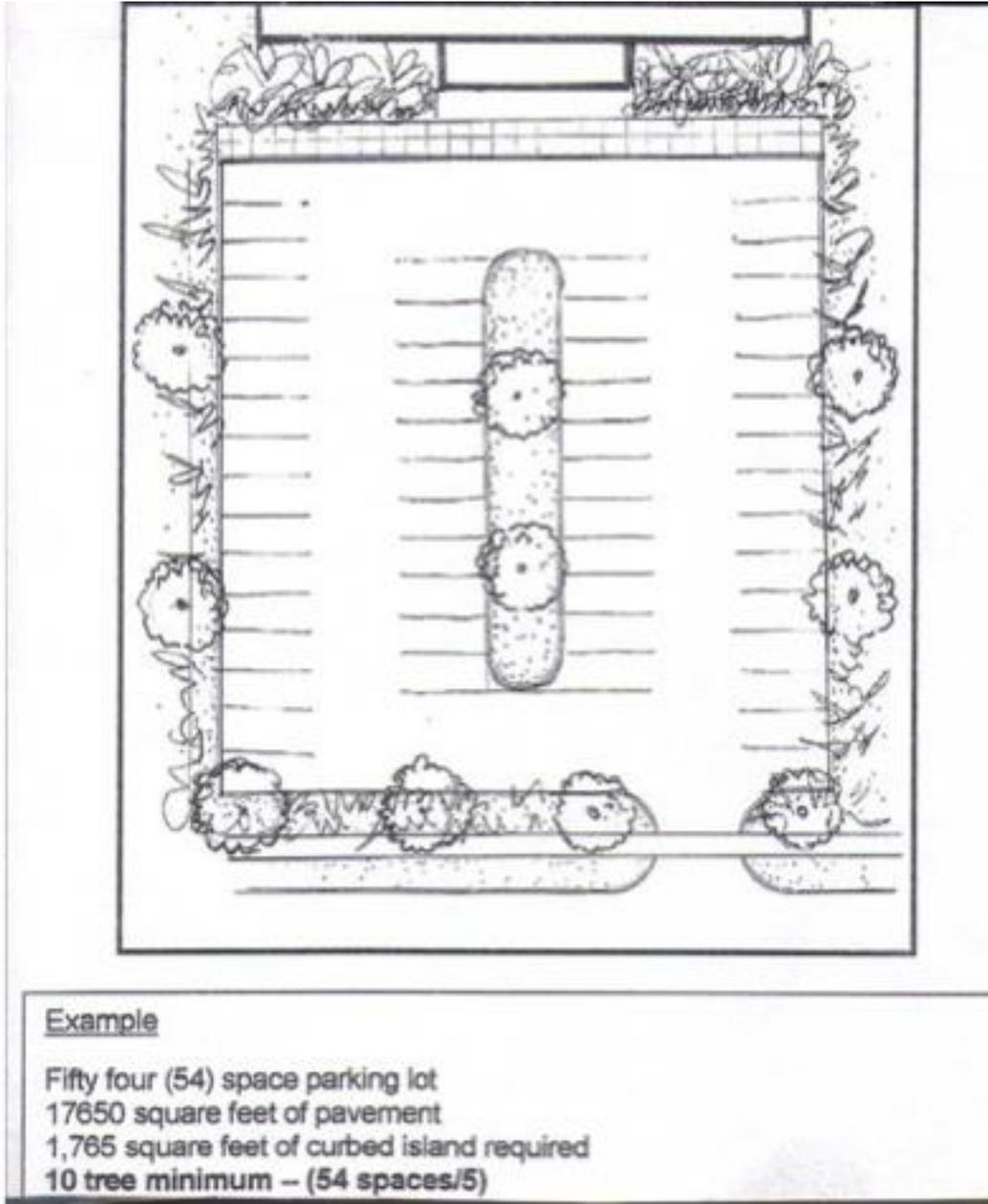


Illustration by Kathleen Ryan, ASLA

E. Approved Plant Materials. An emphasis shall be placed on selecting plant material species shall be native species to Vermont and the Champlain Valley. Trees and plantings that are close to driveways, sidewalks and roads shall be salt tolerant. Generally, plants shall be from the most current tree species list recommended by the Vermont Urban Community and Forestry Program and those listed in the Village Land Development Code. following suggested species list unless waived by the Planning Commission based on the appropriateness of the species for the particular application, but still accordance with intent of this section to require the use of

~~native species.~~ The Planning Commission may refer to any or all of the following publications as resources:

1. Recommended Tree Species for Vermont Communities: A guide to Selecting and Purchasing Street, Park, and Landscape Trees, published by Urban and Community Forestry Program.
2. Planting Sustainable Landscapes- A Guide for Plan Reviewers, prepared by Department of Forests and Parks and the Vermont Chapter of the American Society of Landscape Architects- Section-111.
3. Street Tree Fact Sheets- Published by the Municipal Tree Restoration Program with support from the USDA Forest Service, Northeastern Area State and Private Forestry.

List of Suggested Example Species:

Medium and Large Deciduous Trees

~~White Ash (Fraxinus americana)~~

~~Green Ash (Fraxinus pennsylvanica)~~

F. Minimum Planting Specifications. All plantings are required to be healthy nursery-grown stock and maintained. ~~with bark mulch)~~

SECTION 721: ACCESSORY APARTMENTS

A. Purpose. To allow the provision of small apartments within existing single family dwellings to improve the ability of households to provide housing. ~~for family members.~~

~~SECTION 722: CONVERSION OF PUBLIC SCHOOLS.~~

~~Existing public school facilities may be converted to elderly housing with Site Plan approval. Emphasis shall be placed upon maintaining existing open space and recreation facilities. No more than ten (10) percent of the gross floor area of each existing school building may be converted to school offices or administrative facilities without Site Plan review and approval. Other public uses may be considered upon application for a Conditional Use Permit and Site Plan. In addition to the standards above, other public uses shall meet the following criteria:~~

~~A. All proposals must preserve existing open space and recreational facilities.~~

~~B. The proposed use shall not generate neighborhood traffic in excess of the traffic volume generated by the existing school.~~

~~C. The proposed use shall serve a local, state or Federal governmental agency.~~

~~D. The proposed use shall conform to the Zoning District within which the school is located.~~

SECTION 7234: ~~PLANNED RESIDENTIAL DEVELOPMENT (PRD) and PLANNED UNIT DEVELOPMENT (PUD)~~

Planned Residential Development changed to Planned Unit Development throughout section.

B. Design Considerations. The Commission shall review an application for innovative land and building design techniques. The Commission may determine that the design is not innovative and that standard District requirements shall apply. The Commission may authorize the following modifications to requirements of the underlying Zoning District.

5. Amenities and Quality of Design. To be granted the flexibility permitted under these regulations, the ~~PRD or~~ PUD must demonstrate a level of design and amenity exceeding that typical of conventional development. Features that exhibit a strong level of design include, but are not limited to:

- (a) Amount and quality of landscaping;
- (b) Amount, quality, and interconnectedness of common space; and
- (c) Varied building massing or other measure to reduce monotony in design.

At a minimum, up to fifteen (15) percent of the gross PRD or PUD area shall be developed with passive and active amenities. Examples of amenities include ~~common recreation facility such as~~ but are not limited to:

1. Jogging/exercise track;
2. Off-street bicycle paths;
3. Playgrounds;
4. Tennis court;
5. Athletic fields;
6. Wooded areas; and
7. Open fields that may be in active agricultural production.

The type of amenities required will vary with each individual project. For example, projects designed for seniors, ~~ages fifty five (55) and above, (55 plus)~~ will have different types of amenities than a project designed for young families.

SECTION 7254: RAISING, KEEPING, OR HARBORING LIVESTOCK

The raising, keeping, or harboring of livestock, wild animals or other domesticated farm animals for personal use or commercial purposes shall be prohibited in all Zoning Districts, except for the PA and PE Districts. The raising, keeping or harboring or livestock, wild animals or other domesticated farm animals shall require a minimum lot size of ten acres. ~~Refer to the Municipal Code for exceptions.~~

CHAPTER 8: NONCONFORMITIES

SECTION 801: NON-CONFORMING USES. Any use of land or buildings legally existing on the effective date of this Code which has become non-conforming as a result of this Code shall be considered as a Non-Conforming Use and may be maintained subject to the provision of this Section.

B. Change of Use. A non-conforming use may be changed to a Permitted Use or Conditional Use for the district in which it is located. A non-conforming use ~~shall not may not~~ be changed to another non-conforming ~~use unless the change is~~ use. ~~specifically approved as a Conditional Use.~~

SECTION 802: NON-COMPLYING STRUCTURES. Any structure, existing on the effective date of this Code, which does not conform to the dimensional requirements of this Code

shall be considered as a non-complying structure. Such structure may continue to be occupied, subject to the following:

C. Reconstruction.

2. Non-conforming structures on properties with one single family dwelling may be rebuilt as long as the new structure is not more non-conforming than the existing structure. However, if staff determines the structure could reasonably be rebuilt in conformance with the existing regulations the applicant will be required to comply with the existing regulations. Appeal of staff decisions may be made in accordance with Section 1701. ~~Also, any non-complying structure may be declared conforming with conditional use approval in accordance with Section 803.~~

~~**SECTION 803: TERMINATION OF NON-CONFORMING OR NON-COMPLYING STATUS.**~~

~~The provisions of Sections 801 and 802 regarding the continuation, restoration, reconstruction, expansion or extension of non-conforming uses or non-complying structures notwithstanding, a non-conforming use or non-complying structure may be formally declared to be conforming or complying upon Conditional Use approval.~~

SECTION 8045: NON-CONFORMING SIGNS

1. Subject to the remaining restrictions of this Section, non-conforming signs that were otherwise lawful on the effective date of this ~~article~~ Code may be continued until they are required to be removed under Section 714 of this Code.

SECTION 8056: REMOVAL OF NON-CONFORMING SIGNS

3. If the message portion of a sign is removed, leaving only the supporting "shell" of a sign (or the supporting braces, anchors, or similar components) the owner of record shall, within thirty (30) days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of Section 8056.1, above which restricts the replacement of a nonconforming sign. Nor shall this subsection be construed to prevent the changing of the message of a sign.

CHAPTER 9: SUBDIVISIONS

SECTION 906: STREETS

B. Arrangement

3. Street design shall include measures to discourage through traffic in Residential Districts.
4. Street design shall include measures to encourage improved connectivity in the Village Center District and strike an appropriate balance between all modes of transit.
5. Access for emergency vehicles shall be considered in the layout of any street.

D. Dead-end Streets.

Waiver. The commission may waive the requirement that a Dead-end Street be temporary if, in the opinion of the Planning Commission, all of the following standards are met:

3. The street connection is not required to provide a secondary access point to the

proposed Subdivision, future development on adjacent parcels, or for the properties now served by the Dead-end Street, in accordance with 90~~53~~.F.3.

SECTION 912: STREET LIGHTS. Streetlights shall be located at each intersection and at approximately ~~four hundred (400)~~ one hundred fifty (150) foot intervals between intersections. Streetlights shall be located at the corner to provide light at the intersection, where possible.

CHAPTER 14: WATER SYSTEM MANAGEMENT AND USE

SECTION 1416: WATER SUPPLY

- C. Private Water Lines. Private water lines may be approved and connections to existing private water lines may be approved, if the following conditions are met:
1. A private water line shall serve no more than three (3) separate users. ~~A homeowners association can be considered one user if proper documentation is submitted and approved by the Village for the maintenance of the private water line.~~

CHAPTER 17: APPEALS

SECTION 1704: APPEALS OF STAFF DECISIONS TO THE ~~PLANNING COMMISSION~~ ZONING BOARD OF ADJUSTMENT

- B. Notice of Appeal. Any interested person who believes that Staff has committed an error in making a decision or taking an action may appeal such act or decision to the ~~Planning Commission~~ Zoning Board of Adjustment by filing a written Notice of Appeal with the ~~clerk of the Commission~~ Village Clerk within fifteen (15) calendar days of the subject action or decision. The Notice of Appeal must identify the decision or action appealed and state why such decision or action is erroneous.
- C. Action by the ~~Planning Commission~~ Board. The ~~Commission~~ Board shall conduct a duly warned public hearing at which it will take testimony and receive evidence from the applicant, interested parties and Staff. The ~~Commission~~ Board shall consider all relevant evidence before it. It shall issue its decision in writing with findings of fact and conclusions within forty-five (45) days of the final public hearing. Failure to act within this time shall result in granting the appeal.

SECTION 1708: ON THE RECORD REVIEW

As provided for in 24 V.S.A. § 4471 (b) the use of on the record review procedures will be followed for all development applications that require review by the Planning Commission or Zoning Board of Adjustment. The procedures outlined in the Municipal Administrative Procedure Act (MAPA) shall govern all Planning Commission and Zoning Board of Adjustment application reviews. Evidence provided and recorded at public meetings and hearings shall follow the Vermont Rules ~~for~~ of Evidence as outlined in 24 V.S.A. § 1206 (b).

APPENDIX A: PUBLIC WORKS SPECIFICATIONS

SECTION 102: STREET SPECIFICATIONS

C. Preparation of Subgrade. Objectionable and unsuitable materials shall be removed and replaced with approved material as directed by the Village Engineer. Subgrade shall meet the lines and grades shown on the drawings.

1. Sand shall be deposited and spread so as to distribute the material in uniform layers, compacted ~~at optimum moisture content~~ to a density of ninety five (95) percent of the maximum dry density using the Standard Proctor Test, according to ASTM D698.

SECTION 103: GRAVEL BASE - BOTTOM COURSE

G. Materials. All materials shall be secured from approved sources. Such gravel shall consist of hard, durable stones, which show uniform resistance to abrasion and which are intermixed with sand or other approved binding material as directed by the Engineer.

All bottom course material shall be deposited and spread so as to distribute the material in uniform layers, compacted ~~at optimum moisture content~~ to a density of ninety five (95) percent of the maximum dry density using the Standard Proctor Test, according to ASTM D698.

SECTION 104: CRUSHER RUN - TOP COURSE

A. Description. This item shall consist of an upper course of crusher run gravel to be placed over the gravel base - bottom course, ~~of bank run gravel~~, which will have been prepared in accordance with these specifications.

B. Materials. All materials shall be secured from approved sources. This gravel shall consist of angular and round fragments of hard durable rock of uniform quality throughout, reasonably free from thin, elongated pieces, soft or disintegrated stone, dirt or other objectionable matter. The grading requirements shall conform to the following table:

Sieve Designation	Percentage by Weight Passing Square Mesh Sieve
2"	100
1 ½"	90-100
No. 4	30-60
No. 100	0-12
No. 200	0-6

This upper course of crusher run gravel shall be deposited and spread in a uniform layer, and compacted ~~at optimum moisture content~~ to a density of 95% of the maximum dry density using the Standard Proctor Test, according to ASTM D698.

SECTION 105: BITUMINOUS CONCRETE PAVEMENT

C. Construction Methods. Equipment for spreading and finishing the mixture shall be a mechanical spreading and finishing machine provided with an activated screed and heated if required. The machine shall be capable of spreading the mixture without segregation and shall be approved by the Village Engineer before being used.

Application of bituminous concrete pavement shall conform in all respects to Vermont Standard Specifications Section 406. These requirements shall include but not be limited to the following:

~~6. — and shall be approved by the Village Engineer. After placement, the material shall be thoroughly compacted with rollers or other equipment approved by the Village Engineer.~~

SECTION 106: CEMENT CONCRETE CURB

C. Materials. All concrete used in the construction of roadway curbs shall be Air Entrained five percent plus or minus one percent ($5.0\% \pm 1\%$) so determined by an air meter approved by the Village Engineer. This concrete shall have a twenty eight (28) day compressive strength of four thousand (4000) psi and meet State of Vermont Standard Specifications for Class ~~B~~ A concrete, Section ~~501~~ 541.

SECTION 108: CEMENT CONCRETE SIDEWALK

D. Construction Methods:

4. Placing and Finishing Concrete - Just prior to placing the concrete, the sub-base shall be moistened. The concrete mixed to the proper consistency shall be placed in the forms and thoroughly tamped in place so that all honeycombs will be eliminated and sufficient mortar will be brought to the surface. ~~There shall be a one hundred foot (100') maximum pour length between dowelled joints unless otherwise approved by the Village.~~ Unless otherwise approved by the Village, sidewalk shall be cast in one hundred (100) foot sections with no expansion joints. Connection to existing sidewalk and between one hundred (100) foot sections shall be accomplished with steel dowels, spaced twelve (12) inches on center. Sidewalk adjacent to curb shall be separated with four (4) millimeter polyethylene. After this, the surface shall be brought to a smooth even finish by means of a wooden float. The surface shall be broom finished. All faces adjacent to the forms shall be spaded so that after the forms are stripped, the surface of the faces will be smooth, even and free of honeycombs. All edges shall be tool rounded with an edger having a quarter (0.25) inch (~~3"~~) radius.

5. Scoring Concrete - ~~Sidewalks shall be scored to a depth of one (1) inch every five (5) feet. Connections to existing concrete requires minimum 1/2" rebar dowels and shall be installed by drilling.~~ Sidewalk joints shall be saw cut at five (5) foot intervals to one third (1/3) the sidewalk depth. Struck transverse false joints shall not be utilized.

Connections to existing concrete requires minimum one half (1/2) inch smooth steel dowels, spaced twelve (12) inches on center, and shall be installed by drilling.

6. Curing Concrete - ~~Same as for Cement Concrete Curb.~~ All sidewalks shall be treated with Certi-Vex AC 1315, per the manufacturer's instructions.

E. Accessible Access. Sidewalk ramps shall be constructed as shown in these specifications and located in accordance with the approved plans at all intersections. ~~Detectable surface shall be truncated domes constructed of cast iron.~~ Saw cutting, exposed aggregate, or scoring sidewalk ramps is not acceptable. ~~Detectable surface shall be truncated domes.~~

SECTION 112: WATER DISTRIBUTION SPECIFICATIONS

D. Construction Methods.

14. Chlorination - ~~The contractor shall furnish sufficient high test Hypochlorite (HTH) and all equipment and labor, and shall chlorinate the water main with a minimum solution of 50 PPM to A.W.W.A. Standard C601. This is to be done under the supervision of the Engineers and great care is to be exercised to ensure that all valves are closed against flow of the heavily chlorinated water back into the in-service mains. The solution of HTH and water shall be mixed in a barrel or drum and pumped into the mains with a hand pump or small unit controlled in such a manner that the HTH solution enters the mains at a uniform rate, with the correct concentration to completely saturate the water to obtain a minimum uniform concentration of 50 PPM through the main to be tested. The HTH solution must be added continuously until the chlorinated water reaches the end of the section being tested. When the HTH solution reaches the end of the hydrant, the valve controlling the inflow of water to the test section shall be closed. After a 24-hour retention period, the treated water shall contain no less than 25 PPM of chlorine throughout the length being tested. The contractor shall then thoroughly flush and dechlorinate while flushing the original chlorination the main to completely remove all the chlorinated water and shall take a test sample to ensure absence of coliform organisms before putting the main into service. Chlorination of the water main shall be conducted only after the main has been satisfactorily pressure and leakage tested and flushed and a clean stream is obtained, as determined by the Engineer. The Contractor shall furnish all labor, equipment, materials, and tools necessary to disinfect the pipe and appurtenances in accordance with AWWA Standard for Disinfecting Water Main C651, latest revision. The continuous feed method shall be performed under the supervision of the Engineer. The Contractor shall thoroughly flush and dechlorinate while flushing the original chlorination of the main to completely remove all the chlorinated water. The Contractor shall coordinate with the Village of Essex Junction Wastewater Treatment Facility on the disposal of heavily chlorinated water flushed from the main. The disinfection process shall be deemed acceptable only after two samples of water from the flushed, disinfected main, collected twenty-four (24) hours apart, show no evidence of bacteriological contamination, as determined by the Health Department or other approved lab.~~

15. Protection of Water Supplies - ~~Water mains shall be laid at least 10 feet, horizontally, from any existing or proposed sewer, in accordance with State standards.~~

~~Whenever sewers cross under water mains, the water main shall be laid at such an elevation that the bottom of the water main is at least 18 inches (18") above the top of the sewer. This vertical separation shall be maintained for that portion of the water main located within 10 feet horizontally of any sewer it crosses. When it is impossible to obtain horizontal and vertical separation, both the water main and sewer shall be constructed with watertight joints and pressure tested to assure water tightness before backfilling. No water main shall pass through, or come into contact with any part of a sewer manhole.~~

~~There shall be no physical connection between the distribution system and any pipes, pumps, hydrants or tanks which are supplied or may be supplied with water that is, or may be contaminated.~~ Water mains shall be laid at least ten (10) feet horizontally from any existing or proposed sanitary sewer. This distance can be reduced to five (5) feet for storm sewers. The distance shall be measured edge of pipe to edge of pipe. Where impractical due to ledge, boulders, or other unusual conditions, to maintain ten (10) foot horizontal separation between water and sewer lines, the water line may be in a separate trench or on an undisturbed earth shelf in the sewer trench provided that the bottom of the water line is at least eighteen (18) inches above the top of the sewer. Wherever impossible or impractical to maintain eighteen (18) inches vertical separation, the sanitary sewer line shall be constructed to normal waterline standards and pressure tested to fifty (50) psi for fifteen (15) minutes prior to backfilling. No leakage shall be allowed for this test.

Sewer crossing water mains shall be laid beneath the water main with at least eighteen (18) inches vertical clearance between the top of the sewer and the bottom of the water main. When it is impossible to maintain the eighteen (18) inches vertical separation or where the sewer must be laid above the water main;

- (a) The crossing shall be arranged so that one full length of sewer is centered above or below the water line, with sewer joints as far as possible from water joints;
- (b) The sanitary sewer pipe must be constructed to water main standards for minimum distance of twenty (20) feet either side of the crossing or a total of three (3) pipe lengths, whichever is greater;
- (c) The section constructed to water main standards must be pressure tested to maintain fifty (50) psi for fifteen (15) minutes without leakage prior to backfilling beyond one (1) foot above the pipe to assure water tightness; and
- (d) Where water main crosses under a sewer, adequate structural support shall be provided for the sewer to prevent damage to the water main.

No water main shall pass through, or come into contact with, any part of a sanitary sewer manhole. There shall be no physical connection between the distribution system and any pipes, pumps, hydrants, or tanks, which are supplied or may be supplied with water that is, or may be, contaminated.

SECTION 115: SANITARY SEWER SPECIFICATIONS. Sewer Mains Polyvinyl Chloride (PVC)

D. Construction Methods

3. Backfill - Backfill shall consist of approved material placed in six (6) inch layers with each layer being thoroughly compacted ~~at or near optimum moisture content to a density of 95% of the maximum dry density using the Standard Proctor Test, according to ASTM D698.~~ Debris, frozen material, large clods or stones, organic matter, or other unstable materials shall not be used for backfill. No stones in excess of one and one half (1.5) inch diameter shall be placed within two (2) feet of the outside of the pipe. Particular precautions shall be taken in placement and compaction of the backfill material in order not to damage and/or break the pipe. The backfill shall be brought up evenly on both sides of the pipe for its full length. Walking or working on the completed pipeline except as may be necessary in tamping or backfilling, shall not be permitted until the trench has been backfilled to a height of at least two (2) feet over the top of the pipe. During construction all openings to the pipe lines shall be protected from contamination by earth or other materials.

4. Manholes - Manholes shall be installed at the end of each line, at all changes in grade, size or alignment of pipe, at all pipe intersections, and at distances not greater than three hundred (300) feet. Pre-cast Reinforced Concrete Manholes shall have the top section set at a grade that will place the riser a minimum of three (3) inches and a maximum of twelve (12) inches from the top of the pre-cast manhole cone. Adjustments shall be made using pre-cast concrete riser rings, expanded polypropylene riser rings, or cast-in-place concrete. Bricks shall not be used. All joints shall be grooved type and shall be fully bedded with mastic seal when setting sections. Lifting holes in all ~~pipe~~ manhole sections shall be filled solid with mortar.

6. Leakage and Testing - If inspection of the completed sewer or any part thereof shows any pipe, manhole, or joint which allows infiltration of water, the defective work, or material, shall be replaced or repaired as directed by the Engineer. After the sewer has been completed, the contractor shall furnish all labor and materials necessary, and in general, assist the Engineer to conduct such leakage tests at such times and at such locations as the Engineer deems necessary.

(c) Manholes - All manholes shall be tested for leakage. Manholes shall be tested for leakage in accordance with one of the following:

(i) Water Test - After the manhole has been assembled in place, all lifting holes and exterior joints shall be filled and pointed with an approved non-shrinking mortar. All pipes and other openings into the manhole shall be suitably plugged and the plugs placed to prevent blowout.

(ii) Each manhole shall be checked for exfiltration by filling with water to the top of the cone section. A stabilization period of one (1) hour shall be provided to allow for absorption. At the end of this period, the manhole shall be refilled to the top of the cone, if necessary, and the measuring time of at least six (6) hours begun. At the end of the test period, the manhole shall be refilled to the top of the cone measuring the volume of water added. This amount shall be converted to a twenty-four (24) hour rate and the leakage determined on the basis of depth. The leakage for each manhole shall not exceed one (1) gallon per vertical foot for a twenty-four (24) hour period for exfiltration and there shall be no visible ~~filtration~~ infiltration.

SECTION 117: STORM SEWER SPECIFICATIONS - STORM DRAINS

2. Catch Basins or Manholes: A pre-cast (or cast in place) concrete catch basin or manhole shall be installed at the end of each line, at all changes in grade, size or alignment of pipe, at all pipe intersections, and at distances not greater than three hundred (300) feet.

(a) Catch Basins - The catch basins shall conform to requirements for precast risers and base sections found in ASTM C913, latest edition. The cast iron frame and grate shall be Type D LeBaron #LF 248-2, or equal with a minimum weight of four hundred and eighty (480) pounds. For steep grades, a Type E LeBaron #LK 120A, or equal may be supplemented with a minimum weight of four hundred and thirty (430) pounds. There shall be either a manhole or a catch basin every three hundred (300) feet on normal slopes to allow for proper cleaning of the lines.

b) Manholes - The manholes and manhole frames and covers shall conform to the specifications as set forth under Sanitary Sewer Specifications.

c) Booted connections shall be used for ~~24" in~~ **thirty-six (36) inch** pipe and smaller.

4. Installing Catch Basins and Manholes - All construction of sewer manholes must be carried out to ensure watertight work. Any leaks in manholes shall be completely repaired to the satisfaction of the Village Engineer or the entire structure shall be removed and rebuilt. All manhole lift holes shall be grouted inside and out with expandable grout. The pipe opening in the precast manhole riser shall have a cast-in-place flexible gasket or an equivalent system for pipe installation, as approved by the Village Engineer. Joints between manhole risers shall be soft butyl joint sealer (rope form). Joints between pipes and catch basin base sections shall be sealed with boots for pipes ~~24" in~~ **thirty-six (36) inch** diameter or smaller and with cement mortar for pipes larger than ~~24" in~~ **thirty-six (36) inch** diameter, smoothed on the inside and built up with a heavy bed of excess mortar on the outside.

SECTION 120: FINAL INSPECTION CHECK LIST

A. Streets, Curbs, and Sidewalks:

2. All required monuments and front boundary ~~lines~~ **line markers** installed.

C. Sewer System

5 Material testing results, lab reports, manufacturer's certificate, leakage test results for pipe and manholes, and ~~mandrel~~ **mandrel** deflection tests complete and on file.

E. As Built Plans

1. One set of mylars and two paper copies of plans showing all as built utilities, and water and sewer house connections must be submitted to the Village Engineer by the developer in accordance with Chapter 9. In addition, the developer shall provide to the Village the record drawings in an AutoCAD™ compatible electronic format; **as well as a complete set of the record drawings in PDF format.**

Essex Community Parks & Recreation

Essex Parks and Recreation
Your Connection to a Healthier Community

EJRP
Essex Junction Recreation & Parks

HOME WHY? FAQ'S FORUMS BUDGET/TAX DEC 13 VOTE BOARD COMMITTEE AGREEMENT

Executive Summary

There has been a spirit of collaboration, consolidation, and unification between the Village of Essex Junction and Town of Essex since 2013, starting with having one shared manager for both municipalities. Those efforts continued with consolidated stormwater management, joint streets and highways departments, a consolidated finance department, combined public works, and the exploration of joint planning processes. That spirit carried through to our school communities when in November 2015 we voted to unify four local school districts into one new district. The school consolidation meant that the Essex Junction School District would dissolve effective July 1, 2017, which served as the governance home for Essex Junction Recreation & Parks (EJRP). In light of the various efforts to work collaboratively and due to the impending changes for EJRP's governance in February 2017, the Essex Junction Trustees and

Important Upcoming Dates

Rec Gov Study Committee Meeting:
Thu. 9/1 7:00pm, Essex Police Department, 145 Maple Street

Public Forums:
Wed. Sept 28 @ 6:15pm @ EMS
Thu. Sept 29 @ 6:15pm @ ADL
Thu. Oct 13 @ 6:15pm @ Essex Elementary
Tue. Oct 18 @ 6:15pm @ Thomas Fleming
Wed. Nov. 16 @ 6:15pm @ Founders Memorial
Tue. Dec. 6 @ 6:15pm @ Essex High School

Free childcare will be provided at all public forums starting at 6:00pm.

For Elected and Appointed Public Officials

ACKNOWLEDGMENT

I acknowledge that I have received, read and understand the Village of Essex Junction Ethics Policy (dated 6/8/10).

Signature:

Print Name:

Date:

VILLAGE OF ESSEX JUNCTION ETHICS POLICY

1. APPLICABILITY:

The provisions of these rules shall apply to all public officials, employees and volunteer firefighters.

2. POLICY STATEMENT:

Accepting a position as a public official, employee or volunteer firefighter carries with it the acceptance of a public trust that the official, employee or volunteer firefighter will work to further the public interest. Maintaining that public trust is critical to the continued operation of good government. In addition, public decision-making should be open and accessible to the public at large. To preserve this public trust, there are five principles to which public officials, employees or volunteer firefighters should adhere to:

- (a) A public official, employee or volunteer firefighter should represent and work towards the public interest and not towards private/personal interests.
- (b) A public official, employee or volunteer firefighter should accept and maintain the public trust (i.e., must preserve and enhance the public's confidence.)
- (c) A public official, employee or volunteer firefighter should exercise leadership, particularly in the form of consistently demonstrating behavior that reflects the public trust.
- (d) A public official, employee or volunteer firefighter should recognize the proper role of all government bodies and the relationships between the various government bodies.
- (e) A public official, employee or volunteer firefighter should always demonstrate respect for others and for other positions.

3. DEFINITIONS:

The following words shall have the following meanings:

- (a) **"Business Associate"** is a partner or other person with whom an individual has ongoing or recurring business transactions.
- (b) **"Conflict of Interest"** is a situation where a public official, employee or volunteer

firefighter is directed by two or more competing interests, one of which is the public interest and the other is a private/personal interest. Specific conflict of interest situations are specified in the section entitled "Conflict of Interest".

- (c) **"Ethics"** are a set of rules that guide behavior.
- (d) **"Financial Interest" is defined as any of the following:**
 - ▶ A self-proprietor, partner, business associate, shareholder (holding at least five percent of the outstanding shares of any class of shares), director, or managerial employee of an organization who has a matter for review before a public body.
 - ▶ A self-proprietor, partner, business associate, shareholder (holding at least five percent of the outstanding shares of any class of shares), director, or managerial employee of a competitor to a business that has a matter for review before a public body.
 - ▶ An applicant or property owner who has a matter for review before a public body.
 - ▶ An adjoining landowner to a property owner that has a matter for review before the Planning Commission or Zoning Board of Adjustment.
- (e) **"Immediate Family"** is spouses, civil union partners, children, stepchildren, parents, step-parents, brothers, sisters, grandparents, nephews, nieces, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, brothers and sisters-in-law, and any dependents or other persons living in the employee's or volunteer firefighter's household.
- (f) **"Material"** is of real importance or great consequence, substantial, requiring serious consideration by reason of having a bearing on the outcome of an unsettled matter.
- (g) **"Official Act or Action"** is any legislative, administrative, appointive, or discretionary act of any public official, employee or volunteer firefighter of the Village (in his/her official capacity), or of any agency, board, committee or commission thereof.
- (h) **"Private/Personal Interest"** is something that is of direct or indirect material or financial benefit accruing to an individual or a member of the individual's immediate family.
- (i) **"Public Interest"** is the interest of the community as a whole conferred generally upon all members of the public.

- (j) **"Recusal"** is stepping aside from public office or duty during discussion and vote when a conflict of interest exists (as specified in Section 204).

4. CONFLICT OF INTEREST:

A public official, employee or volunteer firefighter is deemed to have a conflict of interest if s/he acts contrary to any of the following rules:

- (a) **Acceptance of Gifts and Favors.** A public official, employee or volunteer firefighter shall not accept anything of economic value, such as money, service, gift, loan, promise, gratuity, or favor from any person, business or organization involved in a contract or transaction with the Village, such that the item accepted could be considered as payment for a special act or treatment. This provision shall not apply to:
 - (1) Attendance at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of Village business, or where official attendance by the public official, employee or volunteer firefighter as a Village representative is appropriate;
 - (2) An award publicly presented in recognition of public service;
 - (3) Occasional, non-pecuniary gifts of insignificant value.
- (b) **Appointment of Immediate Family Member or Business Associate.** A public official or employee shall not participate in the appointment, vote for appointment, or discussion of any appointment of an immediate family member or business associate, to any Village office or position. A public official or employee shall not use his/her position, directly or indirectly, to affect the employment status of an immediate family member or business associate.
- (c) **Supervision of Immediate Family Members.** A public official, employee or volunteer firefighter shall not supervise, hire, appoint, evaluate, or discipline the work or employment status of an immediate family member or the affairs of the organizational unit in which the immediate family member is employed.
- (d) **Personal Relationships in the Workplace.** Dating shall be prohibited between co-workers in power-differentiated relationships where one of the parties has decision-making authority over the terms or conditions of employment of the other party, including performance appraisals.
- (e) **Prior Knowledge of Property Purchases.** A public official, employee or volunteer firefighter shall not receive or have any financial interest in any sale to the Village of any property when such financial interest was received with prior knowledge that the Village intended to purchase said property.

- (f) **Contractual Arrangements.** A public official, employee or volunteer firefighter shall not influence the Village's selection of, or its conduct of business with, a person, organization or business having business with the Village if the public official, employee or volunteer firefighter, or a member of the official, employee's or volunteer firefighter's immediate family, has a financial interest in or with the person, organization or business. The public official, employee or volunteer firefighter shall not participate in the discussion, negotiation, or vote on contracts in which the official, employee or volunteer firefighter, or a member of the official, employee's or volunteer firefighter's immediate family, has a private financial interest and performs in regard to such a contract some function requiring the exercise of discretion on behalf of the Village.
- (g) **Financial Interest.** A public official, employee or volunteer firefighter shall not participate in any public business before a public body which affects his/her financial interest. Public business shall mean participating in the award of a contract, seeking or opposing a permit from a public body on which the official, employee or volunteer firefighter sits as the authority to grant or deny such permit soliciting employment from the Village, or otherwise requesting some status, right, or benefit from the Village that has financial value. This shall not include supporting or opposing the passage of a legislative measure unless such measure relates substantially to the public official, employee's or volunteer firefighter's private/personal interest rather than to the public interest.
- (h) **Representation of Private Party.** A public official, employee or volunteer firefighter shall not represent a private party in any matter before any Village public body. Nothing in this section shall prohibit a public official, employee or volunteer firefighter from representing his/her own interests before any Village public body. In such cases, the public official, employee or volunteer firefighter shall act only in his/her individual capacity and not also in any official capacity on behalf of the Village.
- (i) **Use of Confidential Information.** A public official, employee or volunteer firefighter shall not, without authorization, disclose or use confidential information acquired in the course of official duties. A public official, employee or volunteer firefighter shall not use any confidential information acquired in the course of official duties to further his/her personal interest.
- (j) **Unusual Relationships.** Whenever a public official, employee or volunteer firefighter has special or unusual (beyond being casual or reasonably common) relationship with a party to an official action of the public body on which the official, employee or volunteer firefighter sits, the official, employee or volunteer firefighter shall disclose the relationship and the body may advise as to whether

the official, employee or volunteer firefighter should recuse him/herself in accordance with the Section entitled "Definitions" of this policy.

If a conflict of interest, as defined above, is determined to exist, the public official, employee or volunteer firefighter shall disclose the conflict and recuse him/herself prior to any consideration and/or vote on the action being contemplated, in accordance with the provisions of the section entitled "Definitions".

5. EX-PARTE COMMUNICATIONS: BOARDS, COMMISSIONS AND COMMITTEES:

In any quasi-judicial matter (e.g., matter involving the issuance of a permit or approval), or the award of a contract, before a Village Board, Commission or Committee, a public official, employee or volunteer firefighter sitting on such Board, Commission or Committee, shall not, outside of that Board, Commission or Committee, communicate with or accept a communication from a person for which there are reasonable grounds for believing to be a party to the matter being considered, if such communication is designed to influence the official, employee's or volunteer firefighter's action on that matter. If such communication should occur, the public official, employee or volunteer firefighter shall disclose it at an open meeting of the Board, Commission or Committee prior to its consideration of the matter.

6. INAPPROPRIATE USE OF PUBLIC POSITION:

A public official, employee or volunteer firefighter shall not use his/her public position to further a personal interest or the interest of an immediate family member.

A public official, employee or volunteer firefighter shall not use the powers or prestige obtained through election, appointment or employment, to influence the decision of a subordinate on a matter where the official, employee or volunteer firefighter has significant private/personal pecuniary interest.

Public officials, employees or volunteer firefighters are empowered to discharge specific statutory duties in the public interest and should not interfere with the statutory duties of others.

A public official, employee or volunteer firefighter shall not attempt to influence Village staff's recommendations regarding matters in which the public official, employee or volunteer firefighter has a personal/private or financial interest.

A public official, employee or volunteer firefighter shall not use Village staff or resources to advance a personal/private or financial interest.

7. INCOMPATIBILITY OF OFFICES:

Incompatible offices set forth in 17 V.S.A., Section 2647, shall not be held simultaneously by any Village public official, employee or volunteer firefighter.

The Village Manager shall not hold the office of Village Clerk or Village Treasurer.

A Village Trustee shall not serve as a member of the Village Planning Commission or Zoning Board of Adjustment.

A member of the Village Planning Commission shall not serve as a member of the Village Zoning Board of Adjustment.

A member of the Village Zoning Board of Adjustment shall not serve as a member of the Village Planning Commission.

A Village Trustee, Planning Commissioner, or member of the Zoning Board of Adjustment shall not be an employee of the Village of Essex Junction.

8. FAIR AND EQUAL TREATMENT:

No public official, employee or volunteer firefighter shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

No public official, employee or volunteer firefighter shall request, use, or permit to be used, any publicly-owned or publicly-supported property, vehicle, equipment, labor, or service for the personal convenience or the private advantage of him/herself or any other person. This rule shall not be deemed to prohibit a public official, employee or volunteer firefighter from requesting, using or permitting the use of such publicly-owned property, vehicle, equipment, or material which is provided as a matter of stated policy for the use of Village public officials, employee or volunteer firefighter in the conduct of official Village business.

No public official, employee or volunteer firefighter shall discriminate on the basis of race, color, religion, national origin, or sex.

9. DISCLOSURE AND RECUSAL PROCEDURES:

Whenever a matter comes before a Board, Commission or Committee, on which any of the conflict of interest situations described in the sections entitled "Definitions," "Conflict of Interest" or "Ex-Parte Communications: Boards, Commission and Committees" of this Policy shall exist, the following provisions shall apply:

(a) The public official, employee or volunteer firefighter involved shall disclose to

the relevant Board, Commission or Committee, in an open public meeting, the nature of the conflict of interest, prior to any consideration of the matter by said Board, Commission or Committee.

(b) Following such disclosure, such public official, employee or volunteer firefighter shall leave the room and shall not participate in any consideration, discussion or vote on the matter before the Board, Commission or Committee. If the official, employee or volunteer firefighter wishes to address the issue at an open public meeting, the official, employee or volunteer firefighter may re-enter the room as a member of the public and participate as a member of the public. During deliberation and vote on the matter, the official, employee or volunteer firefighter shall not be present. The official, employee or volunteer firefighter may attend executive session to discuss the matter at the invitation of the Board, Commission or Committee, if such attendance complies with the statutory requirements of the Open Meeting Law.

(c) The public official, employee or volunteer firefighter shall not, during any part of the Board, Commission, or Committee meeting pertaining to the matter requiring the disclosure, represent, advocate on behalf of, or otherwise act as the agent of the person or business entity in or with which the official has such an interest or relationship.

The foregoing shall not be construed as prohibiting the official, employee or volunteer firefighter from testifying as to factual matters at a hearing of the Board of Trustees, Planning Commission, Zoning Board of Adjustment, or any other committee.

10. COMPLAINT OF ETHICS VIOLATION:

A person, who believes that an appointed public official, employee or volunteer firefighter of the Village of Essex Junction has violated any portion of this policy, may send or deliver a signed, written complaint to the Village Manager. The complaint shall include the name of the person alleged to have committed the violation and the specifics of the act(s) which constitute the violation. The Manager shall forward the complaint to the appropriate public official(s) for resolution.

Any complaint against an elected official shall be directed to the elected official. A person may ask an elected body to reconsider a matter that they believe involved an unethical act by an elected official.

11. DISTRIBUTION OF ETHICS POLICY:

Village Trustees: Annually at their organizational meeting, the Village Trustees shall, in a public meeting, review the Ethics Policy of the Village of Essex Junction. Each Village Trustee shall sign a form acknowledging that they have received and understand the Ethics Policy.

Boards, Commissions and Committees: Upon appointment and annually at their organizational meetings, all boards, commissions, and committees appointed by the Village Trustees shall, in a public meeting, review the Ethics Policy of the Village of Essex Junction. Each board, commission or committee member shall sign a form acknowledging that they have received and understand the Ethics Policy of the Village of Essex Junction.

Fire Department: Upon appointment and annually thereafter, the Fire Chief shall distribute and review with the volunteer firefighters a copy of the Village of Essex Junction's Ethics Policy. Each volunteer firefighter shall sign a form acknowledging that he/she has received and understands the Ethics Policy.

Department Heads and Full-Time Employees: Upon hiring and annually thereafter, Department Heads shall be required to distribute and review with their full-time employees a copy of the General Rules and the Personnel Regulations, including Ethics Policy. Each full-time employee will be required to sign a form acknowledging that he/she has received and understands the General Rules and Personnel Regulations, and Ethics Policy.

Elected Position: Each person seeking an elected position in the Village of Essex Junction shall be given a copy of the Ethics Policy of the Village of Essex Junction along with a petition.

Appointed Position: Each person seeking an appointed position in the Village of Essex Junction shall be given a copy of the Ethics Policy of the Village of Essex Junction upon submittal of a letter requesting appointment.

Adopted by the Village Trustees on 6/8/10.

08/23/16
10:14 am

Town of Essex / Village of EJ Accounts Payable
Check Warrant Report # 17007 Current Prior Next FY Invoices For Fund (GENERAL FUND)
For Check Acct 01 (GENERAL FUND) All check #s 08/19/16 To 08/19/16 & Fund 2

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
37585	07/26/16	ST SUPPLIES 3479693-00	210-43110.610 SUPPLIES	15.52	6822	08/19/16
14400	08/16/16	LH/BL CLEANING 8/6-9/3/16 2690	210-41940.423 CONTRACT SERVICES	600.00	6824	08/19/16
14400	08/16/16	LH/BL CLEANING 8/6-9/3/16 2690	210-45551.423 CONTRACT SERVICES	2245.00	6824	08/19/16
V10340	08/08/16	BL COMPUTER EXPENSES 23893	210-45551.340 COMPUTER EXPENSES	95.00	6827	08/19/16
23190	08/02/16	VF BE5 BRAKE SERVICE W12684	210-42220.432 VEHICLE MAINTENANCE	338.80	6831	08/19/16
00530	07/28/16	BL BOOKS B4612247	210-45551.640 ADULT COLLECTION-PRINT &	110.79	6835	08/19/16
00530	07/28/16	BL BOOKS B4612247	210-45551.610 SUPPLIES	4.50	6835	08/19/16
00530	08/01/16	BL BOOKS B4615000	210-45551.641 JUVEN COLLECTION-PRNT & E	10.44	6835	08/19/16
00530	08/01/16	BL BOOKS B4615000	210-45551.610 SUPPLIES	0.90	6835	08/19/16
00530	08/01/16	BL BOOKS B4615112	210-45551.641 JUVEN COLLECTION-PRNT & E	45.26	6835	08/19/16
00530	08/01/16	BL BOOKS B4615112	210-45551.610 SUPPLIES	3.60	6835	08/19/16
00530	08/02/16	BF BOOKS B4617435	210-49345.000 LIBRARY DONATION EXPENDIT	16.29	6835	08/19/16
00530	08/02/16	BL BOOKS B4617592	210-45551.640 ADULT COLLECTION-PRINT &	14.30	6835	08/19/16
00530	08/02/16	BL BOOKS B4617592	210-45551.610 SUPPLIES	0.90	6835	08/19/16
00530	08/03/16	BL BOOKS B4620547	210-45551.641 JUVEN COLLECTION-PRNT & E	9.34	6835	08/19/16
00530	08/03/16	BL BOOKS B4620547	210-45551.610 SUPPLIES	0.90	6835	08/19/16
00530	08/04/16	BF BOOKS B4623548	210-49345.000 LIBRARY DONATION EXPENDIT	15.20	6835	08/19/16
V0455	08/01/16	BL SUPPLIES 4019830471	210-45551.610 SUPPLIES	39.07	6836	08/19/16
V0455	08/07/16	AD COPIES 7/7-8/6/16 4019887792	210-41320.442 LEASED SERVICES	97.72	6836	08/19/16
V04609	08/01/16	BL BOOKS 1392227	210-45551.640 ADULT COLLECTION-PRINT &	91.08	6839	08/19/16
23170	07/31/16	VA JULY VEHICLE FUEL CL183520	210-42220.626 GAS, GREASE AND OIL	270.30	6840	08/19/16
23170	07/31/16	VA JULY VEHICLE FUEL CL183520	210-43110.626 GAS, GREASE AND OIL	836.05	6840	08/19/16
04940	08/03/16	VF CABLE SERVICE 080316VF	210-42220.535 TELEPHONE SERVICES	13.59	6841	08/19/16
28790	07/30/16	WW/VF SHIPPING PACKAGE 073003	210-42220.570 MAINTENANCE OTHER	16.77	6845	08/19/16
38280	07/31/16	ST SUPPLIES 071650122590	210-43110.610 SUPPLIES	24.10	6846	08/19/16

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
11870	08/03/16	ST EQUIPMENT RENTAL 10323677	210-43110.442 EQUIPMENT RENTALS	124.95	6847	08/19/16
V10657	08/12/16	BL YOUTH PROGRAMS 081216MED	210-45551.837 CHILDRENS PROGRAMS	37.98	6848	08/19/16
25715	08/04/16	08041616-611	210-43110.576 ENGINEERING SERVICES	506.25	6849	08/19/16
25715	08/04/16	ST ENGINEERING 08041616-814	210-43110.576 ENGINEERING SERVICES	178.75	6849	08/19/16
25715	08/05/16	ST ENGINEERING 080516-16-81	210-43110.576 ENGINEERING SERVICES	545.91	6849	08/19/16
25715	08/05/16	ST ENGINEERING 08051616-815	210-43110.576 ENGINEERING SERVICES	397.50	6849	08/19/16
35260	08/10/16	VF DEPARTMENT SHIRTS 06071631	210-42220.612 UNIFORMS,BOOTS,ETC	777.00	6851	08/19/16
23580	08/05/16	VF PUMP SERVICE 825 2-2016-VIL	210-42220.432 VEHICLE MAINTENANCE	337.50	6852	08/19/16
24045	08/12/16	LH HAND SOAP 190325	210-41940.610 SUPPLIES	66.70	6853	08/19/16
21055	07/31/16	BL POSTAGE 53171	210-45551.536 POSTAGE	90.00	6867	08/19/16
33495	08/04/16	BL Books 94094973	210-45551.640 ADULT COLLECTION-PRINT &	19.47	6868	08/19/16
33495	08/09/16	BL Books 94162286	210-45551.640 ADULT COLLECTION-PRINT &	12.99	6868	08/19/16
05845	08/01/16	VF ANNUAL SERVICE NY28007	210-42220.432 VEHICLE MAINTENANCE	1710.19	6871	08/19/16
V10402	08/17/16	DV mileage zone complianc 081616D	210-41970.580 TRAVEL	16.96	6876	08/19/16
34500	07/28/16	BL BOOKS 0518580-IN	210-45551.641 JUVEN COLLECTION-PRNT & E	101.00	6883	08/19/16
25140	08/05/16	ST ASPHALT 880882	210-43120.610 PAVEMENT MAINTENANCE	779.30	6888	08/19/16
13600	07/26/16	VF GLASS REPLACEMENT 8L3 364-472140	210-42220.432 VEHICLE MAINTENANCE	145.35	6889	08/19/16
18010	08/04/16	VF AIR COMPRESSOR SERVICE 3281318	210-42220.570 MAINTENANCE OTHER	277.94	6891	08/19/16
37965	07/28/16	ST PAVING 339861	210-43110.610 SUPPLIES	91.80	6897	08/19/16
40840	09/01/16	BL TECH ACCESS TELEPHONE 3661826	210-45551.530 TECHNOLOGY ACCESS	39.95	6900	08/19/16
40840	09/01/16	BL TECH ACCESS TELEPHONE 3661826	210-45551.535 TELEPHONE SERVICES	91.28	6900	08/19/16
V2124	08/06/16	AD/CD admin & cd supplies 8040402007	210-41320.610 SUPPLIES	80.22	6901	08/19/16
V2124	08/06/16	AD/CD admin & cd supplies 8040402007	210-41970.610 SUPPLIES	39.51	6901	08/19/16
V9567	08/01/16	BL PROGRAMMING 16-038	210-45551.836 ADULT PROGRAMS	24.00	6902	08/19/16
14800	08/01/16	ADDV Aug managed svcs ant 71397	210-41320.340 COMPUTER EXPENSES	477.04	6904	08/19/16

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
14800	08/01/16	TECH GROUP INC ADDV Aug managed svcs ant 71397	210-41970.340 COMPUTER EXPENSES	234.96	6904	08/19/16
14800	08/01/16	TECH GROUP INC VF SERVICE HOURS 71482	210-42220.570 MAINTENANCE OTHER	2100.00	6904	08/19/16
38760	07/27/16	TI-SALES INC ST Paving Road Structures 0067719	210-43120.610 PAVEMENT MAINTENANCE	1518.40	6905	08/19/16
38760	07/28/16	TI-SALES INC ST Paving Road Structures 0067777	210-43120.610 PAVEMENT MAINTENANCE	1892.86	6905	08/19/16
38760	07/28/16	TI-SALES INC ST Paving Road Structures 0067778	210-43120.610 PAVEMENT MAINTENANCE	2096.48	6905	08/19/16
22070	08/08/16	VILLAGE COPY & PRINT INC. DV DARBY M BUSINESS CARDS 6222	210-41970.610 SUPPLIES	92.00	6911	08/19/16
12690	08/09/16	WILLIAMSON ELECTRICAL SVC BL Building Maintenance 3228	210-45551.434 MAINT. BUILDINGS/GROUNDS	217.25	6919	08/19/16
V10636	08/01/16	HEALTH/EQUITY AD FSA ADMIN COST-AUG 160816463	210-41320.210 HEALTH INS & OTHER BENEFIT	3.45	16081904	08/19/16
21570	08/11/16	PETTY CASH - LOU ANN PIOL REPLEN PETTY CASH SENIOR 081116D	225-45122.612 FUND RAISER EXPENSES	9.21	6885	08/19/16
21570	08/11/16	PETTY CASH - LOU ANN PIOL REPLEN PETTY CASH SENIOR 081116D	225-45122.614 PROGRAM EXPENSES	27.98	6885	08/19/16
21570	08/11/16	PETTY CASH - LOU ANN PIOL REPLEN PETTY CASH SENIOR 081116D	225-45122.430 REPAIRS & MAINTENANCE	41.59	6885	08/19/16
12265	08/01/16	RICOH USA, INC SC JULY MO PRINT/COPY CHG 5043655299	225-45122.610 OPERATIONAL SUPP/EXP	19.56	6892	08/19/16
38760	10/20/15	TI-SALES INC VR Paving Grade Rings CM RTN0003749	230-46801.700 CAPITAL RES. PAVING	-12761.95	6905	08/19/16
38760	10/05/15	TI-SALES INC VR Paving Grade Rings CM RTN0003828	230-46801.700 CAPITAL RES. PAVING	-597.92	6905	08/19/16
25715	08/10/16	DONALD HAMLIN CONSULT ENG VW/VB HILLCREST JUNE ENG 08101614-814	253-46801.003 HILLCREST DRNG/N HILLCRST	214.06	6849	08/19/16
23170	07/31/16	CHAMPLAIN OIL CO., INC. VA JULY VEHICLE FUEL CL183520	254-43200.626 GAS, GREASE AND OIL	92.18	6840	08/19/16
21745	08/16/16	CONN TINA VA CREDIT FOR OVERPAYMENT 160816	254-34801.000 SALE OF WATER-RESIDENTIAL	147.46	6844	08/19/16
25715	08/10/16	DONALD HAMLIN CONSULT ENG VW/VB HILLCREST JUNE ENG 08101614-814	254-43332.003 HILLCREST DRNG/N HILLCRES	67.94	6849	08/19/16
38760	06/24/16	TI-SALES INC VW meter flange kit, nuts 0066353	254-43200.613 METERS AND PARTS	297.89	6905	08/19/16
21220	07/14/16	ACRISON, INC WW POLY BLEND CHAMBER 208168	255-43200.570 MAINTENANCE OTHER	925.35	6825	08/19/16
11375	08/01/16	CASELLA WASTE SYSTEMS INC WW 0.73 TON 1156	255-43200.565 GRIT DISPOSAL	60.85	6837	08/19/16
23170	07/31/16	CHAMPLAIN OIL CO., INC. VA JULY VEHICLE FUEL CL183520	255-43200.626 GAS, GREASE AND OIL	241.28	6840	08/19/16
21745	08/16/16	CONN TINA VA CREDIT FOR OVERPAYMENT 160816	255-34801.000 VILLAGE USER CHARGE	172.26	6844	08/19/16
28790	07/30/16	COPY SHIP FAX PLUS WW/VF SHIPPING PACKAGE 073003	255-43200.570 MAINTENANCE OTHER	73.24	6845	08/19/16
06870	08/03/16	ENDYNE INC WW WEEKLY TKN 208584	255-43200.577 CONTRACT LABORATORY SERVI	25.00	6854	08/19/16

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10:14 am

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
38955	08/03/16	F W WEBB COMPANY WW GAS COMPRESS 51766896	255-43200.570 MAINTENANCE OTHER	60.01	6857	08/19/16
V9454	08/04/16	LENNY'S SHOE & APP WW KIMBALL UNIFORM 3083410	255-43200.612 UNIFORMS,BOOTS,ETC	246.00	6874	08/19/16
V1661	07/29/16	NORTH CENTRAL LABORATORIE WW ASSTD SUPPLIES 376427	255-43200.618 SUPPLIES - LABORATORY	1472.80	6880	08/19/16
40840	08/01/16	SOVERNET COMMUNICATIONS WW JULY PHONE INTERVIEW 3654044	255-43200.535 TELEPHONE SERVICES	177.40	6900	08/19/16
V2124	07/30/16	STAPLES ADVANTAGE WW MOUSE CLIPS ETC 3309740895	255-43200.610 SUPPLIES	26.44	6901	08/19/16
02970	07/29/16	USA BLUE BOOK INC WW PUMP SPRAY NOZZLES 020792	255-43200.570 MAINTENANCE OTHER	1006.58	6909	08/19/16
38680	07/21/16	VT RURAL WATER ASSOC WW Training Courses 03-0282848	255-43200.500 TRAINING, CONFERENCES, DU	72.00	6916	08/19/16
23170	07/31/16	CHAMPLAIN OIL CO., INC. VA JULY VEHICLE FUEL CL183520	256-43200.626 GAS,GREASE AND OIL	173.15	6840	08/19/16
21745	08/16/16	CONN TINA VA CREDIT FOR OVERPAYMENT 160816	256-34801.000 ANNUAL CUSTOMER CHARGE	146.72	6844	08/19/16
36130	08/18/16	VERIZON WIRELESS WW JUN 24-JULY 23 9769282783	256-43200.434 PUMP STATION MAINTENANCE	111.12	6910	08/19/16
36130	08/18/16	VERIZON WIRELESS WW JUN 24-JULY 23 9769282783	256-43220.001 SUSIE WILSON PS COSTS	37.71	6910	08/19/16
36130	08/18/16	VERIZON WIRELESS WW JUN 24-JULY 23 9769282783	256-43220.002 WEST ST PS COSTS	37.71	6910	08/19/16
Report Total				12663.98		

LDC Amendments

Chapter 1:

- a. Added language clarifying the Land Development Code “represents the minimum required standards for development and land use in Essex Junction,” and that “It is the intent of the Village to meet or exceed these standards.”
- b. Removed incorrect reference to Chapter 13. Sound regulations are covered in Chapter 7. Following references to Chapter 12 or 13 as including sound regulations have been removed and updated to Section 718.B.
- c. Added language identifying the timeframe for readopting the Land Development Code

Chapter 2:

- a. Added new definitions for the following terms; Agriculture PUD, Commercial PUD, Dark Sky Compliant, Dead-end Street, Double Frontage Lot, Electronic Message Board, Freight Rail Distribution Center, Massage Therapy, New Unit, Public Street, Vehicle Sales, and Zero Lot Line.
- b. Revised language of the following definitions; Infiltration, Planned Unit Development.
- c. Removed definition of Planned Residential Development. Planned Residential Developments have been repealed from state statute, and therefore any reference in following chapters has been removed.

Chapter 3:

- a. As the Capital Review Committee is now responsible for preparing and reviewing the Capital Budget, this duty has been removed from Section 302: Planning Commission.
- b. All references to the Planning Department have been updated to Community Development Department.

Chapter 4:

- a. Clarified that “any building permit may be subject to additional state or federal permits,” in addition to approval from the Village.
- b. Clarified that demolition or alteration of a structure requires approval.
- c. Updated the term “noise” to “sound”. All references in following chapters have been updated.

Chapter 5:

- a. Updated reference to Vermont’s Open Meeting Law (1 V.S.A. §§ 310-314).
- b. Removed district-specific PUD subsections of Section 512. These references have been re-located in the appropriate specific district sections of Chapter 6 in order to make the Land Development Code more user-friendly.
- c. Clarified approval procedures for Master Plans.
- d. Added language detailing examples of “good urban design techniques.”
- e. Added language clarifying that a change of use requires a new Certificate of Occupancy.
- f. Added general review standards, specific review standards, and waivers for Planned Unit Developments to section 511.B. Districts allowed Planned Unit Developments in Chapter 6 now reference Section 511.
- g. Updated language regarding stormwater permits in Section 513.G.

Chapter 6:

- a. Removed language for general review standards, specific review standards, and waivers for Planned Unit Developments. As this was repeated verbatim in all districts, the review standards have been moved to section 511.B.
- b. Added district-specific PUD language to the appropriate districts.

Section 620 Use Chart:

- a. Added "C" for Construction Services Establishment in the TOD District.
- b. Added new use Freight Rail Distribution Center, and added "X" for the LI District.
- c. Added new use Massage Therapy.
- d. Added "X" for Home Office in the VC District.
- e. Removed "X" for Retail Sales w/ Drive-Through in the VC District.
- f. Added "X" for Transit Park and Ride in the PE District.

Chapter 7:

- a. Added off-street parking requirements for parallel parking.
- b. Added language regulating the parking of recreational vehicles on public property.
- c. Added language to the general lighting standards with the intention of discouraging light pollution.
- d. Village Engineer updated technical lighting standards to LED lamps as opposed to previously required metal halide or mercury vapor lamps.
- e. Added language stating that "new and redevelopment projects shall install utilities underground."
- f. Added Section 714.Q which contains exemptions for municipal departments.
- g. Adjusted landscape budgetary requirements based on the size of the project.
- h. Added Landscape Plan to Section 719, consisting of a preliminary site plan and a final landscaping plan.
- i. Added graphics with examples of screening and perimeter landscaping for parking areas.
- j. Added a list of publications to be used as resources for selecting plant material.
- k. Removed Section 722: Conversion of Public Schools.

Chapter 8:

- a. Removed Section 803: Termination of Non-Conforming or Non-Complying Status due to removal of language previously allowing a non-complying structure to be declared conforming with a conditional use approval.

Chapter 9:

- a. Added street design language to "encourage improved connectivity in the Village Center District and strike an appropriate balance between all modes of transit."
- b. Revised utility line language stating "above-ground utility equipment shall not be located within the visibility triangles and shall be hidden from view in the public Right-of-way."

Chapter 14:

- a. Removed language allowing a homeowners association to be considered as one user for private water lines.

Other Revisions:

- a. Added new guidance documents:
 1. Community Development Department Public Participation Guide

2. Flowchart depicting The Development Review Process in the Village
- b. Added a more detailed map of the Village Center District
- b. Public Works Detail Drawings updated.
- c. Appendix A: Public Works Specifications updated.

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

– American Planning Association



Essex Junction Community Development Department

Public Participation Guide

April 2016

This Participation Guide identifies ways that residents can learn about and contribute to planning and zoning decisions in the Village of Essex Junction. Good planning relies on input from residents, so the Planning Commission, Zoning Board of Adjustment, and Community Development Department encourage everyone in Essex Junction to pay attention to and participate in the Village's planning and zoning work. **All Planning Commission and Zoning Board of Adjustment meetings are open to the public.**

When and where do the Planning Commission and Zoning Board of Adjustment meet?

	MEETING DATE	TIME	LOCATION
Planning Commission	1st and 3rd Thursday of each month (as needed)	6 p.m.	Village of Essex Junction Municipal Offices, 2 Lincoln Street
Zoning Board	3rd Tuesday of each month (as needed)	6 p.m.	Village of Essex Junction Municipal Offices, 2 Lincoln Street

How can I find out about development or subdivision applications, or other work the Planning Commission and Zoning Board of Adjustment are doing?

- The **Village website** contains meeting dates and agendas, plans for development proposals and staff reports about those proposals, and minutes from past Planning Commission and Zoning Board of Adjustment meetings. (www.essexjunction.org → Boards & Meetings)
- **The Essex Reporter** has legal notices with agendas for upcoming meetings.
- The **Town Offices, Village Offices, Brownell Library and Message Board** have bulletin boards posted with notices and agendas.
- **Zoning notices (white and red signs)** are displayed on properties that will be under review.
- **Mailings** are sent to immediate neighbors (aka **abutters**) of a property that will be under review; the mailings contain an agenda with the date of the hearing for the proposed project.
- **Front Porch Forum** (www.frontporchforum.com) emails contain information about upcoming meetings.
- **Community Development Department** (878-6950) staff can answer questions.
- Talk to your neighbors.

What does the Planning Commission do?

The Planning Commission performs two main functions: **long-range planning** and **development review**.

Long-range planning involves updates to the *Village Plan* (every five years), amendments to the *Zoning Regulations* and *Subdivision Regulations*, and special projects that focus on specific areas of planning. Recent examples of special projects include the *Design 5-Corners* and the *Crescent Connector*.

Development review involves site plan reviews and subdivision reviews that are guided by the Village Comprehensive Plan and regulated by the Land Development Code. (see “Glossary” for more details).

What does the Zoning Board of Adjustment do?

The Zoning Board of Adjustment handles **conditional use review** and **variances**, and hears **appeals** of decisions made by the Zoning Administrator.

Conditional use review takes place when proposed developments need more careful scrutiny because of their scale, intensity, and potential for off-site impacts.

When should I get involved with a specific project?

As soon as possible! Most **Site Plan Reviews** wrap up in one meeting. Most **Subdivision Reviews** take place over three meetings (**Sketch Review**, **Preliminary Review**, and **Final Review**).

When you show up to a meeting, write your name and address on the sign-in sheet, especially if you plan to comment on a project. By signing in and participating in the review process, you will earn “interested person” status, which gives you appeal rights. You will be mailed a copy of the Planning Commission’s final approval or denial.

When the Planning Commission or Zoning Board reviews an application, they are primarily looking to make sure the project conforms to the Zoning Regulations and/or Subdivision Regulations. The zoning and subdivision regulations are updated periodically and stem from the Village Plan, which is updated every five years. Participating in updates to the regulations and the Village Plan is the best way to influence future development.

When should I speak at a meeting?

- If you want to speak about an issue that is **not on the agenda**, please do so during Public Comments, which happens at the beginning of every meeting.
- If you want to speak to an issue on the **Consent Agenda**, please do so during Public Comments.
- If you want to speak about a **Site Plan or Subdivision (Sketch, Preliminary, or Final)** proposal, the Planning Commission will open a public hearing when they reach that item on the agenda. Be ready to speak – once the public hearing is closed, the Planning Commission will no longer accept comments.



When you speak, please say your name.

If you plan to speak about a Site Plan or Subdivision proposal on the agenda, you will be sworn in at the beginning of the meeting.

What if I can't make the meeting?

If you have **comments** that you want the Planning Commission or Zoning Board of Adjustment to consider when they review a project, email the comments to robin@essexjunction.org or terry@essexjunction.org. You can also write to the Village Community Development Department, 2 Lincoln Street, Essex Junction, VT 05452.

If you want to **watch** a meeting, Channel 17/Town Meeting Television (CCTV) tapes at least one Planning Commission meeting a month. For information about CCTV broadcasts, either on cable or online, visit www.cctv.org.

How can I learn more about individual Site Plan or Subdivision applications?

Hard copies of all applications are available for review in the Community Development Department at 2 Lincoln Street. Staff members are available to answer questions in person, by phone (802-878-6950) or by email (see below).

Plans and staff reports for individual applications are posted on the Village website prior to meetings, usually by the Friday before an upcoming meeting (www.essexjunction.org → Boards & Meetings → Planning Commission → Agendas).

What types of projects do NOT need to be reviewed by the Planning Commission or Zoning Board?

Minor projects, such as interior work on a home or an addition, shed, deck, garage, accessory apartments and boundary line adjustments, do not go before the Planning Commission or Zoning Board of Adjustment. Most small projects still require a zoning permit, which is issued by the Zoning Administrator. Zoning permits have a 15-day appeal period during which someone can appeal the proposed project.

Any other questions?

Please ask! Community Development staff will be glad to help. We're located at 2 Lincoln Street.

Community Development Department

Director	Robin Pierce
Asst. Zoning Administrator	Terry Hass
Community Relations Asst.	Darby Mayville

878-6950

robin@essexjunction.org
terry@essexjunction.org
darby@essexjunction.org

Glossary

(More details about these terms appear in the *Zoning Regulations* and the *Subdivision Regulations*)

Conceptual Review

A relatively informal meeting with the Planning Commission in which an applicant can discuss ideas for a project and receive feedback from commissioners prior to submitting a Sketch Plan or Site Plan application. Conceptual Review applications are not approved or denied.

Conditional Use Review

A review, conducted by the Zoning Board of Adjustment, of a project that warrants more careful scrutiny because of scale, intensity, and potential for off-site impacts. **Most Conditional Use applications are resolved in one hearing.**

Deliberative Session

A private meeting in which a quasi-judicial board – the Planning Commission or Zoning Board – may meet to rule on an application. Decisions can be made in deliberative session as long as a written decision becomes public record.

The Essex Junction Planning Commission and Zoning Board usually make their decisions in public. The boards have, on occasion, entered deliberative session to make a ruling on an application.

Master Plan

A master plan is to guide long-term development on larger properties and allow for public input early in the process as a means to limit negative impacts resulting from incremental planning and development. The master plan process is an opportunity to address the long-term vision and conceptual design for development of buildings, land uses, infrastructure and conservation/preservation through integrative design. Master plans are an opportunity to discuss early design concepts with the Planning Commission prior to the formal permitting process.

Planned Unit Development (PUD)

A Planned Unit Development (PUD) is a project that receives flexibility from the zoning regulations in order to encourage a higher level of design and amenity than under the usual land development requirements. A PUD encourages compact, pedestrian-oriented development or redevelopment, and to promote a mix of residential uses or nonresidential uses. PUDs that involve subdivision of land are reviewed as major subdivisions, **which require three hearings.**

PUDs that do not involve a subdivision must go through site plan review, **which requires a single hearing.**

Site Plan Review

Site Plan Review involves new commercial developments and significant changes to existing commercial sites. The Planning Commission holds Site Plan Reviews to make sure the layout and design of development projects conform to the *Village Plan*, the *Zoning Regulations*, and any conditions of any previous subdivision and conditional use approvals. During Site Plan review, the Planning Commission considers natural features (topography, water bodies, wetlands, etc.), access to and on the site, parking, landscaping, lighting, water and sewer, stormwater, and fire protection. **Most Site Plan applications are resolved in one hearing.**

Subdivision Review

The creation of any new lot in Essex Junction needs approval from the Planning Commission. Subdivisions are reviewed for conformance to the *Village Plan* and *Zoning Regulations*, traffic and pedestrian access, impacts on natural and historic resources, availability of water and sewer, stormwater control, and more. Subdivisions fall under one of four categories:

- Lot Consolidation or Boundary Adjustment – When boundaries between two lots are shifted, but no new lot is created. **Most Boundary Adjustment applications are reviewed and approved by staff.**

- **Minor Subdivision** – A subdivision that includes the platting of five (5) or fewer lots or minor adjustments to the lot lines of three (3) or more lots. **Most Minor Subdivision applications are resolved in two hearings: Sketch Review and Final Review.** The earlier residents become involved in the process, the more likely they are to have an impact on the final outcome.
- **Major Subdivision** – A subdivision is any proposal not classified as a Consolidation or Minor Subdivision. **Most Major Subdivision applications are resolved in three hearings: Sketch Review, Preliminary Review, and Final Review.** The earlier residents become involved in the process, the more likely they are to have an impact on the final outcome.

LEVELS OF SUBDIVISION REVIEW

Sketch Review – The first level of subdivision review, during which the applicant and the Planning Commission explore options for the overall subdivision concept and layout, taking into consideration the characteristics of the site and the surrounding area.

Preliminary Review – The second level of subdivision approval, during which the Planning Commission determines whether the latest plan addresses issues raised at Sketch Review, and ensures that all survey information, existing and proposed easements, and public infrastructure improvements are complete. Most engineering details are completed during Preliminary Plan Review. *Preliminary Review is only required for major subdivisions.*

Final Review – The last step of subdivision approval, during which the Planning Commission reviews the Final Plan and plat to ensure that all engineering, survey, and other data are complete, and that the proposed subdivision complies with all appropriate regulations and standards. Most of the technical and planning issues have been resolved by Final Review.

Village Comprehensive Plan

The *Village Comprehensive Plan* serves as a vision and a guide for the future of Essex Junction in the areas of growth, development, public services, and environmental protection. The *Village Plan* serves as the basis for zoning and subdivision regulations, and can be used to seek grant funding for priority projects. State law requires town/village plans to be updated every five years. The update process involves gathering data, updating statistics, holding visioning processes, and doing community outreach. Updates can enable the creation of new or different planning districts in the Village.

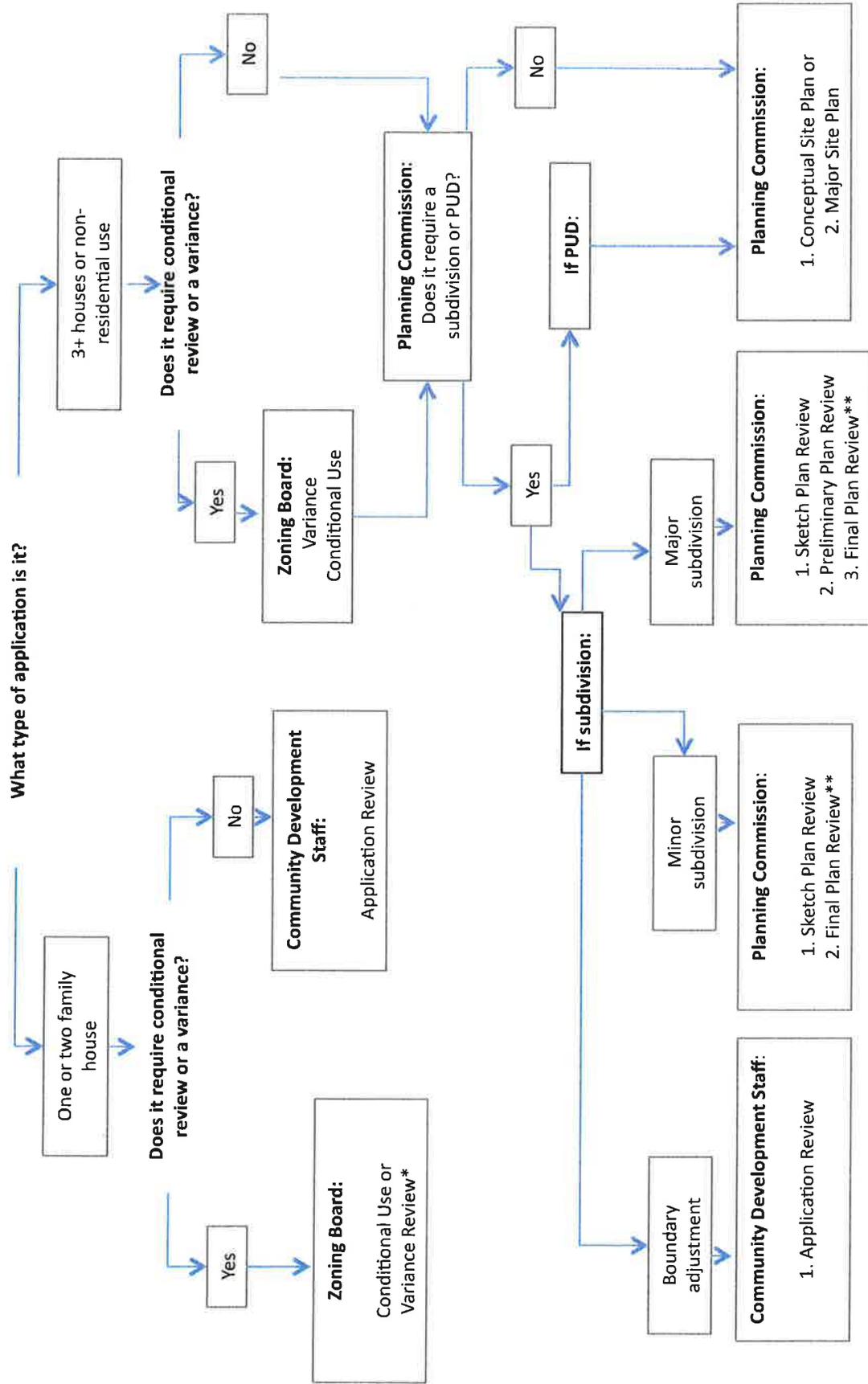
Use Permit

See “Zoning permit”

Zoning Permit

A permit required for most projects that involve any construction, additions or changes to existing buildings, making of any material change in the use of any structure or land or a change in the type of use on a property (i.e. office space converting to a retail shop).

The Development Review Process in the Village For New Houses or New/Alterations to Non-residential Uses



*The Zoning Board of Adjustment also hears appeals of application decisions made by staff.

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

**SECTION 620
USE TABLE**

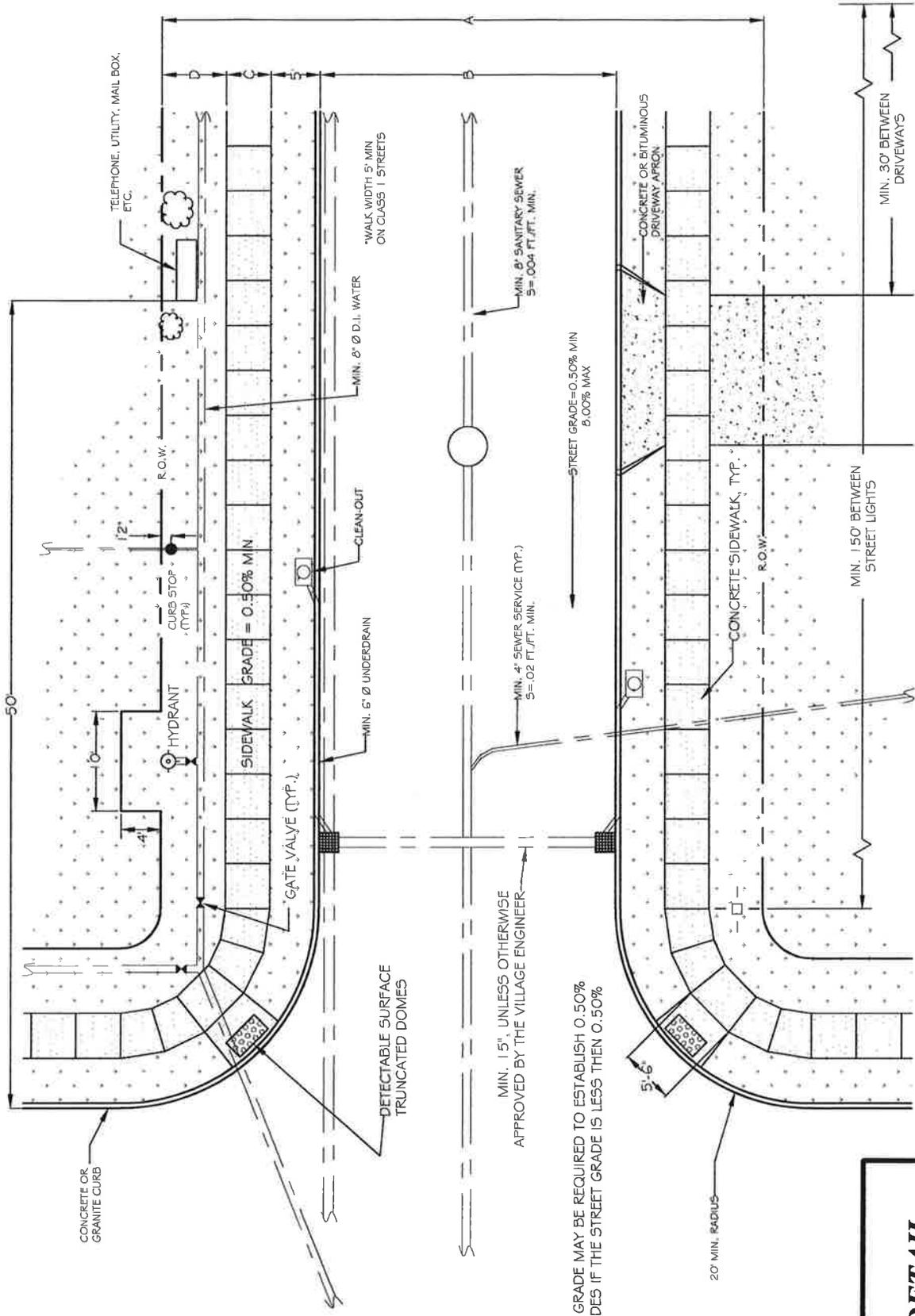
DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
SINGLE FAMILY DWELLING	X	X	X	X	X	X		X	X				X	X		X	
TWO FAMILY DWELLING			X	X	X	X		X	X				X	X		X	
THREE FAMILY DWELLING			X	X	X	X		X	X		X		X	X		X	
FOUR FAMILY DWELLING			X	X	X	X		X	X		X		X	X		X	
MULTI-FAMILY DWELLING			X	X	X	X		X	X		X	X		X		X	
AGRICULTURE																X	
AGRICULTURE PRODUCTS SALES															S	X	
ANIMAL BOARDING FACILITY															C	X	
ANIMAL EXHIBITS															S	C	
ANIMAL SHELTER	X	X	X	X	X	X	X			X			X		X	X	
ANTENNA TOWER							X										
BANK						X		X	X			X		X			
BANK W/ DRIVE THROUGH						X		X	X			X		X			
BED AND BREAKFAST	X	X	X	X	X	X		X	X			X	X	X		X	
BOARDING HOUSE	C	C	C	C	C	X		C	C			C	C	X			
BUILDING MATERIALS ESTABLISHMENT						X	X			X		X					
BUSINESS SERVICE						X		X	X		X	X	C	X		X	

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
CAR WASH, INCIDENTAL															S		
CAR WASH												X					
CATERING SERVICES						X	C	X	X		X	X	C	X			
CHURCH	X	X	X	X	X	X		X	X		X	X	X	X	X	X	
CIRCUS, CARNIVAL						X										S	
CLINIC, MEDICAL						X	X	X	X	X	X	X		X			
CLINIC, VETERINARY						X		X	X		X	X				X	
CONGREGATE HOUSING	C	C	X	X	X	X		X	X		X		X	X		X	
CONSTRUCTION SERVICES ESTABLISHMENT						X	X				C						
CULTURAL FACILITY						X		X	X		X	X	S	X	S		
DAY CARE HOME	X	X	X	X	X	X		X	X		X	X	X	X			
DAY CARE FACILITY	C	C	C	C	C	X	C	X	X		X		C	C	C		
DORMITORY						X		X	X		S	X		C			
DRY CLEANER						X	X	X	X		X	X					
EATING ESTABLISHMENT DRIVE THROUGH											X	X					
EATING AND DRINKING ESTABLISHMENT						X	X	X	X		X	X		X	S		
FAMILY CARE HOME	X	X	X	X	X	X		X	X		x	X	X	X			
FAMILY CARE FACILITY	C	C	C	C	C	C	C	X	X		S	X	C	C	C	C	

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
FLEA MARKET						X				X					X		
FREIGHT RAIL DISTRIBUTION CENTER							X										
FUNERAL HOME						X				X			C	X			
GAS PUMPS											C	C					
GROUP HOUSING	C	C	C	C	C	X				X				X			
HOME OCCUPATION	X	X	X	X	X	X		X	X		X	X	X	X			
HOTEL, MOTEL - EXTENDED STAY						X		X	X		X	X		X	C		
HOTEL, MOTEL						X		X	X		X	X		X	C		
JUNK YARD																	
LANDFILL COLLECTION SITE							C									C	
LANDSCAPE SERVICE						X	X			X						X	
MAIL SERVICES						X		X	X		X	X		X			
MANUFACTURING - LIGHT						C	X				X	X					
MANUFACTURING - HEAVY							C										
MASSAGE THERAPY	C	C	C	C	C	C		C	C		C	C	C	C		C	
MEDICAL AND DENTAL LAB						C	X	C	C		X	X	C	C			
MINI-WAREHOUSE						C	X			X							
MOTOR VEHICLE MAINTENANCE SERVICE							C			X		X					

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LJ	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
MOTOR VEHICLE REPAIR SERVICES							C					X					
NURSING, REST. CONVALESCENT HOME	C	C	C	C	C			X	X		X					C	
OFFICE, HOME	X	X	X	X	X								X	X		X	
OFFICE, PROFESSIONAL						X	X	X	X		X	X	C	X	S		
PARKING, COMMERCIAL						X	X				X			X	S		
PERSONAL SERVICES ESTABLISHMENT						X		X	X		X	X	C	X			
PRIVATE COMMUNITY USE	C	C	C	C	C	X		X	X		X	X		X		X	
RECREATION USE, LOW INTENSITY	X	X	X	X	X	X	X	X	X		X	X	X	X	S	X	X
RECREATION USE, HIGH INTENSITY						X		X	X		X	X			S		
RECREATION USE MEDIUM INTENSITY						X		X	X		X	X		X	S		
RECREATIONAL VEHICLE SITE										X					S		
RECYCLING CENTER							C			X					C	C	
REPAIR SERVICES ESTABLISHMENT							X	X	X	X	X	X					
RETAIL, SALES W/ DRIVE-THROUGH						C	X	X	X		X	X		X	S		
RETAIL SALES						X	X	X	X		X	X		X	S		
ROADSIDE SALE OF AGRICULTURAL PRODUCTS																X	C

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
SALES, TEMPORARY						X		X	X		X	X		X	S		
SALES, OUTDOORS						X				X				X	S		
SCHOOLS	X	X	X	X	X	X		X	X		X	X	X	X	X	X	X
SHOPPING CENTER						X					X			X			
SMALL SCALE WIRELESS FACILITY						X	X	X	X	X	X	X	X	X	X		
SOLID WASTE COLLECTION POINT							C								C	C	
STABLE, PUBLIC															S	X	
STORAGE, OUTDOOR							X			X					S		
TAXI-CAB LIMOUSINE SERVICE						C	C			X				C	S		
TRANSIT PARK AND RIDE											X				X		
VEHICLE SALES												C			S		
WAREHOUSE						C	X			X		C					
WIRELESS TELE-COMMUNICATIONS FACILITY						C	C	C	C		C	C	C		C		



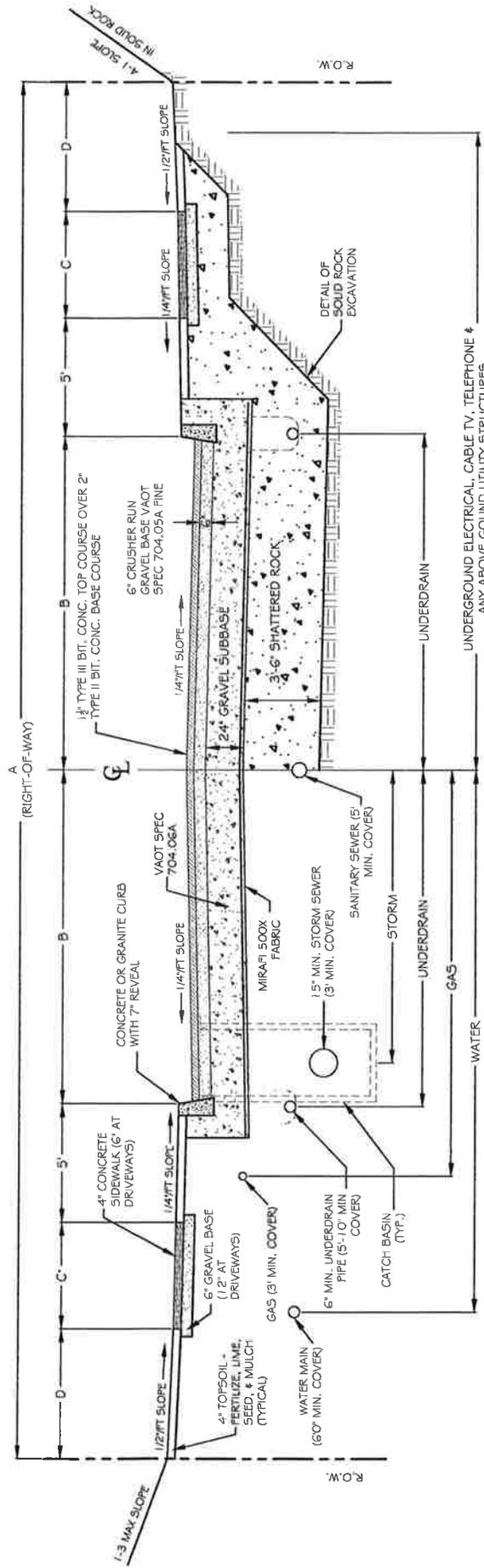
	A	B	C	D
MAJOR ARTERIAL STREET	60'	32'	5'	4'
LOCAL RESIDENTIAL STREET	50'	28'	5'	1'

STREET DETAIL

NOT TO SCALE

TYPICAL PLAN

	A	B	C	D
MAJOR ARTERIAL	60'	16'	5'	4'
LOCAL RESIDENTIAL STREET	50'	14'	5'	1'



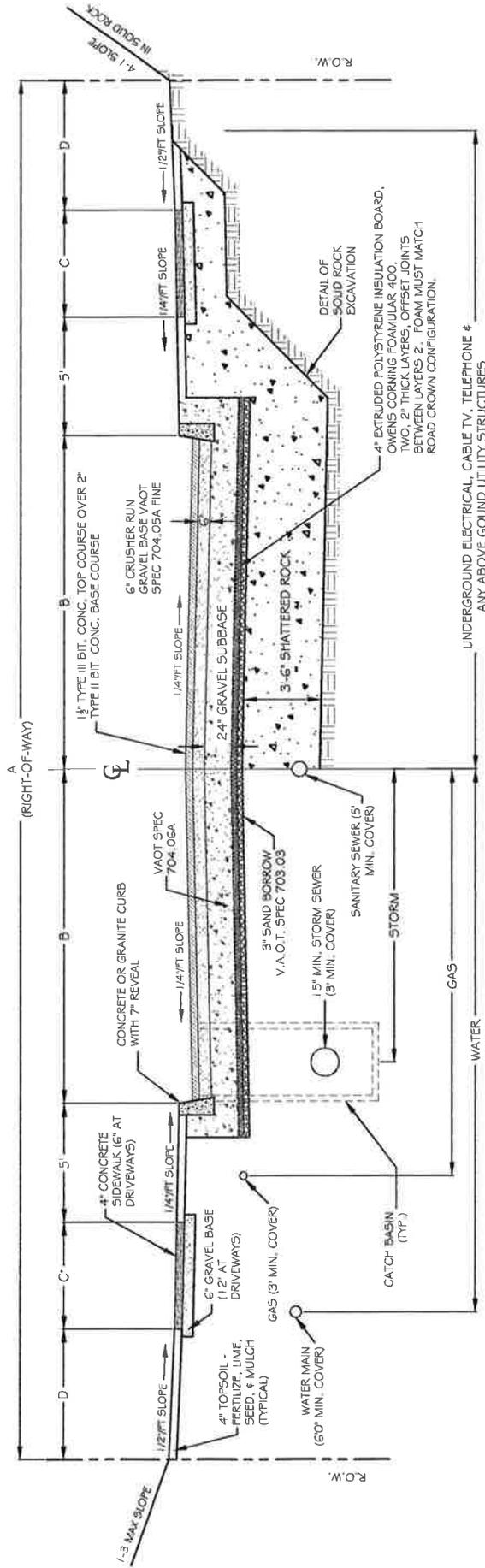
1. MINIMUM SLOPE OF DRAINAGE PIPES SHALL BE 0.2%.
2. ALL MATERIAL AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH VILLAGE OF ESSEX PUBLIC WORKS SPECIFICATIONS.
3. MATCH EXISTING SLOPES AT PROPERTY LINES. MAXIMUM SLOPE 1 VERTICAL/3 HORIZONTAL.
4. SOME AREAS MAY REQUIRE WALKS OF GREATER WIDTH AT THE DISCRETION OF THE VILLAGE.
5. SOIL BORINGS AND TEST PITS MAY BE REQUIRED BY THE VILLAGE TO VERIFY PROPOSED DESIGN.
6. MIRAFI 500X FABRIC OR APPROVED EQUAL SHALL BE INSTALLED UNDER GRAVEL SUBBASE COURSE BENEATH THE STREET, CURB AND SIDEWALK UNLESS OTHERWISE APPROVED BY VILLAGE.
7. YELLOW OR ORANGE WARNING TAPE SHALL BE BURIED 15" ABOVE ALL GAS AND ELECTRIC LINES.
8. 26' MINIMUM WIDTH OF PAVEMENT MAY BE APPROVED BY VILLAGE FOR STREETS SERVING SINGLE FAMILY UNITS IF THE DESIGN AVERAGE DAILY TRAFFIC (ADT) IS LESS THAN 250 VEHICLES.

STREET DETAIL

NOT TO SCALE

TYPICAL SECTION

	A	B	C	D
MAJOR ARTERIAL	60'	16'	5'	4'
LOCAL RESIDENTIAL STREET	50'	14'	5'	1'



1. MINIMUM SLOPE OF DRAINAGE PIPES SHALL BE 0.2%.
2. ALL MATERIAL AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH VILLAGE OF ESSEX PUBLIC WORKS SPECIFICATIONS.
3. MATCH EXISTING SLOPES AT PROPERTY LINES. MAXIMUM SLOPE 1 VERTICAL/3 HORIZONTAL.
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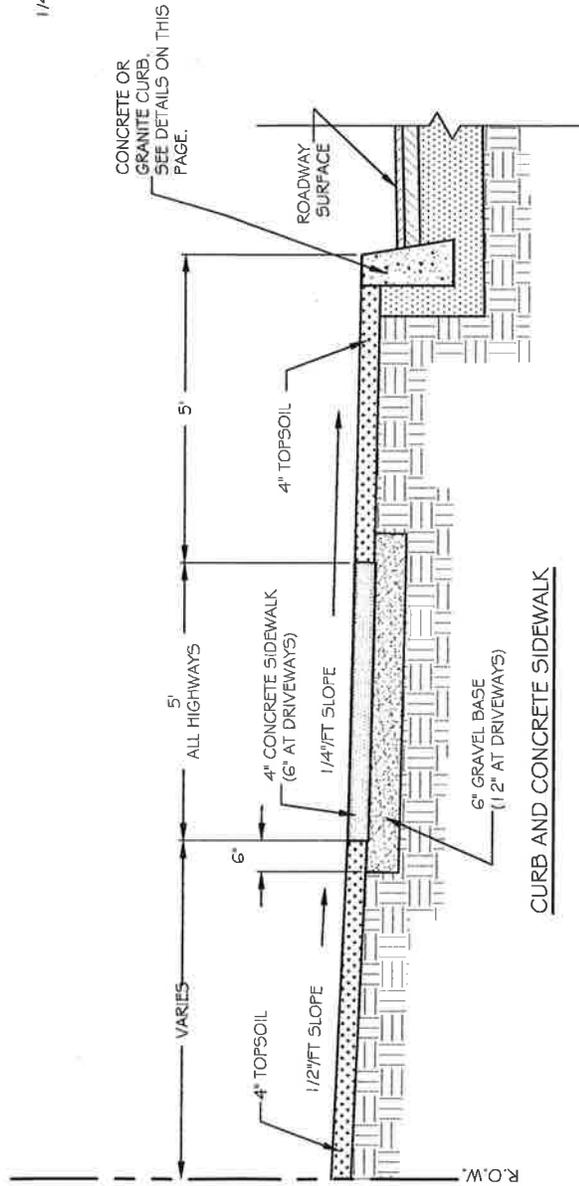
INSULATION REQUIREMENTS:
 Insulation shall be Owens Corning Rigid Foam Insulation: Foamular 400. Insulation shall be 2" thick, supplied in 2x8' pieces with square edges. Compressive strength shall be a minimum of 40 pounds per square inch.

INSULATION INSTALLATION: The Contractor must prepare the sand bed so that all projections that interfere with placement of insulation boards are to be removed, formed to fit around or as specified by the engineer. The contractor may not move equipment onto foam until the first 12" minimum, of gravel has been placed.

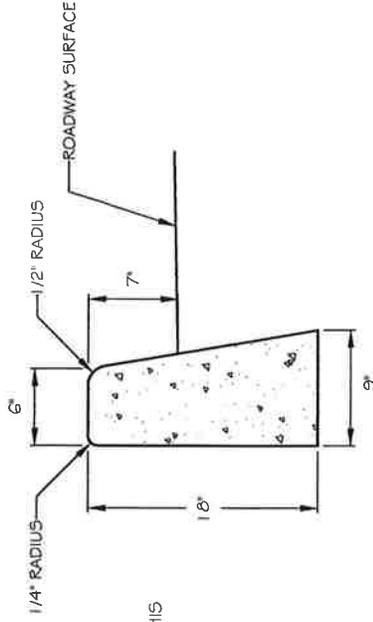
STREET DETAIL

NOT TO SCALE

TYPICAL SECTION WITH FOAM INSULATION

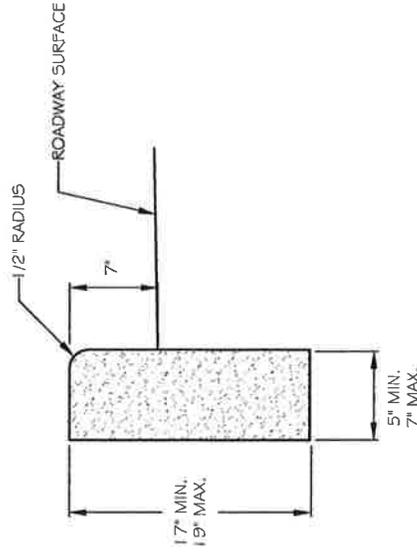


CURB AND CONCRETE SIDEWALK



**END AREA OF 0.98 SQ. FEET
TYPICAL CONCRETE CURB**

1. ALL CURB RADII LESS THAN 200' SHALL BE FORMED USING FLEXIBLE FORMS.
2. CURB REVEAL AT DRIVEWAYS SHALL BE 1" MAX. AND 1/4" MAX. AT HANDICAP ACCESS RAMPS.
3. CURBING SHALL BE CONSTRUCTED IN 10 FOOT SECTIONS WITH 1/8" JOINTS BETWEEN SECTIONS.
4. SIDEWALK SHALL BE CAST IN 100' SECTIONS WITH NO EXPANSION JOINTS. CONNECTION TO EXISTING SIDEWALK AND BETWEEN 100 FOOT SECTIONS SHALL BE ACCOMPLISHED WITH STEEL DOWELS, SPACED 12" ON CENTER. SIDEWALK ADJACENT TO CURB SHALL BE SEPARATED BY 4 MIL POLYETHYLENE. SIDEWALK JOINTS SHALL BE SAW CUT AT 5' INTERVALS TO 1/3 THE SIDEWALK DEPTH. STRUCK TRANSVERSE FALSE JOINTS SHALL NOT BE UTILIZED.
5. ALL MATERIALS AND CONSTRUCTION TO BE ACCORDING TO SPECIFICATION.
6. SOME AREAS REQUIRE WALKS OF GREATER WIDTH OF THE DISCRETION OF THE VILLAGE.
7. CONCRETE WALKS SHALL BE 6" THICKNESS ACROSS DRIVES.
8. ALL SIDEWALKS SHALL BE TREATED WITH CERTI-VEX AC 1315, PER THE MANUFACTURER'S INSTRUCTIONS.

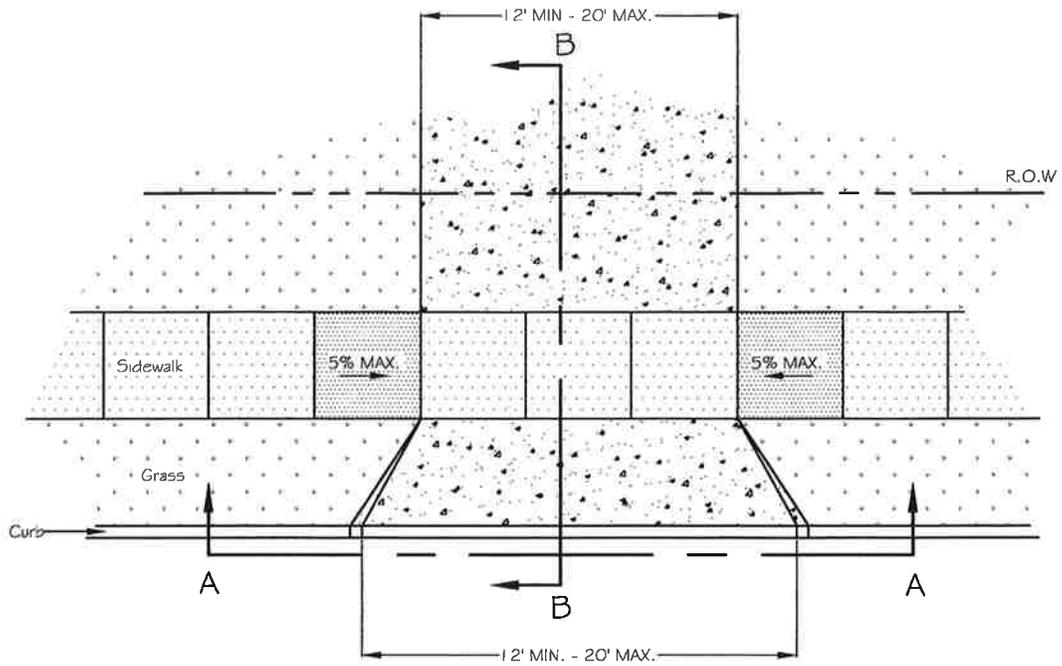


TYPICAL GRANITE CURB

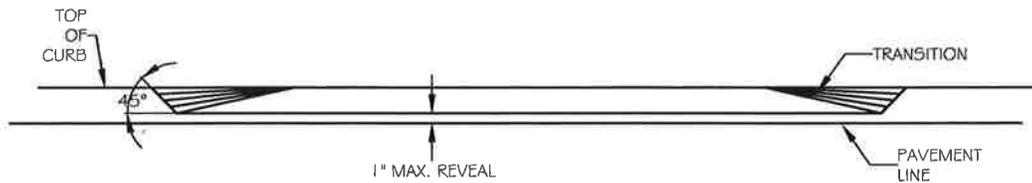
STREET DETAIL

NOT TO SCALE

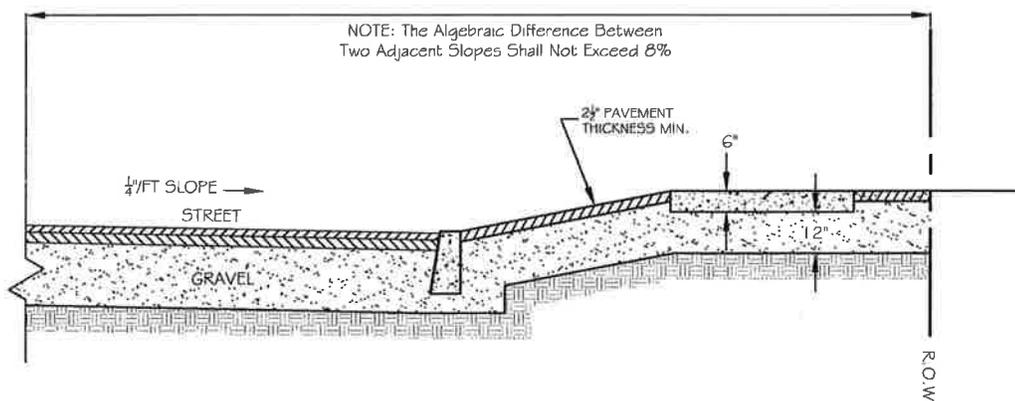
**CURB AND
CONCRETE SIDEWALK**



PLAN



SECTION A-A

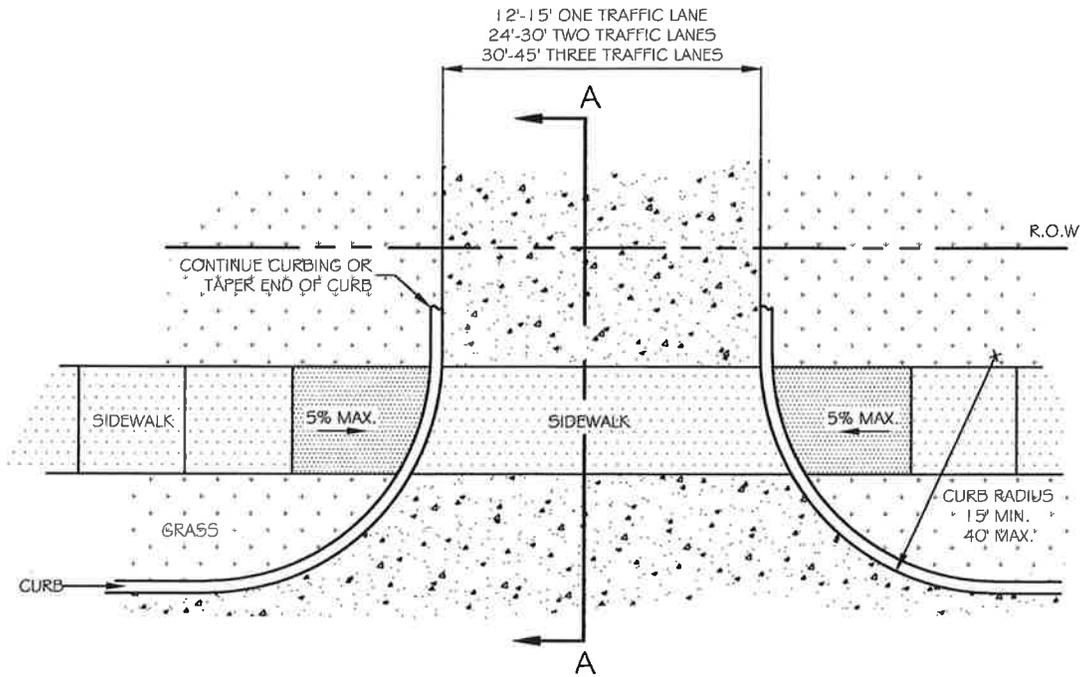


SECTION B-B

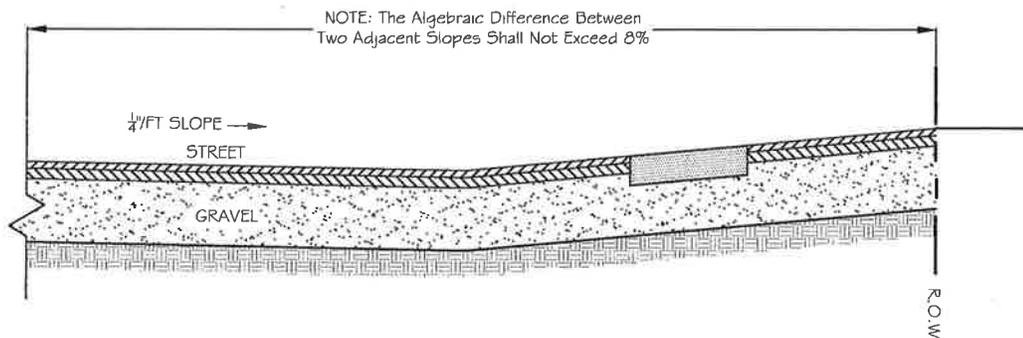
STREET DETAIL

NOT TO SCALE

***RESIDENTIAL
DRIVEWAY APRON***



PLAN

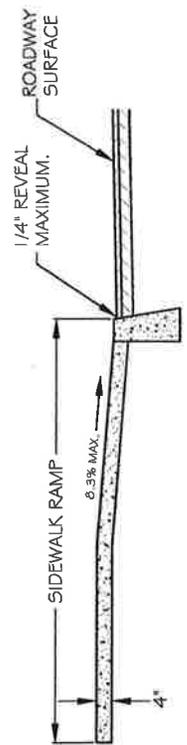
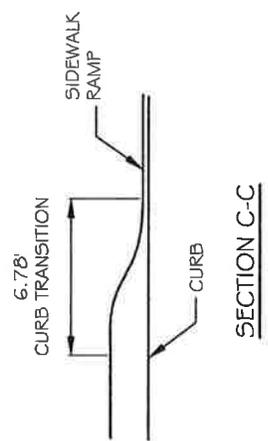
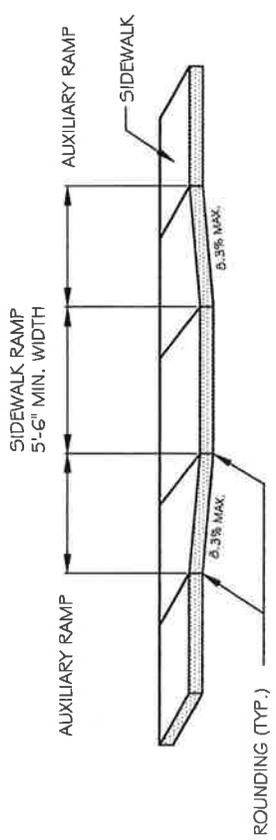
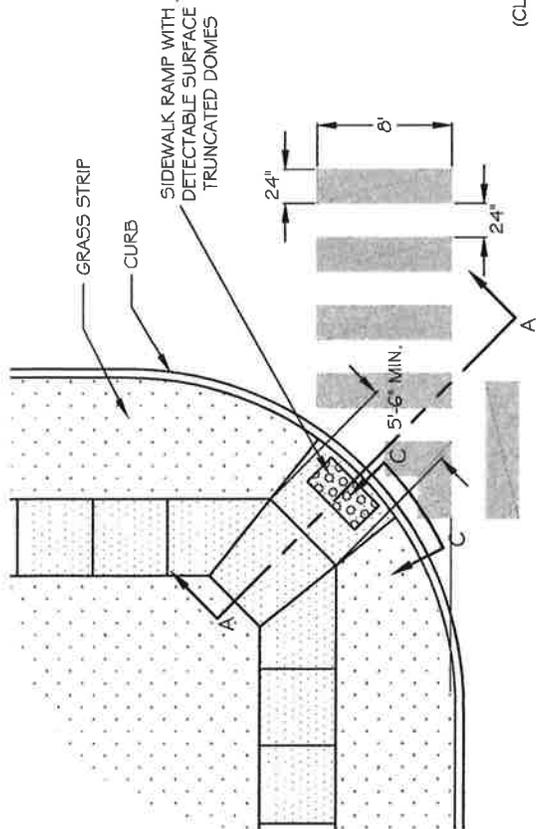
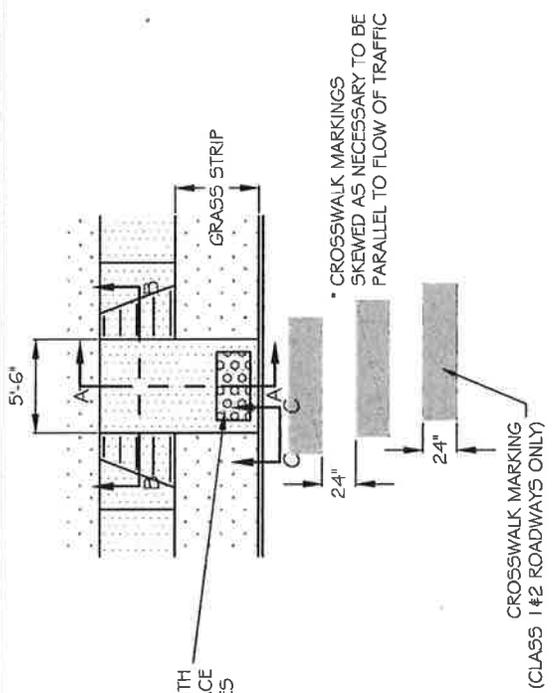


SECTION A-A

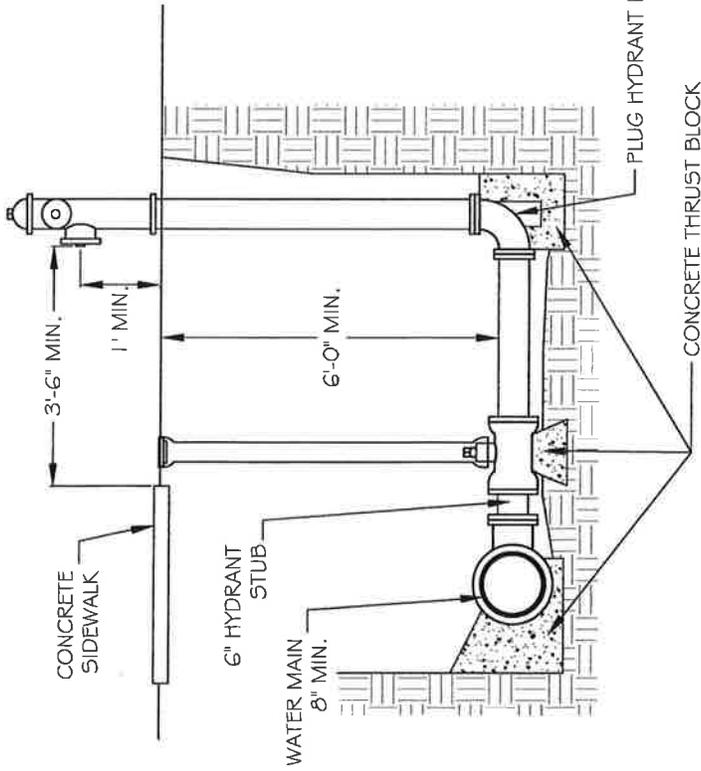
STREET DETAIL

NOT TO SCALE

**COMMERCIAL/INDUSTRIAL
DRIVEWAY APRON**



STREET DETAIL
 NOT TO SCALE
SIDEWALK RAMP



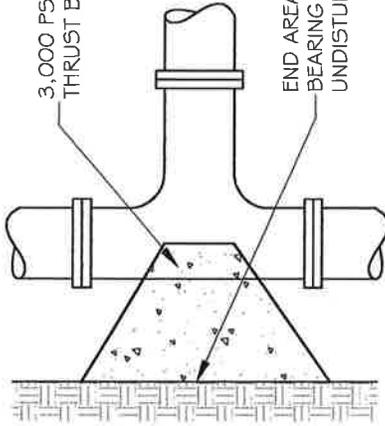
HYDRANT SHALL BE ONE OF THE FOLLOWING:
KENNEDY K-81, MUELLER A-243, OR WATEROUS PACER

STEAMER CONNECTION SHALL BE A 5" STORZ CONNECTOR.

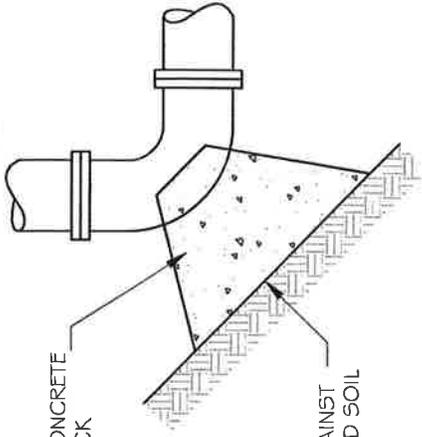
2-1/2" SPUD CONNECTION THREADS SHALL BE "DOUBLE START" STYLE.

ALL JOINTS BETWEEN MAIN AND HYDRANTS SHALL BE RESTRAINED WITH D.I. "GRIP-RING" TYPE CONNECTORS OR APPROVED EQUAL.

TYPICAL TEES AND CAPS



TYPICAL BENDS



THRUST BLOCKS

1. ALL FITTINGS AND JOINTS SHALL BE WRAPPED IN MINIMUM 9 MIL. POLYETHYLENE PLASTIC PRIOR TO POURING THRUST BLOCKING.
2. THRUST BLOCKS ARE NOT TO EXTEND PAST THE FITTINGS ON THE PIPES NOR FOUL FITTINGS LUGS, BOLTS, ETC.
3. THRUST BLOCK DESIGN SHALL BE BASED ON WATER PRESSURE EQUAL TO 200 PSI, SOIL BEARING CAPACITY EQUAL TO 2000 LBS/SQFT., AND THE APPROPRIATE SIZE PIPE AND TYPE OF FITTINGS TO BE RESTRAINED.
4. THRUST BLOCK MUST BEAR AGAINST UNDISTURBED SOIL.

FITTINGS	SIZE	6"	8"	10"	12"
1 1-1/4" OR 22-1/2"	45°	3.0	3.0	4.0	6.0
	90°	3.0	5.0	8.0	11.0
TEES OR END CAPS		6.0	10.0	14.0	20.0
VALVES		4.0	7.0	10.0	14.0
		2.0	2.0	2.0	2.0

**WATER
DISTRIBUTION
DETAILS**

NOT TO SCALE

MAINS & HYDRANTS

CONCRETE
SIDEWALK

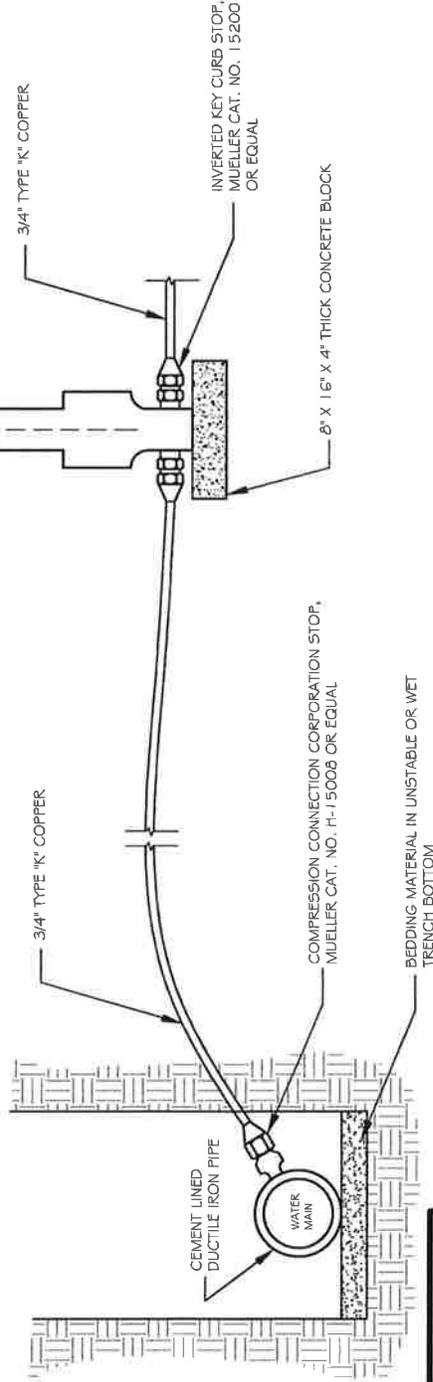
R.O.W.

1" MIN.

TELESCOPIC CAST-IRON CURB BOX,
MUELLER CAL. NO. H-10334 OR EQUAL
(5' BURY WITH STATIONARY ROD AND
ARCH PATTERN BASE)

NO CURB STOP SHALL BE INSTALLED IN
A DRIVEWAY OR THROUGH A CONCRETE
WALK.

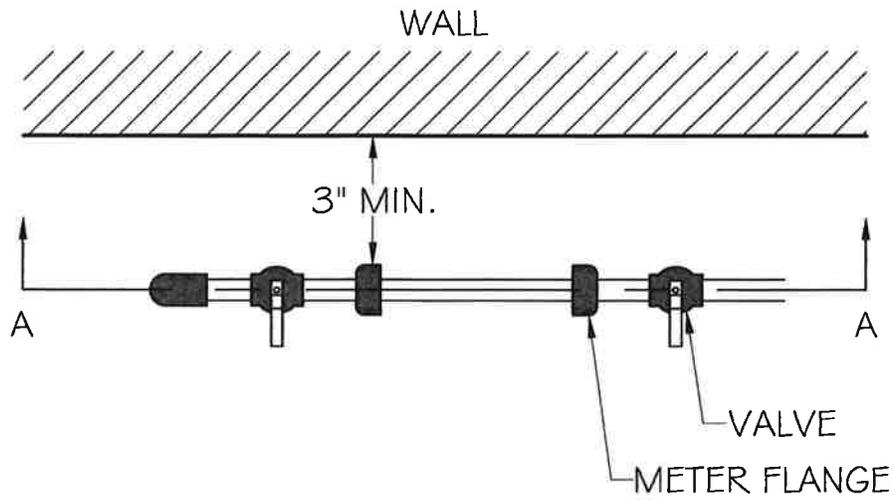
STATIONARY ROD



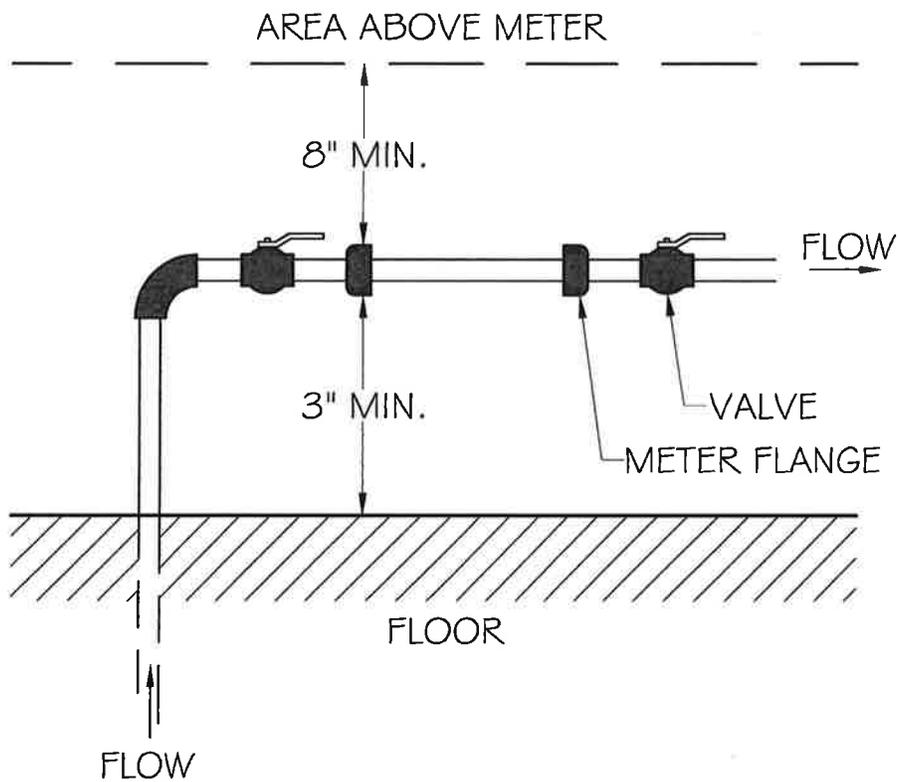
**WATER
DISTRIBUTION
DETAILS**

NOT TO SCALE

SERVICE CONNECTION



PLAN

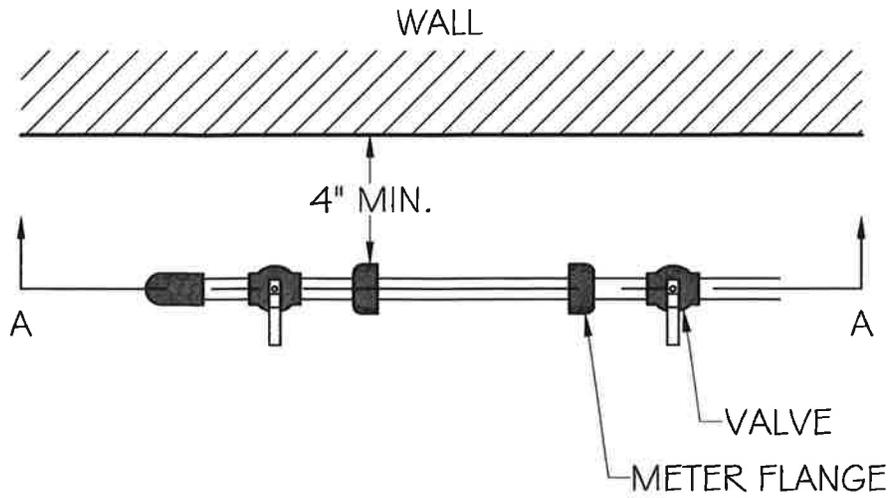


SECTION A-A

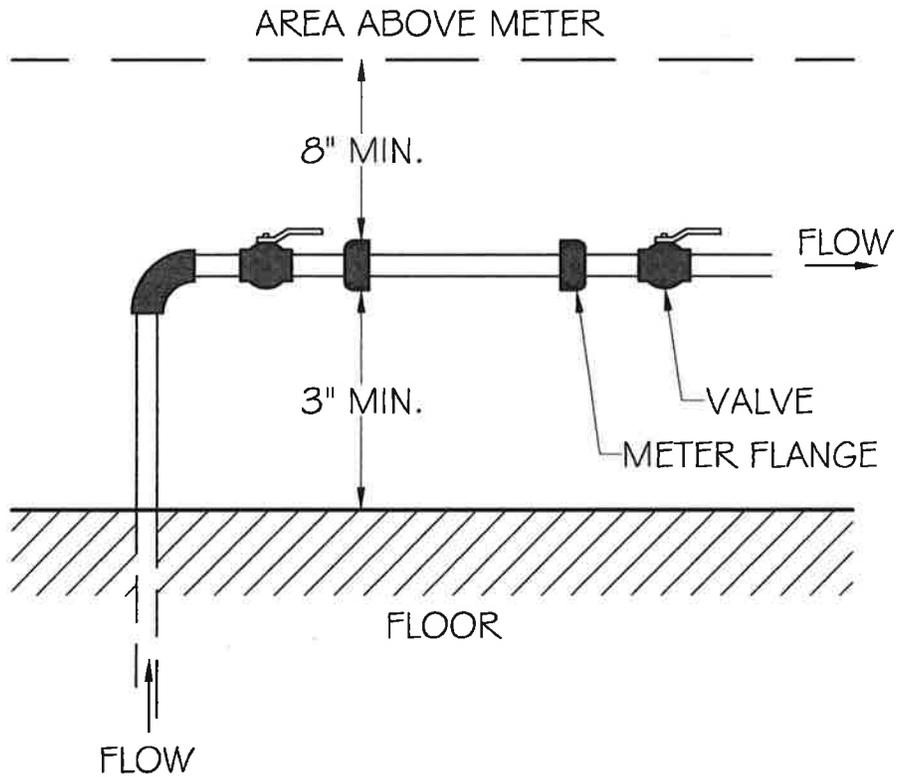
**WATER METER
MIN. CLEARANCES**

NOT TO SCALE

3/4" METER



PLAN

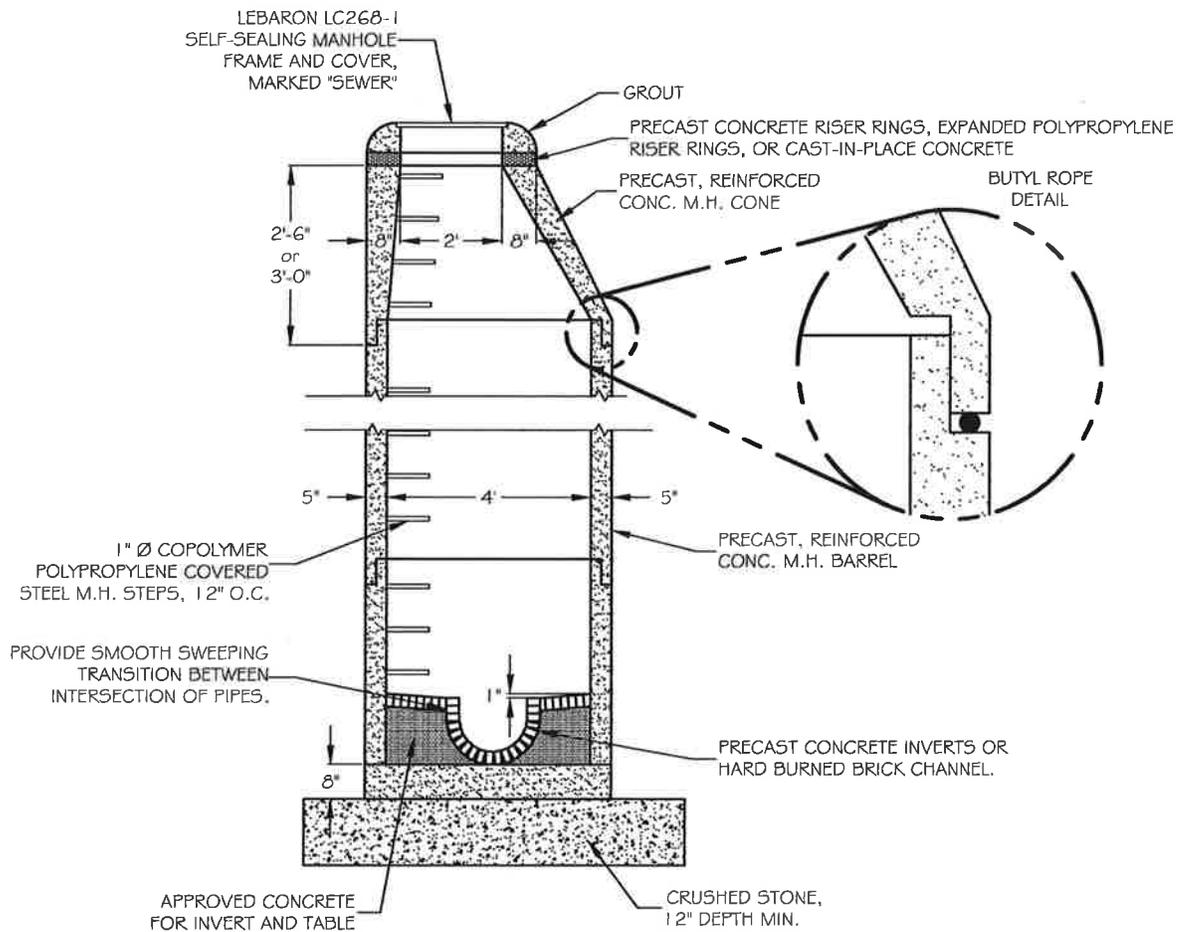
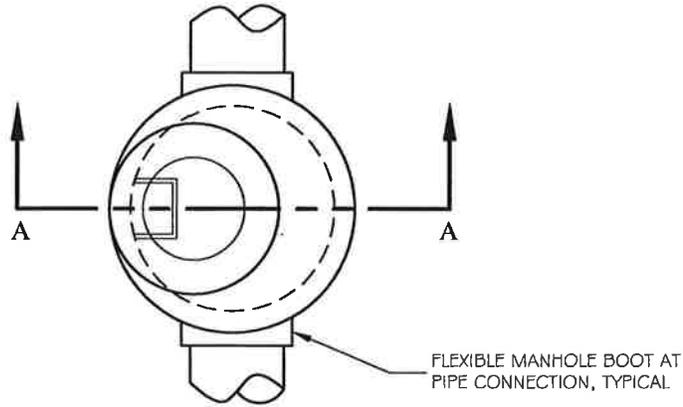


SECTION A-A

**WATER METER
MIN. CLEARANCES**

NOT TO SCALE

1", 1-1/2", & 2" METERS



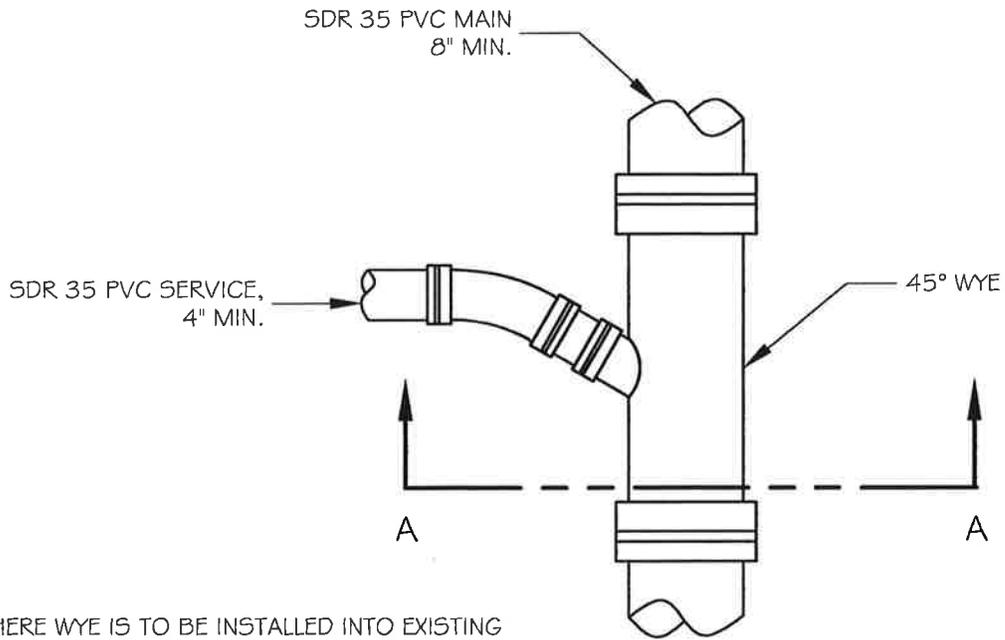
SECTION A-A

**SANITARY SEWER
DETAILS**

NOT TO SCALE

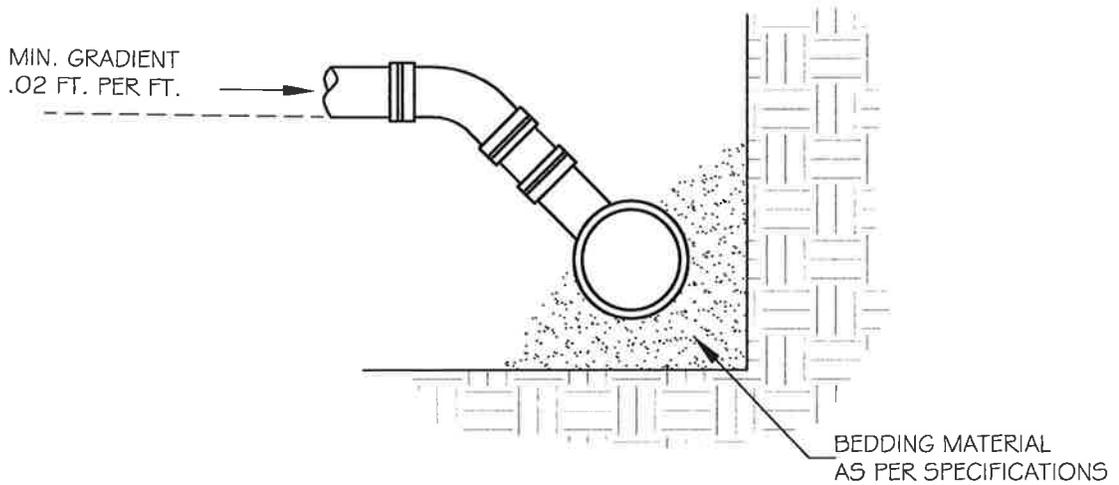
MANHOLES

1. PRECAST MANHOLE SECTIONS BUILT TO A.S.T.M. SPEC C472-72 WITH "O" RING JOINT.
2. STEEL REINFORCED TO A.S.T.M. SPECS.
3. 5,000 PSI CONCRETE
4. MONOLITHIC (58" Ø) BASE SECTION
5. MANHOLE STEPS SHALL BE COPOLYMER POLYPROPYLENE COVERED STEEL



PLAN

NOTE: WHERE WYE IS TO BE INSTALLED INTO EXISTING SEWER, INSTALLATION SHALL BE DONE WITH RIGID, GASKETED PIPE COUPLINGS. SADDLE CONNECTIONS OR FERNCO COUPLINGS, ARE NOT ACCEPTABLE.

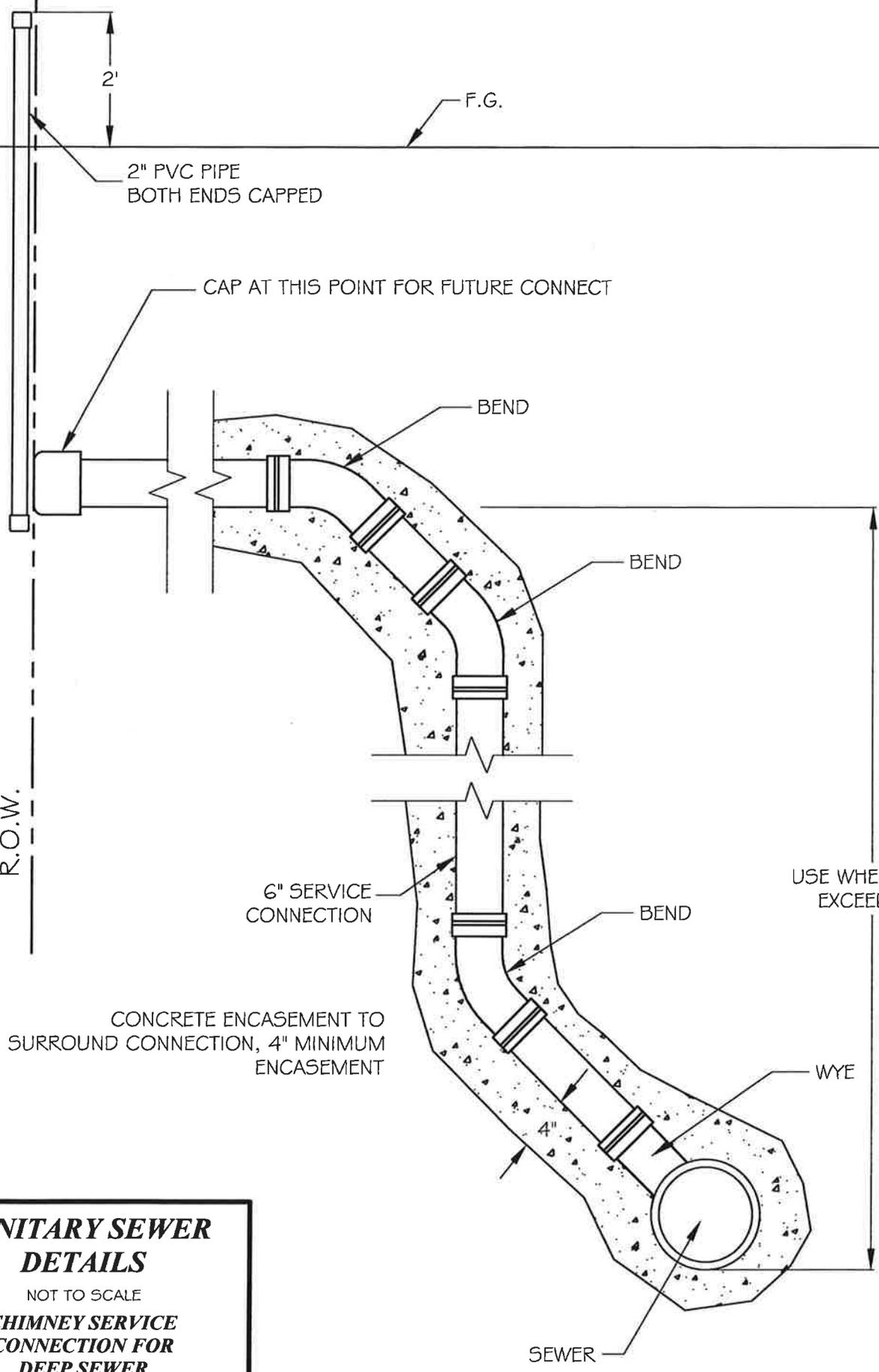


SECTION A-A

**SANITARY SEWER
DETAILS**

NOT TO SCALE

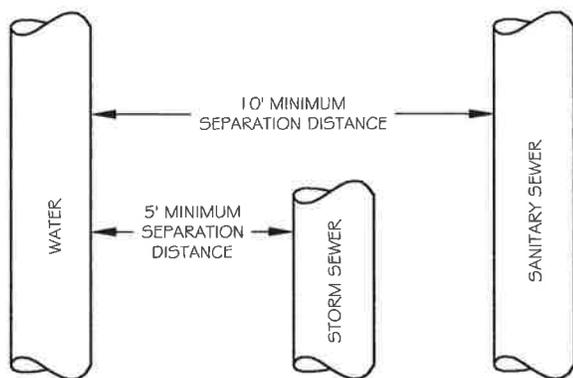
SERVICE CONNECTION



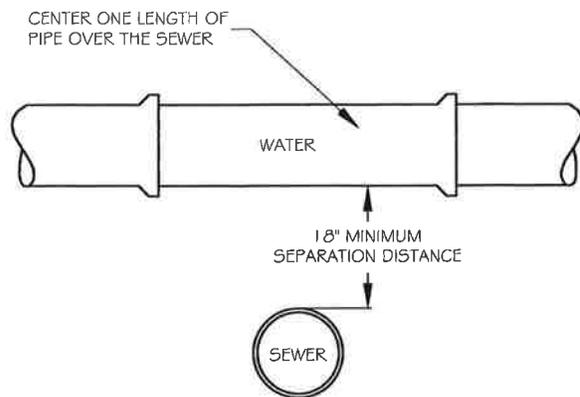
**SANITARY SEWER
DETAILS**

NOT TO SCALE

**CHIMNEY SERVICE
CONNECTION FOR
DEEP SEWER**



PARALLEL INSTALLATION



CROSSINGS

SEWER - WATER SEPARATION NOTES

HORIZONTAL SEPARATION

SANITARY SEWERS SHALL BE LAID AT LEAST TEN FEET HORIZONTALLY FROM ANY EXISTING OR PROPOSED WATER MAIN. THIS DISTANCE CAN BE REDUCED TO FIVE FEET FOR STORM SEWERS. THE DISTANCE SHALL BE MEASURED EDGE OF PIPE TO EDGE OF PIPE. WHERE IMPRACTICAL DUE TO LEDGE, BOULDERS OR OTHER UNUSUAL CONDITIONS, TO MAINTAIN HORIZONTAL SEPARATION BETWEEN SEWER AND WATER LINES, THE WATER LINE MAY BE IN A SEPARATE TRENCH OR ON AN UNDISTURBED EARTH SHELF IN THE SEWER TRENCH PROVIDED THAT THE BOTTOM OF THE WATER LINE IS AT LEAST 18" ABOVE THE TOP OF THE SEWER. WHEREVER IMPOSSIBLE OR IMPRACTICAL TO MAINTAIN 18" VERTICAL SEPARATION, THE SANITARY SEWER LINE SHALL BE CONSTRUCTED TO NORMAL WATERLINE STANDARDS AND PRESSURE TESTED TO 50 PSI FOR 15 MINUTES PRIOR TO BACKFILLING. NO LEAKAGE SHALL BE ALLOWED FOR THIS TEST.

CROSSING

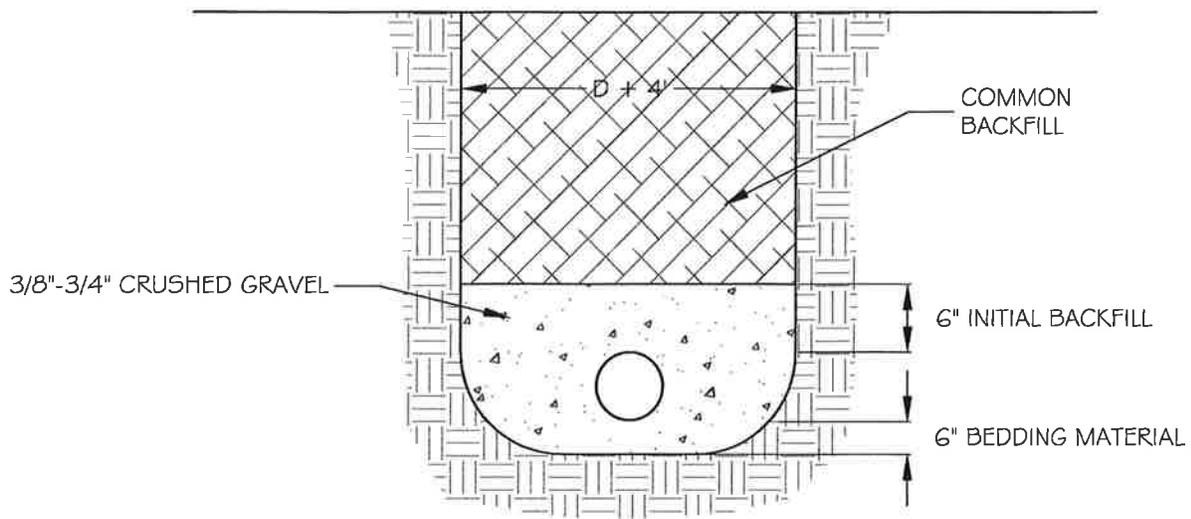
SEWER CROSSING WATER MAINS SHALL BE LAID BENEATH THE WATER MAIN WITH AT LEAST 18" VERTICAL CLEARANCE BETWEEN THE TOP OF THE SEWER AND THE BOTTOM OF THE WATER MAIN. WHEN IT IS IMPOSSIBLE TO MAINTAIN THE 18" VERTICAL SEPARATION OR WHERE THE SEWER MUST BE LAID ABOVE THE WATER MAIN;

- 1) THE CROSSING SHALL BE ARRANGED SO THAT ONE FULL LENGTH OF SEWER IS CENTERED ABOVE OR BELOW THE WATER LINE WITH SEWER JOINTS AS FAR AS POSSIBLE FROM WATER JOINTS;
- 2) THE SANITARY SEWER PIPE MUST BE CONSTRUCTED TO WATER MAIN STANDARDS FOR A MINIMUM DISTANCE OF 20 FEET EITHER SIDE OF THE CROSSING OR A TOTAL OF THREE PIPE LENGTHS, WHICHEVER IS GREATER;
- 3) THE SECTION CONSTRUCTED TO WATER MAIN STANDARDS MUST BE PRESSURE TESTED TO MAINTAIN 50 PSI FOR 15 MINUTES WITHOUT LEAKAGE PRIOR TO BACKFILLING BEYOND ONE FOOT ABOVE THE PIPE TO ASSURE WATER TIGHTNESS;
- 4) WHERE WATER MAIN CROSSES UNDER A SEWER, ADEQUATE STRUCTURAL SUPPORT SHALL BE PROVIDED FOR THE SEWER TO PREVENT DAMAGE TO THE WATER MAIN.

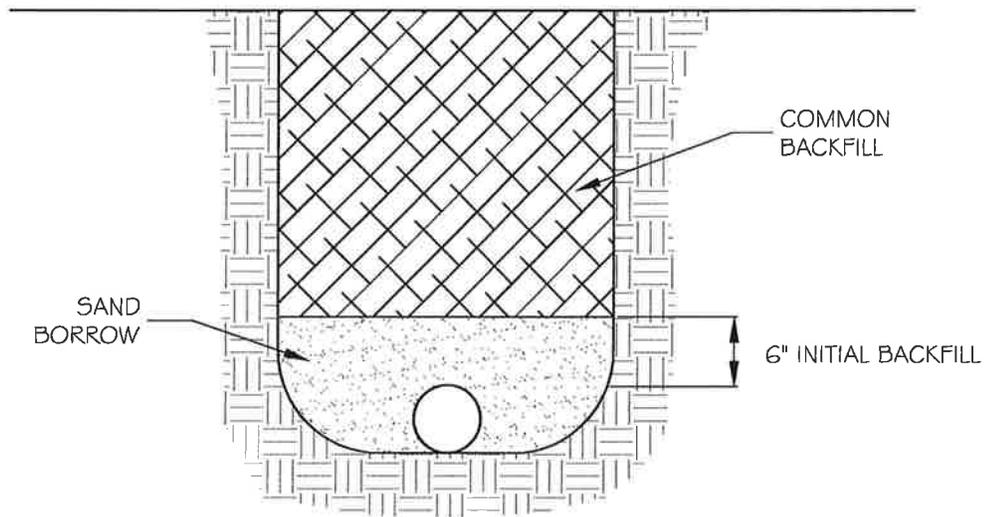
WATER & SANITARY SEWER

NOT TO SCALE

SEPARATION AND CROSSING DETAIL



**A. FLEXIBLE PIPE
(PVC, HDPE, ETC)**



**B. RIGID PIPE
(DI, RCP, GMP)**

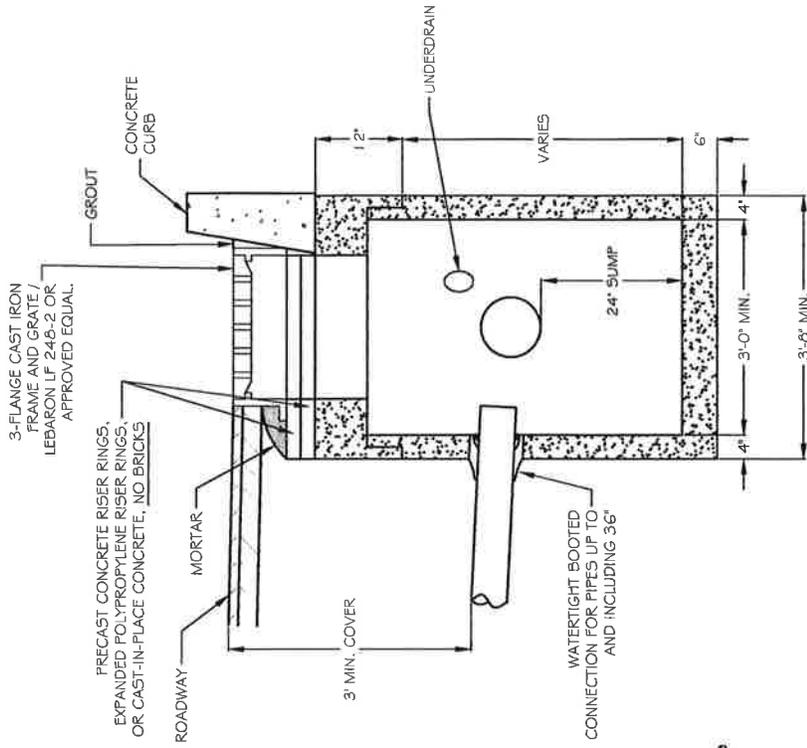
RIGID PIPE NOTES:

1. PROVIDE POLYETHYLENE PROTECTIVE WRAP (BEETLE SKIN) AROUND PIPE IN CORROSIVE SOILS.
2. IF TRENCH BOTTOM IS FORMED BY CLAY SOILS, PROVIDE 6" (MIN.) BEDDING UNDER PIPE.

TRENCH DETAIL

NOT TO SCALE

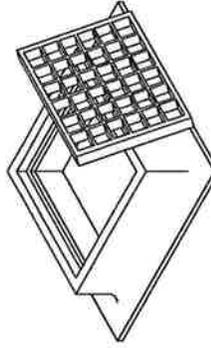
FLEXIBLE & RIGID PIPE



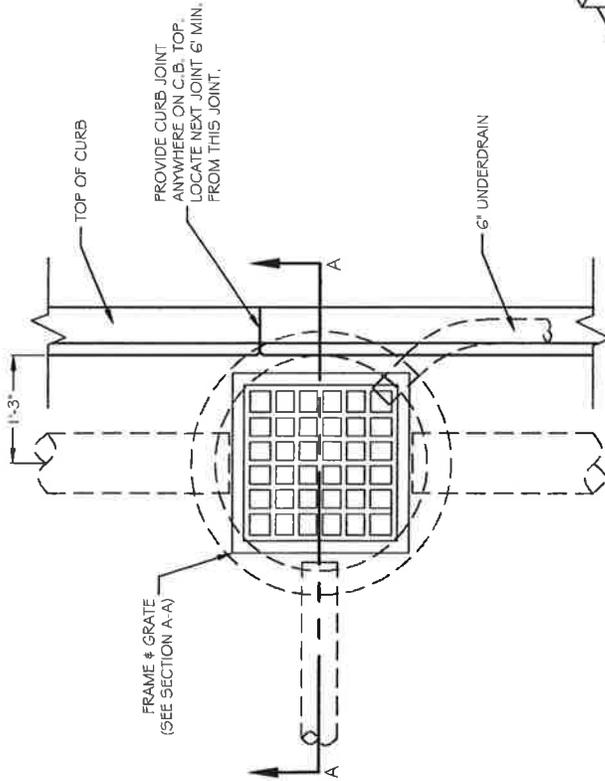
SECTION A-A

STRUCTURE DIAMETER	0°-45° DEFLECTION THROUGH STRUCTURE	45°-90° DEFLECTION THROUGH STRUCTURE	MAXIMUM PIPE DIAMETER*
36"	18"	12"	
48"	24"	18"	
60"	36"	27"	
72"	42"	30"	
84"	48"	36"	
96"	60"	42"	

* IN NO CASE SHALL MORE THAN 50% OF THE STRUCTURE CIRCUMFERENCE BE REMOVED BY PIPE PENETRATIONS, AND THERE SHALL BE AT LEAST 6" OF WALL BETWEEN PENETRATIONS; UNLESS OTHERWISE APPROVED BY THE VILLAGE ENGINEER.



SQUARE FRAME AND GRATE
LEBARON LF248-2

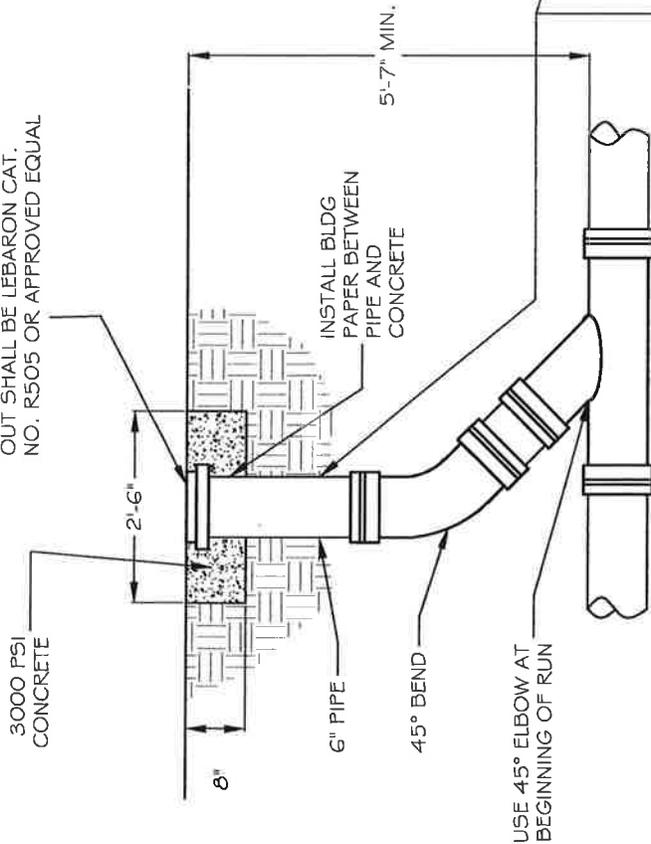


PLAN

1. MINIMUM SIZE SQUARE SHAPED CATCH BASIN OR DROP INLET IS 2' x 2'.
2. MINIMUM SIZE ROUND CATCH BASIN IS 3' DIAMETER.
3. WHERE MANHOLE COVER USED INSTEAD OF GRATES, COVER SHALL BE MARKED WITH "STORM".

**STORM SEWER
DETAIL**
NOT TO SCALE
**PRECAST CONCRETE
CATCH BASIN**

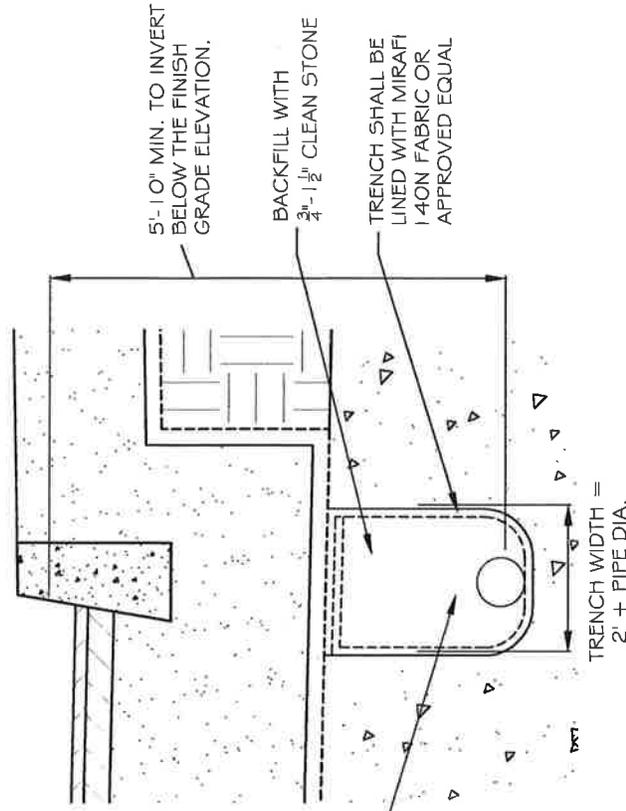
FRAME AND GRATE FOR CLEAN
OUT SHALL BE LEBARON CAT.
NO. R505 OR APPROVED EQUAL



UNDERDRAIN PIPE SHALL BE
6" MIN. DIA. SDR 35 PVC
PERFORATED PIPE OR APPROVED
EQUAL

NOTE:
SEE STORM SEWER - PRECAST CONCRETE CATCH BASIN DETAIL
FOR UNDERDRAIN CONNECTION.

UNDERDRAIN CLEAN OUT DETAIL



UNDERDRAIN TRENCH DETAIL

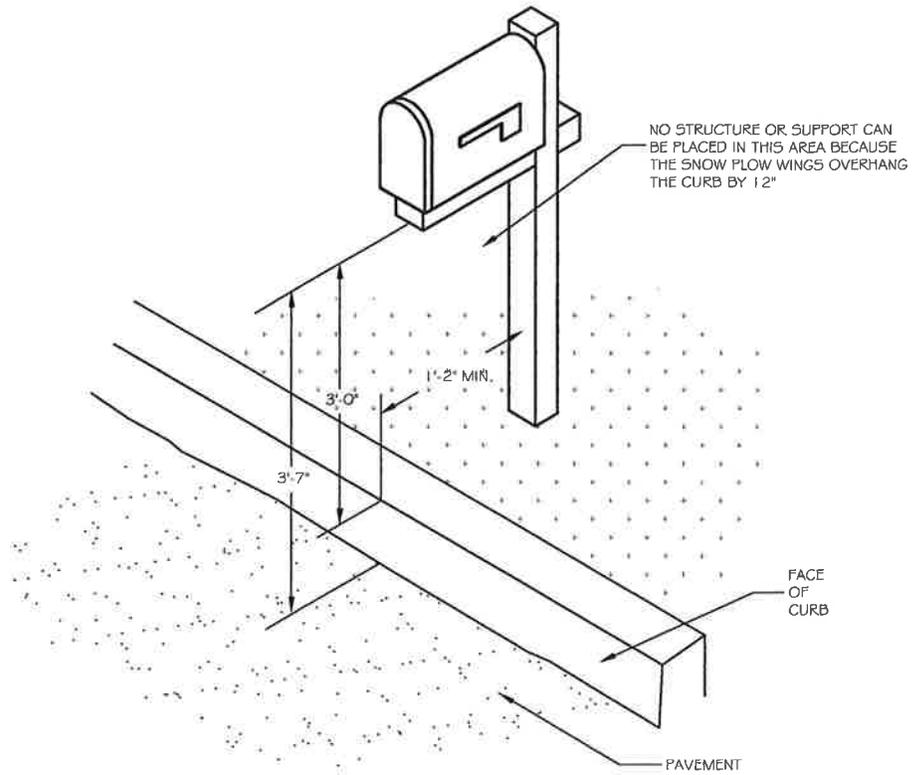
GENERAL NOTES:

1. GRADE FOR UNDERDRAIN SHALL BE PARALLEL WITH THE ROAD GRADE UNLESS OTHERWISE APPROVED BY THE VILLAGE MINIMUM GRADE IS EQUAL TO 0.005 FT/FT.
2. CLEAN OUTS SHALL BE LOCATED IN THE GRASS STRIP BETWEEN THE CURB AND THE SIDEWALK. CLEAN OUTS SHALL BE LOCATED AT THE BEGINNING OF EACH RUN OF UNDERDRAIN. THE MAXIMUM DISTANCE BETWEEN CLEAN OUTS SHALL BE 500'.
3. UNDERDRAINS SHALL OUTLET INTO STORM CATCH BASINS OR AT OTHER SUITABLE FREE OUTLET. THE CROWN OF THE UNDERDRAIN PIPE ENTERING A CATCH BASIN SHALL NOT BE LOWER THAN THE CROWN OF THE OUTLET PIPE.

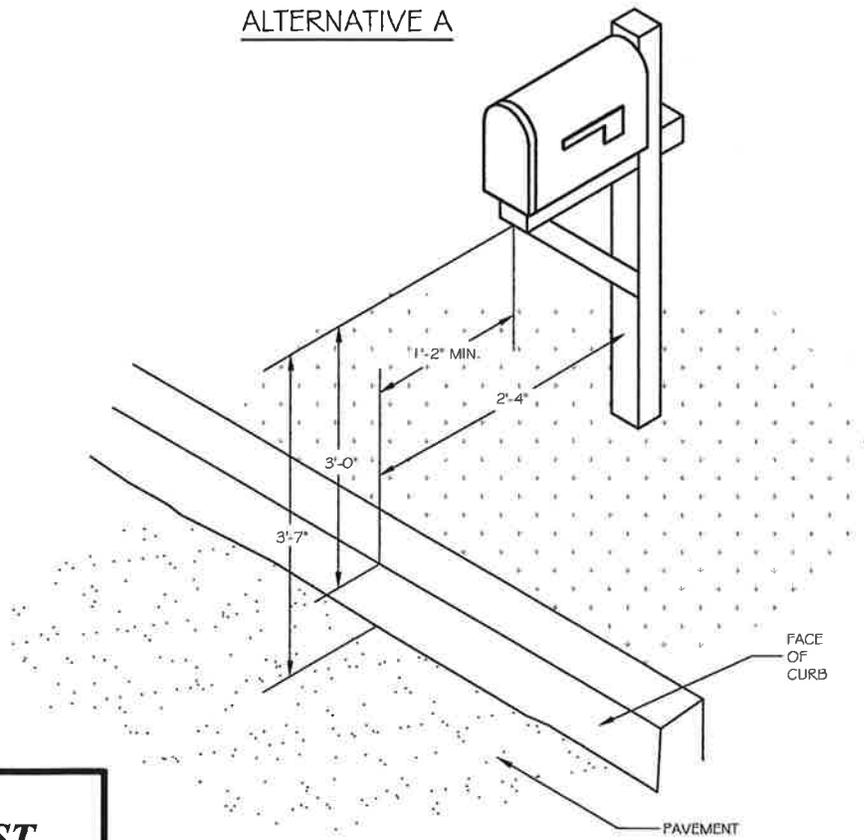
STORM SEWER DETAIL

NOT TO SCALE

UNDERDRAIN DETAIL



ALTERNATIVE A



ALTERNATIVE B

**MAIL BOX POST
DETAIL**

NOT TO SCALE

MAIL BOX

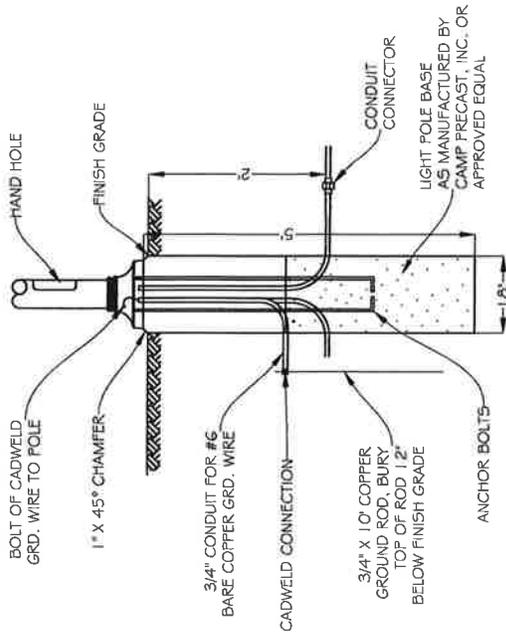
A. THESE LIGHTS SHALL BE THE STANDARD FOR THE FOLLOWING STREETScape CORRIDORS:

1. PEARL STREET
2. LINCOLN STREET
3. MAPLE STREET
4. MAIN STREET
5. PARK STREET

B. THESE LIGHTS SHALL BE THE STANDARD FOR A DOWNTOWN AREA WHICH IS ENCOMPASSED BY THE ABOVE NOTED CORRIDORS AND THE FOLLOWING STREETS:

1. RAILROAD AVENUE
2. RAILROAD STREET
3. THE CRESCENT CONNECTOR
4. PARK PLACE
5. SCHOOL STREET
6. LINCOLN PLACE
7. CENTRAL STREET

C. STREET LIGHTING FOR ALL OTHER LOCATIONS SHALL BE AS DESCRIBED IN SECTION 704(F) OF THE LAND DEVELOPMENT CODE, OR APPROVED BY THE PLANNING COMMISSION.



TYPICAL LIGHT POLE BASE DETAIL

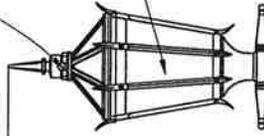
NTS

STREET LIGHTING DETAILS

NOT TO SCALE

LIGHT POLE, LIGHT BASE & LIGHT FIXTURE

ELECTRIC EYE IF NOT ON COORDINATED CIRCUIT



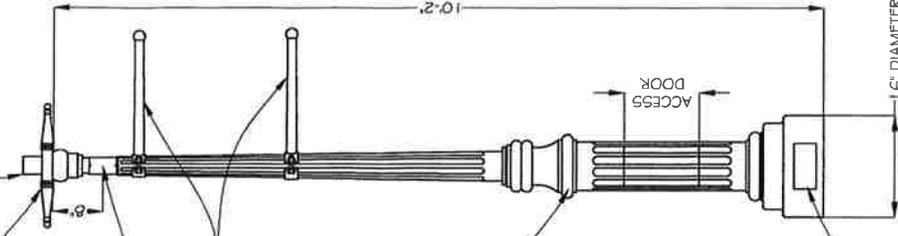
KING LUMINAIRE MODEL K56 TUDOR

THE HANCOCK MODEL PSHNC-16-10.17-LR CAST IRON LAMP POST WITH LADDER REST AND CLAMP ON BANNER ARMS BY SPRING CITY ELECTRIC COMPANY

DUPLEX RECEPTACLE WITH WEATHERPROOF COVER NOT WEATHERPROOF WHILE IN USE

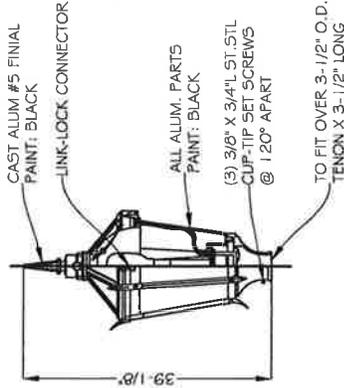
CLAMP-ON BANNER ARMS 90° TO ROAD CENTERLINE

3-1/2" DIA. X 3-1/2" HIGH TENON (ABOVE LADDER REST) TO ACCOMMODATE LUMINAIRE LADDER REST PARALLEL WITH ROAD CENTERLINE



LIGHT FIXTURE DETAIL

NTS



NOTE: LIGHT SOURCE TYPE AND OUTPUT TO BE DETERMINED FOR EACH INDIVIDUAL PROJECT.

LIGHT ASSEMBLY DETAIL

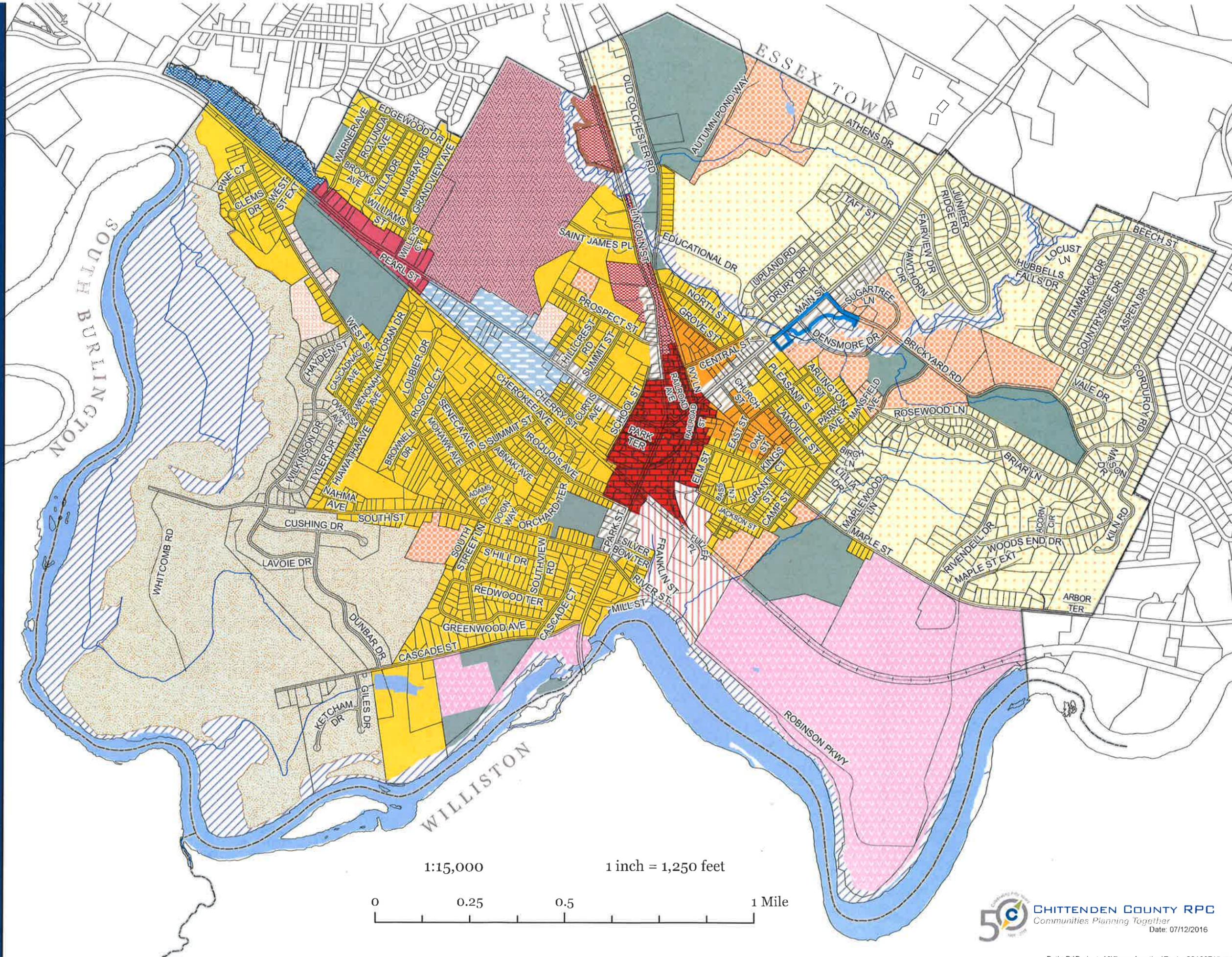
NTS

LIGHT POST DETAIL

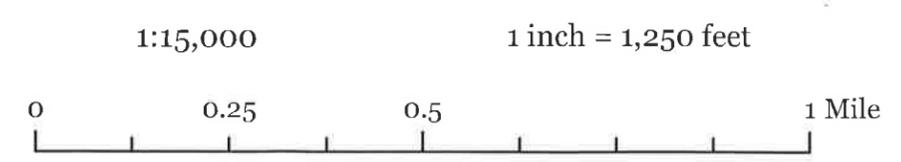
NTS

Essex Junction Zoning

-  2016 Tax Parcel Boundary
- Zoning District**
-  Residential 1
-  Residential 2
-  Multi-Family Residential 1
-  Multi-Family Residential 2
-  Multi-Family Residential 3
-  Multi-Family/Mixed Use 1
-  Multi-Family/Mixed Use 2
-  Village Center
-  Transit Oriented Development
-  Residential-Office
-  Mixed Commercial Use
-  Highway-Arterial
-  Light Industrial
-  Planned Exposition
-  Planned Agriculture
-  Open Space
-  Floodplain
-  North Lincoln Overlay District
-  Professional Office Overlay
-  Winooski River
-  Stream Centerline
-  Road Centerline
-  Railroad



Prepared by:
 Chittenden County Regional Planning Commission
 110 South Burlington Drive
 Burlington, VT 05401
 Date: 07/12/2016



Planning Department will be changed to Community Development Department; Village Plan changed to Comprehensive Plan; Planned Residential Development changed to Planned Unit Development; Sight Triangle to Visibility Triangle and Noise to Sound throughout the Code. Clerical changes and formatting will be corrected throughout the Code.

CHAPTER 1: PURPOSE, APPLICATION AND SEVERABILITY

SECTION 102: PURPOSE.

This Code represents the minimum required standards for development and land use in Essex Junction. It is the intent of the Village to meet or exceed these standards.

SECTION 103: AUTHORITY.

~~G. — Chapter 13: Noise Regulations — 24 V.S.A., Chapter 61 and Village Charter, Article I.~~

SECTION 104: SEVERABILITY.

The Land Development Code shall be readopted, with revisions as necessary, within ~~five (5)~~ eight (8) years after the last published update.

CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

SECTION 201: DEFINITIONS. (General Definitions, Flood Plain Management Determinations, Sewer Regulation Definitions, Sign Regulations Definitions). Words as defined herein shall be used to interpret provisions of this Code. Interpretation of any words not herein defined shall be made in accordance with the standards specified below.

- B. Official Plan. The Village **Comprehensive** Plan as adopted by the Village Trustees and filed with the Village Clerk is the Official Plan of the Village of Essex Junction. It is the clear intent of this Code to implement the provisions of the **Comprehensive** Plan and the **Comprehensive** Plan shall be consulted to determine the intent of any provisions of this Code. Ordinances, bylaws, or regulations enacted which are in clear conflict with the **Comprehensive** Plan shall not be adopted until and unless the **Comprehensive** Plan is amended.
- C. General Definitions:
3. *"Accessory Apartment"* shall mean a small apartment created within an existing single family dwelling unit, **as defined by state statute.**
 5. *"Accessory Use"* shall mean any use or structure which clearly meets **all** the following **conditions:**
 - (a) It is clearly incidental and customarily found in association with the principal use; **and**
 - (b) It is subordinate in area, purpose and extent to the primary structure and use of the lot; **and**
 - (c) It is not identified in the zoning district as a permitted or conditional principal use.
 12. *"Agriculture PUD"* shall mean a Planned Unit Development (PUD) located in the Planned Agriculture District.

38. "Cemetery" shall mean a parcel of land use for the burial of the dead for cemetery purposes, including ~~columbariums~~ columbaria, crematories, mausoleums, and mortuaries.
44. "Commercial PUD" shall mean a Planned Unit Development (PUD) located in the Village Center, Highway Arterial, or Transit Oriented Development Districts.
50. "Comprehensive Plan", "Village Plan" or "Plan" shall mean the Village Comprehensive Plan for the Village of Essex Junction as adopted pursuant to Title 24, Chapter 119, Section 4385 of Vermont Statutes and filed with the Village Clerk.
58. "Dark Sky Compliant" shall mean hooded or shielded outdoor lighting fixtures that allows no light emission above a horizontal plane.
61. "Dead-end Street" shall mean a street open at one end only without provision for a turnaround and which may be extended into adjoining property.
69. "Double Frontage Lot" shall mean a lot with street frontage on two boundaries.
93. "Freight Rail Distribution Center" shall mean a facility or a group of facilities that perform consolidation, warehousing, packaging, decomposition and other functions linked with handling freight. Their main purpose is to provide value-added services to freight. They can also perform light manufacturing activities such as assembly and labeling. They can accommodate warehouses designed to store goods for longer periods of time.
127. "Massage Therapy" shall mean the scientific manipulation of the soft tissues of the body for the purpose of normalizing those tissues and consists of manual techniques that include applying fixed or moveable pressure, holding, and/or causing movement of, or to, the body to enhance health and healing when undertaken by a Massage Therapist that is certified or registered through the National Certification Board for Therapeutic Massage and Bodywork's certification program, or an approved alternative certification body, for example AMA-VT.
133. "New Unit" shall mean a dwelling unit approved and constructed pursuant to the Land Development Code without credit or consideration for whether it replaces any pre-existing dwelling unit. With respect to any section of this code, there shall be no credit or reduction of any kind for an existing dwelling unit that is replaced by a new unit.
148. "Planned Unit Development" or "PUD" shall mean one or more parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity transfers or increases, as well as the mixing of land uses in non-residential Districts. This plan, as authorized, may deviate from bylaw requirements that are otherwise applicable to the area in which it is located with respect to the area, density or dimensional requirements or allowable number of structures and uses per lot as established in any one or more districts created under the provisions of these regulations. The specific requirements of a PUD and the area, density and dimensional provisions that may be modified are further defined in each district in which PUDs are allowed. ~~an area of land to be developed as a single mixed use entity for a number of dwelling units and commercial and industrial unit uses, if any; the plan for which does not correspond in lot size, bulk, or type of dwelling, commercial or industrial use,~~

~~density, lot coverage, and required opens space under these regulations except as a planned unit development. The number of dwelling units approved shall not exceed the number of dwelling units permitted under Village subdivision regulations unless a waiver is granted under Section 723.~~

- 158. "Public Meeting" shall mean any duly noticed meeting at which a quorum (a majority) is present to conduct business.
- 159. "Public Street" shall mean a street owned by the municipality.
- 201. "Temporary Structure" shall mean any structure in place greater than six months in any 12 month period shall not be considered a temporary structure.
- 209. "Vehicle Sales" shall mean the sale of cars, sport utility vehicles and light trucks.
- 218. "Zero Lot Line" shall mean a piece of real estate in which the structure comes up to, or very near to the edge of the property line.

G. Sign Regulation Definitions. For the purposes of Section 714 of this Code, the following special definitions shall apply:

- 3. "Electronic Message Board" shall mean a sign with a message copy or other display that is produced and periodically changed electronically or electrically that is attached to another sign, or to the support structure. The message copy or display shall be limited to public service announcements, time and temperature, and goods or services available on the premises, and shall consist of words, letters, numbers and punctuation only. Illumination shall be of a constant intensity, and shall not blink, flash or give the appearance of movement.

H. Stormwater Regulation Definitions. For the purposes of Section 713 of the Code, the following special definitions shall apply:

- 8. "Infiltration" shall mean the process ~~of percolating storm water into the subsurface soil without an underdrain~~ through which stormwater runoff penetrates into soil from the ground surface.

I. Riparian Buffer District Definitions. For the purposes of Section 51~~64~~ of the Code, the following special definitions shall apply:

CHAPTER 3: DECISION MAKING AND ADMINISTRATIVE BODIES

SECTION 301: BOARD OF TRUSTEES. The duly elected Village Board of Trustees shall have all the authority granted it by general law of the State of Vermont and the Village Charter, including, but not limited to, the following:

- A. To adopt the ~~Village Comprehensive~~ Plan and any amendments thereto.
- E. To act pursuant to Section 506 on requests for waivers from the noise standards in ~~Chapter 13 and~~ Section 718.
- H. To act and approve requests regarding access to Rights-of-way and curb cuts pursuant to Sections 509 and 705.

SECTION 302: PLANNING COMMISSION

B. Powers and Duties. The Planning Commission shall have all powers granted municipal planning commissions under the general laws of the State of Vermont, including, but not limited to, the following:

~~4. — To prepare, cause to be prepared, or review a Capital Budget and present findings to the Trustees.~~

CHAPTER 4: REGULATION OF LAND USE ACTIVITIES

SECTION 401: APPROVALS REQUIRED. No person shall commence any of the following activities without first obtaining the required approval from the Village. Any building permit may be subject to additional state or federal permits.

A. Approval required for the construction, ~~demolition, or alteration~~ of any structure, the making of any material change in the use of any structure or land, the making of a change in the intensity of use of a structure or land, or the filling of land pursuant to Section 502.

CHAPTER 5: DEVELOPMENT REVIEW PROCEDURES

This Chapter establishes procedures for review of any activity that requires approval under the Land Development Code.

SECTION 501: PROCEDURES OF GENERAL APPLICABILITY

D. Notice of Public Hearings and Public Meetings. Notice of public hearings or meetings required under this Code shall comply with this Section ~~and with Vermont's Open Meeting Law (1 V.S.A. §§ 310-314)~~ unless otherwise specified.

SECTION 502: APPROVAL PROCEDURES FOR ACTIVITIES REQUIRING REVIEW UNDER CHAPTERS 6 AND 7

A. Zoning Permit Requirement. A zoning permit is required for the construction of any structure, the making of any material change in the use of any structure or land, the making of a change in the intensity of use of a structure or land, or the filling of land. For the purpose of this Code, the activities identified in this section are referred to as "development activities".

1. Approval Required. Issuance of a zoning permit shall require review and approval under one or more of the following review procedures, as determined by the staff:

- (a) Permitted Use - Section 502.B
- (b) Conditional Use - Section 502.C
- (c) Temporary Use - Section 502.D
- ~~(d) — Exposition Center PUD — Section 502.E~~
- ~~(e) — Commercial PUD — Section 502.F~~
- (d) Professional Office Development - Section 502.E
- ~~(g) — Agriculture PUD — Section 502.H~~
- (e) Site Plans - Section 502.F

- (f) Home Occupation - Section 502.G
- (g) Signs - Section 502.H
- (h) Accessory Apartments - Section 502.I
- (i) Nonconforming Use - Section 502.J
- (j) Noncomplying Structure - Section 502.K
- (k) Existing Small Lots - Section 502.L
- (l) Planned Residential Unit Development (PUD) - Section 502.M
- (m) Telecommunications – Section 502.N
- (n) Master Plans – Section 502.O

B. Approval of Permitted Uses

3. Approval Standards. Staff shall review an application for a permitted use to determine if it meets the dimensional requirements of Chapter 6 and the development standards of Chapter 7. ~~If Staff Approval will be granted if staff determines that the use meets such standards, it will approve the use.~~

~~E. — Exposition Center PUD. Development activity involving an Exposition Center PUD shall be reviewed under the provisions of this Subsection. For the purposes of this Code, an Exposition Center PUD shall be defined as the development of a parcel of land with multiple buildings, vehicle parking areas and appurtenant facilities for the purpose of conducting indoor and outdoor exhibits, carnivals, fairs, concerts, trade shows and similar events.~~

~~1. — Approval of an application for an Exposition Center PUD requires approval of a Conceptual Plan by the Commission in accordance with the requirements of Section 511.C.~~

~~2. — If the application involves the construction of new buildings or the alteration of existing buildings or facilities, Site Plan approval is also required; see section 502.I.~~

~~3. — Submittal Requirements. In addition to the requirements for submittal of a Conceptual Plan specified in Section 511.C below, a Conceptual Plan for an Exposition Center PUD shall contain the following:~~

- ~~(a) The location and type of all permanent signs.~~
- ~~(b) The location of areas proposed for temporary and permanent signs which are visible from any public street.~~
- ~~(c) The general location of areas to be used for specific purposes or events, including parking.~~
- ~~(d) The general location of permanent fencing, screening and landscaping, including a description of types of plant materials.~~
- ~~(e) The general location of areas to be occupied by temporary structures, including distances between buildings and from structures to property lines. Temporary structures are those not staying in one location for more than two consecutive weeks or not served by water, sewer, and electric power connections.~~
- ~~(f) The approximate location of any proposed roads, sidewalks or bike paths.~~
- ~~(g) A proposed phasing schedule and map.~~
- ~~(h) A description of methods used to estimate the impact of the proposed development on public infrastructure.~~

~~4. — Standards of Review. The Commission shall review the proposed Exposition Center PUD in accordance with the standards specified in Section 612 of this Code.~~

5. — Conditions. The Commission may approve the proposed Exposition Center PUD with conditions designed to meet the standards established in Section 612 of this Code.

6. — Classification and Approval of Activities. Plans for specific activities in an Exposition Center PUD shall be classified by the Community Development Department as permitted activities, temporary activities or major activities, and shall be reviewed in the following manner:

(a) Permitted activities. Permitted activities require no permits, provided that no new or temporary structures are proposed. The applicant shall notify Staff in writing, not less than two (2) days, excluding weekends and holidays, prior to the activity to ensure that additional review is not necessary. The following are permitted activities:

- (i) Agriculture shows or exhibitions and related sales.
- (ii) Educational workshops.
- (iii) Special training, including driver's education, surveying techniques and similar training activities.
- (iv) Reunions.
- (v) Low intensity recreation activities.
- (vi) Offices directly related to the Fairground's activities.
- (vii) Storage facilities for equipment to be used for maintenance of any approved event or as a seasonal use.
- (viii) Horse boarding.

(b) Temporary Activities. Temporary activities require staff review and approval. An application for a Temporary Use Permit shall be submitted in accordance with Section 502.D of this Code. In addition to the Temporary Use Permit standards, Staff shall review a temporary activity under the standards in Section 612.

(i) An application for a temporary activities permit may be submitted for a series of events over a one-year period (an annual permit application) or for individual events. Approval of an annual permit application shall not preclude application for and receipt of any number of single permits for events during the same year.

(ii) Annual permit applications shall be reviewed within twenty-one (21) days of receipt.

(iii) Single permit applications shall be reviewed within forty-eight (48) hours receipt.

(iv) The following shall be deemed temporary activities:

- (aa) Antique shows;
- (bb) Dog shows;
- (cc) Car shows;
- (dd) Craft shows;
- (ee) Group sales (retail associations, car dealerships, clearance sales or similar events);
- (ff) Sales of products associated with another temporary or permitted event;
- (gg) Concerts; and
- (hh) Trade shows.

~~(e) Major Activities. The Planning Commission shall hold a public meeting in connection with review of a major activity, and may require a public hearing.~~

~~(i) Standards of review. The Commission shall review each application for a major activity permit on its individual merits. Special consideration shall be given to mitigation efforts proposed to reduce potential community impacts. In granting such a permit, the Commission may impose conditions regarding:~~

~~(aa) Time of the events;~~

~~(bb) Parking and traffic control measures;~~

~~(cc) Temporary off-site parking of recreational vehicles on public property;~~

~~(dd) Noise mitigation;~~

~~(ee) Location of the event within the District; and~~

~~(ff) Impacts which, in the opinion of the Commission, are reasonable and will mitigate adverse impacts.~~

~~(ii) The following shall be deemed major activities;~~

~~(aa) Any event for which a permit has been denied by Staff;~~

~~(bb) Events which last more than five (5) days (excluding set-up and take-down);~~

~~(cc) Any event which exceeds the performance standards specified in Section 718 of this Code, or which exceeds the standards specified in Chapter 13 of this Code.~~

~~(iii) Annual agricultural exhibitions shall be reviewed by staff on an annual basis and are classified as a major use. Staff may approve all activities specified below. The Commission shall review any activity denied by Staff.~~

~~(aa) Normal Activities. Daily shows (other than grandstand shows), education workshops, product demonstrations, agricultural events, food services, booths, carnivals, and any activity within enclosed structures shall be considered as normal activities and shall not be individually reviewed.~~

~~(bb) Cumulative Effects. The cumulative effects of fair activities shall be reviewed annually with Staff, the Police Department and the applicant. Review is restricted to traffic control, lighting, parking, and noise abatement plans. Reasonable efforts shall be made to reduce potential adverse impacts of annual events. In the event that agreement is not reached, the Commission shall consider the outstanding issues at a public meeting on the next Commission agenda.~~

~~(cc) Special Events. Special events, including, but not limited to, concerts, demolition derbies, tractor pulls and other grandstand events shall be reviewed for compliance with standards for noise, dust control, parking and traffic flow. Staff may not grant waivers to any standard included in this Code. If it is expected that noise standards may be exceeded, application shall be made to the Trustees for a waiver in accordance with Section 506 of this Code.~~

~~Staff may approve any special event which does not exceed standards and may impose reasonable conditions regarding control of traffic, noise and dust. In addition, Staff may stipulate hours of operation to ensure conformance with adopted standards.~~

~~7. — Signs. Signs in the Planned Exposition Center PUD shall be approved by the Commission as part of Conceptual and/or Site Plan review.~~

~~(a) The Commission shall consider the following:~~

~~(i) Compatibility with the Conceptual Plan.~~

~~(ii) Compatibility with the adjoining property.~~

~~(iii) Visual design.~~

~~(iv) Landscaping.~~

~~(v) Location and size.~~

~~(b) Specific types of signs which may be approved subject to the above, including a single sign with changeable messages to advertise events and signs near the streets to direct pedestrian, bicycle and vehicular traffic to appropriate entrances. The general location and type of Temporary signs shall be reviewed by the Commission.~~

~~8. — Expiration of Approvals. Approval for an Exposition Center PUD or approvals for any activities to be conducted at such PUD shall expire in accordance with terms set forth in the approval.~~

~~9. — Appeals:~~

~~(a) Any interested person may appeal a decision of the Planning Commission regarding an Exposition Center PUD or conduct of a major activity at an Exposition Center PUD in accordance with the procedures set forth in Section 1707 below.~~

~~(b) Any interested person may appeal a decision of the Staff classifying an activity at an Exposition Center PUD to the Planning Commission in accordance with the procedures set forth in Section 1704 below.~~

~~F. — Commercial PUD.~~

~~1. — Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Village Center District pursuant to Section 604.G, Highway Arterial District pursuant to Section 605.G and in the Transit Oriented Development District pursuant to Section 608.K.~~

~~2. — Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.~~

~~3. — Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 604.G, Section 605.G and Section 724.~~

~~4. — Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.~~

~~5. — Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.~~

~~H. — Agriculture PUD~~

~~1. — Development activities involving Agriculture PUDs shall be reviewed under the~~

~~provisions of this Subsection. Agriculture PUDs are allowed in the Planned Agriculture District pursuant to Section 613.~~

~~2. Applications shall be reviewed in accordance with the procedures set forth in Section 511. If the proposed Agriculture PUD includes new or altered buildings or facilities, Site Plan approval and/or Subdivision approval may be required.~~

~~3. Submittal requirements. In addition to the submittal requirements established in Section 511, applications for an Agriculture PUD shall include the following:~~

- ~~(a) The location and acreage of land to be reserved for agricultural purposes.~~
- ~~(b) Draft legal documents to ensure the continued availability of said lands for agricultural purposes in the future.~~
- ~~(c) A description and map of areas to receive transferred development rights, if any.~~
- ~~(d) A description of methods used to preserve agricultural lands other than the transfer of development rights, if applicable.~~
- ~~(e) Other information as needed to demonstrate compliance with the purpose of Section 613 of this Code.~~

~~4. A Conceptual Plan shall be submitted which includes, at a minimum, the following information:~~

- ~~(a) Location and acreage of all prime agricultural lands in single ownership.~~
- ~~(b) Location and acreage of all land proposed to be developed.~~
- ~~(c) Sending and receiving areas of all land proposed for transfer of development rights.~~
- ~~(d) Location of all land proposed for conservation of prime agricultural lands.~~
- ~~(e) Location and acreage of land proposed to be preserved as open space in perpetuity.~~
- ~~(f) Location and acreage of any lands to be transferred to qualified land trusts or non-profit organizations.~~
- ~~(g) Proposed phasing schedule.~~
- ~~(h) Proposed methods of preserving agriculture land.~~

~~5. Standards of Review. The Commission shall review the proposed Agriculture PUD in accordance with the standards specified in Section 613 of this Code. Generally, the Commission shall consider the effect of the proposed development on the Community, public infrastructure and adjoining development. Mitigation efforts, including noise control, traffic control and landscaping shall be considered.~~

~~6. Conditions. The Commission may approve the proposed Agriculture PUD with conditions designed to meet the standards established in Section 613 of this Code.~~

~~7. Expiration of Approval. An approval for an Agriculture PUD shall expire in accordance with terms set forth in the approval.~~

~~8. Appeal. Any interested person may appeal a decision of the Commission regarding an Agriculture PUD in accordance with the procedures set forth in Section 1707 below.~~

F. Approval of Site Plans

4. Site Plan Application Requirements. The applicant shall submit a Site Plan, drawn to scale (including a north arrow) and documentation to include the following:

- (c) A survey of the property prepared by a Land Surveyor licensed to practice in

the State of Vermont which shows existing or proposed rights-of-way and easements. This is ~~only~~ required for projects that involve new buildings.

(s) Location and type of all proposed signs.

(t) Other additional information requested by Staff to provide a clear understanding of the project.

11. Site Plan Amendments/Minor Developments. Amendments to approved Site Plans ~~(except site changes in accordance with Section 502.I.II.B)~~ shall be classified by Staff as a major or minor amendment based upon the following criteria:

H. Approval of Signs

(d) Sign Permit Applications:

SECTION 506: APPROVAL OF WAIVERS TO STANDARDS OF ~~CHAPTER 12 NOISE SECTION 718.B~~

D. Appeals/Waivers. The Trustees shall review all waiver requests. Waivers may be granted for one event or for multiple events. The Trustees may authorize waivers for the same activity on one or more occasions, or for one or more years.

1. Upon written request, the Trustees may grant a waiver from the provisions of ~~Chapter 13 Noise Section 718.B~~ for any activity which has received approval required herein, and:

2. When granting a waiver under this Section, the Trustees may attach reasonable conditions to minimize the impact of the waiver on adjoining properties. Such conditions may include but are not limited to:

(d) Requirements to use particular equipment or procedures to minimize ~~noise~~ sound.

E. Appeals. An individual who proposes an activity which Staff determines will result in ~~noise sound~~ in excess of the standards of ~~Chapter 13 Section 718.B~~ may appeal such decision to the Board of Trustees in accordance with the procedures of Section 1705.

SECTION 513: APPROVAL OF ACTIVITIES INVOLVING THE CONSTRUCTION OF A STORMWATER SYSTEM

G. ~~— Properties greater than one (1) acre will require a state stormwater permit in accordance with the Agency of Natural Resources Rules, as covered by permit 3-9020 Construction General Permit. Permits for Stormwater Discharges Associated with Construction Activities. Under the National Pollutant Discharge Elimination System (NPDES), construction projects involving one (1) acre or more of land disturbance require a stormwater permit to discharge stormwater runoff from construction activities, as covered by Construction General Permit 3-9020, which is overseen by The Vermont Department of Environmental Conservation's Watershed Management Division.~~

CHAPTER 6: ZONING DISTRICTS REGULATIONS

SECTION 601: MULTI-FAMILY RESIDENTIAL 1 (M-F1)

C. Setback Requirements

(b) The proposed setback would be in keeping with the setbacks and character of anticipated future development of the area.

~~Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this Section.~~

G. Planned Unit Residential Development. Pursuant to 24 V.S.A. §4407(12), The Planning Commission may approve a Planned Unit Development for use as a Multi-Family and/or Single-Family Residential Development.

of a specific proposal.

2. Specific Review Standards

(b) ~~Structural design and~~ Design compatibility with adjoining developed properties.

(g) Use of innovative techniques, including but not limited to, clustering, Zero Lot Lines development, purchase/leaseback arrangements, and the provision of amenities including biking and hiking trails.

3. Waivers. The Commission may waive requirements for lot coverage, setbacks, parking and ~~lot coverage~~, height based upon the merits of the specific proposal.

SECTION 602: MULTI-FAMILY RESIDENTIAL 2 (M-F2)

C. Setback Requirements

(b) The proposed setback would be in keeping with the setbacks and character of anticipated future development of the area.

~~Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this Section.~~

G. Planned Unit Residential Development. Pursuant to 24 V.S.A. §4407(12), The Planning Commission may approve a Planned Unit Development for use as a Multi-Family and/or Single-Family Residential Development. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Multi-Family Residential 2 District. Any application for proposed development in the Multi-Family Residential 2 District may, at the applicant's request, be reviewed as a Planned Unit Residential Development under the provisions of this Section. Any application for proposed development in the Multi-Family Residential 2 District which contains more than five (5) units ~~of housing~~ shall be reviewed as a Planned Unit Residential Development unless this requirement is specifically waived by the Commission. Refer to Section 601.G.1-3 for general and specific review standards in addition to waiver information for a PUD.

~~General Review Standards:~~

~~(a) — Physical characteristics of the site and relation to surrounding properties.~~

~~(b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) — Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) — Unique design or land planning characteristics.~~

~~(e) — Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design~~

and parking design.

~~(f) — The preservation of unique natural physical characteristics.~~

~~(g) — Building design compatibility with adjoining structures.~~

~~(h) — Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

~~2. — Specific Review Standards~~

~~(a) — Proposed traffic flow and circulation design.~~

~~(b) — Structural design and compatibility with adjoining developed properties.~~

~~(c) — Scale and design of proposed structures.~~

~~(d) — Location and setbacks of all proposed structures.~~

~~(e) — Unique physical characteristics of the proposed use.~~

~~(f) — Unique characteristics of the proposed use.~~

~~3. — Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~

~~(a) — Unique physical characteristics of the site proposed for development.~~

~~(b) — Superior building design, lot layout and landscaping design.~~

~~(c) — Provision of public open spaces or superior bicycle and pedestrian access.~~

~~(d) — Joint or combined vehicular access with adjoining properties.~~

SECTION 603. MULTI-FAMILY RESIDENTIAL 3 (M-F3)

C. Setback Requirements

(b) The proposed setback would be in keeping with the setbacks and character of anticipated future development of the area.

~~Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this Section.~~

G. **Planned Unit Residential Development.** Pursuant to ~~24 V.S.A. §4407(12)~~, The Planning Commission may approve a Planned Unit Development for use as a Multi-Family and/or Single-Family Residential Development. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Multi-Family Residential 2 District. Any application for proposed development in the Multi-Family Residential 2 District may, at the applicant's request, be reviewed as a Planned ~~Unit Residential~~ Development under the provisions of this Section. Any application for proposed development in the Multi-Family Residential 2 District which contains more than five (5) units ~~of housing~~ shall be reviewed as a Planned ~~Unit Residential~~ Development unless this requirement is specifically waived by the Commission. Refer to Section 601.G.1-3 for general and specific review standards in addition to waiver information for a PUD.

~~General Review Standards:~~

~~(a) — Physical characteristics of the site and relation to surrounding properties.~~

~~(b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) — Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) — Unique design or land planning characteristics.~~

- (e) — ~~Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~
 - (f) — ~~The preservation of unique natural physical characteristics.~~
 - (g) — ~~Building design compatibility with adjoining structures.~~
 - (h) — ~~Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~
2. — ~~Specific Review Standards~~
- (a) — ~~Proposed traffic flow and circulation design.~~
 - (b) — ~~Structural design and compatibility with adjoining developed properties.~~
 - (c) — ~~Scale and design of proposed structures.~~
 - (d) — ~~Location and setbacks of all proposed structures.~~
 - (e) — ~~Unique physical characteristics of the proposed use.~~
 - (f) — ~~Unique characteristics of the proposed use.~~
3. — ~~Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~
- (a) — ~~Unique physical characteristics of the site proposed for development.~~
 - (b) — ~~Superior building design, lot layout and landscaping design.~~
 - (c) — ~~Provision of public open spaces or superior bicycle and pedestrian access.~~
 - (d) — ~~Joint or combined vehicular access with adjoining properties.~~

SECTION 604: VILLAGE CENTER (VC)

A. Purpose. ~~To provide for a compact commercial center, having a mix of commercial, governmental, cultural and residential uses, and which reflects and reinforces the existing architecture, design and layout. It is the intent of this district to allow as new structures only those structures which are designed and constructed to be visually compatible with the historic character of the Village Center and similar to existing structures.~~ To provide a compact commercial center having a mix of commercial, governmental, cultural and mixed use buildings that are consistent with the purpose of a designated Village Center District, and a neighborhood development area as both are defined by the State of Vermont. The Village Center shall be the core for an ongoing revitalization that will improve the community's vitality and livability and the goal of having a Center that accommodates growth. Due to the historic nature of the residential neighborhoods surrounding the Five Corners area the design and layout of any new developments or infill projects shall acknowledge the importance of the existing streetscape and enhance the area through an architectural design and site layout that enhances pedestrian connectivity to adjacent properties. It is the intent of this district to allow as new structures only those structures which are designed and constructed to enhance the streetscape and add value aesthetically, economically and socially to the Village Center. All applicants should be aware of the fact that the Village Trustees have voted to study the closing of vehicular traffic from a short section of Main Street, extending from the southernmost boundary of 1 Main Street and the War Memorial to the northernmost points of 17 and 18 Main Street. This may affect all properties within this quadrant.

C. Setback Requirements. No requirements for commercial or mixed use buildings. ~~The~~

For single family buildings the front yard setback shall be established by the average setback of the principal structures on the two adjacent lots (or the closest two lots on the same side of the same street) and the minimum setback requirement for the underlying zoning district.

~~Applicants may apply for a variance if they do not meet the criteria above but believe they cannot meet the requirements of this Section.~~

E. Design Review and Historic Preservation. ~~Because of the unique and historic qualities of the Village Center District and the special role that it plays in the over-all Village, the Commission is hereby authorized to undertake a special review, as part of its site plan review. Because of the important role the Village Center plays in the regional economy and the unique historic qualities of some of the existing buildings, the Commission is hereby authorized to undertake a special review, as part of its site plan review.~~ 1. Purpose. The purpose of this section is to protect ~~the historic character of the Village Center District including~~ those buildings listed or eligible for the State or Federal Register of Historic Places while accommodating new and appropriate infill and redevelopment supporting increased density and multi-modal development. New buildings and modifications to existing ones shall be subject to design review. ~~be compatible with the historic character of the Village Center District as represented by the design review standards listed in Section 604.E.4.~~

4. District Design Requirements.

(a) Design Standards for the Village Center

(i) The relationship of building mass and architectural detail to open space and to the relative size of a person shall be reviewed by the Commission in this District. ~~shall be compatible with such established relationships in the district.~~

(ii) The predominant direction of structural shape, of placement of openings and architectural details at the front façade shall be harmonious with the core principles of a designated Village Center District. ~~shall be consistent with such established conditions in the district.~~

(v) The following architectural elements or features shall be **harmonious compatible** with existing buildings and significant, predominant or established patterns in the district:

(b) Secretary of the Interiors Standards for the Rehabilitation of Historic Structures:

(i) **An existing** property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

5. Demolition of Historic Structures. The demolition of **listed, or properties eligible for historic listing, historic structures** is discouraged and it is the intent of this section to limit the demolition of historic structures unless the following standards are met.

(iv) Any building in non-compliance with the design requirements for historic structures as a result of a fire, flood or similar unforeseen event shall apply within six months of the date of the event for an application to ~~demolition of demolish~~ the building or approval of a plan for restoration.

(c) Approval for Demolition. Historic buildings that are approved for demolition

require the applicant to comply with the following:

(ii) Assurance from the applicant that the redevelopment plan as approved will be implemented if the historic structure demolition is approved based on the community benefit of the redevelopment plan. In addition, structures approved for demolition based on the community benefit shall not be demolished until construction of the entire project has ~~been~~ received all financial resources and regulatory permits.

6. Formula-Based Retail and Restaurants.

(c) Review Standards. In addition to the conditional use review standards, the following criteria pertain to all proposed formula-based retail and restaurant establishments and the expansion of existing ones:

~~(ii) Signage shall be original and not used at other locations of the formula-based business.~~

~~(iii) Two or more formula based businesses shall not locate on the same lot or parcel.~~

G. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12)~~; The Planning Commission may approve a Planned Unit Development in the Village Center District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Village Center District. Any application for proposed development in the Village Center District may, at the applicant's request, be reviewed as a Planned Unit Development under the provisions of this Section.

1. Commercial PUD.

(a) Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Village Center District pursuant to Section 604.G.

(b) Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.

(c) Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 511.B.1-3.

(d) Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.

(e) Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.

~~1. — General Review Standards~~

~~(a) — Physical characteristics of the site and relation to surrounding properties.~~

~~(b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) — Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) — Unique design or land planning characteristics.~~

~~(e) — Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~

~~(f) — The preservation of unique natural physical characteristics.~~

- (g) — Building design compatibility with adjoining structures.
 - (h) — Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.
2. — Specific Review Standards
- (a) — Proposed traffic flow and circulation design.
 - (b) — Structural design and compatibility with adjoining developed properties.
 - (c) — Scale and design of proposed structures.
 - (d) — Location and setbacks of all proposed structures.
 - (e) — Unique physical characteristics of the proposed use.
 - (f) — Unique characteristics of the proposed use.
3. — Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:
- (a) — Unique physical characteristics of the site proposed for development.
 - (b) — Superior building design, lot layout and landscaping design.
 - (c) — Provision of public open spaces or superior bicycle and pedestrian access.
 - (d) — Joint or combined vehicular access with adjoining properties.

H. Building Height. Building heights shall not exceed four (4) stories or fifty-eight (58) feet, whichever is less.

- 1. Building Height Waiver – The Planning Commission may grant a height waiver up to six (6) stories or eighty-four (84) feet, whichever is less if the Commission determines that the proposed building and site design would not negatively impact the character of the neighborhood. The Commission may place conditions on any building height waiver to ensure that the proposed project does not adversely affect the surrounding neighborhood.

SECTION 605: HIGHWAY-ARTERIAL DISTRICT (HA)

B. Density/Lot Coverage.

- 2. The maximum total lot coverage shall be sixty-five (65) percent, the sixty-five (65) percent lot coverage may be increased up to eighty (80) percent through a waiver process granted by the Planning Commission using the same criteria outlined in Section 605601.G.3.

F. Building Height. Building height shall not exceed four (4) stories or fifty-eight (58) ~~feet, six stories or seventy-two (72)~~ feet, whichever is less.

G. Planned Unit Development. Pursuant to 24 V.S.A. §4407(12), The Planning Commission may approve a Planned Unit Development in the Highway Arterial District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Highway Arterial District. Any application for proposed development in the Highway Arterial District may, at the applicant's request, be reviewed as a Planned Unit Development ~~under the provisions of this Section.~~ Refer to Section 511.B.1-3 for general and specific review standards in addition to waiver information for a PUD.

- 1. — General Review Standards.

- (a) — Physical characteristics of the site and relation to surrounding properties.
 - (b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.
 - (c) — Design characteristics of the proposal and compatibility to adjoining developed land.
 - (d) — Unique design or land planning characteristics.
 - (e) — Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.
 - (f) — The preservation of unique natural physical characteristics.
 - (g) — Building design compatibility with adjoining structures.
 - (h) — Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.
2. — Specific Review Standards
- (a) — Proposed traffic flow and circulation design.
 - (b) — Structural design and compatibility with adjoining developed properties.
 - (c) — Scale and design of proposed structures.
 - (d) — Location and setbacks of all proposed structures.
 - (e) — Unique physical characteristics of the proposed use.
 - (f) — Unique characteristics of the proposed use.
3. — Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:
- (a) — Unique physical characteristics of the site proposed for development.
 - (b) — Superior building design, lot layout and landscaping design.
 - (c) — Provision of public open spaces or superior bicycle and pedestrian access.
 - (d) — Joint or combined vehicular access with adjoining properties.
1. Commercial PUD.
- (a) Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Highway-Arterial District pursuant to Section 605.G.
 - (b) Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.
 - (c) Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 511.B.1-3 ~~604.G, Section 605.G and Section 724.~~
 - (d) Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.
 - (e) Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.

SECTION 606: MULTI-FAMILY/MIXED-USE-1 DISTRICT (MF-MU1)

A. Purpose. The Multi-Family/Mixed-Use-1 District is intended to allow high density multi-family development along low intensity commercial uses along major transportation and public

transit corridors. High Density, Mixed Use developments and affordable housing with parking below grade or on the first floor of the building are encouraged. Development in the MF-MU1 District should support alternative modes of transportation, while accommodating the automobile. ~~Developments within this district should be designed in such a way as to build upon the village character found in the core areas of the Village.~~

B. Density/Lot Coverage.

1. The minimum lot size in the MF-MU1 District shall be fifteen thousand (15,000) square feet. The MF-MU1 District shall not have a maximum allowable density. The maximum number of dwelling units shall be determined by the ability to meet the standards of the Land Development Code including, but not limited to, parking, setbacks, lot coverage and building height.

2. The maximum total lot coverage shall be sixty-five (65) percent, the sixty-five (65) percent lot coverage may be increased up to eighty (80) percent through a waiver process granted by the Planning Commission using the same criteria outlined in Section ~~605601~~.G.3.

G. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a MF-MU1 District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Multi-Family Mixed-Use-1 District. Any application for proposed development in the Multi-Family Mixed-Use-1 District may, at the applicant's request, be reviewed as a Planned Unit Development ~~under the provisions of this Section.~~ Refer to Section 511.B.1-3 for general and specific review standards in addition to waiver information for a PUD.

~~1. — General Review Standards:~~

~~(a) — Physical characteristics of the site and relation to surrounding properties.~~

~~(b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) — Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) — Unique design or land planning characteristics.~~

~~(e) — Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~

~~(f) — The preservation of unique natural physical characteristics.~~

~~(g) — Building design compatibility with adjoining structures.~~

~~(h) — Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

~~2. — Specific Review Standards~~

~~(a) — Proposed traffic flow and circulation design.~~

~~(b) — Structural design and compatibility with adjoining developed properties.~~

~~(c) — Scale and design of proposed structures.~~

~~(d) — Location and setbacks of all proposed structures.~~

~~(e) — Unique physical characteristics of the proposed use.~~

~~(f) — Unique characteristics of the proposed use.~~

~~3. — Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~

~~(a) — Unique physical characteristics of the site proposed for development.~~

~~(b) — Superior building design, lot layout and landscaping design.~~

~~(c) — Provision of public open spaces or superior bicycle and pedestrian access.~~

~~(d) — Joint or combined vehicular access with adjoining properties.~~

SECTION 607: MULTI-FAMILY/MIXED-USE-2 DISTRICT (MF-MU2)

B. Density/Lot Coverage

2. The maximum total lot coverage shall be sixty-five (65) percent, the sixty-five (65) percent lot coverage may be increased up to eighty (80) percent through a waiver process granted by the Planning Commission using the same criteria outlined in Section ~~605601~~.G.3.

G. **Planned Unit Development.** ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a MF-MU1 District. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Multi-Family Mixed-Use-1 District. Any application for proposed development in the Multi-Family Mixed-Use-1 District may, at the applicant's request, be reviewed as a Planned Unit Development ~~under the provisions of this Section.~~ Refer to Section 511.B.1-3 for general and specific review standards in addition to waiver information for a PUD.

~~1. — General Review Standards:~~

~~(a) — Physical characteristics of the site and relation to surrounding properties.~~

~~(b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) — Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) — Unique design or land planning characteristics.~~

~~(e) — Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~

~~(f) — The preservation of unique natural physical characteristics.~~

~~(g) — Building design compatibility with adjoining structures.~~

~~(h) — Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

~~2. — Specific Review Standards~~

~~(a) — Proposed traffic flow and circulation design.~~

~~(b) — Structural design and compatibility with adjoining developed properties.~~

~~(c) — Scale and design of proposed structures.~~

~~(d) — Location and setbacks of all proposed structures.~~

~~(e) — Unique physical characteristics of the proposed use.~~

~~(f) — Unique characteristics of the proposed use.~~

~~3. — Waivers. The Commission may waive requirements for setbacks, parking and lot~~

~~coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~

- ~~(a) — Unique physical characteristics of the site proposed for development.~~
- ~~(b) — Superior building design, lot layout and landscaping design.~~
- ~~(c) — Provision of public open spaces or superior bicycle and pedestrian access.~~
- ~~(d) — Joint or combined vehicular access with adjoining properties.~~

SECTION 608: TRANSIT ORIENTED DEVELOPMENT (TOD)

B. Applicability. Development proposals that involve ~~more~~ **more** than thirty (30) percent or more of the existing building(s) square footage on the effective date of this ordinance shall be in full compliance with the standards of the TOD District.

1. The use chart in Section 620 identifies the allowed uses in the TOD District, which shall apply on effective date of this code. Non-conforming uses shall comply with the standards in Chapter 8 regarding non-conforming uses.

~~2. The Commission shall not approve any project which does not comply with the regulations established for the TOD District.~~

F. Building Height. The maximum allowable building height shall be ~~6~~ **four (4)** stories or ~~eighty-four~~ **fifty-eight (58)** feet ~~(84')~~, whichever is less.

a. Building Height Waiver – The Planning Commission may grant a height waiver up to six (6) stories or eighty-four (84) feet, whichever is less if the Commission determines that the proposed building and site design would not negatively impact the character of the neighborhood. The Commission may place conditions on any building height waiver to ensure that the proposed project does not adversely affect the surrounding neighborhood.

H. Access to Public Streets. Curb cuts onto major arterial streets shall be minimized; shared curb cuts and joint access ~~is~~ **are** strongly encouraged.

K. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a mixed use development. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the TOD District. Any application for proposed development in the TOD District may, at the applicant's request, be reviewed as a Planned Unit Development. ~~under the provisions of this Section 604.G. Refer to Section 511.B.1-3 for general and specific review standards in addition to major transportation facilities, including public transit, walkways and bike paths.~~ waiver information for a PUD.

1. Commercial PUD.

(a) Activities involving a Commercial PUD shall be reviewed in accordance with the procedures of this Section. Commercial PUD's are authorized in the Transit Oriented Development District pursuant to Section 608.K.

(b) Application Requirements. An application for a Commercial PUD shall be submitted and reviewed in accordance with the procedures of Section 511.

(c) Review Standards. An application for a Commercial PUD shall be reviewed under the applicable standards of Section 511.B.1-3.

(d) Expiration of Approval. An approval for a Commercial PUD shall expire in accordance with terms set forth in the approval.

(e) Appeals. Any interested person may appeal a decision of the Commission regarding a Commercial PUD in accordance with the procedures set forth in Section 1707.

1. ~~General Review Standards:~~

~~(a) Physical characteristics of the site and relation to surrounding properties.~~

~~(b) Relationship to major transportation facilities, including mass transit, walkways and bike paths.~~

~~(c) Design characteristics of the proposal and compatibility to adjoining developed land.~~

~~(d) Unique design or land planning characteristics.~~

~~(e) Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.~~

~~(f) The preservation of unique natural physical characteristics.~~

~~(g) Building design compatibility with adjoining structures.~~

~~(h) Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.~~

2. ~~Specific Review Standards~~

~~(a) Proposed traffic flow and circulation design.~~

~~(b) Structural design and compatibility with adjoining developed properties.~~

~~(c) Scale and design of proposed structures.~~

~~(d) Location and setbacks of all proposed structures.~~

~~(e) Unique physical characteristics of the proposed use.~~

~~(f) Unique characteristics of the proposed use.~~

3. ~~Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:~~

~~(a) Unique physical characteristics of the site proposed for development.~~

~~(b) Superior building design, lot layout and landscaping design.~~

~~(c) Provision of public open spaces or superior bicycle and pedestrian access.~~

~~(d) Joint or combined vehicular access with adjoining properties.~~

L. Special Uses. Uses identified with an "S" on the Use Chart in ~~the use chart in~~ Section 620 of this Code for the TOD District shall only be allowed on the first story.

SECTION 609: RESIDENTIAL-OFFICE (R-O)

H. Special Standards for Office Conversions. Proposed conversions to non-residential uses shall require Conditional Use and Site Plan approval. In addition to Site Plan standards, the Commission shall review the following special standards:

1. The proposed use shall not cause significant ~~noise~~ sound or traffic impacts on adjoining properties.

SECTION 612: PLANNED EXPOSITION (P-E)

A. Purpose. To provide an area for special events and exposition facilities while minimizing adverse traffic, ~~noise~~ sound and visual impacts. It is the intent of this district to encourage innovation in design and to encourage pedestrian, bicycle and bus access to such events.

G. Exposition Center PUD. Pursuant to 24 V.S.A. §4407(12), The Planning Commission may approve a Planned Unit Development for use as an Exposition Center. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Planned Exposition District.

Development activity involving an Exposition Center PUD shall be reviewed under the provisions of this Subsection. For the purposes of this Code, an Exposition Center PUD shall be defined as the development of a parcel of land with multiple buildings, vehicle parking areas and appurtenant facilities for the purpose of conducting indoor and outdoor exhibits, carnivals, fairs, concerts, trade shows and similar events.

1. Approval of an application for an Exposition Center PUD requires approval of a Conceptual Plan by the Commission in accordance with the requirements of Section 511.C.

2. If the application involves the construction of new buildings or the alteration of existing buildings or facilities, Site Plan approval is also required; see section 502.F.

3. Submittal Requirements. In addition to the requirements for submittal of a Conceptual Plan specified in Section 511.C, a Conceptual Plan for an Exposition Center PUD shall contain the following:

- (a) The location and type of all permanent signs.
- (b) The location of areas proposed for temporary and permanent signs which are visible from any public street.
- (c) The general location of areas to be used for specific purposes or events, including parking.
- (d) The general location of permanent fencing, screening and landscaping, including a description of types of plant materials.
- (e) The general location of areas to be occupied by temporary structures, including distances between buildings and from structures to property lines. Temporary structures are those not staying in one location for more than two consecutive weeks or not served by water, sewer, and electric power connections.
- (f) The approximate location of any proposed roads, sidewalks or bike paths.
- (g) A proposed phasing schedule and map.
- (h) A description of methods used to estimate the impact of the proposed development on public infrastructure.

4. Standards of Review of Exposition Center PUD.

- (a) Physical characteristics of the site and relation to surrounding properties;
- (b) Relationship to major transportation facilities, including mass transit, walkways and bike paths;
- (c) Design characteristics of the proposal and compatibility to adjoining developed land;
- (d) Unique design or land planning characteristics;
- (e) Methods used to provide a transition between adjoining uses and proposed

uses including, but not limited to, setbacks, screening, fencing, building design and parking design;

(f) The preservation of unique natural physical characteristics;

(g) Building design compatibility with adjoining structures; and

(h) Other criteria, as deemed necessary by the Commission, to evaluate the merits of a specific proposal.

5. Standards for Review of Temporary Activities in an Exposition Center PUD.

(a) The size of the event;

(b) The location of the event within the Planned Exposition District;

(c) Anticipated traffic impacts;

(d) Proposed hours of operation; and

(e) Conformance with performance standards in Section 718 of this Code.

6. Conditions. The Commission may approve the proposed Exposition Center PUD with conditions designed to meet the standards established in Section 612 of this Code.

7. Classification and Approval of Activities. Plans for specific activities in an Exposition Center PUD shall be classified by the Community Development Department as permitted activities, temporary activities or major activities, and shall be reviewed in the following manner:

(a) Permitted activities. Permitted activities require no permits, provided that no new or temporary structures are proposed. The applicant shall notify Staff in writing, not less than two (2) days, excluding weekends and holidays, prior to the activity to ensure that additional review is not necessary. The following are permitted activities:

(i) Agriculture shows or exhibitions and related sales.

(ii) Educational workshops.

(iii) Special training, including driver's education, surveying techniques and similar training activities.

(iv) Reunions.

(v) Low intensity recreation activities.

(vi) Offices directly related to the Fairground's activities.

(vii) Storage facilities for equipment to be used for maintenance of any approved event or as a seasonal use.

(viii) Horse boarding.

(b) Temporary Activities. Temporary activities require staff review and approval. An application for a Temporary Use Permit shall be submitted in accordance with Section 502.D of this Code. In addition to the Temporary Use Permit standards, Staff shall review a temporary activity under the standards in Section 612.

(i) An application for a temporary activities permit may be submitted for a series of events over a one-year period (an annual permit application) or for individual events. Approval of an annual permit application shall not preclude application for and receipt of any number of single permits for events during the same year.

(ii) Annual permit applications shall be reviewed within twenty-one (21) days of receipt.

(iii) Single permit applications shall be reviewed within forty-eight (48)

hours receipt.

(iv) The following shall be deemed temporary activities:

- (aa) Antique shows;
- (bb) Dog shows;
- (cc) Car shows;
- (dd) Craft shows;
- (ee) Group sales (retail associations, car dealerships, clearance sales or similar events);
- (ff) Sales of products associated with another temporary or permitted event;
- (gg) Concerts; and
- (hh) Trade shows.

(c) Major Activities. The Planning Commission shall hold a public meeting in connection with review of a major activity, and may require a public hearing.

(i) Standards of review. The Commission shall review each application for a major activity permit on its individual merits. Special consideration shall be given to mitigation efforts proposed to reduce potential community impacts. In granting such a permit, the Commission may impose conditions regarding:

- (aa) Time of the events;
- (bb) Parking and traffic control measures;
- (cc) Temporary off-site parking of recreational vehicles on public property;
- (dd) ~~Noise~~ Sound mitigation;
- (ee) Location of the event within the District; and
- (ff) Impacts which, in the opinion of the Commission, are reasonable and will mitigate adverse impacts.

(ii) The following shall be deemed major activities;

- (aa) Any event for which a permit has been denied by Staff;
- (bb) Events which last more than five (5) days (excluding set-up and take-down);
- (cc) Any event which exceeds the performance standards specified in Section 718 of this Code.

(iii) Annual agricultural exhibitions shall be reviewed by staff on an annual basis and are classified as a major use. Staff may approve all activities specified below. The Commission shall review any activity denied by Staff.

(aa) Normal Activities. Daily shows (other than grandstand shows), education workshops, product demonstrations, agricultural events, food services, booths, carnivals, and any activity within enclosed structures shall be considered as normal activities and shall not be individually reviewed.

(bb) Cumulative Effects. The cumulative effects of fair activities shall be reviewed annually with Staff, the Police Department and the applicant. Review is restricted to traffic control, lighting, parking, and ~~noise~~ sound abatement plans. Reasonable efforts

shall be made to reduce potential adverse impacts of annual events. In the event that agreement is not reached, the Commission shall consider the outstanding issues at a public meeting on the next Commission agenda.

(cc) Special Events. Special events, including, but not limited to, concerts, demolition derbies, tractor pulls and other grandstand events shall be reviewed for compliance with standards for noise sound, dust control, parking and traffic flow. Staff may not grant waivers to any standard included in this Code. If it is expected that sound standards may be exceeded, application shall be made to the Trustees for a waiver in accordance with Section 506 of this Code. Staff may approve any special event which does not exceed standards and may impose reasonable conditions regarding control of traffic, noise sound and dust. In addition, Staff may stipulate hours of operation to ensure conformance with adopted standards.

8. Signs. Signs in the Planned Exposition Center PUD shall be approved by the Commission as part of Conceptual and/or Site Plan review.
 - (a) The Commission shall consider the following:
 - (i) Compatibility with the Conceptual Plan.
 - (ii) Compatibility with the adjoining property.
 - (iii) Visual design.
 - (iv) Landscaping.
 - (v) Location and size.
 - (b) Specific types of signs which may be approved subject to the above, including a single sign with changeable messages to advertise events and signs near the streets to direct pedestrian, bicycle and vehicular traffic to appropriate entrances. The general location and type of Temporary signs shall be reviewed by the Commission.
9. Expiration of Approvals. Approval for an Exposition Center PUD or approvals for any activities to be conducted at such PUD shall expire in accordance with terms set forth in the approval.
10. Appeals:
 - (a) Any interested person may appeal a decision of the Planning Commission regarding an Exposition Center PUD or conduct of a major activity at an Exposition Center PUD in accordance with the procedures set forth in Section 1707 below.
 - (b) Any interested person may appeal a decision of the Staff classifying an activity at an Exposition Center PUD to the Planning Commission in accordance with the procedures set forth in Section 1704 below.

SECTION 613: PLANNED AGRICULTURE (P-A)

G. Agriculture PUD. ~~Pursuant to 24 V.S.A. §4407(12)~~; The Planning Commission may approve a Planned Unit Development for an Agriculture PUD, and in connection with such PUD approval, approve the structures and facilities to accommodate any of the uses allowed in the Planned Agriculture District.

4. Standards of Review. ~~The Commission shall review the proposed Agriculture PUD in accordance with the standards specified in Section 613 of this Code.~~ Generally, the Commission shall consider the effect of the proposed development on the Community, public infrastructure and adjoining development. Mitigation efforts, including noise sound control, traffic control and landscaping shall be considered.

~~1. — Review Standards. The Commission shall consider the following:~~

5. Density Bonuses. The Commission may approve density increases for any Planned Agricultural proposal. Density shall be calculated on an overall project basis and allowable bonus density on developable land that is preserved may be applied elsewhere in a development.

(a) Standards. The Commission shall consider the standards as specified below:

(iii) The proposal includes amenities, including but not limited to, pedestrian and bikeways, passive and active open spaces, energy efficient designs and alternative energy sources including solar renewable energy sources.

Any proposed development under Section ~~610~~ 613.G.2 - Exceptions shall not qualify for density bonuses.

SECTION 614: FLOOD PLAIN (F-P)

B. Base Flood Elevations and Floodway Limits

2. In areas where base flood elevations and floodway limits have not been provided by the National Flood Insurance Program, ~~i.e., Zone A~~ base flood elevation and floodway information available from State or Federal agencies or other sources shall be obtained and reasonably utilized to administer the provisions of these regulations.

SECTION 615: MIXED COMMERCIAL USE DISTRICT

B. Lot Size/Lot Coverage

2. The maximum total lot coverage shall be sixty-five (65) percent; the sixty-five (65) percent lot coverage may be increased up to eighty (80) percent through a waiver process granted by the Planning Commission using the same criteria outlined in Section ~~615601.G.3.~~

G. Planned Unit Development. ~~Pursuant to 24 V.S.A. §4407(12),~~ The Planning Commission may approve a Planned Unit Development for use as a Commercial or Multi-Family Residential Development. In connection with such PUD approval, the Planning Commission may authorize the construction of structures and facilities to accommodate any of the uses allowed in the Mixed Commercial District. Any application for proposed development in the Mixed Commercial District may, at the applicant's request, be reviewed as a Planned Unit Development. ~~under the provisions of this Section 604.G.~~ Any application for proposed development in the Mixed Commercial District which contains more than two thousand five hundred (2,500 ~~sq. ft.~~) square feet of commercial space shall be reviewed as a Planned Unit Development or Multi-Family Residential Development unless this requirement is specifically waived by the Commission. ~~Review standards and waiver requirements for a PUD are set forth in Section 511.B.1-3.~~

~~1. — General Review Standards.~~

- (a) — Physical characteristics of the site and relation to surrounding properties.
 - (b) — Relationship to major transportation facilities, including mass transit, walkways and bike paths.
 - (c) — Design characteristics of the proposal and compatibility to adjoining developed land.
 - (d) — Unique design or land planning characteristics.
 - (e) — Methods used to provide a transition between adjoining uses and proposed uses including, but not limited to, setbacks, screening, fencing, building design and parking design.
 - (f) — The preservation of unique natural physical characteristics.
 - (g) — Building design compatibility with adjoining structures.
 - (h) — Other criteria, as deemed necessary by the Commission to evaluate the merits of a specific proposal.
2. — Specific Review Standards
- (a) — Proposed traffic flow and circulation design.
 - (b) — Structural design and compatibility with adjoining developed properties.
 - (c) — Scale and design of proposed structures.
 - (d) — Location and setbacks of all proposed structures.
 - (e) — Unique physical characteristics of the proposed use.
 - (f) — Unique characteristics of the proposed use.
3. — Waivers. The Commission may waive requirements for setbacks, parking and lot coverage, based upon the merits of the specific proposal. Waivers shall be based upon the following criteria and may include specific conditions:
- (a) — Unique physical characteristics of the site proposed for development.
 - (b) — Superior building design, lot layout and landscaping design.
 - (c) — Provision of public open spaces or superior bicycle and pedestrian access.
 - (d) — Joint or combined vehicular access with adjoining properties.

SECTION 617: NORTH LINCOLN STREET OVERLAY DISTRICT NLSO

- B. Permitted Uses. Uses allowed in the ~~NLOD~~ NLSO shall be those uses identified in Section 620 Use Chart, including all uses identified in both the ~~NLOD~~ NLSO and the underlying zoning district.
- C. Dimensional Standards. Development within the ~~NLOD~~ NLSO shall meet the dimensional requirements of the underlying zoning district including setbacks, lot coverage and building height.
- D. Density. The allowable residential density in the ~~NLOD~~ NLSO shall be established by the underlying zoning district.

SECTION 620: USE CHART

- A. District Abbreviations. For the purposes of this Code, and for the chart presented in this Section, the zoning districts shall have the following abbreviations:
- 14. Flood Plain District (FP). ~~For information on uses, see Section 611 Flood Plain~~

District.

16. Professional Office Overlay District ~~For information on uses, see Section 502.G Professional Office Overlay District~~

CHAPTER 7: GENERAL DEVELOPMENT STANDARDS

SECTION 703: PARKING AND LOADING

B. Loading Requirements. All uses shall provide off-street loading spaces except residential uses, ~~financial institutions, offices,~~ or other uses specifically waived by the Commission in accordance with Subsection 7 below.

3. Surfaces. All loading areas shall be hard-surfaced and clearly marked with painting to designate the loading area. This requirement may be waived by Staff or the Planning Commission ~~based upon projected traffic counts.~~

C. Off-Street Parking Requirements.

1. All required parking spaces, ~~with the exception of parallel parking spaces,~~ shall have a minimum width of nine (9) feet and a minimum length of eighteen (18) feet. ~~Parallel parking spaces shall have a minimum width of eight (8) feet and minimum length of twenty-two (22) feet.~~

D. Drive-through Facilities.

2. Stacking requirements. A minimum of six (6) vehicles ~~shall should~~ be accommodated in each stacking lane.

I. Vehicles For Sale. Any vehicle advertised for sale within any District and not in an approved car lot shall obtain a Temporary Use Permit except as specified below and shall meet the following standards:

3. No vehicle for sale may be parked in any public Right-of-way in any district for more than twenty-four hours. ~~except the sale of one personal vehicle by the owner of the vehicle.~~

K. Other Parking Standards and Applicability

1. The Commission may waive the ~~required number of off-street spaces on-site parking requirements~~ for a proposed development only if sufficient alternative parking is available or if a waiver is granted in accordance with Section 703.K.15.

10. Pedestrian access. The design of all parking lots shall incorporate measures to minimize safety hazards to pedestrians. Pedestrian paths shall be designated and clearly marked. Separation of vehicle and pedestrian traffic shall be included in all parking lot plans where possible. The Commission may waive this requirement due to unique characteristics of the lot ~~such as small lots, underground parking~~ or innovative alternative designs.

12. Striping. Hard surfaced parking spaces shall be clearly striped and maintained and shall meet standard parking dimensional requirements as specified in Section 703. ~~or as specifically approved by the Commission.~~

15. Joint Parking Facilities. Joint parking arrangements may be approved by the Commission, provided that the applicant has submitted legal documentation to guarantee continued long-term availability of said parking. Within any shopping center or other

areas where joint parking has been established, the Commission may not approve any **site plan and** site plan amendments or other use changes which would increase parking needs, or any waivers of parking requirements, until the applicant has submitted proof of notice to all tenants or shared parking participants of the proposed change.

16. **Waivers.** The Commission may waive some or all parking requirements and may place conditions on a waiver as necessary to guarantee adequate parking. The Commission may require any change in use on any property where a waiver has been granted to be reviewed for parking impacts, and the change shall be prohibited if it is deemed to generate a parking deficiency. The Commission shall determine that one or more of the following standards are met at a specific location prior to granting a waiver:

- (a) The proposed uses have staggered business hours with minimal overlap in business hours **which allow for shared use of parking spaces.**

SECTION 704: LIGHTING

B. **General Standards.** Lighting is allowed in required yards and shall be subject to the following regulations:

3. **All light fixtures shall be hooded or shielded and directed downward at sixty (60) degrees to horizontal, unless otherwise approved, and shall have concealed light sources.**
7. **All private residential exterior light sources shall be Dark Sky Compliant.**

C. **Review of Lighting Plans**

4. For all parking areas, drives, and walkways an analysis and illuminance level diagram showing a numerical grid of lighting levels, in foot candles, and a table of lighting statistics verifying that the proposed installation conforms to the lighting standards in this section, ~~a waiver for unusual circumstances~~; and building elevations with fixtures, portions of wall to be illuminated.

D. **Parking Lot Illumination**

5. Energy saving ~~metal halide or mercury vapor~~ LED lamps with a correlated color temperature not exceeding four thousand three hundred (4,300) Kelvin (K) shall be used. ~~except that high pressure sodium may be used in the Light Industrial District and Planned Commercial developments.~~ Special alternatives may be approved by the Commission upon determination that the purposes of this Section are achieved.

9. Lighting shall conform to the Chittenden County Regional Planning Commission "Outdoor Lighting Manual for Vermont Municipalities" or as otherwise approved by the Village Engineer. The minimum lighting level shall be at least two tenths (0.2) foot candles, but not exceed four tenths (0.4) foot candles and the uniformity ratio (~~minimum~~ average to ~~minimum~~ **maximum**) shall be ~~20~~ 10:1, unless otherwise approved by the Village Engineer.

E. **Illumination of Building Facades and Landscaping:**

2. When allowed lighting fixtures shall be located and shielded so the light is directed only on to the building facade. Lighting fixtures shall not be directed towards adjacent streets or ~~roads-properties.~~

3. ~~To the extent practicable, lighting fixtures shall be directed downward.~~

F. Roadway Lighting:

1. New or replacement light fixtures on arterial and non-residential collector streets, shall be of cut-off cobra type fixtures with ~~metal halide~~-LED bulbs with a correlated color temperature not exceeding four thousand three hundred (4300) Kelvin, mounted no more than forty (40) feet above grade. Specific alternatives may be approved by the Commission upon determination that the purposes of this Section will be achieved.
2. On other existing Village streets, new or replacement light fixtures, shall match existing styles unless alternatives are approved by the Commission. Fixtures shall have concealed ~~metal halide or mercury vapor~~ LED bulbs with a correlated color temperature not exceeding four thousand three hundred (4300) Kelvin and the height shall match that of existing street lights in the area.
3. On new residential streets, street lights shall use "shoe box" style fixtures on black or bronze anodized poles up to thirty (30) feet in height with ~~metal halide~~ LED bulbs with a correlated color temperature not exceeding four thousand three hundred (4300) Kelvin, unless alternatives are approved by the Commission.
3. The spacing of street lighting fixtures shall be as required by Section 912 of this Code.
4. The selection and location of roadway and street lights shall achieve the recommended illuminance per the American National Standards Institute (ANSI)/Illuminating Engineering Society of North America (IESNA) RP-8, American National Standard Practice for Roadway Lighting. The standards summarized in the table below shall be utilized unless otherwise approved by the Village Engineer.

Street Type	Average Illuminance	Average to Minimum	Maximum Mounting Height, ft
Major	0.9	3	30
Collector	0.6	4	30
Residential	0.4	6	25
Pedestrian Areas	0.4	4	to match street

New and replacement fixtures shall be fully cutoff, fully shielded fixtures to minimize glare and light trespass.

New and replacement fixtures shall be light emitting diodes (LEDs) with a maximum correlated color temperature of 4300K.

SECTION 705: CURB CUT AND ACCESS TO PUBLIC STREETS

C. Commercial and Industrial. All commercial and industrial development shall be designed to meet the following minimum standards.

1. One traffic lane – Twelve (12) to fifteen (15) foot curb-cut
2. Two traffic lanes – Twenty four (24) to thirty (30) foot curb-cut
3. Three traffic lanes – Thirty (30) to forty five (45) foot curb-cut

The Commission shall review proposed curb cuts and the closure or relocation of existing curb-cuts based upon anticipated traffic, turning movements and need to accommodate buses and trucks. The applicant must provide information supporting a request for more than one ~~ten~~ twelve (12) foot wide entry and one twelve (12) foot wide exit.

D. General Standards

1. No more than one curb cut is allowed for each seventy-five (75) linear feet of frontage. Lots containing one (1) or two (2) family dwellings shall have only one (1) curb cut unless a second is specifically approved by the Commission upon determination that special ~~exceptions~~ conditions justify the exception.

E. Alterations Within Public Right-of-way.

The Trustees shall have authority to approve a change within the Public Right-of-way which is not specifically delegated to the Staff by Section 705.B and to the Commission in Section 705.C. Closure or relocation of an existing curb cut (with the exception of the closure or relocation of an existing curb-cut as stipulated by the Planning Commission through Site Plan Review) shall require a Public Meeting by the Trustees. Closure or relocation review may be by written request or may be initiated by the Trustees. The Trustees shall notify by mail all property owners abutting the ~~proposed site proposal~~ and all property owners with a legal interest in the curb cut.

SECTION 706: ACCESSORY USES AND STRUCTURES

C. Set-back Exceptions

2. Utilities. Public utilities and infrastructure may be located within any setback, provided that above ground structures are not located within any required Visibility Triangle. Above-ground utility structures shall be screened with vegetation when said screening does not interfere with the functional characteristics of the structure. To the extent possible above ground structures shall be designed and painted to match the characteristics of adjacent development. ~~To the extent possible, utilities shall be underground.~~ New and redevelopment projects shall install utilities underground.

4. Heating, ventilation and air conditioning equipment. Equipment for heating, ventilation or air conditioning which encroaches into a setback by not more than twelve (12) inches shall not be deemed to violate this Code. Equipment placed upon the roof of any commercial or residential structure shall not be deemed a violation of this Code if:

(c) It generates no additional ~~noise~~ sound discernable at the adjoining property line.

7. ~~Handicapped Accessible~~ ramps constructed to ~~provide handicapped~~ accommodate disabilities ~~access~~ are exempt from setback provisions provided that no reasonable alternative is available and the encroachment is the minimum necessary to provide access. Covered or enclosed ramps shall meet all setback requirements.

D. Satellite Dish Antenna. No satellite dish or other antenna may be erected or placed within any District except in compliance with this Section and with Conditional Use approval.

4. All antenna dishes shall be permanently ground-mounted unless specifically approved otherwise by the ~~Zoning Board of Adjustment~~.

J. Dumpsters or Other Trash Containers:

No dumpster or trash container shall be located or used in any District except in conformance with these standards or approval of a Site Plan.

1. All dumpsters or trash containers located within any District shall be screened from view **from the public Right-of-way** by a nontransparent fence and/or landscaping materials to a height of six (6) feet.

K. Tennis, Basketball or Volleyball Court. These facilities, or similar private recreation facilities, **such as outdoor skating rink facilities**, may be located in rear or side yard setbacks within five (5) feet of any property line; provided, however, they may not be located in any drainage or utility easement.

SECTION 707: FENCES

C. Exceptions.

1. Property located in a Planned Agriculture District may use barbed wire for fencing purposes, provided that said fencing is utilized strictly for agricultural purposes. Properties in the Light Industrial District may also use barbed wire fencing. However conditions may be imposed upon approval to provide **minimize minimal** impacts on neighboring properties.

SECTION 709: PRIVATE STREETS

A. Standards. The Commission may approve a Private Street only as a part of a Planned Development application. The following conditions shall apply to any Private Street:

6. The following streets must be provided as Public Streets and dedicated to the **town Village**, unless waived by the Planning Commission upon determination the waiver would be consistent with the provisions of Section 917 of the Land Development Code:

SECTION 711: HOME OCCUPATIONS. Nothing in this Code shall infringe upon the right of any resident to use a minor portion of a dwelling for an occupation which is customary in residential areas and which does not change the character thereof.

A. Purpose:

1. To protect residential areas from potential adverse impact of excessive traffic, nuisance, **noise sound** and other effects of occupational activities within residential neighborhoods.

B. Review Criteria. All Home Occupations shall meet the following review criteria and standards:

3. The area utilized for the Home Occupation shall not exceed twenty (20) percent of the floor area of the residence, including **attached** garages.
8. No activity shall be conducted on the premises which would interfere with radio or television transmission, nor shall there be any offensive **noise** sound, smoke, dust or heat noticeable at the property line.

SECTION 712: OPEN SPACE REGULATIONS.

Except as specified in this Code, no building, structure or vehicles shall encroach upon any required setback or designated Open Space area. All required setbacks shall be maintained in grass in vegetative cover and shall not be covered with any impermeable surface materials except in Commercial Districts where the Commission may approve specific alternatives.

SECTION 714: SIGN STANDARDS.

E. Number of Wall Signs

1. In Commercial and Industrial Districts, the overall number of wall signs shall not be restricted as long as the total square footage of all wall signs does not exceed the size limitation as listed in Section 714.D.23.

2. In lieu of a freestanding sign an additional twenty (20) square feet of wall signage shall be allowed. However, in no case may a single wall sign exceed the size limitations in Section 714.D.23.

G. Window Signs

3. Village Center District – Businesses in the Village Center District shall be allowed one (1) internally lit or neon window sign. All internally lit or neon window signs shall not to exceed three (3) square feet and shall require approval of a sign permit. Businesses on a corner lot shall be allowed to have two (2) internally lit or neon window signs, one (1) facing each street frontage. A business that has over one hundred and fifty (150) feet of street frontage shall be allowed two (2) internally lit or neon window signs subject to the size restrictions. All other internally lit permanent, temporary or window signage is expressly prohibited in the Village Center District unless otherwise provided in this ~~article~~ Chapter.

I. Freestanding Signs

5. Businesses with Drive-Through Facilities may have one (1) menu board sign in addition to one (1) free-standing sign. A menu board sign shall not exceed forty-eight (48) square feet and shall be screened from view the public Right-of-way.

J. Number of Freestanding Signs

2. If a development is located on a lot that is bordered by two (2) Public Streets that do not intersect at the lot's boundaries (Double Frontage Lot) then the development may ~~have~~ not have more than one (1) freestanding sign on each side of the development bordered by such streets.

L. Location and Height Requirements

Unless otherwise allowed in this Chapter, the following shall be required for all free-standing signs and permanent signs.

1. Front Yard Setbacks. Signs must meet the following minimum front yard setbacks:

(a) In all ~~Commercial, Residential/Office, Industrial, Exposition and Neighborhood Commercial Districts~~ districts, signs shall be set back no less than

ten (10) feet from the property line.

~~(b) — In all other districts, signs shall be set back no less than ten (10) feet from the property line.~~

M. Sign Illumination and Signs Containing Lights.

Unless otherwise prohibited, signs may be illuminated as specified below:

1. Unless specifically provided for elsewhere in the code, internally illuminated signs are prohibited in Flood Plain, Residential/Office ~~and Neighborhood Commercial Districts~~ and Village Center District. Internally lit signs in the Village Center District may be allowed with approval of the Planning Commission upon determination that the internally lit sign meets the intent of Section 502.KH.1.

9. String lights may be used in connection with commercial premises except as specifically ~~prohibited within this Section. provided herein.~~

N. Milcellaneous Restriction and Prohibitions.

1. Signs located off the lot of the business, except those specified in ~~SECTION~~ Section 714:

~~SIGN STANDARDS~~, are prohibited

Q. Exemptions. The provisions and regulations of this Ordinance shall not apply to the following signs. However, said signs shall be subject to the provisions of Section 502.H:

1. One or two-sided free-standing signs for municipal departments which are used to provide public information, and are deemed to meet the intent of Section 502.H.1. Such signs must be approved by the Planning Commission, may not exceed thirty (30) square feet per side, must be at least fifteen (15) feet from the pavement of any public Right-of-way, must not be located within any Right-of-way, and may not exceed ten (10) feet in height. Such signs may include an Electronic Message Board not exceeding ten (10) square feet on each side of the sign, which may only be used between the hours of 7:00 A.M. and midnight. Information may be displayed on the message board on an intermittent basis, provided each display is at least five (5) minutes in duration. Each department shall be limited to one (1) sign.

SECTION 715: TELECOMMUNICATIONS

B. Criteria For Approval And Conditions. An application for a Wireless Telecommunication Facility permit shall be approved after a hearing when the Planning Commission finds all the following criteria have been met:

4. The Facility will not be illuminated by artificial means and will not display any lights or signs except for such lights and signs as required by Federal Aviation Administration, federal or state law, or this ~~bylaw~~ Code.

14. The Facility will not generate undue ~~noise~~ sound.

D. Removal of Abandoned or Unused Facilities. Unless otherwise approved by the Planning Commission, an abandoned or unused Wireless Telecommunication Facility shall be removed within ninety (90) days of abandonment or cessation of use. If the Facility is not removed within ninety (90) days of abandonment or cessation of use, the Planning Commission may cause the Facility to be removed. The costs of removal shall be assessed against the Facility owner.

Unused portions of a Wireless Telecommunication Facility shall be removed within one hundred and eighty (180) days of the time that such portion is no longer used. Replacement of portions of a Facility previously removed shall require a new permit, pursuant to Section 502.N.5-6 Section ~~Section~~ ~~V~~.

SECTION 717: DAY CARE AND FAMILY CARE FACILITIES

A. **Purpose.** To allow for the provision of ~~child and/or adult day care facilities~~ **Day Care and Family Care Facilities** within all Districts and to provide criteria for the review of such facilities.

C. **Day Care Facility Standards:**

3. A fenced outdoor play area shall not be required if a child care center exclusively provides preschool instruction for not more than three (3) hours per ~~shift~~ **day**, and children are not permitted to play outside.

D. **Standards of Review.** The Zoning Board shall review all applications for Family and Day Care Facilities as Conditional Use Permits. In addition, review shall include the following:

7. Existing or potential levels of air and ~~noise~~ **sound** pollution in the area.

SECTION 719: LANDSCAPE AND TREE PLANTING REQUIREMENTS

D. **Landscaping.**

There shall be a sufficient amount of landscaping and screening, as may be reasonably determined by the Planning Commission, to insure protection of and enhance the quality of the project in question and adjacent properties. The landscape plan must be drawn by a landscape architect, landscape designer, or competent landscape professional, and the landscaping requirement will be a minimum of three (3) percent of the total construction cost for new construction up to \$250,000. For new construction projects above \$250,000, the landscape requirement shall be a minimum of two (2) percent of the total construction cost. In the case of construction projects above \$1,000,000, a landscape architect, licensed by the State of Vermont's Office of Professional Regulation, will be required to prepare a landscape plan. This may be waived in unusual circumstances. The Commission may permit or require improvements to the public Right-of-way in part or in lieu of on-site landscaping to be used to improve the pedestrian environment including street trees, plantings, stormwater retention and pedestrian amenities. With a new use on existing development or renovation on existing property, the applicant must provide landscaping adequate to provide screening and environmental enhancement to the satisfaction of the Planning Commission.

I. **Landscape Plan:**

(a) **Preliminary Site Plan**

(i) A general concept of the landscaping, in both written and graphic form.

(ii) A list of existing vegetation, with the location, type, and size of existing trees of six (6) inches or greater in caliper.

(iii) A written plan to preserve and protect significant existing vegetation during and after construction. Such plan will be sufficient detail that the Village of Essex Junction will be able to inspect the site during construction to ensure that the existing vegetation is protected as per plan.

(iv) The location of existing natural features, such as streams, wetlands, and rock outcroppings.

(b) Final Landscape Plan

(i) All proposed physical improvements, such as buildings, walls, parking areas sidewalks, etc.

(ii) Proposed landscaping materials, including vegetation to remain, types of new plant materials, identified by common name and botanical name, sizes of all new plant materials by height and/or diameter at time of planting and at maturity, quantities of each of the planting materials, and treatment of the ground surface (paving, seeding, or groundcover).

(iii) Methods of controlling erosion and protecting landscaped areas.

(iv) A landscape phasing plan. Construction phasing shall be shown on the landscape plan with landscape and construction activities correlated.

2. Landscaping Requirements:

(a) ~~A minimum of fifty percent (50%) of the required landscaping shall be located within twenty (20) feet of the parking lot.~~ All required landscaping shall comply with the intent and purpose of these regulations.

4. General Requirements

(a) Installation: All landscaping shall follow accepted horticultural practices.

(b) Maintenance: ~~The owner of the building or agent shall be responsible for the maintenance of all landscape areas. Landscaped areas shall be maintained in a healthy, neat, and orderly appearance at all times. All dead plant materials shall be replaced.~~ All planting shown on an approved site plan shall be maintained by the property owner in a vigorous growing condition throughout the duration of the use. Plants not so maintained shall be replaced with new plants at the beginning of the next growing season. Trees with a caliper of less than five (5) inches may be replaced on an inch-by-inch basis with trees of at least two and a half (2.5) inches caliper preferably of the same genus.

(c) Failure to maintain: ~~If landscaping or plant materials installed as a condition of Site Plan approval die, they shall be replaced according to the approved landscape plan.~~ Failure to replace materials per approved plans shall be a violation of this Code.

45. Design Standards:

(d) When planters are used in parking lot interiors, a surface area should be made available for aeration and water infiltration of at least twenty-five (25) square feet per tree. Islands may be graded and planted to serve as collection and treatment areas for stormwater management. It is recommended that sections of curb cut be no more than five (5) feet in length.

(k) ~~Grass~~ Vegetative areas should be planted with species normally found in the area.

6. The Planning Commission shall require compliance with any Tree Ordinance or Landscape Design Standards enacted by the Village of Essex Junction, subsequent to the effective date of these regulations.

7. Applications utilizing municipally owned land must be reviewed by the Village of Essex Junction Tree Advisory Committee. The Planning Commission, at their discretion, may ask the Tree Advisory Committee and or the Village of Essex Junction Tree Warden to comment on any landscape plan with regard to tree species selection and location.

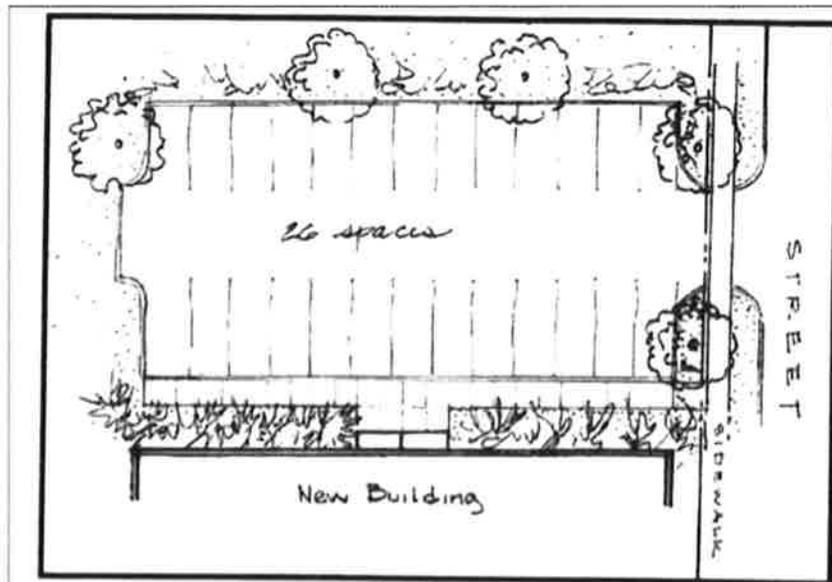
8. Example Schematics:

Figure 8.1 Parking Area Landscaping/Screening



From Landscape Guide for Vermont Roadways & Transportation Facilities

Figure 8.2 Perimeter Landscaping for Parking Areas



Example

Twenty six (26) space parking lot

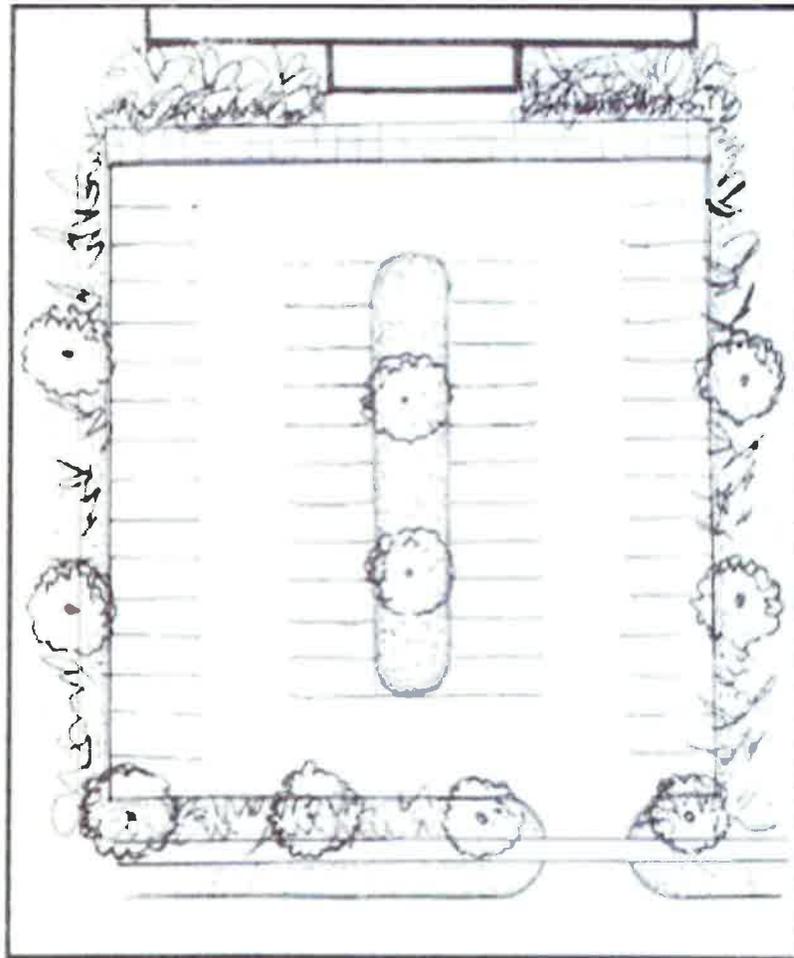
7120 square feet of pavement

No internal island required

5 tree minimum (26 spaces/5)

Illustration by Kathleen Ryan, ASLA

Figure 8.3 Internal and Perimeter Landscaping for Parking Areas



Example

Fifty four (54) space parking lot
17650 square feet of pavement
1,765 square feet of curbed island required
10 tree minimum – (54 spaces/5)

Illustration by Kathleen Ryan, ASLA

E. Approved Plant Materials. An emphasis shall be placed on selecting plant material species shall be native species to Vermont and the Champlain Valley. Trees and plantings that are close to driveways, sidewalks and roads shall be salt tolerant. Generally, plants shall be from the most current tree species list recommended by the Vermont Urban Community and Forestry Program and those listed in the Village Land Development Code. following suggested species list unless waived by the Planning Commission based on the appropriateness of the species for the particular application, but still accordance with intent of this section to require the use of

~~native species.~~ The Planning Commission may refer to any or all of the following publications as resources:

1. Recommended Tree Species for Vermont Communities: A guide to Selecting and Purchasing Street, Park, and Landscape Trees, published by Urban and Community Forestry Program.
2. Planting Sustainable Landscapes- A Guide for Plan Reviewers, prepared by Department of Forests and Parks and the Vermont Chapter of the American Society of Landscape Architects- Section-111.
3. Street Tree Fact Sheets- Published by the Municipal Tree Restoration Program with support from the USDA Forest Service, Northeastern Area State and Private Forestry.

List of Suggested Example Species:

Medium and Large Deciduous Trees

~~White Ash (Fraxinus americana)~~

~~Green Ash (Fraxinus pennsylvanica)~~

F. Minimum Planting Specifications. All plantings are required to be healthy nursery-grown stock and maintained. ~~with bark mulch)~~

SECTION 721: ACCESSORY APARTMENTS

A. Purpose. To allow the provision of small apartments within existing single family dwellings to improve the ability of households to provide housing. ~~for family members.~~

~~SECTION 722: CONVERSION OF PUBLIC SCHOOLS.~~

~~Existing public school facilities may be converted to elderly housing with Site Plan approval. Emphasis shall be placed upon maintaining existing open space and recreation facilities. No more than ten (10) percent of the gross floor area of each existing school building may be converted to school offices or administrative facilities without Site Plan review and approval. Other public uses may be considered upon application for a Conditional Use Permit and Site Plan. In addition to the standards above, other public uses shall meet the following criteria:~~

~~A. — All proposals must preserve existing open space and recreational facilities.~~

~~B. — The proposed use shall not generate neighborhood traffic in excess of the traffic volume generated by the existing school.~~

~~C. — The proposed use shall serve a local, state or Federal governmental agency.~~

~~D. — The proposed use shall conform to the Zoning District within which the school is located.~~

SECTION 7234: ~~PLANNED RESIDENTIAL DEVELOPMENT (PRD) and PLANNED UNIT DEVELOPMENT (PUD)~~

Planned Residential Development changed to Planned Unit Development throughout section.

B. Design Considerations. The Commission shall review an application for innovative land and building design techniques. The Commission may determine that the design is not innovative and that standard District requirements shall apply. The Commission may authorize the following modifications to requirements of the underlying Zoning District.

5. Amenities and Quality of Design. To be granted the flexibility permitted under these regulations, the ~~PRD or~~ PUD must demonstrate a level of design and amenity exceeding that typical of conventional development. Features that exhibit a strong level of design include, but are not limited to:

- (a) Amount and quality of landscaping;
- (b) Amount, quality, and interconnectedness of common space; and
- (c) Varied building massing or other measure to reduce monotony in design.

At a minimum, up to fifteen (15) percent of the gross PRD or PUD area shall be developed with passive and active amenities. Examples of amenities include ~~common recreation facility such as~~ but are not limited to:

1. Jogging/exercise track;
2. Off-street bicycle paths;
3. Playgrounds;
4. Tennis court;
5. Athletic fields;
6. Wooded areas; and
7. Open fields that may be in active agricultural production.

The type of amenities required will vary with each individual project. For example, projects designed for seniors, ~~ages fifty five (55) and above, (55 plus)~~ will have different types of amenities than a project designed for young families.

SECTION 7254: RAISING, KEEPING, OR HARBORING LIVESTOCK

The raising, keeping, or harboring of livestock, wild animals or other domesticated farm animals for personal use or commercial purposes shall be prohibited in all Zoning Districts, except for the PA and PE Districts. The raising, keeping or harboring of livestock, wild animals or other domesticated farm animals shall require a minimum lot size of ten acres. ~~Refer to the Municipal Code for exceptions.~~

CHAPTER 8: NONCONFORMITIES

SECTION 801: NON-CONFORMING USES. Any use of land or buildings legally existing on the effective date of this Code which has become non-conforming as a result of this Code shall be considered as a Non-Conforming Use and may be maintained subject to the provision of this Section.

B. Change of Use. A non-conforming use may be changed to a Permitted Use or Conditional Use for the district in which it is located. A non-conforming use ~~shall not may not~~ be changed to another non-conforming ~~use unless the change is~~ use. ~~specifically approved as a~~ **Conditional Use.**

SECTION 802: NON-COMPLYING STRUCTURES. Any structure, existing on the effective date of this Code, which does not conform to the dimensional requirements of this Code

shall be considered as a non-complying structure. Such structure may continue to be occupied, subject to the following:

C. Reconstruction.

2. Non-conforming structures on properties with one single family dwelling may be rebuilt as long as the new structure is not more non-conforming than the existing structure. However, if staff determines the structure could reasonably be rebuilt in conformance with the existing regulations the applicant will be required to comply with the existing regulations. Appeal of staff decisions may be made in accordance with Section 1701. ~~Also, any non-complying structure may be declared conforming with conditional use approval in accordance with Section 803.~~

~~**SECTION 803: TERMINATION OF NON-CONFORMING OR NON-COMPLYING STATUS.**~~

~~The provisions of Sections 801 and 802 regarding the continuation, restoration, reconstruction, expansion or extension of non-conforming uses or non-complying structures notwithstanding, a non-conforming use or non-complying structure may be formally declared to be conforming or complying upon Conditional Use approval.~~

SECTION 8045: NON-CONFORMING SIGNS

1. Subject to the remaining restrictions of this Section, non-conforming signs that were otherwise lawful on the effective date of this ~~article~~ Code may be continued until they are required to be removed under Section 714 of this Code.

SECTION 8056: REMOVAL OF NON-CONFORMING SIGNS

3. If the message portion of a sign is removed, leaving only the supporting "shell" of a sign (or the supporting braces, anchors, or similar components) the owner of record shall, within thirty (30) days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of Section 8056.1, above which restricts the replacement of a nonconforming sign. Nor shall this subsection be construed to prevent the changing of the message of a sign.

CHAPTER 9: SUBDIVISIONS

SECTION 906: STREETS

B. Arrangement

3. Street design shall include measures to discourage through traffic in Residential Districts.
4. Street design shall include measures to encourage improved connectivity in the Village Center District and strike an appropriate balance between all modes of transit.
5. Access for emergency vehicles shall be considered in the layout of any street.

D. Dead-end Streets.

Waiver. The commission may waive the requirement that a Dead-end Street be temporary if, in the opinion of the Planning Commission, all of the following standards are met:

3. The street connection is not required to provide a secondary access point to the

proposed Subdivision, future development on adjacent parcels, or for the properties now served by the Dead-end Street, in accordance with 90~~53~~.F.3.

SECTION 912: STREET LIGHTS. Streetlights shall be located at each intersection and at approximately ~~four hundred (400)~~ one hundred fifty (150) foot intervals between intersections. Streetlights shall be located at the corner to provide light at the intersection, where possible.

CHAPTER 14: WATER SYSTEM MANAGEMENT AND USE

SECTION 1416: WATER SUPPLY

C. Private Water Lines. Private water lines may be approved and connections to existing private water lines may be approved, if the following conditions are met:

1. A private water line shall serve no more than three (3) separate users. ~~A homeowners association can be considered one user if proper documentation is submitted and approved by the Village for the maintenance of the private water line.~~

CHAPTER 17: APPEALS

SECTION 1704: APPEALS OF STAFF DECISIONS TO THE ~~PLANNING COMMISSION~~ ZONING BOARD OF ADJUSTMENT

B. Notice of Appeal. Any interested person who believes that Staff has committed an error in making a decision or taking an action may appeal such act or decision to the ~~Planning Commission~~ Zoning Board of Adjustment by filing a written Notice of Appeal with the ~~clerk of the Commission~~ Village Clerk within fifteen (15) calendar days of the subject action or decision. The Notice of Appeal must identify the decision or action appealed and state why such decision or action is erroneous.

C. Action by the ~~Planning Commission Board.~~ The ~~Commission Board~~ shall conduct a duly warned public hearing at which it will take testimony and receive evidence from the applicant, interested parties and Staff. The ~~Commission Board~~ shall consider all relevant evidence before it. It shall issue its decision in writing with findings of fact and conclusions within forty-five (45) days of the final public hearing. Failure to act within this time shall result in granting the appeal.

SECTION 1708: ON THE RECORD REVIEW

As provided for in 24 V.S.A. § 4471 (b) the use of on the record review procedures will be followed for all development applications that require review by the Planning Commission or Zoning Board of Adjustment. The procedures outlined in the Municipal Administrative Procedure Act (MAPA) shall govern all Planning Commission and Zoning Board of Adjustment application reviews. Evidence provided and recorded at public meetings and hearings shall follow the Vermont Rules ~~for~~ of Evidence as outlined in 24 V.S.A. § 1206 (b).

APPENDIX A: PUBLIC WORKS SPECIFICATIONS

SECTION 102: STREET SPECIFICATIONS

C. Preparation of Subgrade. Objectionable and unsuitable materials shall be removed and replaced with approved material as directed by the Village Engineer. Subgrade shall meet the lines and grades shown on the drawings.

1. Sand shall be deposited and spread so as to distribute the material in uniform layers, compacted ~~at optimum moisture content~~ to a density of ninety five (95) percent of the maximum dry density using the Standard Proctor Test, according to ASTM D698.

SECTION 103: GRAVEL BASE - BOTTOM COURSE

G. Materials. All materials shall be secured from approved sources. Such gravel shall consist of hard, durable stones, which show uniform resistance to abrasion and which are intermixed with sand or other approved binding material as directed by the Engineer.

All bottom course material shall be deposited and spread so as to distribute the material in uniform layers, compacted ~~at optimum moisture content~~ to a density of ninety five (95) percent of the maximum dry density using the Standard Proctor Test, according to ASTM D698.

SECTION 104: CRUSHER RUN - TOP COURSE

- A. Description. This item shall consist of an upper course of crusher run gravel to be placed over the gravel base - bottom course, ~~of bank run gravel~~, which will have been prepared in accordance with these specifications.
- B. Materials. All materials shall be secured from approved sources. This gravel shall consist of angular and round fragments of hard durable rock of uniform quality throughout, reasonably free from thin, elongated pieces, soft or disintegrated stone, dirt or other objectionable matter. The grading requirements shall conform to the following table:

Sieve Designation	Percentage by Weight Passing Square Mesh Sieve
2"	100
1 ½ "	90-100
No. 4	30-60
No. 100	0-12
No. 200	0-6

This upper course of crusher run gravel shall be deposited and spread in a uniform layer, and compacted ~~at optimum moisture content~~ to a density of 95% of the maximum dry density using the Standard Proctor Test, according to ASTM D698.

SECTION 105: BITUMINOUS CONCRETE PAVEMENT

C. Construction Methods. Equipment for spreading and finishing the mixture shall be a mechanical spreading and finishing machine provided with an activated screed and heated if required. The machine shall be capable of spreading the mixture without segregation and shall be approved by the Village Engineer before being used.

Application of bituminous concrete pavement shall conform in all respects to Vermont Standard Specifications Section 406. These requirements shall include but not be limited to the following:

~~6. — and shall be approved by the Village Engineer. After placement, the material shall be thoroughly compacted with rollers or other equipment approved by the Village Engineer.~~

SECTION 106: CEMENT CONCRETE CURB

C. Materials. All concrete used in the construction of roadway curbs shall be Air Entrained five percent plus or minus one percent ($5.0\% \pm 1\%$) so determined by an air meter approved by the Village Engineer. This concrete shall have a twenty eight (28) day compressive strength of four thousand (4000) psi and meet State of Vermont Standard Specifications for Class ~~B~~ A concrete, Section ~~50+~~ 541.

SECTION 108: CEMENT CONCRETE SIDEWALK

D. Construction Methods:

4. Placing and Finishing Concrete - Just prior to placing the concrete, the sub-base shall be moistened. The concrete mixed to the proper consistency shall be placed in the forms and thoroughly tamped in place so that all honeycombs will be eliminated and sufficient mortar will be brought to the surface. ~~There shall be a one hundred foot (100') maximum pour length between dowelled joints unless otherwise approved by the Village.~~ Unless otherwise approved by the Village, sidewalk shall be cast in one hundred (100) foot sections with no expansion joints. Connection to existing sidewalk and between one hundred (100) foot sections shall be accomplished with steel dowels, spaced twelve (12) inches on center. Sidewalk adjacent to curb shall be separated with four (4) millimeter polyethylene. After this, the surface shall be brought to a smooth even finish by means of a wooden float. The surface shall be broom finished. All faces adjacent to the forms shall be spaded so that after the forms are stripped, the surface of the faces will be smooth, even and free of honeycombs. All edges shall be tool rounded with an edger having a quarter (0.25) inch ~~(3")~~ radius.

5. Scoring Concrete - ~~Sidewalks shall be scored to a depth of one (1) inch every five (5) feet. Connections to existing concrete requires minimum 1/2" rebar dowels and shall be installed by drilling.~~ Sidewalk joints shall be saw cut at five (5) foot intervals to one third (1/3) the sidewalk depth. Struck transverse false joints shall not be utilized.

Connections to existing concrete requires minimum one half (1/2) inch smooth steel dowels, spaced twelve (12) inches on center, and shall be installed by drilling.

6. ~~Curing Concrete - Same as for Cement Concrete Curb.~~ All sidewalks shall be treated with Certi-Vex AC 1315, per the manufacturer's instructions.

E. Accessible Access. Sidewalk ramps shall be constructed as shown in these specifications and located in accordance with the approved plans at all intersections. ~~Detectable surface shall be truncated domes constructed of cast iron.~~ Saw cutting, exposed aggregate, or scoring sidewalk ramps is not acceptable. ~~Detectable surface shall be truncated domes.~~

SECTION 112: WATER DISTRIBUTION SPECIFICATIONS

D. Construction Methods.

14. Chlorination - ~~The contractor shall furnish sufficient high test Hypochlorite (HTH) and all equipment and labor, and shall chlorinate the water main with a minimum solution of 50 PPM to A.W.W.A. Standard C601. This is to be done under the supervision of the Engineers and great care is to be exercised to ensure that all valves are closed against flow of the heavily chlorinated water back into the in-service mains. The solution of HTH and water shall be mixed in a barrel or drum and pumped into the mains with a hand pump or small unit controlled in such a manner that the HTH solution enters the mains at a uniform rate, with the correct concentration to completely saturate the water to obtain a minimum uniform concentration of 50 PPM through the main to be tested. The HTH solution must be added continuously until the chlorinated water reaches the end of the section being tested. When the HTH solution reaches the end of the hydrant, the valve controlling the inflow of water to the test section shall be closed. After a 24-hour retention period, the treated water shall contain no less than 25 PPM of chlorine throughout the length being tested. The contractor shall then thoroughly flush and dechlorinate while flushing the original chlorination the main to completely remove all the chlorinated water and shall take a test sample to ensure absence of coliform organisms before putting the main into service. Chlorination of the water main shall be conducted only after the main has been satisfactorily pressure and leakage tested and flushed and a clean stream is obtained, as determined by the Engineer. The Contractor shall furnish all labor, equipment, materials, and tools necessary to disinfect the pipe and appurtenances in accordance with AWWA Standard for Disinfecting Water Main C651, latest revision. The continuous feed method shall be performed under the supervision of the Engineer. The Contractor shall thoroughly flush and dechlorinate while flushing the original chlorination of the main to completely remove all the chlorinated water. The Contractor shall coordinate with the Village of Essex Junction Wastewater Treatment Facility on the disposal of heavily chlorinated water flushed from the main. The disinfection process shall be deemed acceptable only after two samples of water from the flushed, disinfected main, collected twenty-four (24) hours apart, show no evidence of bacteriological contamination, as determined by the Health Department or other approved lab.~~

15. Protection of Water Supplies - ~~Water mains shall be laid at least 10 feet, horizontally, from any existing or proposed sewer, in accordance with State standards.~~

~~Whenever sewers cross under water mains, the water main shall be laid at such an elevation that the bottom of the water main is at least 18 inches (18") above the top of the sewer. This vertical separation shall be maintained for that portion of the water main located within 10 feet horizontally of any sewer it crosses. When it is impossible to obtain horizontal and vertical separation, both the water main and sewer shall be constructed with watertight joints and pressure tested to assure water tightness before backfilling. No water main shall pass through, or come into contact with any part of a sewer manhole.~~

~~There shall be no physical connection between the distribution system and any pipes, pumps, hydrants or tanks which are supplied or may be supplied with water that is, or may be contaminated. Water mains shall be laid at least ten (10) feet horizontally from any existing or proposed sanitary sewer. This distance can be reduced to five (5) feet for storm sewers. The distance shall be measured edge of pipe to edge of pipe. Where impractical due to ledge, boulders, or other unusual conditions, to maintain ten (10) foot horizontal separation between water and sewer lines, the water line may be in a separate trench or on an undisturbed earth shelf in the sewer trench provided that the bottom of the water line is at least eighteen (18) inches above the top of the sewer. Wherever impossible or impractical to maintain eighteen (18) inches vertical separation, the sanitary sewer line shall be constructed to normal waterline standards and pressure tested to fifty (50) psi for fifteen (15) minutes prior to backfilling. No leakage shall be allowed for this test.~~

~~Sewer crossing water mains shall be laid beneath the water main with at least eighteen (18) inches vertical clearance between the top of the sewer and the bottom of the water main. When it is impossible to maintain the eighteen (18) inches vertical separation or where the sewer must be laid above the water main;~~

- ~~(a) The crossing shall be arranged so that one full length of sewer is centered above or below the water line, with sewer joints as far as possible from water joints;~~
- ~~(b) The sanitary sewer pipe must be constructed to water main standards for minimum distance of twenty (20) feet either side of the crossing or a total of three (3) pipe lengths, whichever is greater;~~
- ~~(c) The section constructed to water main standards must be pressure tested to maintain fifty (50) psi for fifteen (15) minutes without leakage prior to backfilling beyond one (1) foot above the pipe to assure water tightness; and~~
- ~~(d) Where water main crosses under a sewer, adequate structural support shall be provided for the sewer to prevent damage to the water main.~~

~~No water main shall pass through, or come into contact with, any part of a sanitary sewer manhole. There shall be no physical connection between the distribution system and any pipes, pumps, hydrants, or tanks, which are supplied or may be supplied with water that is, or may be, contaminated.~~

SECTION 115: SANITARY SEWER SPECIFICATIONS. Sewer Mains Polyvinyl Chloride (PVC)

D. Construction Methods

3. Backfill - Backfill shall consist of approved material placed in six (6) inch layers with each layer being thoroughly compacted ~~at or near optimum moisture content~~ to a density of 95% of the maximum dry density using the Standard Proctor Test, according to ASTM D698. Debris, frozen material, large clods or stones, organic matter, or other unstable materials shall not be used for backfill. No stones in excess of one and one half (1.5) inch diameter shall be placed within two (2) feet of the outside of the pipe. Particular precautions shall be taken in placement and compaction of the backfill material in order not to damage and/or break the pipe. The backfill shall be brought up evenly on both sides of the pipe for its full length. Walking or working on the completed pipeline except as may be necessary in tamping or backfilling, shall not be permitted until the trench has been backfilled to a height of at least two (2) feet over the top of the pipe. During construction all openings to the pipe lines shall be protected from contamination by earth or other materials.

4. Manholes - Manholes shall be installed at the end of each line, at all changes in grade, size or alignment of pipe, at all pipe intersections, and at distances not greater than three hundred (300) feet. Pre-cast Reinforced Concrete Manholes shall have the top section set at a grade that will place the riser a minimum of three (3) inches and a maximum of twelve (12) inches from the top of the pre-cast manhole cone. Adjustments shall be made using pre-cast concrete riser rings, expanded polypropylene riser rings, or cast-in-place concrete. Bricks shall not be used. All joints shall be grooved type and shall be fully bedded with mastic seal when setting sections. Lifting holes in all pipe manhole sections shall be filled solid with mortar.

6. Leakage and Testing - If inspection of the completed sewer or any part thereof shows any pipe, manhole, or joint which allows infiltration of water, the defective work, or material, shall be replaced or repaired as directed by the Engineer. After the sewer has been completed, the contractor shall furnish all labor and materials necessary, and in general, assist the Engineer to conduct such leakage tests at such times and at such locations as the Engineer deems necessary.

(c) Manholes - All manholes shall be tested for leakage. Manholes shall be tested for leakage in accordance with one of the following:

(i) Water Test - After the manhole has been assembled in place, all lifting holes and exterior joints shall be filled and pointed with an approved non-shrinking mortar. All pipes and other openings into the manhole shall be suitably plugged and the plugs placed to prevent blowout.

(ii) Each manhole shall be checked for exfiltration by filling with water to the top of the cone section. A stabilization period of one (1) hour shall be provided to allow for absorption. At the end of this period, the manhole shall be refilled to the top of the cone, if necessary, and the measuring time of at least six (6) hours begun. At the end of the test period, the manhole shall be refilled to the top of the cone measuring the volume of water added. This amount shall be converted to a twenty-four (24) hour rate and the leakage determined on the basis of depth. The leakage for each manhole shall not exceed one (1) gallon per vertical foot for a twenty-four (24) hour period for exfiltration and there shall be no visible ~~filtration~~ infiltration.

SECTION 117: STORM SEWER SPECIFICATIONS - STORM DRAINS

2. Catch Basins or Manholes: A pre-cast (or cast in place) concrete catch basin or manhole shall be installed at the end of each line, at all changes in grade, size or alignment of pipe, at all pipe intersections, and at distances not greater than three hundred (300) feet.

(a) Catch Basins - The catch basins shall conform to requirements for precast risers and base sections found in ASTM C913, latest edition. The cast iron frame and grate shall be Type D LeBaron #LF 248-2, or equal with a minimum weight of four hundred and eighty (480) pounds. For steep grades, a Type E LeBaron #LK 120A, or equal may be supplemented with a minimum weight of four hundred and thirty (430) pounds. There shall be either a manhole or a catch basin every three hundred (300) feet on normal slopes to allow for proper cleaning of the lines.

b) Manholes - The manholes and manhole frames and covers shall conform to the specifications as set forth under Sanitary Sewer Specifications.

c) Booted connections shall be used for **24" thirty-six (36) inch** pipe and smaller.

4. Installing Catch Basins and Manholes - All construction of sewer manholes must be carried out to ensure watertight work. Any leaks in manholes shall be completely repaired to the satisfaction of the Village Engineer or the entire structure shall be removed and rebuilt. All manhole lift holes shall be grouted inside and out with expandable grout. The pipe opening in the precast manhole riser shall have a cast-in-place flexible gasket or an equivalent system for pipe installation, as approved by the Village Engineer. Joints between manhole risers shall be soft butyl joint sealer (rope form). Joints between pipes and catch basin base sections shall be sealed with boots for pipes **24" in thirty-six (36) inch** diameter or smaller and with cement mortar for pipes larger than **24" in thirty-six (36) inch** diameter, smoothed on the inside and built up with a heavy bed of excess mortar on the outside.

SECTION 120: FINAL INSPECTION CHECK LIST

A. Streets, Curbs, and Sidewalks:

2. All required monuments and front boundary **lines-pines line markers** installed.

C. Sewer System

5 Material testing results, lab reports, manufacturer's certificate, leakage test results for pipe and manholes, and **mandrel mandrel** deflection tests complete and on file.

E. As Built Plans

1. One set of mylars and two paper copies of plans showing all as built utilities, and water and sewer house connections must be submitted to the Village Engineer by the developer in accordance with Chapter 9. In addition, the developer shall provide to the Village the record drawings in an AutoCAD™ compatible electronic format; **as well as a complete set of the record drawings in PDF format.**

Patty Benoit

From: MAX HOLZMAN
Sent: Monday, August 15, 2016 4:41 PM
To: Patrick C. Scheidel
Cc: Patty Benoit
Subject: Vacant Essex Library Trustee position (letter of interest)

Good afternoon Pat,

Hi, my name is Max Holzman.

I would like to be considered for the vacant Library trustee position. I am an Essex Junction resident and am currently involved in the library with my two children (reading age). During the school year I run a Star Wars club after school program. I have been doing this for the past two years. Mary and Erna at the library were very intent on me applying for the position, and I mentioned I would find out more about the position. I have also spoken with Christine Packard and let her know I was interested. I will be attending the trustee meeting tomorrow night at the library. Thank you for your time and consideration.

Best,

Max Holzman

LIBRARY TRUSTEE

Mission/Purpose:

The individual, as part of the ten-member Library Board of Trustees, would be responsible for establishing policy for the operation of the library, development of long-range plans, evaluating library service, promoting library use throughout the Village, reporting to the Manager and Village Trustees on the status of the library and expenditure monies under the Board's management, and act in conformance with Vermont statutes. The Library is required to follow all financial and personnel policies adopted by the Village Trustees and actively participate in the evaluation, recruitment and selection of its director.

Five of the ten members are elected; five members are part of the permanent self-perpetuating Library Board which functions in accordance with the terms of the Brownell Trust Agreement dated May 25, 1925.

Preferred skills:

Any Village citizen interested in this position is encouraged to apply. Those with a background in budgeting, information technology, historic/cultural preservation, literacy, education, childhood development or library science may be particularly interested in applying. Specific skills are less important than general affection for the Brownell Library.

Requirements:

Library Trustees who are members of the elected board must be residents of the Village of Essex Junction.

Library Trustees must be able to attend meetings as scheduled, including occasional meetings with the Village Trustees, and library functions other than required meetings.

Length of term:

Five (5) years for the elected board.



Volunteer Opportunities

The Village of Essex Junction is seeking citizens interested in serving on the following boards and committees:

Brownell Library Board of Trustees

One term until the next Village election April 2017

Capital Program Review Committee

One three-year term through August 2019

Tree Advisory Committee

One three-year term through June 2019

A description of the individual committees and the duties associated with the position is available in the Municipal Manager's office.

Interested residents should send a letter to the Municipal Manager, 2 Lincoln Street, Essex Junction, VT 05452 or email admin@essexjunction.org. Questions regarding these positions may be directed to the Municipal Manager's office (878-6944).



Patrick Scheidel
Municipal Manager
PatS@essexjunction.org

2 Lincoln Street
Essex Junction, VT 05452
www.essexjunction.org

Office: (802) 878-6944
Fax: (802) 878-6946

MEMORANDUM

TO: Village Trustees
FROM: Pat Scheidel, Municipal Manager 
DATE: August 19, 2016
SUBJECT: Status of Recreation Governance Study Committee/Process and Timeline for Union Municipal District Vote

Issue

The issue is to update the Trustees on the process that the Recreation Governance Study Committee (RSGC) will be pursuing in the coming months and the statutory requirements for a Village-wide vote on a Union Municipal District (UMD).

Discussion

The August 10, 2016 minutes of the RGSC are attached. It indicates their current status and future timeline (see page 6.)

Also attached is a memo from Susan McNamara-Hill, Village HR Director/Clerk/Treasurer, which provides a summary of the statutory requirements to be met for a vote on December 13, 2016.

Cost

There is no cost associated with this issue.

Recommendation

The information is presented to facilitate discussion.

**RECREATION GOVERNANCE STUDY COMMITTEE
A.D. LAWTON SCHOOL
MINUTES OF MEETING
August 10, 2016**

MEMBERS PRESENT: Michael Smith [arrived 7:02 PM]; Raj Chawla, Jason DiRosa, Kim Maiberger, Erika Baldasaro, Max Levy, Betzi Bilodeau, Christine Packard, Lori Houghton.

MEMBERS ABSENT: Theresa Fletcher.

ADMINISTRATION: Ally Vile, Essex Parks & Rec, Brad Luck, EJRP.

OTHERS PRESENT: Paul Austin, George Tyler, Ed Stowe, Carl Potter, Doug Kemerer, Linda Myers, Ramona Sheppard, John Sheppard, Art Kilmen, Adriane Martin, Annie Cooper, Elaine Sopchak, Mike Plageman, Mary Reardon, Adam Sollace, Iris Banks, Pat Scheidel, Kathleen Hibbert, Glen Bostick, Wendy Li Johnson, Irene Wrenner, Sue Cook Hubie Norton, Don Maxon, Paula DeMichele, Bridget Meyer, Marla Durham, Dylan Giambatista, Andrew Bolduc.

1. CALL TO ORDER and AGENDA

Until the arrival of Chairman Michael Smith, Raj Chawla facilitated the meeting and called to order at 6:30 PM. Additions to the agenda included a summary of the presentation on the agreement and community feedback, and an excerpt from the 8/9/16 Board of Trustees draft minutes on the presentation on the rec district.

MOTION by Max Levy, SECOND by Jason DiRosa, to approve the agenda as amended. VOTING: unanimous (8-0)[Michael Smith not present for vote]; motion carried.

2. PUBLIC TO BE HEARD

Paula DeMichele, Essex, requested information on the status of the treasurer position for the proposed rec district with the treasurer reporting to the director, noting the committee is asking for exemption from Vermont state civil law. Having the treasurer independent is one of the main ways to deter fraud. Ms. DeMichele also asked for an explanation of other waivers being requested. Raj Chawla said the committee will be discussing these issues.

Carl Potter, Essex, asked if the committee members have changed. Raj Chawla said the committee is the same as was appointed.

Doug Kemerer, 6 Margaret Street, spoke in support of consolidation, but asked for an explanation of the rationale to create a separate bureaucracy with five people on a relatively small portion of town business, especially when a separate lawyer, treasurer, finance officer, and insurance would be needed when the municipality already has these functions in place. The town and village all want money so a decision will have to be

made. Raj Chawla said the committee has been discussing these issues for the past few months.

Ed Stowe, Birchwood Manor, asked for information on the committee. Raj Chawla explained the Rec Governance Study Committee was appointed by the Selectboard and Board of Trustees with members from the Trustees, Selectboard, Prudential Committee, and three citizens from the village and town to explore what to do with EJP which will no longer be under the school district due to the formation of the unified school district. Lori Houghton added with the Trustees consolidating services the town was brought into the discussion.

John Sheppard, Greenfield Road, Essex, objected to the validity of the committee which may not have been formed with the appropriate authorization. The committee seemed to start and run along its course. Mr. Sheppard reiterated he does not think the committee is valid and can set up another municipality. Andrew Bolduc, town attorney, said he was asked by the Municipal Manager to assist with legal questions and draft the agreement for the rec district. The question of whether the Selectboard was properly informed of duties and powers of the Rec Governance Study Committee was researched. Draft questions were presented to both municipalities for input on whether a union municipal (rec) district should be formed. The intent of the resolution is the committee puts forth the resolution with a recommendation and the Selectboard decides whether or not to fund the special vote. The Open Meeting Law will be further discussed at the meeting on August 18, 2016. The committee was a duly formed body that followed the letter of the law. George Tyler added the village rec department does not function like the town rec department. The village rec department operates on village municipal land, is governed by the village school board, and receives administrative services from the school supervisory union. The town rec department functions like traditional rec departments. The Rec Governance Study Committee was formed to determine how to synthesize the departments. The Prudential Committee governs the village rec department and had to be involved. More collaboration was needed than with typical consolidation of services. Lori Houghton pointed out the village votes separately for the village budget and rec budget.

Paul Austin, Essex, said the fix could be easier and cheaper than what is proposed. Taxpayers struggle with the school budget and the general budget, and now it will be further complicated by having another district with powers that are scary and can get out of control. Sewer, water, plowing, maintenance are all big budget numbers. The Selectboard decides the priorities, but this will not happen with an independent rec district. The voters look to the Selectboard to advocate for the taxpayers as to what comes next. Taxpayers have not had a raise in five years so \$300 is a lot of money. The village has done a lot in the last few years. If townspeople use the facilities then they should be charged a fee.

Mary Reardon, Essex, asked what happens if the vote for a separate district in December fails or is supported by only one of the municipalities. The rec department does not belong under the school district so there needs to be the option of being under the town or village municipality. Raj Chawla said both the town and village must vote affirmatively

for the rec district or EJRP remains with the Prudential Committee and the Prudential Committee will decide what will happen.

Irene Wrenner, Essex, urged using the proper terminology so people are not deceived and suggested instead of saying “UMD” (union municipal district) the name should be a special taxing district because that is what is proposed. The district is a big black hole both for taxing and oversight. Regarding the point system for admission, what to do to get into programs should be detailed and there should be equal access for all. Ms. Wrenner urged all to watch the Channel 17 tape of the 2/16/16 meeting where she asked why the committee was being called a “survey committee” and did not get an answer. The proposal needs to be compared to other options and to consolidating the rec department under the town which everyone is expecting. Brad Luck pointed out per the 2/16/16 minutes there was a memo from him regarding union municipal districts. Lori Houghton added the committee reviewed seven options before deciding on the rec district option.

Annie Cooper, Essex Junction, said she has watched the meeting tape and read all the information, and is still very excited with the collaboration. A large portion of the community not present at the meeting feels the same. People who are not informed on the rec district are urged to get informed.

Leona Sheppard, Essex, said the nomenclature is an issue because the function is to tax the residents unlike other districts in the county that issue an assessment to the town that becomes part of the municipal budget. Because the rec district will be directly taxing people it is accurate to call it a taxing district.

Carl Potter, Tanglewood Drive, asked when the vote will be held on the proposed budget. Raj Chawla answered in April 2017 on the same day as the vote on the school budget.

Doug Kemerer, Margaret Street, spoke in support of taking the rec department out of the school budget, but noted the parks belong to the town and village and both are running rec programs so the matter seems complicated.

Marla Durham, Essex Junction, said she has served on the Prudential Committee for over 20 years and is now on the new unified school district board. Ms. Durham said the rec budget in Essex Junction has always been voted separately from the school budget. The school never backed the rec budget with funding. Over \$300,000 in administrative costs is paid by EJRP to the school district.

A gentleman in the audience said putting parks and rec either under the Selectboard or Board of Trustees eliminates all the confusion. The village has two votes and the town has one vote. If the intent is to determine the wishes of the village residents versus those who live outside the village then the vote should be by people in the village and a vote taken by people in the town. Andrew Bolduc explained according to the Secretary of State’s Office village residents are members and taxpayers of two entities and vote as

both. If the village does not vote as a member of the village and a member of the town the results could be contested.

Max Levy, speaking as a member of the public and not as a member of the Selectboard or of the Rec Governance Study Committee, said all citizens including every Selectboard member have a right to free speech, but because elected officials' words carry more weight in the public arena they have an added responsibility to speak truthfully and accurately, and must ensure that their words do not misinform people and either deliberately or accidentally confuse the public debate. Every effort in particular should be made to respect the work of private citizens they appoint to special committees. Recently a pamphlet was distributed by a member of the Selectboard which represents only that member's opinions and is not the position of the entire Selectboard. The information in the pamphlet disparages the work of the Rec Governance Study Committee, a committee appointed and approved by all five members of the Selectboard. With inaccuracies and omissions of important facts, the pamphlet appears to deliberately misrepresent the committee's work and recommendations. As an example, the author of the pamphlet knows no branch of local government can predict today what the budget will be next year, but the pamphlet implies the Rec Governance Study Committee should have produced such a budget now. Readers could be left with the false impression the committee is deliberately withholding information. In addition to the task of accurately informing the voters of its findings and recommendations the committee now has the added burden of refuting misinformation included in the pamphlet. Collaboration between the elected boards (Selectboard, Board of Trustees, school boards) requires thoughtful, respectful dialogue especially when there is disagreement or differing perspectives. Inflammatory or misleading rhetoric poisons the atmosphere. Going forward it is hoped Essex residents will look to the committee's communication team for accurate information on the subject.

A gentleman in the audience opined the handout (pamphlet) was not inflammatory.

3. APPROVAL OF MINUTES

August 4, 2016

MOTION by Lori Houghton, SECOND by Kim Maiberger, to approve the minutes of August 4, 2016 as presented. VOTING: unanimous (9-0); motion carried.

4. DISCUSS FEEDBACK ON AGREEMENT/AMEND & ADOPT AGREEMENT

Suggested edits to the agreement based on the feedback from the last meeting were reviewed. There were discussions of the following:

- Continuing to have a voting member from the Selectboard and Board of Trustees on the board rather than ex officio members - It was noted continuing to have representatives from the Selectboard and Trustees could dilute the board because there would be only three community members. Having ex officio members will provide the liaison to the respective elected boards. There was comment on having checks and balances in place and elected and appointed boards in the county.

- Increasing the timeframe from three years to five or more years from the formation of the district before dissolution is possible to allow the new entity time to get settled and work out issues - Andrew Bolduc advised dissolution can occur prior to three years provided the additional threshold of an affirmative vote representing a majority of votes of all Members and an affirmative vote by the elected boards is met. The statute says each union municipal agreement has to include conditions and procedure for withdrawing. Statute also discusses no less than a one year timeframe. Comments on this item in the agreement are anticipated from the Attorney General. If a Member withdraws from the rec district there are stipulations to pay debts and liabilities by that Member. Dissolution applies to the entire district. There was mention of including language allowing a petition of 5% of the voters to dissolve the district. The language is similar to the petition for amendment of the agreement. Chapter 17 of state statute allows for a petition. A charter or a legislative act could disallow a petition. Any lending institution issuing a loan would want to see stability in the entity.
- Adding language to the agreement to allow a petition of 5% of the voters to request withdraw from the district after a certain time period and after bonds are paid - Andrew Bolduc noted withdraw of one municipality when there are only two municipalities in the district is not dissolution because the district itself is a municipality. A charter approved by the legislature would confirm this. The voters can approach their municipality to request a vote to withdraw.
- Bonding must have an affirmative vote by the board and the entire community - The town rec department does not have any outstanding bonds. EJRP is in Year 17 of a 20 year bond to be paid by Essex Junction taxpayers.
- What happens if the rec district budget is not passed by the voters - Brad Luck noted there is some guidance in state statute regarding public notice and public hearings after the vote, but this is not prescriptive. Erika Baldasaro said if the budget is not passed then the rec district would work off the previous budget and seek a revenue anticipation note. There was a comment on spending for education items and it was noted the budget for education is separate from the budget for recreation. Account records will be audited.
- Process to join the rec district is the same or more difficult than the process to withdraw from the district - Andrew Bolduc said the language in statute says voters can withdraw in no less than one year. There is also a provision for the municipality to withdraw. Feedback from the Attorney General is anticipated on this item in the agreement because statute always trumps the agreement because the agreement is not a charter.

After further discussion the following edits were made to the agreement:

- Rewrite Section 1-7 Composition to note that there shall be a Board of Directors consisting of five (5) directors. Each director shall be a resident of his or her municipality and registered to vote in municipal elections at the time of the director's election. At the expiration of the terms of the appointed directors as defined in Section 1-8(b) of the agreement there shall be one additional "ex official" non-voting director from the Selectboard and Board of Trustees

respectively appointed according to each Member's method of making appointments.

- In Section 1-15 Executive Director of Parks and Recreation add that the executive director shall not be a member of the board and replace the duration not to exceed 10 years and threshold of \$25,000 for lease agreements, contracts and purchase orders with approval by the board. Delete the subsection regarding the executive director entering into employment contracts. Transfer subsections (e), (f), (g), (h), and (i) relative to finances to Section 1-17 Treasurer.
- In Section 1-17 Treasurer add the text from Section 1-15 (e)(f)(g)(h)(i) relative financial functions of the rec district.
- In Section 1-39 Withdrawal of a Municipality note that five (5) years will be the threshold before a Member can withdraw from the district. The voters can ask their municipality to withdraw from the district.
- In Section 1-41 Dissolution of the District note that five (5) years will be the threshold before the district can be dissolved and add language that will allow the voters to petition to dissolve the district after five years.

MOTION by Jason DiRosa, SECOND by Raj Chawla, to accept the Essex Community Parks & Rec Agreement with the amendments incorporated and forward the document to the Attorney General for review/acceptance. VOTING: unanimous (9-0); motion carried.

5. TIMELINE REVIEW

The following was noted:

- Transition team begins to prepare operational details on August 11, 2016.
- The communications committee will discuss best ways to communicate and connect with the public. Information will be posted on a dedicated website.
- The full committee cannot dissolve until the Attorney General accepts the agreement.

6. PUBLIC INFORMATION WORK

Other people can join the communications committee to help inform and educate the public. Subcommittees can be formed with more focused targets. The rec and parks brochure contains a summary of what the committee has accomplished to date. School Friday folders will include information on the rec district. Presentations/information can be provided to the Rotary, Senior Center, PTOs, and at the voting polls. Six potential dates for public forums where free childcare will be offered include:

- September 28, 2016 (in the town)
- September 29, 2016 (in the village)
- October 13, 2016
- October 18, 2016 (in the village)
- November 16, 2016
- December 6, 2016

Locations will be divided between the town and village.

Next meeting for in-depth discussion of communications strategy is 8/16/16 at 7 PM.
Location to be determined.

7. ADJOURNMENT

With no further business and without objection the meeting was adjourned at 9:43 PM.

RScty: MERiordan

Transition Team Tasks

To be sorted out by 9/28

Recreation Departments/District

- Capital budget
 - Use historic & future numbers for Town
 - FY18 for District
 - Beyond FY18
- Operating budgets
 - Build FY18 budgets separately
 - Build FY18 budget for District
 - Calculate FY18 tax implications
- Payroll
 - School, Town, District, outsource?
 - Web based time entry
- Finance
 - Finance software
 - Audit firm/estimate
 - Reporting & other functions currently provided by school/municipality that will need to be done by District
- HR
 - Leave tracking
 - Health benefits
 - Provider
 - Emper/empee contributions
 - Dental benefits
 - Provider
 - Emper/empee contributions
 - Retirement benefits
 - Provider
 - Emper/empee contributions
 - Other benefits
 - Life insurance
 - Disability
 - Optical
 - Fitness
 - Tuition reimbursement
- IT
 - Phones
 - Internet/network
 - Software
 - Other licenses
 - Hardware compatibility
 - Servers/behind the scenes
 - Support & maintenance
 - Schools, municipality, District, outsource?
 - Copier service contract
 - Fire/burglar alarms
 - Cameras
- Legal
 - Annual allocation in budget
 - Firm
- Insurances
 - Worker's Comp
 - Provider
 - Quote(s)
 - Liability & Property
 - Provider
 - Quote(s)
 - Public Officials
 - Provider
 - Quote(s)
- Maintenance
 - Plowing & salting
 - Office space configuration and costs
 - Allowances for:
 - Electrical
 - Plumbing
 - HVAC
 - Fuel
 - CSWD
 - Garbage contract

April Budget Vote Process & Future Elections

- Who runs those polls?
- Need for MOU?

Schools

- Facility use policy (UU)
- Childcare (UU)
- Shared staffing (UU)
 - Draft contract
- Grounds maintenance (Town)
- Park Street School lease (PC)
- Transfer of parks & rec equipment? (PC)
- Transfers of assets/fund balance/capital accounts (PC)
- Bond payments

Town Government

- December 13 Election
 - Petitions & ballots
 - Clarify with Andrew on ballots plan
- MOU with Town
 - Clerk
 - Elections
 - Tax collection
- Lease of Town parks & facilities – evergreen with annual joint meeting and future consideration of conveyance?
- Clarification of future grounds maintenance responsibilities
- Process for request to use parks & recreation related capital monies
- Transfer of parks & rec equipment
- Space audit – what will become of recreation offices if vacated at 81 Main Street?
- Other items previously in Town budget that should move to District?

Village Government

- Lease of Village parks – evergreen with annual joint meeting and future consideration of conveyance?
- Phasing of taxes
- Bond payments
- Other items previously in Village budget that should move to District?



MEMORANDUM

TO: Pat Scheidel, Municipal Manager
FROM: Susan McNamara-Hill, HR Director/Clerk/Treasurer *SMH*
DATE: August 23, 2016
SUBJECT: Union Municipal Districts (UMD)

For your information, this memo provides (1) a summary of the statutory requirement for forming a Union Municipal District (UMD) and (2) the dates to be met for a vote on December 13, 2016.

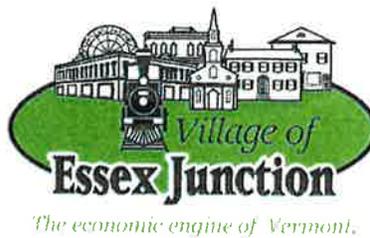
(1) From V.S.A. 24, Chapter 121:

- Joint municipal survey committee approves creation of the UMD and prepares an agreement. The agreement is filed with the legislative body, planning commission and clerk of each participating municipality (§4861).
- The agreement must contain (§4862):
 - Duration (if to be limited in time)
 - Organization, composition, nature of separate legal or administrative entity to be created, with powers delegated
 - Purposes
 - How officers will be elected and their powers and duties
 - How the budget will be established and financing; and method for assessing member municipalities/taxpayers for the expenses of the district
 - How to terminate the agreement and dispose of property
 - How agreement can be amended
 - Procedure for municipality to withdrawal or join UMD
 - "Any other necessary and proper matters"
- Approval ((§4863):
 - Annual or Special meeting of municipalities "duly warned"
 - Ballot read "Shall the _____ enter into an agreement for the formation of a union municipal district to be known as "_____".
 - Voting by Australian ballot, same day in each municipality

(2) Based on Requirements of V.S.A. 17 Chapters 55:

- November 7th – nominating petitions due (6th Monday before election)
- November 7th – Selectboard adopt and sign Warning
- November 8th – Trustees adopt and sign Warning
- 11/3/16-11/13/16 – Warning to be posted in 2 public places, in clerks' offices and on website.
- November 23rd – Early/Absentee ballots to be available
- December 1st – Warnings to be published in Essex Reporter (at least 5 days before vote)
- December 7th – Last day to register to vote for this election
- December 13th – voting 7:00 a.m. to 7:00 p.m.

Union municipal district



MEMORANDUM

TO: Village Trustees
FROM: Pat Scheidel, Municipal Manager *PS*
DATE: August 19, 2016
SUBJECT: RGSC Request for Staff Support

Issue

The issue is whether or not the Trustees support the Manager's utilization of personnel to research and provide data to the Recreation Governance Study Committee's (RGSC) transition project currently underway.

Discussion

The RGSC requested through Brad Luck that the Municipal Manager and School Superintendent commit staff time to assist in the development of revenues/expenses for the new parks and recreation district as well as information from other departments. Letters were transmitted back to the RGSC promising that staff support.

At the August 15th Selectboard meeting, the Municipal Manager's letter to the RGSC was raised by a Selectman and its intent was questioned. The Manager responded to the RGSC through Brad Luck offering Town employees/staff work was the intent.

Work has already commenced and it is my expectation that the Trustees concur in this support. Village employees are involved.

The residents of the community expect to be able to make an informed decision and have asked questions to this end. This work is required and necessary to answer residents' queries.

Cost

The cost is limited staff time by the Finance Director, Village Accountant and Village Clerk.

Recommendation

It is recommended that the Trustees state their support for the development of this data.



TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452
Fax: 878-1353 • E-mail: manager@essex.org • Website: www.essex.org

June 13, 2016

Dear Recreation Governance Study Committee:

Congratulations for all the work that has been done thus far. It has been impressive.

The Town of Essex is ready to support the transition of Essex Parks and Recreation to a new union municipal district and consolidation with Essex Junction Recreation and Parks. Our staff is prepared to share their time and expertise in order for this transition to take place on July 1, 2017. We will support the transition team and process in order to provide the community with a seamless conversion so that recreation programs and parks can continue to serve the community's needs.

Sincerely,

Patrick C. Scheidel
Municipal Manager

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
June 14, 2016**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Andrew Brown, Lori Houghton, Elaine Sopchak.
ADMINISTRATION: Pat Scheidel, Municipal Manager; Lauren Morrisseau, Finance Director/Assistant Manager.
OTHERS PRESENT: Rick Hamlin, Curt Carter.

[Note: Minutes reflect the order of the published agenda.]

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order at 6:30 PM and led the assemblage in the Pledge of Allegiance.

2. AGENDA CHANGES/APPROVAL

The following changes to the agenda were noted:

- Add to New Business – FYE17 Appointments
- Add to Old Business – Memo re: Pledge of Support for Transition of Rec Department to Union Municipal District
- Add to Manager's Report – Complaint for Ejectment

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to accept the agenda as amended. VOTING: unanimous (5-0); motion carried.

3. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda

Rick Hamlin announced the work on Briar Lane from lower Rosewood Lane to Rivendell will include replacing the water line, completely rebuilding the road (curb to curb), and redoing the sidewalk at a cost less than the original projection thanks to the diligence of the engineering staff in finding foam material at a lower cost.

Andrew Brown asked if the sidewalk will align with the streetlights. Rick Hamlin said the sidewalk is on the same side as the streetlights. The streetlights in the neighborhood are spaced at 300' apart. More light comes from porch lights on houses than the streetlights.

2. Public Hearing: FYE17 Water Rates

The public hearing was opened at 6:35 PM. Lauren Morrisseau reported the FYE17 water rate shows a 1% increase due to an increase in the operating budget of 4%, increase in the wholesale water rate, and increase in the Large Water User rate (GlobalFoundries). The cost will be \$.0157 per cubic foot or \$22.66 per quarter. The average water user will pay \$182.33 per year. The proposed Large Water User rate shows an increase of 6% due to the estimated cost of unaccounted water. The rate is \$.085/1,000 gallons. The Large

Lori Houghton reported the Recreation Governance Study Committee following much hard work, reaching out to the public and meeting with the school district voted unanimously to form a union municipal district that combines the two recreation departments (village and town) into its own municipality with its own budget and ability to bond. The presentation at the joint meeting on June 22, 2016 will be more detailed. The existing committee will create the bylaws for the union municipal district. The State Attorney General must approve the bylaws after which the committee can disband. Another committee will then be formed to do public outreach and education for the vote in November. There is a backup plan should the voters reject the union municipal district and that is recreation falls back under the Prudential Committee which determines what happens to the parks and recreation programs. Options include having recreation go under the new unified union school district which does not want the program or have recreation go under the village. The Prudential Committee could do a contract for Park Street School and the preschool program to say the preschool program must stay in the school or an agreement for the property must be found. Ms. Houghton said further conversation is needed to determine who will handle payroll, staffing, finance, and such for the new union municipal district. Actual services do not need to change. A committee will be formed including staff, the recreation directors from the village and town, and experts in various areas (HR, finance, and such).

George Tyler said the Trustees, Selectboard, and Prudential Committee have to put the union municipal district item on the ballot for November. If the community approves the district then there is less than a year to transition. Lori Houghton said there was discussion of the short time period for transition and the impact on staff so planning is beginning before November.

2. Update on Temporary Parking Facility at Five Corners/Handy Property

Thanks were extended to Lori Houghton who was instrumental in securing a grant for \$3,000 from the National Association of Realtors for the parking facility. Signs and a "little free library" will be included in the park layout.

5. NEW BUSINESS

1. Discuss Initiating Process for Loitering/Vagrancy Ordinance or Other Processes

Pat Scheidel reported the loitering ordinance is in process.

6. MUNICIPAL MANAGER'S REPORT

1. Meeting Schedule – Regular Trustees Meetings @ 6:30 PM

- June 28, 2016
- July 12, 2016
- July 26, 2016
- August 9, 2016
- August 23, 2016

*Special Events/Meetings

- July 16, 2016 @ 5 PM – Block Party & Street Dance
- July 21, 2016 @ 3 PM – Employee Appreciation Party



MEMORANDUM

TO: Village Trustees
FROM: Pat Scheidel, Municipal Manager
DATE: August 23, 2016
SUBJECT: Trustees Meeting Schedule

TRUSTEES MEETING SCHEDULE/EVENTS

September 13 at 6:30 – Regular Trustees Meeting

September 27 at 6:30 – Regular Trustees Meeting

October 5-6 – VLCT Town Fair at Champlain Valley Exposition

October 11 at 6:30 – Regular Trustees Meeting

October 25 at 6:30 – Regular Trustees Meeting

November 8 at 6:30 – Regular Trustees Meeting

- Adopt Warning for Special Village Meeting on Dec. 13 for UMD vote

November 22 at 6:30 – Regular Trustees Meeting

December 13, 7 AM to 7 PM – Special Village Meeting/Australian Ballot voting

**VILLAGE OF ESSEX JUNCTION
MINUTES OF BLOCK PARTY COMMITTEE MEETING
AUGUST 8, 2016**

PRESENT: Sam Jackson and Steve Gragg
ADMINISTRATION: Patty Benoit, Administrative Assistant; Darby Mayville,
Community Relations Assistant.

The meeting was called to order at 3:30 PM.

2016 Block Party Recap

Bridget Meyer emailed a list of her thoughts and suggestions. The committee thought the block party went very well this year, the weather cooperated and it was probably the biggest crowd ever. We didn't have to tow any cars so that was good. The photo booth that replaced the dunking booth was a big hit. The committee agreed that we should get a small bounce castle for little kids because it was not a good situation to have them in there with bigger kids.

Unlike previous block parties, there were problems with difficult people throughout the day and evening. There were drunken men and women behind an apartment building who gave staff a hard time during set up. It was agreed that next year we need to alert Essex Police earlier if necessary. A woman whose car was about to be towed off Railroad Ave. sped through the street and almost rammed the tow truck. Later during the block party, a woman gave one of our vendors an extremely difficult time when she was going to take a short break and it escalated into a bad scene so the police were called over. And the owner of the Roaming Railroad stopped the train once and made everyone get off because of their behavior.

The final most disturbing thing that happened was theft from Northern Lights Rock and Ice. They were charging people \$5 to use their climbing wall and had quite a bit of money in a bank bag, which someone stole. The Essex Police are investigating the theft and are seeking the camera footage from the Amtrak station, which is in the hands of New England Central Railroad. It appears to have been a group of teenagers and there were attempts to steal from other vendors too. We could not remember this ever happening at a previous block party and next year we will have to alert our vendors to be extremely careful with their money. The committee agreed it was a rougher crowd this year and a sign of the times we live in. And the block party is not just an Essex event because people come from all over the county now.

The committee discussed the EJRP 5K Night Run, going back to our original time frame of 4-9 PM for the block party and the night run can be held after the block party is over. The 5-10 PM time frame is too late for a lot of people.

The next meeting of the committee will be in January 2017. The meeting adjourned at 4:20 PM.

Respectfully submitted,
Patty Benoit

Staff and Director's Report July 2016

July started with the launch of the Brownell Library Satellite Library in the Kolvoord Community Room. It was a modest operation that disappointed a few, but was most **very received by avid library users who really appreciated that they still had access to library materials** and the library in some form during our renovation. Warm days found every seat taken up by people with laptops, or parents waiting for their kids participating in Summer Reading programs. There were some challenges with the cordless phone not working well, and laptops turned circulation stations working a bit more slowly because of the Wi-Fi connection, but **it mostly went very smoothly and staff was fantastic adapting to the different work environment and flow.** Because of the limited hours of the Satellite Library, and patrons not connecting with the information provided, there was a regular stream of patrons pulling on the Main door trying to get into the Library and this eventually led to them reading the signs and press release on the door explaining the renovation and Satellite Library operation and either moving on, or reporting to the Kolvoord Room door. The 2 way radios that had been purchased to help with staff communication for the renovation became an important component of managing the Satellite Library operation to try and find materials for patrons, or just track down staff in general in the various corners and closets they were working in.

During the 2 week Main Library building closure, **Susan P. led the way in emptying the storage closets on the Mezzanine and Lower levels** and finding many things that was of a condition or technology that was of no use to the Library. Volunteer Wayne generously made trips to the Restore and Transfer station to move things along that might be of use or curiosity to some other people. Staff and volunteers made many trips to the Village recycling dumpster and construction dumpster disposing of damaged and broken things. Wendy H and Hannah spent good time assisting Susan in the closet cleaning and organizing adventure and Erna helped consolidate Youth materials in the Book Sale Room closet so things would be more easy to find. **With the help of all staff, the storage closets are in much more clean, useable condition now!**

July brought the installation of the Youth Desk sign which had been delayed. Wendy H happily checked that installation completion of her to do list as coordinating with each vendor involved in the various aspects of our renovation has been time consuming. Thankfully all the efforts were worth the finished product in the end!

Wendy H worked with Chris and Dottie of the Foundation to **update the former Eternal Book Sale sign to a directional sign now mounted at the landing of the main stairwell** to help advise patrons what they will find on the lower levels of the Library.

Adult staff began reassembling the main circulation work area on July 8, working with the carpet contractors to return furniture to the original layout. Having a fresh slate to work with, and more storage space in the closets in the Library, there was a lot of thought into what supplies should go where and how to make the adult staff area less cluttered. Shelves have been labeled, office supplies are more organized and **staff is very excited about the new carpet, better organization and fresh look in the Library!**

Hannah began setting up the computers to discover every cable that had been connected to ports was moved and some parts of the network weren't working as they had been. After attempting to troubleshoot the network set up with Wendy H, which is complicated by a dual staff and public network, and some staff computers being connected to both networks to manage the public computers, Hannah called in All Systems Repair, our computer support vendor, to sort out the issues. It took several hours to sort out, but the ports are better labeled now! **Hannah has been exceptional in moving so many computers around the Library to allow**

staff to continue work during the renovation, and get staff and public computers back online for the Library's re-opening.

Wendy H and Susan visited the WB Mason Whatabargain warehouse in S. Burlington in search of used desks for some staff that would be more ergonomic for the work they do. **Several Brownell staff desks are decades old and not designed for computer work.** Also, during the move of furniture, the old desk that Circulation Librarian Alison used just fell apart and it made its way to the construction dumpster with the help of the carpet contractors. **Wendy and Susan did not find any desk solutions at the warehouse, but learned it was a great resource to check for office furniture as their inventory changed regularly.** As an interim measure, Alison is using the very heavy old metal desk that was in Wendy H's office until a better solution can be found. Not ideal, but at least the old desk won't collapse on Alison while she's working!

The Library reopened with full service on July 20 with a few outstanding issues to address with the carpet installation, particularly in the vestibules with the brush mat installation. Our carpet vendor **Future Floors was great to work with and came back promptly several times to adjust some of the installation and trim** and after the last visit on July 28, Wendy H was satisfied they had addressed the issues brought to their attention and the renovation work was officially completed.

Other Building Goings On

While setting up the Adult office area, it was **discovered that that phone lines at Susan and Alison's desk no longer worked.** Wendy H was able to run a phone line from a different part of the wall to Alison's desk for her phone, and Susan is using the cordless phone until the new phone system is acquired and the ports can be tended to.

After seeing a post from the Stowe Library about a DVD spinner rack they were selling at a low price, Alison coordinated the purchase of the spinner which was picked up and transported by volunteer Wayne. Wayne did some repairs and it is now located next the Adult DVDs and it houses the newest DVDs for better patron browsing and creating more space to grow the collection.

On July 25, Wendy H got a call from Rick Garey of the Essex Police inquiring about **installing a public AED that had been acquired for the Library. Wendy had not been aware of this town-wide effort organized by the Essex Police to get these public AEDs installed so they would be available to anyone in an emergency, but was in support of this safety measure.** The AED cabinet was installed by Essex Junction Public Works (EJPW) in the main vestibule. Wendy later got a call from the Finance Office about what part of the Library budget the nearly \$1500 AED bill should be applied to which came as a surprise. Further questioning from Wendy only brought out the information that it was required and someone probably forgot to mention it earlier. After speaking with Patty in the Village Office, who was also surprised by the bill for the Lincoln Hall public AED, **Wendy learned the roll out of this public AED installation had not involved consulting with other Village departments that would house the AEDs.** After touching base with the Village Manager, Wendy learned that the decision to pursue installing the AEDs came after the budgets were set and he agreed it probably could have been handled better. Rick Gary called Wendy to apologize for the confusion and also had concerns about how the AEDs would be paid for and had been informed it would be taken care of. **Brownell Library now has a public AED that will talk through the process of using it to anyone that opens it and presses the Start button, and the capital outlay budget line item will reflect this unplanned for expense.**

To thank EJPW for they above and beyond help this year between the February gutter flood and spring renovation, Wendy H consulted with EJPW Superintendent Rick Jones of possibly getting his guys lunch. Wendy and Alison picked up soda, pizza and wings on July 29 and delivered it for their noontime lunch break.

Meetings and Other

Wendy H had a phone meeting with Amy Cunningham of the Vermont Humanities Council who attended the Green Mountain Library Consortium (GMLC) ListenUp Vt (LUV) session at the Vermont Library Conference that Wendy was on the panel for. **Amy was interested in learning more about the possibility of including downloadable ebooks and audiobooks in the LUV collection for the upcoming Vermont Community Read.**

Wendy gave Amy more information on how the LUV collection was managed with the Overdrive service and how she might be able to speak with the publisher to acquire ebook and audiobook licenses when she negotiates the bulk purchase of the books.

In anticipation of new libraries joining the GMLC delivery system, Wendy visited the Green Mountain Messenger warehouse to touch base on details with the owner of Green Mountain Messenger, and check out the new configuration of sorting bins – an impressive sight! The Vermont Department of Libraries continues to talk about taking over the management of the service in January which would be great news as delivery services are normally managed by state library staff in other states.

All staff met on July 7 for a Team Building to discuss FY17 Action Steps. Due to programming and satellite library time constraints, there was a follow up meeting to finish the discussion on July 12. Staff is interested in circulation some non-traditional items that could be a great community resource and align well with the Strategic Plan categories. Wendy also introduced the idea of having a future team building workshop with the Peace and Justice Center staff related to the Building Empathy series they offered at Brownell. There was strong interest in pursuing some sort of empathy training to be better able to provide service to the different populations that frequent Brownell. Wendy has been in touch with the Peace and Justice Center staff to coordinate that training.

The Essex Reporter contacted Wendy H about what are the top books people are reading at Brownell in their effort to offer updated articles for the 35th anniversary edition that came out in July, as the first Essex Reporter listed the top reads at Brownell at the time. Alison created a list of Fiction and Non-Fiction books as well as top Audiovisual material requested and circulated at Brownell and this was sent along and appeared in their special edition newspaper.

Wendy H and Alison attended the VOKAL Quarterly meeting in Hinesburg on July 22.

The co-owner of VOKAL Koha system support vendor Bywater Solutions contacted the VOKAL Executive Board that Wendy H is a part of to **find out if a visit from the librarian whose library was the first to use the Koha system where it was developed in New Zealand could be coordinated.** The librarian, Jo Ransom, was **interested in meeting Koha using libraries in Vermont as VOKAL is one of the first consortiums in the US using Koha.** Wendy has worked with her to find accommodations at host librarian's homes during her 3-day visit as well as an itinerary that will include her attending the next VOKAL quarterly meeting **October 21 in Stowe where she will meet a number of VOKAL librarians as well as present on the Koha worldwide community.**

After learning from Viki that Essex Free was looking into the database version of the core collection tool that Brownell uses for collection development, **Wendy contacted Ann, the Director at Essex Free to find out if**

sharing the database was possible. Ann got pricing for joint use of the database for unlimited simultaneous users and **the contract will begin on August 1. Sharing this key tool instead of contracting separately saves both libraries funds.**

Youth Library

Special thanks to Staff, and Trustees Dottie, Penny, Erin and Sydney – plus a bunch of teen volunteers – for helping box up hundreds of books in the youth library, so the old carpet could be torn up. After the new carpet installation, Staff, plus Trustees Andy, Erin, Sheila and Beth – and more teen and adult volunteers – helped put all the books back in place on the shelves and into the bins. Thank you! We couldn't have done it without you!

As **Staff set up the Youth Library post-renovation**, they discarded unused items and found more efficient ways to arrange furnishings and supplies. The Book Return at the Youth Desk was shifted to the right, to ease crowding during checkouts.

We kept most of the summer events for kids and teens running this month, while managing the Youth Desk in the satellite library and handling the renovation project! Attendance at programs was down this year, due to limited hours and reduced space, and the hot weather outside under the tent. Many families stayed away during renovations. Once they returned, they were very pleased with the new carpet, signs and Picture Book Bins!

7/1 – Mary led an **All Ages Story Time**.

Fitness Fridays was our weekly outdoor recreation adventure. 7/1 - **Into the Wind** - Erna played Badminton, Beach Ball Hot Potato & Parachute outside. 7/8 - **Yoga** - Danielle Brown joined our team to lead Yoga Games at the Teen Center. 7/15 - **Relay Races** - Erna held fun Relay Races under the tent. 7/22 - **Sidewalk & Lawn Games** (Bocce & Beanbag Toss) on the front lawn with Mary. 7/29 - **Obstacle Course**, with timed results, on the side lawn with Mary.

7/1 - 5 Teens gathered for **Magic**.

7/5 – Erna set up the **Adopt-a-Pet** program, where children can sign out a stuffed animal for a week and write about their adventures in a log. 23 pets went home this month.

Mary and Erna took turns presenting **Booked for Lunch** on Tuesdays. Children ate their lunches, while we read stories. 7/5 - *The Giant Carrot* & more stories about growing food. 7/12 - *Little Eagle* & more unusual sports stories. 7/19 - *Becoming Babe Ruth* & more sports biographies. 7/26 - *The Great Fuzz Frenzy* & more animal sports stories. Small groups made this an intimate experience. During the renovation we met at the picnic table outside.

7/5, 7/12, 7/19, 7/26 - **Preschool Ballet with Melissa - Teen Volunteer Melissa Lefcourt** led four introductory classes for young ballerinas. 3 out of 4 sessions were under the hot tent! Mary K supported Melissa & kept the kids cooled off with water and spritzing.

Chess Club met the 4 Tuesdays in July with 2 to 4 kids and teens playing chess with 1 or 2 older teens. **Thank you to Erin** who was very helpful running this program.

Summer Story Times: 7/6 - Erna presented a **Sink or Float Story Time** for 4 children and their parents under the tent. 7/14 - Erna met under the tent for a **Baseball and other Sports Story Time**. She is encouraging families to make math problems part of their daily routine with the very young children. We use Bedtime Math. 7/21 - Stories about **Health and Fitness** with Bedtime math and building blocks. 7/28 - Children used narrative skills to acted out **The Tortoise and the Hare** with puppets. Some children came to all 4 story times!

Young Athletes - Maggie and a wonderful group of 7 dedicated Teens led this first-time collaboration with **Special Olympics Vermont**. 9 athletes participated. MKD and Erna alternated participating in the program. This program met 8 Thursdays spanning June into August.

7/8 - Matthew performed **Songs and Stories** under the tent.

Reading Buddies was postponed until after the library reopened. 7/20 - 4 kids came and 10 teen volunteers showed up! Fortunately, the extra teens were willing to help with unpacking books from the renovation. 7/27 - 12 kids attended this session with 9 teens volunteering to help. All went smoothly. Kids love having an older student take an interest in their reading!

Grow Yourself a Meal: 7/11 - Erna took kids and teens to the garden. With the help of 3 adult volunteers we made and ate salad with strawberry dressing and fresh-squeezed lemonade. 7/18 - Cancelled because of thunderstorms. 7/25 - Wendy J brought kids and teens to the garden to pick peas, kale and beets. The menu was a kale and pasta soup, and it was delicious!

7/20 - **Book to Movie** - Mary K. and ADL Librarian Caitlin Classen held interesting discussions with teens and adults, before and after the showing of **"42: The Jackie Robinson story."**

7/26 - Mary K led **Set Design for Page to Stage**, helping teens make giant crayons for the upcoming show.

7/22 - **Dungeons & Dragons** met, under the direction of Owen Zduich.

7/29 - **Marshmallow Roast and Lawn Games** - MKD and ED had fun lighting the charcoal grills and playing games with patrons and this community event. Teens helped kids play Hopscotch, Badminton, Beanbag Toss, Hula Hoop and more. Carol covered the Youth Desk.

Mary purchased new **Dorothy Canfield Fisher Books for 16-17**, now with "Dorothy's List" spine labels and new call number location "DL." Second copies were paid for by the Foundation. The books were processed with help from Nellie, and put out in the JF Area when we reopened.

Mother Goose Books are now on shelf next to the Rocking Chair to encourage reading to young children. The Call Number 398.8 ends with MG to reflect new location in Picture Book Room.

Lois Frivoll donated a Melissa & Doug **Doll House** and a **Tree House** for our new **Passive Play Area** in the **Picture Book Room**. Erna set up the tree house, but its moving parts did not hold up. The Doll House is much sturdier. Erna created a labeled storage bin for the small furniture pieces, to keep behind the desk for safety. Kids come to the desk to sign out the bin to play at the Doll House. They are loving it! So much research shows the benefits of creative play.

Mary K. spent the month soliciting prizes to thank our wonderful teens for their support this summer. Raffle prizes were donated by Skateland Vermont, Metro Rock Climbing Center, Essex Speedway, Essex Cinema, Essex Miniature Golf, Phoenix Books, Sweet Clover, Martone's and Rocky's Pizza—be sure to thank these businesses for helping us thank our teen volunteers.

Mary took a week off to spend with family.

June Youth Library Statistics:

- New Youth Patrons: 8
- Attendance at 35 Kids Programs: 195 Kids, 15 Teens, 107 Adults
- Attendance at 3 Teen Programs: 15 Teens, 0 Kids, 5 Adults
- Kolvoord Room: 7 Youth Programs, 60 People attending
- Youth Program Support: 20 Adult Hours, 111 Teen Hours
- Passive Programming: 5 Games, 21 Visits to Science Table (Fossils), 23 Pet Journals, 20 Visits to Tree House

ILL Statistics		July	
fiscal year	FY 16		FY 17
ILL Sent	138	-48%	72
ILL Requested	45	-36%	29
Holds	376	-16%	315

COURIER STATISTICS

JUL	FY 16
GMM SENT	72
USPS SENT	111
GMM REC'D	10
USPS REC'D	11

News from Tech Services

Not much got cataloged this month as we focused on cleaning and other projects during the renovation.

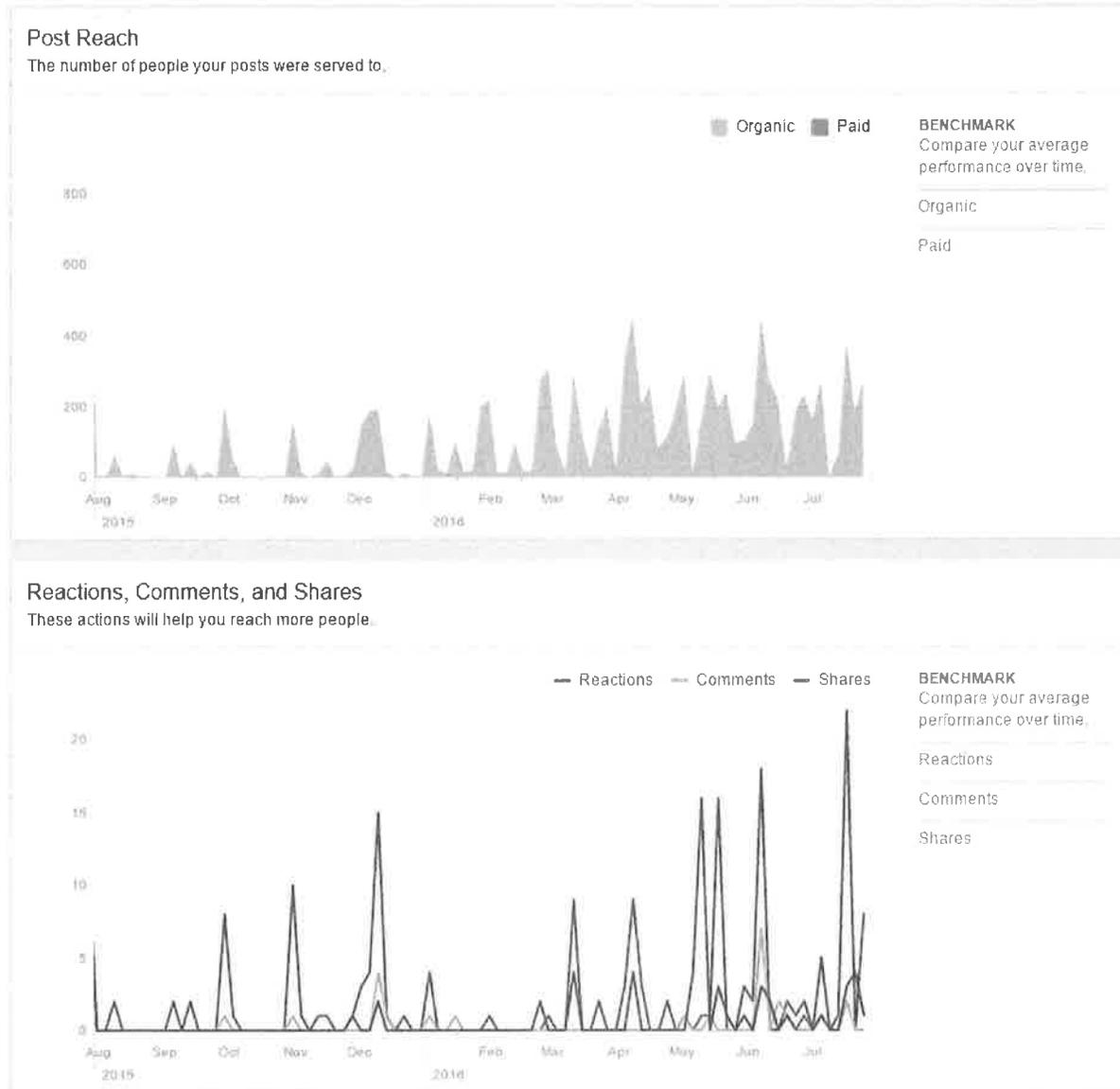
Hannah created a Google business account for the library. This gives us control over the google plus page for the library which is where google pulls information to prominently display at the top of searches for the library. The

Google plus page had had old hours listed so when people googled our hours google nicely displayed wrong hours. It is now corrected and we will have more control over this going forward.

Hannah weeded the graphic novel collection. There is now room for new graphic novel purchases.

The Library is a Pokestop in the game Pokémon Go. This required nothing of us as a library but people playing the game can come to the library and get items in the game when it registers that they are at our GPS location. We put out a Pokémon display to try and monopolize on people who may only be coming to the library to play the game.

We have been trying to better use Facebook to promote the library and its services. Posting more pictures and outside links on top of program reminders has seen an increase in our reach. We have scheduled out posts highlighting our databases and Universal Class for the next few months.



These graphics show our Facebook reach and interactions over the past year. We are more consistently reaching people, and also reaching more people over all.

Materials Added in the Adult and Juvenile collections this month:

Adult materials added, July: 144

Youth materials added, July: 96

Magazine issues added, July: 119

Total catalogued collection size July: 74859

Brownell Library Website monthly visitors:

Aug-2015	Visits	2707	Page Views	3335
Sep-2015	Visits	2463	Page Views	3164
Oct-2015	Visits	2370	Page Views	2939
Nov-2015	Visits	2452	Page Views	3722
Dec-2015	Visits	2262	Page Views	3341
Jan-2016	Visits	2507	Page Views	3947
Feb-2016	Visits	2349	Page Views	3751
Mar-2016	Visits	2241	Page Views	3425
April -2016	Visits	2287	Page Views	3616
May-2016	Visits	2202	Page Views	3445
June-2016	Visits	2184	Page Views	3898
July-2016	Visits	2057	Page Views	3214

RECEIVED

AUG 05 2016

Village of Essex Junction

July 30, 2016



*Serving and
Strengthening
Vermont Local
Governments*

Dear Vermont Local Official,

Town Fair 2016 will take place on Wednesday and Thursday, October 5 and 6, at the Champlain Valley Exposition Center in Essex Junction, Vermont. This year we have made several important changes to benefit attendees like you. See the highlights below and the agenda contained in this packet to learn more. Plus, visit our website, www.vlct.org, for the most up-to-date details and to register.

Town Fair 2016 Highlights:

New expanded schedule – attend one or both days. Town Fair 2016 will begin at 2:00 on Wednesday, October 5, with the VLCT Annual Meeting and public policy adoption. A reception in the exhibit hall will immediately follow the meeting. It is **free** to attend on Wednesday. Thursday's program features a morning welcome and keynote address along with an increased line-up of training sessions.

Town Fair 2016 has something for everyone. VLCT continually strives to create a Town Fair program that addresses the broad spectrum of work you do. This year we've added additional training session time so that you can make the most out of your day. We also partnered with the Vermont Clerks' and Treasurers' Association and the Vermont Assessors and Listers Association to add several training sessions that are tailored to the needs of their members.

The Robert E. Miller Expo Centre. VLCT continues to alternate the location of Town Fair every other year to give our northern and southern members equal opportunity to attend. This year we return to the picturesque Village of Essex Junction in Chittenden County.

Early bird registration. Save \$10 on your registration if we receive it by **Friday, September, 16, 2016**. Individuals registering after Wednesday, September 28, should plan to register at the door.

If you have any questions, please call our offices at 800-649-7915 or email info@vlct.org. The most up-to-date information on the Town Fair schedule, speakers, training, and exhibitors can always be found on our website, www.vlct.org.

We look forward to seeing you at Town Fair!

Sincerely,

Maura Carroll, Executive Director

Lisa Goodell, Conference Coordinator

Sponsor of:

VLCT Employment
Resource and Benefits
Trust, Inc.

VLCT Municipal
Assistance Center

VLCT Property and
Casualty Intermunicipal
Fund, Inc.



Vermont League of Cities & Towns
TOWNFAIR2016

October 5-6, Champlain Valley Expo

Wednesday and Thursday, October 5-6, 2016
Robert E. Miller Expo Centre
Champlain Valley Fairgrounds, Essex Junction, Vermont

Co-sponsored by:
VLCT PACIF and VERB Trust

**NEW! TOWN FAIR 2016 IS A TWO-DAY EVENT, INCLUDING:
A WEDNESDAY EVENING RECEPTION, MORE EXHIBIT OPTIONS, AND A NEWLY DESIGNED EXHIBIT AREA!**



NEW EXPANDED SCHEDULE

Town Fair Begins Wednesday, October 5!

**THE WEDNESDAY PORTION OF TOWN FAIR IS FREE TO ATTEND.
YOU MUST STILL REGISTER ONLINE.**

VLCT Annual Meeting and Adoption of the 2017 Municipal Policy 2:00-4:00 p.m.

VLCT's municipal legislative policy will be discussed and adopted by the membership. We urge one voting delegate per member city or town to participate. All members are welcome to attend and speak; non-members may observe and speak when recognized by the group in accordance with VLCT bylaws. The voting delegate form is available to download on the VLCT website www.vlct.org.

Reception in Exhibit Hall 4:00-7:00 p.m.

Immediately following the VLCT Annual Meeting attendees can mingle with colleagues and exhibitors in the Exhibit Hall. View the exhibits and gather a few giveaways before the rush of people on Thursday. Refreshments and a cash bar will be available.



TOWN FAIR AGENDA

The following schedule was created in July and is subject to change. For the most up-to-date information on workshops, please visit our website, www.vlct.org.

WEDNESDAY, OCTOBER 5

- 2:00-4:00** **VLCT Annual Meeting and Adoption of the 2017 Municipal Policy**
Location: Champlain Valley Exposition, Expo North Rooms A and B
VLCT's municipal legislative policy will be discussed and adopted by the membership. We urge one voting delegate per member city or town to participate. All members are welcome to attend and speak; non-members may observe and speak when recognized by the group in accordance with VLCT bylaws. *This portion of Town Fair is free to attend.*
- 4:00-7:00** **Reception in Exhibit Hall**
Immediately following the VLCT Annual Meeting, attendees will be able to mingle with colleagues and exhibitors in the Exhibit Hall. View the exhibits and gather a few giveaways before the rush of people on Thursday. Refreshments and a cash bar will be available. *This portion of Town Fair is free to attend.*

THURSDAY, OCTOBER 6

- 8:00-11:00** **Registration**
- 8:00-11:00** **Meet and Greet at the Conversation Café**
Enjoy a continental breakfast sponsored by People's United Bank.
- 9:00-3:30** **Visit the Exhibit Hall**
- 8:30-9:15** **Opening and Keynote Address**
Keynote speaker Clarence Anthony, Executive Director and CEO of the National League of Cities, will welcome attendees to Town Fair and compare the differences and similarities that exist among local governments around the country, as well as the daily challenges they face. He will also illustrate how local officials are critical to the mission and function of our cities and towns and to the smooth operation of other levels of government.

MORNING CONCURRENT SESSIONS (9:30 A.M. START)

- 9:30-10:15** **Managing Conflicts of Interest**
Conflicts of interest – either real or perceived – are inevitable, especially in small towns. To help elected and appointed municipal officials manage these conflicts, VLCT's Municipal Assistance Center developed a Model Conflict of Interest Policy. In this session, we will summarize the model policy and touch upon the legalities and best practices for managing conflicts of interest when they arise.
Speaker: Carl Andeer, Staff Attorney I, VLCT Municipal Assistance Center
- Maneuvering Medicare**
Learn how to maneuver the complex world of Medicare and what steps you must take when employees or retirees become eligible for Medicare. Our presenter will thoroughly explain the three basic parts of Medicare – A, B, and D – and highlight what options are available in the group and individual markets.
Speaker: Teri Martineau, Exchange Consultant, Blue Cross Blue Shield of Vermont
- VOSHA Inspection Process Overview**
In this session, we will outline how the Vermont Occupational Safety and Health Administration (VOSHA) conducts its compliance programming. In particular, we will cover inspection scheduling and priorities, what employers need to do to prepare for an inspection, the inspection process itself, including open and closing conferences, and the informal post-inspection conference. We will also review violations common to municipalities, new and pending regulations, and answer attendee questions.
Speaker: Dan Whipple, Project Manager, and Les Burns, Chief Compliance Officer, VOSHA (Continued on next page)

TOWN FAIR AGENDA CONTINUED

The Inter-office Work Relationship – Friend or Foe?

Representatives of the Vermont Assessors and Listers Association and the Vermont Municipal Clerks' and Treasurers' Association will talk about the day-to-day cooperation that is necessary between the various municipal departments to accomplish typical Town Hall duties. Conflicts as well as cooperative actions will be discussed and audience participation will be encouraged.

Speaker: TBD

9:30-10:30

Advancing Wellbeing in 21st Century Policing

Join this workshop to learn about the critical role of specialized support in maximizing law officers' daily readiness for duty as well as ensuring their long-term health. We will address various aspects of trauma in policing, its toll on officers and their families, and optimal ways to raise the wellness and safety quotient in policing as it relates to Pillar Six in the "President's Task Force on 21st Century Policing." What steps can officers take to prepare for exposure to trauma? Are there procedures that can help minimize the impact of this exposure after the fact? We'll discuss innovative programs that incorporate the steps that are being adopted by both various police departments and the Department of Defense.

Speakers: Dr. Thomas Powell, Licensed Psychologist-Doctorate, and Dr. Victoria Marini, Associate Forensic Psychologist, Vermont Forensic Assessment

Long-term Financing of Statewide Water Quality Improvements

This year, the Vermont Department of Environmental Conservation co-hosted six stakeholder meetings to help write a legislative report on the long-term financing of statewide water quality improvements. The Vermont Clean Water Act of 2015 (Act 64) established a Clean Water Fund to pay for actions that reduce water pollution. In this session, our panel will discuss potential revenue sources suggested during the stakeholder meetings.

Speakers: Alyssa Schuren, Commissioner, Vermont Department of Environmental Conservation; Michael Clasen, Deputy Treasurer, Office of the State Treasurer; and Andrew Stein, Economist, Vermont Department of Taxes

MORNING CONCURRENT SESSIONS (11:00/11:15 A.M. START)

11:00-12:00 VLCT PACIF and VERB Trust Annual Meeting

Learn about the performance of PACIF and VERB over the last year, elect new officers, and review financial reports.

Notary Public Best Practices and Possible Changes in 2017

In this session, we will review the notary laws and best practices embraced by responsible Vermont notaries public. We will also discuss the legislative amendments to the notary law proposed last session and what the legislature will likely consider next year as it tries to update the antiquated laws that were written more than a hundred years ago.

Speakers (invited): Chris Winters, Deputy Secretary of State; Tanya Marshall, State Archivist; Jenny Prosser, Executive Assistant, Vermont Secretary of State's Office

What Does the Market Say?

Representatives of the Vermont Assessors and Listers Association will examine the relevance of property sales in maintaining the Grand List and review the how's, what's, and why's of the sales market data, and how it can lead to valuation development or reappraisal. They will also discuss how to utilize the Common Level of Appraisal (CLA) as well as Coefficient of Dispersion (COD) as found on the yearly equalization study.

Speakers: TBD

Police Chiefs Annual Meeting

11:15-12:00 Models of Inter-Municipal Collaboration for Public Safety

This presentation will focus on the Central Vermont Public Safety Authority, a new union municipal corporation chartered by the Vermont General Assembly in 2014 for the purpose of providing an affordable, integrated, and efficient system of public safety services (fire, police, ambulance, dispatch) to member towns. Additional approaches to the concept of regional policing will also be discussed.

Speaker: Francis (Paco) Aumand III, Executive Director, Central Vermont Public Safety Authority (Continued on next page)

TOWN FAIR AGENDA CONTINUED

PFOA Contamination Status Report

Earlier this year, the Vermont Department of Environmental Conservation (DEC) discovered perfluorooctanoic acid (PFOA) contamination in over 250 private drinking wells in Bennington and North Bennington. In this session, we will discuss the steps that DEC and the Vermont Department of Health have taken to ensure that residents have safe drinking water. We will also talk about what is being done to monitor the health of impacted families and what progress has been made in cleaning up the contamination. Because this is an evolving issue, our focus may expand to include additional communities that have also been contaminated by PFOA.

Speaker: Chuck Schwer, Director, Waste Management and Prevention Division, Department of Environmental Conservation

12:15-1:15 Annual Turkey Dinner

1:30 VLCT Grand Raffle Drawing and Dessert in the Conversation Café

PLEASE NOTE: The afternoon sessions follow a different format this year to enable attendees to go to more trainings than in the past. The short sets are scheduled from **2:00 to 2:45** and **3:00 to 3:45**. The long set takes place from **2:15 to 3:45** with no break.

AFTERNOON CONCURRENT SESSIONS

2:00-2:45 Short Set #1

How to Create Effective Job Descriptions, Part 1

In this session, our panel will discuss why carefully written job descriptions are important to municipalities and describe how they can affect legal, human resources, risk management, or insurance cost issues. Additionally, attendees will learn about the process of job analysis and gain practical tips for improving their town's job descriptions.

Speakers: Charles Alexander, Partner, Injury and Health Management Solutions, Inc.; Jill Muhr, Human Resources Consultant, and Fred Satink, Supervisor, Loss Control, VLCT; and an attorney TBD, McNeil, Leddy and Sheahan, PC

Open Meeting Law and Social Media

Is it possible for municipal officials to use group email without violating the Open Meeting Law? May selectboard members post to Front Porch Forum? Who should be able to post to the town's Facebook page? These questions and more will be addressed in this session about the use of social media within the legal constraints imposed by Vermont's Open Meeting Law.

Speaker: Sarah Jarvis, Staff Attorney II, VLCT Municipal Assistance Center

The Importance of the Grand List

Representatives of the Vermont Assessors and Listers Association will examine the multiple components of the Grand List and how they affect the final Municipal and Education Grand List Values. Learn how property values are developed and witness the effects that veterans' exemptions, contracts, current use, and special exemptions have on the bottom line. We will also examine Form 411, the abstract of the Grand List.

Speakers: TBD

Lobbying 101

In this session, VLCT's Advocacy team will unveil their new Effective Advocacy Guide, which explains how municipal officials can more effectively participate in the lawmaking process. They will also explain where to find news and information regarding legislative current events and how to speak to legislators in your community and in the State House. Also discussed will be VLCT's policy process, how you can best be a resource to your town, and how you can achieve the best outcomes for issues that affect your community.

Speakers: Gwynn Zakov, Municipal Policy Advocate, and Karen Horn, Director of Public Policy and Advocacy, VLCT

(Continued on next page)

TOWN FAIR AGENDA CONTINUED

2:15- 3:45

Long Set

Dealing with Difficult Conversations

Local elected and appointed officials and staff often face challenging situations that necessitate difficult conversations. However, positively managing and promoting discussion in conflict-driven situations can help promote engagement, understanding, and positive outcomes. In this session, our presenter – who has worked with Vermont municipalities to engage citizens in public dialogue and decision-making – will focus on the skills and strategies needed to manage difficult situations and keep relationships intact.

Speaker: Paula Cope, MEd, President and CEO, COP & Associates, Inc.

The Employee Garden Program: Employee Wellness and Green Thumbs at Work

Employee-maintained gardens are sprouting up across the country, including here in Vermont. Employers have found that these gardens not only allow workers to grow some of their own healthy food, but they can also reduce stress, build camaraderie, and foster the community mission of their organization. In this session, our speaker will discuss the Green Thumbs at Work Garden Grant program and offer other company-themed horticultural guidance.

Speaker: Charlie Nardozzi, Gardening Coach, Consultant, and Creator of GardeningwithCharlie.com

3:00-3:45

Short Set #2

How to Create Effective Job Descriptions, Part 2

Part two of this session will focus on the process of job analysis along with time for discussion and Q&A.

Speakers: See Short Set #1

Power Your Public Communications with Social Media

Social media is entering a second decade of use, yet it can be difficult to master. Where do you start? What and how should you post? Can you incorporate social media into your overall communications plan? In this workshop, you'll learn the answers to these questions, as well as find out how to better communicate with your constituents for a vibrant online and offline community. This fast-paced presentation will give you tools and tips that you can put into action today.

Sara Munro, Chief Collaboration Officer and Owner, Bay Haven Consulting

Public Records Policy

Are you the "custodian" of a public record? If so, then you're responsible for making a timely and effective response to a request to inspect and copy public records under Vermont's Public Records Act. In this session, we will review the Municipal Assistance Center's new Model Public Records Inspection, Copying, and Transmission Policy that can help municipal officials comply with the law.

Speaker: Garrett Baxter, Senior Staff Attorney, VLCT Municipal Assistance Center



TOWN FAIR LODGING AND INFORMATION SHEET



*Serving and
Strengthening
Vermont Local
Governments*

LODGING:

Contact these local hotels for overnight accommodations close to the event site. Please book early as this is Fall Foliage Season in Vermont and rooms will sell out quickly.

THE ESSEX

70 Essex Way, Essex
800-727-4295
www.vtculinaryresort.com

The Essex is located just five minutes from the Champlain Valley Expo and offers a restaurant and tavern perfect for relaxing and catching up with friends. You'll also enjoy free wireless internet, Green Mountain Coffee in the lobby and in your room, a full-service spa, and a brand new fitness center and indoor pool.

DOUBLETREE BY HILTON HOTEL BURLINGTON

Exit 14E off I-89
1117 Williston Road, S. Burlington
802-658-0250
www.doubletreehotelburlington.com

SHERATON BURLINGTON HOTEL AND CONFERENCE CENTER

Exit 14W off I-89
870 Williston Road, Burlington
802-865-6600
www.sheratonburlington.com

HOLIDAY INN BURLINGTON

Exit 14E off I-89
1068 Williston Road, S. Burlington
888-Holiday (465-4329)
www.holidayinn.com

LA QUINTA INN AND SUITES

Exit 14E off I-89
1285 Williston Road, S. Burlington
802-865-3400
www.LaQuinta.com

All rooms should be reserved directly with the above-mentioned facilities. Contact individual locations for current rates.

DIRECTIONS:

ROBERT E. MILLER EXPO CENTRE

Champlain Valley Fairgrounds
105 Pearl Street
Essex Junction, VT 05452
www.cvexpo.org

For complete directions, visit www.cvexpo.org/directions.html.

Travel I-89 to Exit 12, Williston. Follow Route 2A North 4.2 miles to Essex Five Corners. Turn left onto Route 15 West. Follow 1/2 mile until you see the Fairgrounds on the right. Enter through Gate B. Free parking on-site!

For more information on the Essex area and the surrounding communities, visit the Lake Champlain Regional Chamber of Commerce, 60 Main Street, Suite 100, Burlington, Vermont 05401, 802-863-3489, or www.vermont.org.

Should you have any additional questions, please contact Lisa Goodell, Conference Coordinator, at 802-229-9111 or lgoodell@vlct.org.

2 Lincoln Street
Essex Junction, VT 05452-3154
www.essexjunction.org



P: 802-878-6944
F: 802-878-6946

E: admin@essexjunction.org

August 15, 2016

Max Levy, Chair
Essex Selectboard
81 Main Street
Essex Junction, VT 05452

Dear Max:

On behalf of the Trustees I am writing to express our concern for the behavior of a Selectboard member towards the Recreation Governance Study Committee which the Selectboard and Trustees jointly appointed last February.

Although no RGSC recommendation was on a ballot on Tuesday, August 9, this Selectboard member stood outside the polls distributing pamphlets criticizing the RGSC's work despite the fact that the RGSC had not yet presented its recommendations to the Trustees and had not begun to organize all the data and findings accumulated after four months of meetings into a format suitable for public discussion.

Even more concerning was the decision to hand out condoms with the pamphlets. Despite intentions, one would expect a Selectboard member should have anticipated that this vulgar and very public gesture would most likely be understood as an expression of contempt for the RGSC's efforts, and might be offensive to voters, some of whom had brought children with them to the polls. We respectfully ask all members of your board to reflect on the message this sent to the RGSC volunteers who have donated many hours of time away from their families working on the task our two boards assigned them. What message does it send to the community about volunteering for public service?

None of the other joint Town-Village committees we've appointed – TGIA, EGG, Stormwater Committee, Police Facility Committee, etc. – have been subjected to this kind of public humiliation. None of those committees were criticized publicly before they could finish presenting their work to their appointing boards.

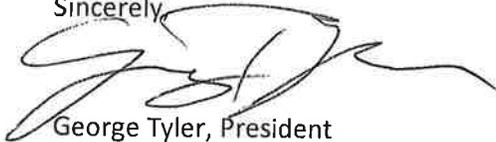
In the course of public dialogue a board member may believe they possess deeper insights and a more coherent grasp of the facts than others. They may feel justified making provocative gestures to have

Letter to Selectboard
August 15, 2016

their voices heard or send a message. But in this case the image of an elected Town official passing out condoms on school property obscures whatever message was trying to be sent.

We hope to put this unsettling incident behind us. An apology to the volunteers on the RGSC would help. Our boards have worked hard to build a new foundation of trust. Special committees we appoint to help us do our work must be respected, even when they reach conclusions with which some of us don't agree. There will be opportunities in the months ahead to engage in a spirited and informed public discussion about how to proceed with recreation governance. Then the wisdom of the voters will determine the outcome. Let's have faith in their judgment.

Sincerely

A handwritten signature in black ink, appearing to read "George Tyler", with a long, sweeping horizontal line extending to the right.

George Tyler, President
Essex Junction Trustees

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
August 9, 2016**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Andrew Brown, Lori Houghton [arrived 6:30 PM], Elaine Sopchak.
ADMINISTRATION: Pat Scheidel, Municipal Manager; Lauren Morrisseau, Finance Director/Assistant Manager.
OTHERS PRESENT: Steve Shaw, Dylan Giambatista, Chris Chiquoine, Max Levy, Ally Vile, Brad Luck, Lou Ann Pioli, Raj Chawla, Erika Baldasaro, Kim Maiberger, Brett Grabowski.

[Note: Minutes reflect the order of the published agenda.]

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order at 6:15 PM and led the assemblage in the Pledge of Allegiance.

2. EXECUTIVE SESSION: Personnel/Interview

Due to a lack of a quorum present Executive Session was not held. With the approval of the candidate the interview was conducted in open session. The Board interviewed Steven Shaw for a position on the Planning Commission.

3. AGENDA CHANGES/APPROVAL

The following change(s) to the agenda were noted:

- Add to Other Business – Information on the Rec District and Minutes from 2/16/16
- Add to Consent Agenda – Warrant #17005, dated 8/5/16

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to accept the agenda as amended. VOTING: unanimous (4-0) [Lori Houghton not present for vote]; motion carried.

4. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda

Chris Chiquoine, Prospect Street, voiced complaint about the loud, drunken party that was at the fairgrounds on Saturday, August 6th. The police were called. Mr. Chiquoine asked if the fairgrounds will be fined for being in violation of the noise agreement. Tim Shea was contacted and said he was sorry and next year they will apply for a waiver. Mr. Chiquoine said this is not acceptable.

Pat Scheidel confirmed CVE Director, Tim Shea, is aware of the matter. There were similar complaints from other village residents. When Robin Pierce returns from vacation he will follow up on the complaints. The charge would likely be disturbance of the peace

because the event was not monitored for noise. Staff will let the Trustees and Mr. Chiquoine know of the outcome.

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to amend the agenda to advance appointment to the Planning Commission prior to the Rec District agreement. VOTING: unanimous (5-0); motion carried.

2. Draft Recreation District Agreement

Erika Baldasaro and Raj Chawla, Rec Governance Study Committee, were in attendance to give a presentation on the work of the committee to date and review the draft agreement.

George Tyler commented it has come to the attention of the Board of Trustees that someone was handing out an information pamphlet about the Rec Governance Committee at the polls. One of 15 elected officials who appointed the group (Rec Governance Committee) took it upon themselves to hand out information when the Board of Trustees has not even heard the presentation from the committee. The Trustees would have appreciated the courtesy of withholding public criticism until the board heard the presentation and had the same opportunity as the Selectboard and Prudential Committee to debate the matter. One criticism noted in the information distributed is creating an independent rec district. Per the minutes of the 2/16/16 special meeting with the Selectboard, Prudential Committee, and Board of Trustees, the discussion initially started regarding the creation of the Rec Governance Committee. There was also discussion in the minutes that the rec department would not be like other shared services in the village and town because rec is not a municipal department, but is governed by the school, operates on village property, and receives guidance and support from the supervisory union. There were four potential outcomes discussed at the special meeting: village rec folded into the town, town rec folded into the village, village rec remaining in the unified school district and town rec remain as is, or create an independent rec district. Other comments in the minutes included:

- Marla Durham mentions the success of the rec department is because of having an independent budget
- Max Levy spoke of maintaining and improving level of service and looking at both departments to see where improvements can be made
- George Tyler spoke of both rec departments being independent of both municipal budgets.

The final choice of the Rec Governance Committee formed at the special meeting was to create an independent rec district. It is clear that the possible outcome from the Rec Governance Committee of an independent Rec District was envisioned as early as the special meeting of 2/16/16.

Lori Houghton gave kudos to the committee for doing such a volume of work in a short timeframe. The timeframe was not the choice of the municipalities. Opportunity to present the facts has not been afforded because of the process. The agreement must be submitted to the Attorney General first and in the next four months the information will be presented.

Erika Baldasaro stated the committee realizes the work is just started and there are four months to the vote. The committee will work to provide all the information to the public using social media and the newspaper. A high level budget will be developed by October so the cost of the district and tax potential will be known. It is not anticipated to have a significant increase in taxes in the next year. The committee looked at seven governance models before choosing the rec district. The rec district will have a five member elected board accountable to the voters. Public board meetings will be held following Open Meeting laws. The budget will be voted by Australian ballot. Finances will be audited each year by an independent auditor. Any bonds will need voter approval.

The number of people served by the rec programs currently and the number of employees for the departments was reviewed. It was noted both rec departments (village and town) are different and fantastic in their own right. Combined, the program will be even stronger.

The Rec Governance Committee timeline, goals, and work completed from April 2016 to the present were reviewed. Outreach to communicate the activity of the committee to the public and public involvement were also reviewed. It was noted the Rec Governance Committee followed a similar process and timeline as the RED Committee with unification of the school districts. The Rec Governance Committee selected the union municipal (rec) district as the best option for the following reasons:

1. because the rec center will be under one umbrella,
2. there will be one budget to vote,
3. transparency will be increased on exactly what is being spent on rec,
4. there will be greater oversight,
5. it will be easier for people to use the services,
6. there is potential for cost savings and long term stability,
7. initiatives can be added,
8. the consolidation effort is continued.

The agreement drafted by the committee per state statute is the first step. The new name of the district is “Essex Community Parks & Recreation”.

Raj Chawla stated the rec district will continue high quality and affordable rec opportunities for all, and maintain the rec facilities and parks. Board members will have staggered terms. As with other elected positions a petition must be submitted to be elected to the board. Initially the board membership will include a Selectboard member and a Trustee (or designees) appointed by the respective boards, and a resident of the village, a resident of the town, and an at-large resident elected by the public. The budget will be drafted by the rec district board then submitted to the voters for approval by Australian ballot. An annual audit of the district finances will be done. The district can borrow money, have a sinking fund to retire debt, have a capital reserve for public improvements. A community can withdraw from the district after three years with a majority of voters and a vote by the board in support of the action. However, if a bond is taken out the community cannot withdraw until the bond is satisfied. A community can be added with an affirmative vote by all.

Pat Scheidel suggested the number of years required to remain in the district be increased to allow the district to get settled.

Raj Chawla noted the agreement for the rec district can be amended with voter approval. After the agreement is approved a charter can be developed. There is support for forming the rec district by the unified school board, CCSU Superintendent, Municipal Manager, Prudential Committee, Selectboard, and Board of Trustees. If the agreement is not approved then the village rec department will fall under the unified school district which is not interested in the program. Regardless, there will be a transition as of July 1, 2017. Holding the special public vote on the agreement in December is the best available timeframe.

The dates for petitions to serve on the board and to vote on the agreement were reviewed. The rec district board would begin in January 2017 to draft the budget for approval. The rec district would begin operation on July 1, 2017. The next meeting is August 10, 2016 to draft the final agreement to be sent to the Attorney General for review and to discuss work on transitioning operational details and how to best communicate with the public.

COMMENTS

Elaine Sopchak asked if the rec district budget can be amended from the floor at the annual meeting. Erika Baldasaro said that has not been discussed as yet. Raj Chawla said the intent is to vote the budget by Australian ballot to allow a greater number of people to decide the budget, not just those attending the annual meeting. The existing rec department budgets have not increased significantly for the past few years.

Lori Houghton pointed out a percentage of the budgets are paid by fees so a lot can be done without tax dollars. The rec district will provide transparency on what is in the rec budget.

Max Levy said there is opportunity for the public to give feedback on the draft budget before the budget goes to the board for a vote and ultimately to the public for approval.

Brad Luck, EJRP, said the budget process and outcome will be similar to what is done with the village budgets. Currently, if there is a fund balance in the rec budget, the money is reinvested into the department. This practice will continue. The tax rate for village rec has been level because there has been a fund balance that was reinvested.

Elaine Sopchak spoke positively of having a member of the Trustees and Selectboard on the new board which will provide good oversight. Ms. Sopchak suggested having a Trustee and Selectboard member as ex officio members as well. Ex officio members are non-voting members.

Dan Kerin said the properties and location of the rec headquarters need to be determined. There are multiple parks between the village and town and some are underutilized. Details on employees and existing unions and such are also needed. Erika Baldasaro said

these items have not yet been discussed and will be handled by the transition team. The village and town have control on the lands. Raj Chawla said the consensus of the committee was no layoffs initially because the departments operate fairly lean now. Lori Houghton noted there will be an informational committee and a transition committee. The intent is not to charge anyone separately for use of parks and such. The rec district is new, but all Essex residents (in the town and village) own the assets. Max Levy said leasing the assets to the rec district is an option.

Pat Scheidel said the employees will have a say on having a national bargaining unit or a local association. Any talk of layoffs should be squelched immediately.

Brad Luck stated an FY18 rec budget for the village, town, and consolidated district will be drafted and will show what costs will be different. Changes in the salaries/benefits column are not anticipated. Lori Houghton pointed out EJRP finance, HR, and tech support is done by CCSU and paid by EJRP so costs are known.

George Tyler stated the people of Essex own the rec departments and will own the new rec district. Residents of the village are also town residents. U46 owns the high school, rink, etc., but the people own the school district. The rec departments are being restructured to be made better. Townspeople outside Essex Junction will be participating in ownership of the village rec facilities and village residents have ownership in facilities in the town.

Elaine Sopchak stated this is a consolidation and based on past experience it is safe to say there will be cost savings, but costs do go up regardless on items not under the control of the municipality. The rec district makes the organization stronger and makes the curve of tax increase lower. Tax equity is a concern and it is hoped the impact financially benefits everyone equally. Pat Scheidel said it is unfair to single out one department's costs versus the entire budget and deduce based solely on the expense side. The entire budget that generates the tax rate needs to be considered.

Andrew Brown spoke in support of the long view with forming a rec district and looking at further cost savings and considerations. Having a separate rec budget increases transparency so if there is a shortfall something has to give. It will be good to have all the facts to get out to the community and not misinformation that is reactionary. Circulating reactionary misinformation impacts getting people to volunteer for boards.

Pat Scheidel will have information on the special vote at the next meeting.

5. OLD BUSINESS

1. Streetscape Improvements at 4 Pearl Street

Pat Scheidel explained the proposed infringement on the public right-of-way with the sidewalk. ADA requirements will be met and the area of sidewalk will be maintained in perpetuity by the developer. Brett Grabowski noted at the request of the Planning Commission the building was moved back to create a larger streetscape and that created grading challenges to meet ADA requirements. Public Works wanted certain tolerances

in case the village had to do some work in the area. The proposed sidewalk area will be appealing to businesses and inviting to the public with benches and seating on the retaining wall.

MOTION by Lori Houghton, SECOND by Andrew Brown, to approve the streetscape improvements necessary to meet ADA standards and staff requests to be permitted in the village right-of-way, and further, that these improvements will be maintained in perpetuity by the owners of 4 Pearl Street. VOTING: unanimous (5-0); motion carried.

2. Appointment to Planning Commission

MOTION by George Tyler, SECOND by Elaine Sopchak, to appoint Steven Shaw to the Planning Commission for a term ending June 30, 2019. VOTING: 4 ayes, 1 abstention (Lori Houghton); motion carried.

3. Resolution for Essex Area Senior Center

Pat Scheidel reported the resolution is to assure the Senior Center membership that the services offered at the Senior Center will continue. Under Director Lou Ann Pioli the center has grown in leaps and bounds. There are now 288 members (up from 75 when the center opened), many volunteers, and many programs. George Tyler noted the Trustees initiated the Senior Center many years ago and the resolution honors that tradition.

MOTION by Elaine Sopchak, SECOND by Lori Houghton, to approve the resolution outlining services provided at the Essex Area Senior Center which serves as a commitment to maintain existing senior activities. VOTING: unanimous (5-0); motion carried.

The Trustees signed the resolution.

6. NEW BUSINESS

None.

7. MANAGER'S REPORT

1. Meeting Schedule – Regular Trustees Meetings @ 6:30 PM

- August 23, 2016
- September 13, 2016
- September 27, 2016
- October 11, 2016
- October 25, 2016
- November 8, 2016
- November 22, 2016

2. Requests for Information

Pat Scheidel reported staff has been responding to numerous rec questions and request for information.

8. TRUSTEES COMMENTS/CONCERNS & READING FILE

1. Board Member Comments

- Andrew Brown said it would be informative to have Robin Pierce and Planning Commission members present at the upcoming public hearing on the Land Development Code to explain the changes to the code.
- Elaine Sopchak thanked staff for the tax rate information in the reading file.

2. Reading File

- Minutes from other boards/committees:
 - Zoning Board of Adjustment 7/19/16
 - Capital Program Review Committee 8/2/16
- Essex Town Tax Rates

9. CONSENT AGENDA

MOTION by Elaine Sopchak, SECOND by Lori Houghton, to approve the addition of Warrant #17005, dated 8/5/16, to the consent agenda. VOTING: unanimous (5-0); motion carried.

MOTION by Andrew Brown, SECOND by Elaine Sopchak, to approve the consent agenda as follows:

1. Approve Minutes of Previous Meetings 7/25/16
2. Expense Warrant #17004 dated 7/29/16 in the amount of \$191,020.89.
3. Expense Warrant #17005 dated 8/5/16.

VOTING: unanimous (5-0); motion carried.

10. ADJOURNMENT

MOTION by Lori Houghton, SECOND by Dan Kerin, to adjourn the meeting. VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 8 PM.

RScty: M.E.Riordan



08/16/16

Town of Essex / Village of EJ Accounts Payable

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05:04 pm

Check Warrant Report # 17006 Current Prior Next FY Invoices For Fund (GENERAL FUND)

LMorrisseau

For Check Acct 01(GENERAL FUND) All check #s 08/12/16 To 08/12/16 & Fund 2

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
05290	08/01/16	ADVANCE AUTO PARTS ST Supplies gas greaseoil 1445703	210-43110.610 SUPPLIES	9.48	6733	08/12/16
05290	08/01/16	ADVANCE AUTO PARTS ST Supplies gas greaseoil 1445703	210-43110.626 GAS, GREASE AND OIL	25.74	6733	08/12/16
V10301	08/01/16	BARRA, PLC DAVID A. VASW July legal svcs EJ24362440	210-41320.320 LEGAL SERVICES	792.00	6738	08/12/16
V10301	08/01/16	BARRA, PLC DAVID A. VASW July legal svcs EJ24362440	210-15102.000 EXCHANGE - ENGI/LEGAL	297.00	6738	08/12/16
10510	06/27/16	BLUE TARP FINANCIAL INC ST Shop Supplies 714721	210-43110.610 SUPPLIES	51.39	6742	08/12/16
10510	06/27/16	BLUE TARP FINANCIAL INC BL Program Supplies 714723	210-45551.837 CHILDRENS PROGRAMS	44.99	6742	08/12/16
10510	06/29/16	BLUE TARP FINANCIAL INC ST Batterys 714741	210-43110.610 SUPPLIES	14.39	6742	08/12/16
10510	07/07/16	BLUE TARP FINANCIAL INC NB Pergolamaterials ECdev 714771	210-49340.000 MISC GRANT EXPENDITURES	4.22	6742	08/12/16
10510	07/08/16	BLUE TARP FINANCIAL INC ST Nuts and Bolts 714778	210-43110.610 SUPPLIES	1.20	6742	08/12/16
10510	07/08/16	BLUE TARP FINANCIAL INC NB Pergola Material ECDEV 714779	210-49340.000 MISC GRANT EXPENDITURES	8.99	6742	08/12/16
10510	07/12/16	BLUE TARP FINANCIAL INC NB Pergola Material EcDEV 714793	210-49340.000 MISC GRANT EXPENDITURES	12.27	6742	08/12/16
10510	07/12/16	BLUE TARP FINANCIAL INC NB Pergola Material EcDev 714794	210-49340.000 MISC GRANT EXPENDITURES	17.99	6742	08/12/16
10510	07/14/16	BLUE TARP FINANCIAL INC NB Pergola Material EcDEV 714800	210-49340.000 MISC GRANT EXPENDITURES	7.90	6742	08/12/16
10510	07/14/16	BLUE TARP FINANCIAL INC AD/VE Cooler for BP&Grnup 714801	210-41320.610 SUPPLIES	14.99	6742	08/12/16
10510	07/14/16	BLUE TARP FINANCIAL INC AD/VE Cooler for BP&Grnup 714801	210-41335.835 BLOCK PARTY EXPENSE	14.98	6742	08/12/16
10510	07/15/16	BLUE TARP FINANCIAL INC ST Trash Bags 714806	210-43110.610 SUPPLIES	35.07	6742	08/12/16
10510	07/15/16	BLUE TARP FINANCIAL INC ST Shop Cleaning Supplies 714812	210-43110.610 SUPPLIES	49.98	6742	08/12/16
10510	07/16/16	BLUE TARP FINANCIAL INC ST Trash Bags 714816	210-43110.610 SUPPLIES	35.07	6742	08/12/16
10510	07/18/16	BLUE TARP FINANCIAL INC ST D Cell Batterys 714821	210-43110.610 SUPPLIES	12.48	6742	08/12/16
10510	07/19/16	BLUE TARP FINANCIAL INC ST Staples 714825	210-43110.610 SUPPLIES	4.49	6742	08/12/16
10510	07/19/16	BLUE TARP FINANCIAL INC VF Tools/Hardware 714826	210-42220.610 SUPPLIES	22.46	6742	08/12/16
10510	07/19/16	BLUE TARP FINANCIAL INC BL Supplies 714829	210-45551.610 SUPPLIES	23.36	6742	08/12/16
10510	07/20/16	BLUE TARP FINANCIAL INC ST Supplies 714833	210-43110.610 SUPPLIES	13.04	6742	08/12/16
10510	07/22/16	BLUE TARP FINANCIAL INC ST Memorial Pk Fountain 714845	210-43161.002 MEMORIAL PARK	26.98	6742	08/12/16
10510	07/22/16	BLUE TARP FINANCIAL INC BL Supplies 714850	210-45551.610 SUPPLIES	19.59	6742	08/12/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
10510	07/25/16	BLUE TARP FINANCIAL INC ST Supplies 714860	210-43110.610 SUPPLIES	11.68	6742	08/12/16
21735	07/26/16	BUILT BLADES LLC ST plow blade 650770	210-43110.610 SUPPLIES	1145.00	6745	08/12/16
38280	07/31/16	CRYSTAL ROCK BOTTLED WATE LH Water July 071650117144	210-41940.610 SUPPLIES	26.10	6755	08/12/16
35260	08/01/16	EAST COAST PRINTERS INC VA Uniforms Shirts 07131640	210-43110.612 UNIFORMS,BOOTS,ETC	676.00	6759	08/12/16
V10576	08/04/16	ECOPIXEL LLC AD July Web Host/Support 2202	210-41320.530 COMMUNICATIONS	118.95	6760	08/12/16
05020	07/29/16	ESSEX JCT VILLAGE OF ST Garage Wtr Swr 2in 0716JK112INL	210-43110.410 WATER AND SEWER CHARGE	84.19	6761	08/12/16
05020	07/29/16	ESSEX JCT VILLAGE OF ST Water Rack Water 0716JKRKSHP	210-43110.410 WATER AND SEWER CHARGE	278.72	6761	08/12/16
05020	07/29/16	ESSEX JCT VILLAGE OF ST HWY Garage Water 0716JKSN0000	210-43110.410 WATER AND SEWER CHARGE	70.16	6761	08/12/16
05020	07/29/16	ESSEX JCT VILLAGE OF ST Memorial Pk Water 0716LNMPRK	210-43161.002 MEMORIAL PARK	101.50	6761	08/12/16
05020	07/29/16	ESSEX JCT VILLAGE OF ST Main Faucet 0716MA18VILL	210-43161.001 VILLAGE GARDEN SPOTS	22.66	6761	08/12/16
05020	07/29/16	ESSEX JCT VILLAGE OF ST Outside Faucet Water 0716MA9VILL	210-43161.001 VILLAGE GARDEN SPOTS	22.66	6761	08/12/16
05020	07/29/16	ESSEX JCT VILLAGE OF ST RR AV Faucet Wtr 0716RR26VILL	210-43161.001 VILLAGE GARDEN SPOTS	22.66	6761	08/12/16
V0797	08/01/16	FALCON PLUMBING SERVICE, LH Teen Center Sink 908337	210-41940.434 MAINT. BUILDINGS/GROUNDS	429.00	6763	08/12/16
34895	08/01/16	GAUTHIER TRUCKING, INC. ST Rubbish Remov Jackson 1170690	210-43110.565 RUBBISH REMOVAL	85.52	6769	08/12/16
34895	08/01/16	GAUTHIER TRUCKING, INC. ST Rubbish RR Avenue Etc 1170692	210-43110.565 RUBBISH REMOVAL	415.77	6769	08/12/16
34895	08/01/16	GAUTHIER TRUCKING, INC. ST Rubbish Beech St 1170824	210-43110.565 RUBBISH REMOVAL	55.27	6769	08/12/16
05010	07/07/16	LYNN PUBLICATIONS AD Trustees Public Hearin 114251	210-41320.550 PRINTING AND ADVERTISING	51.00	6784	08/12/16
05010	07/14/16	LYNN PUBLICATIONS VE Block Party Ad 114537	210-41335.835 BLOCK PARTY EXPENSE	373.00	6784	08/12/16
05010	07/14/16	LYNN PUBLICATIONS DV PC Meeting Ad 114591	210-41970.550 PRINTING AND ADVERTISING	72.25	6784	08/12/16
05010	07/28/16	LYNN PUBLICATIONS DV Planning Comm Ad 114824	210-41970.550 PRINTING AND ADVERTISING	72.25	6784	08/12/16
05010	07/28/16	LYNN PUBLICATIONS AD Trustees Public Hearin 114891	210-41320.550 PRINTING AND ADVERTISING	51.00	6784	08/12/16
05010	07/07/16	LYNN PUBLICATIONS AD Trustees Meeting 51426	210-41320.550 PRINTING AND ADVERTISING	51.00	6784	08/12/16
05010	07/21/16	LYNN PUBLICATIONS AD Trustees Meeting Ad 51427	210-41320.550 PRINTING AND ADVERTISING	51.00	6784	08/12/16
24100	07/27/16	PERMA-LINE CORP.OF NEW EN ST Sign 157425	210-43110.617 SIGNS AND POSTS	103.50	6795	08/12/16
25140	07/29/16	PIKE INDUSTRIES INC ST Asphalt 879693	210-43120.610 PAVEMENT MAINTENANCE	601.20	6798	08/12/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
25140	08/01/16	PIKE INDUSTRIES INC ST Asphalt 880256	210-43120.610 PAVEMENT MAINTENANCE	545.40	6798	08/12/16
37430	08/01/16	R R CHARLEBOIS INC ST sweeper maintenance ID09744	210-43110.432 VEHICLE MAINTENANCE	62.08	6800	08/12/16
18010	08/05/16	REYNOLDS & SON, INC. HSSTaed units 3281341	210-43110.610 SUPPLIES	1406.26	6801	08/12/16
37965	07/25/16	S D IRELAND CONCRETE ST Hydral Waterstop 339803	210-43120.610 PAVEMENT MAINTENANCE	91.80	6805	08/12/16
V10512	04/29/16	SEE CLICK FIX HS/ST FY17,18,19seeClkFix 2015-665	210-43125.570 CONTRACT SERVICES	2500.00	6807	08/12/16
V10512	04/29/16	SEE CLICK FIX HS/ST FY17,18,19seeClkFix 2015-665	210-14301.000 PREPAID EXPENSES	4583.33	6807	08/12/16
V10512	04/29/16	SEE CLICK FIX HS/ST FY17,18,19SaeClkFix 2015-665-BAL	210-43125.570 CONTRACT SERVICES	416.67	6807	08/12/16
40840	08/01/16	SOVERNET COMMUNICATIONS VA Sept Phone/Internet 3654045	210-41320.535 TELEPHONE SERVICES	140.59	6810	08/12/16
40840	08/01/16	SOVERNET COMMUNICATIONS VA Sept Phone/Internet 3654045	210-41940.535 TELEPHONE SERVICES	39.82	6810	08/12/16
40840	08/01/16	SOVERNET COMMUNICATIONS VA Sept Phone/Internet 3654045	210-41970.535 TELEPHONE SERVICES	31.45	6810	08/12/16
40840	08/01/16	SOVERNET COMMUNICATIONS VA Sept Phone/Internet 3654045	210-41320.530 COMMUNICATIONS	34.95	6810	08/12/16
14800	08/02/16	TECH GROUP INC DV Adobe Standard 71295	210-41970.610 SUPPLIES	285.00	6811	08/12/16
36130	07/10/16	VERIZON WIRELESS WW 7/19-8/18/2016 9768867914	210-41970.535 TELEPHONE SERVICES	40.01	6818	08/12/16
36130	07/18/16	VERIZON WIRELESS WW 7/19-8/18/2016 9768867914	210-42220.535 TELEPHONE SERVICES	160.04	6818	08/12/16
V10301	08/01/16	BARRA, PLC DAVID A. VASW July legal svcs EJ24362440	230-46801.007 PEARL ST. LINKING SIDEWAL	214.50	6738	08/12/16
25715	08/05/16	DONALD HAMLIN CONSULT ENG VR Cres Cntr Eng June 08051612-833	230-46801.008 CRESCENT CONNECTOR	2175.00	6757	08/12/16
25715	08/05/16	DONALD HAMLIN CONSULT ENG VR Missing Link Eng June 08051614-807	230-46801.007 PEARL ST. LINKING SIDEWAL	712.50	6757	08/12/16
25715	08/05/16	DONALD HAMLIN CONSULT ENG VR Multi Use Path Eng Jun 08051616-803	230-46801.006 MULTI-USE PATH NORTH	1248.41	6757	08/12/16
25715	08/05/16	DONALD HAMLIN CONSULT ENG LW/VB Briar Lane Eng June 08051614-813	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	24288.44	6757	08/12/16
37965	07/05/16	S D IRELAND CONCRETE VW/VB Road Struct BriarLn 339510	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	157.60	6805	08/12/16
10510	06/30/16	BLUE TARP FINANCIAL INC VW Shark Bite Valve 714746	254-43200.610 SUPPLIES	21.59	6742	08/12/16
25715	08/05/16	DONALD HAMLIN CONSULT ENG LW/VB Briar Lane Eng June 08051614-813	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	3872.07	6757	08/12/16
35260	08/01/16	EAST COAST PRINTERS INC VA Uniforms Shirts 07131640	254-43200.612 UNIFORMS,BOOTS,ETC	55.20	6759	08/12/16
05020	07/29/16	ESSEX JCT VILLAGE OF VW Test Bench Water 0716JK00B9NK	254-43200.410 WATER AND SEWER CHARGE	22.66	6761	08/12/16
18000	07/28/16	FERGUSON WATERWORKS #590 VW Water Break Rosewood 0408685	254-43200.430 WATER LINES MAINT-BREAKS	54.04	6764	08/12/16

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
V9366	07/25/16	VW Uniforms Leatherman SI02732084	254-43200.612 UNIFORMS,BOOTS,ETC	75.80	6770	08/12/16
05010	07/21/16	VW Water Tech Advertise 114723	254-43200.572 INTERVIEW COSTS	63.00	6784	08/12/16
05010	07/21/16	VW Water Tech Advertise 114785	254-43200.572 INTERVIEW COSTS	63.00	6784	08/12/16
05010	07/21/16	VW Ad for Water Tech 114832	254-43200.572 INTERVIEW COSTS	105.00	6784	08/12/16
05010	07/21/16	VW Water Tech Ad 51553	254-43200.572 INTERVIEW COSTS	63.00	6784	08/12/16
37965	07/05/16	VW/VB Road Struct BriarLn 339510	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	25.13	6805	08/12/16
10510	07/12/16	WW Window Shade 714792	255-43200.570 MAINTENANCE OTHER	16.71	6742	08/12/16
10510	07/18/16	WW Fittings 714818	255-43200.570 MAINTENANCE OTHER	20.48	6742	08/12/16
10510	07/21/16	WW Mask Tape 714839	255-43200.570 MAINTENANCE OTHER	19.78	6742	08/12/16
35260	08/01/16	WW Uniforms/Stock 07141646	255-43200.432 VEHICLE MAINTENANCE	540.15	6759	08/12/16
38955	07/27/16	WW Plug & Grab Tool 51694784	255-43200.570 MAINTENANCE OTHER	41.10	6762	08/12/16
21740	07/15/16	WW Log Me In, seminar reg 07160124	255-43200.570 MAINTENANCE OTHER	349.00	6766	08/12/16
21740	07/15/16	WW Log Me In, seminar reg 07160124	255-43200.500 TRAINING, CONFERENCES, DU	60.00	6766	08/12/16
00315	07/29/16	WW Co Gen Oil PSI1281797	255-43200.626 GAS,GREASE AND OIL	998.71	6791	08/12/16
36130	07/18/16	WW 7/19-8/18/2016 9768867914	255-43200.535 TELEPHONE SERVICES	182.69	6818	08/12/16
07565	07/20/16	WW Lab Water 136197915	255-43200.618 SUPPLIES - LABORATORY	53.94	6821	08/12/16
35260	08/01/16	VA Uniforms Shirts 07131640	256-43200.612 UNIFORMS,BOOTS,ETC	127.00	6759	08/12/16
12235	08/04/16	SA 9/16-8/17 8951 lease 117875	256-43200.441 RIGHT OF WAY AGREEMENTS	1008.32	6790	08/12/16
12235	08/04/16	SA 9/16-8/17 8951 lease 117875	256-14301.000 PREPAID EXPENSES	201.72	6790	08/12/16
12160	08/03/16	SA HSPS Upgrd RF1-157Loan 080316A	256-22501.001 PS Upgrd SRF Loan RF1-157	45169.50	6794	08/12/16
12160	08/03/16	SA HSPS Upgrd RF1-157Loan 080316A	256-43330.009 RF1-157 PS UpGrd Admin Fe	21950.00	6794	08/12/16
12160	08/03/16	SA HSPS Upgrd RF1-157Loan 080316B	256-22501.001 PS Upgrd SRF Loan RF1-157	46072.89	6794	08/12/16
12160	08/03/16	SA HSPS Upgrd RF1-157Loan 080316B	256-43330.009 RF1-157 PS UpGrd Admin Fe	21046.61	6794	08/12/16

