



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, SEPTEMBER 13, 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
 - Carol Bennett, Dunbar Drive
5. **OLD BUSINESS**
 - a. Adoption of Amended Land Development Code – Pat Scheidel
 - b. Draft Resolution Regarding the RGSC Recommendations – George Tyler
6. **NEW BUSINESS**
 - a. Report on Special Taxing Districts – Elaine Sopchak
 - b. Approval for NECR to work in the Village ROW – Pat Scheidel
7. **MANAGER’S REPORT**
 - a. Trustees meeting schedule
8. **TRUSTEES’ COMMENTS & CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Minutes from Other Boards/Committees:
 - Planning Commission 8/18/16
 - Bike/Walk Advisory Committee 8/22/16
 - c. VLCT Municipal Budgeting Workshop 9/27/16
 - d. Memo from VLCT re: 2017 Draft Municipal Policy
 - e. Memo from VLCT re: 2016 Candidate Forum Kit
 - f. Letter to George Tyler from Anne Duany Whyte re: height limits in the Village Center
 - g. Email to George Tyler from Nancy L’Ecuyer re: no six stories
 - h. Email to Trustees from Susan Littlefield re: waiver for height on village buildings
 - i. Email to George Tyler from Kate Hennessey re: 4 story building code
 - j. Email to George Tyler from residents on Owaissa Avenue
 - k. Email to George Tyler from Joe and Genie Cornacchia re: 4 stories high
 - l. Email to George Tyler from Darell Whitaker re: please don’t increase height limit
9. **CONSENT AGENDA**
 - a. Minutes of Previous Meeting 8/23/16
 - b. Expense Warrant #17008 dated 8/26/16 in the amount of \$747,218.83
 - c. Expense Warrant #17009 dated 9/2/16 in the amount of \$82,768.34
 - d. Request to close Hawthorn Circle for a block party on 9/17/16

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.

Patty Benoit

Subject:

FW: LDC

9/10/16

Dear Trustees,

I have a concern with the revised LDC that you are currently reviewing for adoption. As a past member of the Planning Commission who worked on the documents that you are reviewing, I feel strongly that the application hearing process needs some tweaking.

My concern pertains to the review process for a Planned Unit Development. Page 64, Section 511 B states that an applicant can choose to have **both** conceptual and final review at the same warned meeting. This is not smart. It is confusing to residents who wish to speak and reduces the opportunity for public engagement. It also places pressure on the PC to vote yes or no to a project that they have seen for only the first time. It is vitally important for the PC to provide input on conceptual review and should not be left entirely to Village staff to massage an application to fit the code. PC members offer important expertise as well as another perspective to the design. A recent example of this occurred at a PC hearing on June 16 when the commission reviewed a PUD application where conceptual and final took place at the same meeting. I would urge you to watch the meeting.

The PUD tool is a common application that the PC reviews. These are not simple and they need scrutiny. Many of them are complicated and have significant impact on neighborhoods. Our permitting process is very efficient and an additional meeting is not a burden to the applicant or the PC. As a PC member the commitment one makes when being appointed is to meet twice a month. My experience on the commission was, except when rewriting the Municipal Plan and the LDC, we usually met once a month or not at all.

Many residents have voiced concern that there are few opportunities to comment on developments. By eliminating this confusing loophole, the development process would be more transparent and any development application coming before the PC better reviewed.

Thanks for your commitment to serving this community.

Nick Meyer
233-9493
nmeyer52@aol.com

Subject: FW: Rosewood Lane waterline replacement

From: Dee Gannon
Sent: Monday, September 12, 2016 10:34 AM
To: Stephen O. Lizewski
Subject: RE: Rosewood Lane waterline replacement

Re: Briar Lane Project – personal residence 41 Briar Lane

I would like to take this opportunity to say that the work done during the early summer and summer season on Briar Lane was very impressive. We are very good friends with neighbors up and down Briar Lane and each of us was impressed with the work, both in its accomplishments and progress each day as well as the maneuvering of very large machinery and its "orderliness" each and every night. During the work days the men had to somehow work while residents were going back and forth. We are all thankful for the accommodations and patience of the workmen!

The finished work of this large project certainly reflects a high level of accomplishment.

We live on the side now without a sidewalk and the only drawback is the top soil dropped in must have had a great number of weeds in its mix. That is regrettable because it seems like the only (small) flaw in a long list of impressive accomplishments.

On the "scale of one to ten" I would give it a 9.8 (only taking away .2 for those weeds)!

Please express our thanks and appreciation.

Dee Gannon

From: Stephen O. Lizewski [mailto:slizewski@dlhce.com]
Sent: Monday, September 12, 2016 8:00 AM
To: Stephen O. Lizewski
Cc: Rick@essexjunction.org; Patty@essexjunction.org; susan@essexjunction.org; terry@essexjunction.org; Lauren@essexjunction.org; pats@essexjunction.org; Benjamin D. Heath, P.E.; Richard F. Hamlin, P.E.; 'khulbert@essex.org'; 'pmccabe@essex.org'
Subject: Rosewood Lane waterline replacement

Good Morning Everyone,

The Village of Essex Junction will be starting a waterline replacement project on Rosewood Lane on September 12, 2016 and should be completed by November 18, 2016. The work will require That Rosewood Lane be closed to thru traffic during work hours. The project will replace the waterline from the intersection of Mansfield Ave up the hill to the upper intersection with Briar Lane. Access to Park Street will always be available via Rivendell. Access to Mansfield Ave will be restricted when we are working between the lower Briar intersection and Mansfield Ave. If you would like to receive the daily email that I will be sending out, please respond to the email. If I do not get a response I will assume that you do not want to be included.

Steve

09/09/16
02:18 pm

Town of Essex / Village of EJ Accounts Payable
Check Warrant Report # 17010 Current Prior Next FY Invoices For Fund (GENERAL FUND)
For Check Acct 01(GENERAL FUND) All check #s 09/09/16 To 09/09/16 & Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
05290	08/22/16	ADVANCE AUTO PARTS ST SUPPLIES 3524586	210-43110.610 SUPPLIES	30.51	7065	09/09/16
05290	08/22/16	ADVANCE AUTO PARTS ST SUPPLIES 3538417	210-43110.610 SUPPLIES	8.81	7065	09/09/16
05290	08/25/16	ADVANCE AUTO PARTS ST SUPPLIES 3838508	210-43110.610 SUPPLIES	8.15	7065	09/09/16
05290	08/25/16	ADVANCE AUTO PARTS ST SUPPLIES 3850577	210-43110.610 SUPPLIES	9.10	7065	09/09/16
08185	08/25/16	ADVANCED EMEGENCY PRODUCT VF IPAD MOUNT HARDWARE 41994	210-42220.889 ROUTINE EQUIPMENT PURCHAS	372.10	7066	09/09/16
02420	08/28/16	AUTOZONE VF CLEANING SUPPLIES 3236743795	210-42220.610 SUPPLIES	11.68	7073	09/09/16
V9376	08/29/16	BENOIT/PATRICIA// AD ADMINMILES 7/7-8/30/16 082616D	210-41320.580 TRAVEL	30.02	7076	09/09/16
24475	08/25/16	BOND AUTO-ESSEX JCT. INC ST SUPPLIES 065553	210-43110.610 SUPPLIES	3.14	7078	09/09/16
00530	08/22/16	BRODART CO BL books 4643400	210-45551.640 ADULT COLLECTION-PRINT &	39.95	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643400	210-45551.610 SUPPLIES	0.90	7081	09/09/16
00530	08/22/16	BRODART CO BF books 4643547	210-49345.000 LIBRARY DONATION EXPENDIT	16.29	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643592	210-45551.641 JUVEN COLLECTION-PRNT & E	75.38	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643592	210-45551.610 SUPPLIES	7.20	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643656	210-45551.610 SUPPLIES	5.40	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643656	210-45551.641 JUVEN COLLECTION-PRNT & E	70.01	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643661	210-45551.610 SUPPLIES	0.90	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643661	210-45551.641 JUVEN COLLECTION-PRNT & E	9.89	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643684	210-45551.610 SUPPLIES	0.90	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643684	210-45551.641 JUVEN COLLECTION-PRNT & E	15.80	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643685	210-45551.641 JUVEN COLLECTION-PRNT & E	18.68	7081	09/09/16
00530	08/22/16	BRODART CO BL books 4643685	210-45551.610 SUPPLIES	1.80	7081	09/09/16
00530	08/23/16	BRODART CO BF BOOKS B4645372	210-49345.000 LIBRARY DONATION EXPENDIT	16.27	7081	09/09/16
16030	08/11/16	BROWN ELECTRIC ST STREET LIGHT REPAIR 31393	210-43160.610 STREET LIGHTS SUPPLIES/MA	1130.49	7082	09/09/16
V10614	09/01/16	CHOICE COBRA, LLC AD cobra admin RC041191	210-41320.210 HEALTH INS & OTHER BENEFIT	30.00	7087	09/09/16
04940	08/15/16	COMCAST ST CABLE TV 09160091811	210-43125.610 WINTER MAINTENANCE	159.96	7093	09/09/16

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23215	08/17/16	ESSEX EQUIPMENT INC ST SUPPLIES 10615412	210-43110.610 SUPPLIES	62.42	7106	09/09/16
23215	08/24/16	ESSEX EQUIPMENT INC ST PAVEMENT RENTAL 10615996	210-43110.442 EQUIPMENT RENTALS	52.09	7106	09/09/16
21845	07/27/16	FIRST NATIONAL BANK OMAHA BL supplies 23210017A1A2	210-45551.610 SUPPLIES	145.44	7114	09/09/16
21845	08/03/16	FIRST NATIONAL BANK OMAHA BL supplies 23210017B	210-45551.610 SUPPLIES	69.00	7114	09/09/16
21845	08/17/16	FIRST NATIONAL BANK OMAHA BL computer expenses 23210017C	210-45551.340 COMPUTER EXPENSES	29.00	7114	09/09/16
34895	08/18/16	GAUTHIER TRUCKING, INC. ST RUBBISH REMOVE MATTRES 1171551	210-43110.565 RUBBISH REMOVAL	40.00	7121	09/09/16
34895	09/01/16	GAUTHIER TRUCKING, INC. ST RUBBISH REMOVAL 1176560	210-43110.565 RUBBISH REMOVAL	135.52	7121	09/09/16
34895	09/01/16	GAUTHIER TRUCKING, INC. LH August rubbish removal 1176561	210-41940.565 RUBBISH REMOVAL	155.72	7121	09/09/16
34895	09/01/16	GAUTHIER TRUCKING, INC. ST RUBBISH REMOVAL 1176562	210-43110.565 RUBBISH REMOVAL	415.77	7121	09/09/16
34895	09/01/16	GAUTHIER TRUCKING, INC. ST RUBBISH REMOVAL 1176697	210-43110.565 RUBBISH REMOVAL	55.27	7121	09/09/16
26375	08/29/16	GBIC VE FYE 17 support 545	210-41335.811 ANNUAL SUPPORT OF ORGNIZA	500.00	7122	09/09/16
04035	08/17/16	GOT THAT RENTAL & SALES I ST MAINTENANCE-OTHER 29433	210-43110.570 MAINTENANCE OTHER	25.99	7125	09/09/16
V0943	08/30/16	GRAF/MARY L.// BL books J083016M6	210-45551.641 JUVEN COLLECTION-PRNT & E	54.97	7126	09/09/16
07010	08/22/16	GREEN MOUNTAIN POWER CORP VA AUG CONSOLIDATED BILL 08160206201	210-41940.622 ELECTRICAL SERVICE	691.02	7127	09/09/16
07010	08/22/16	GREEN MOUNTAIN POWER CORP VA AUG CONSOLIDATED BILL 08160206201	210-43123.622 TRAFFIC LIGHTS - ELECTRIC	483.39	7127	09/09/16
07010	08/22/16	GREEN MOUNTAIN POWER CORP VA AUG CONSOLIDATED BILL 08160206201	210-42220.622 ELECTRICAL SERVICE	691.02	7127	09/09/16
07010	08/22/16	GREEN MOUNTAIN POWER CORP VA AUG CONSOLIDATED BILL 08160206201	210-45551.622 ELECTRICAL SERVICE	1485.54	7127	09/09/16
07010	08/22/16	GREEN MOUNTAIN POWER CORP VA AUG CONSOLIDATED BILL 08160206201	210-43110.622 ELECTRICAL SERVICE	291.21	7127	09/09/16
07010	08/22/16	GREEN MOUNTAIN POWER CORP VA AUG CONSOLIDATED BILL 08160206201	210-43160.622 STREET LIGHTS - ELECTRICI	10119.82	7127	09/09/16
V9862	08/31/16	PERCY RENTALS, SALES & SE ST MAINTENANCE OTHER 33084	210-43110.570 MAINTENANCE OTHER	31.87	7147	09/09/16
24100	08/11/16	PERMA-LINE CORP.OF NEW EN ST SIGNS & POSTS 157773	210-43110.617 SIGNS AND POSTS	45.15	7148	09/09/16
21570	08/26/16	PETTY CASH - LOU ANN PIOL SC INCREASE PETTY CASH 160826D1	210-10120.000 PETTY CASH - GENERAL	100.00	7149	09/09/16
25140	08/09/16	PIKE INDUSTRIES INC ST SO SUMMIT PAVING GRANT 34691	210-43120.610 PAVEMENT MAINTENANCE	18708.25	7150	09/09/16
25140	08/16/16	PIKE INDUSTRIES INC ST PAVEMENT MAINTENANCE 883484	210-43120.610 PAVEMENT MAINTENANCE	121.20	7150	09/09/16
25140	08/23/16	PIKE INDUSTRIES INC ST PAVEMENT MAINTENANCE 884592	210-43120.610 PAVEMENT MAINTENANCE	726.00	7150	09/09/16

09/09/16
02:18 pm

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25140	08/26/16	PIKE INDUSTRIES INC ST PAVEMENT MAINTENANCE 885281	210-43120.610 PAVEMENT MAINTENANCE	120.60	7150	09/09/16
23465	08/23/16	PITNEY BOWES, INC. AD PSTG METER 9/20-12/19 3301296333	210-41320.442 LEASED SERVICES	281.88	7151	09/09/16
26385	08/29/16	PROFESSIONAL WRITING SERV AD/DV PC&TRUSTEE AUG MINS 762-EJ	210-41970.530 COMMUNICATIONS	110.00	7154	09/09/16
26385	08/29/16	PROFESSIONAL WRITING SERV AD/DV PC&TRUSTEE AUG MINS 762-EJ	210-41320.530 COMMUNICATIONS	308.00	7154	09/09/16
24325	08/26/16	RADIO NORTH GROUP INC ST TRUCK #3 PARTS 24137146	210-43110.432 VEHICLE MAINTENANCE	96.00	7156	09/09/16
18010	08/24/16	REYNOLDS & SON, INC. VF HOSE 3282454	210-42220.889 ROUTINE EQUIPMENT PURCHAS	134.60	7158	09/09/16
18010	08/25/16	REYNOLDS & SON, INC. VF HOSE 3282576	210-42220.889 ROUTINE EQUIPMENT PURCHAS	4148.55	7158	09/09/16
18010	08/26/16	REYNOLDS & SON, INC. ST HOSE WASH RAKE 3282717	210-43110.610 SUPPLIES	150.00	7158	09/09/16
37965	08/16/16	S D IRELAND CONCRETE ST STORM MANHOLE COVER 340136	210-43151.430 STORM SEWER MAINTENANCE	169.00	7167	09/09/16
37965	08/22/16	S D IRELAND CONCRETE ST DENSMORE CULVERT 57523	210-43151.430 STORM SEWER MAINTENANCE	446.50	7167	09/09/16
29835	06/06/16	SHERWIN-WILLIAMS ST LINE STRIPPER 4233-9	210-43110.891 CAPITAL OUTLAY	6599.99	7175	09/09/16
29835	06/14/16	SHERWIN-WILLIAMS ST TRAFFIC PAINT 4595-1	210-43120.444 STREET MARKINGS	1000.00	7175	09/09/16
29835	05/21/16	SHERWIN-WILLIAMS ST LINE STRIPPER PARTS 4719-3	210-43110.570 MAINTENANCE OTHER	273.65	7175	09/09/16
29835	09/01/16	SHERWIN-WILLIAMS ST SUPPLIES 6617-4	210-43110.610 SUPPLIES	52.25	7175	09/09/16
40840	08/15/16	SOVERNET COMMUNICATIONS ST TELEPHONE SERVICE 3666965	210-43110.535 TELEPHONE SERVICES	35.56	7180	09/09/16
36130	08/18/16	VERIZON WIRELESS VA TELE 9770515605	210-42220.535 TELEPHONE SERVICES	160.04	7190	09/09/16
36130	08/18/16	VERIZON WIRELESS VA TELE 9770515605	210-41970.535 TELEPHONE SERVICES	40.01	7190	09/09/16
36130	08/19/16	VERIZON WIRELESS ST PHONE SERV& WAT IPAD 9770585604	210-43110.535 TELEPHONE SERVICES	356.18	7190	09/09/16
22070	08/23/16	VILLAGE COPY & PRINT INC. AD LETTERHEAD & ENVELOPES 6254	210-41320.610 SUPPLIES	392.70	7191	09/09/16
V10238	09/02/16	VT AIR TESTING SVC DV Chris Young 8/26 350	210-15101.000 EXCHANGE - GENERAL	627.50	7192	09/09/16
V10238	09/02/16	VT AIR TESTING SVC DV ZZ Top 8/27 351	210-15101.000 EXCHANGE - GENERAL	627.50	7192	09/09/16
V10238	09/02/16	VT AIR TESTING SVC DV monster truck 8/28 352	210-15101.000 EXCHANGE - GENERAL	627.50	7192	09/09/16
29825	08/23/16	VT GAS SYSTEMS VA GAS HEAT 081615066	210-41940.623 HEATING/NATURAL GAS	56.07	7194	09/09/16
29825	08/23/16	VT GAS SYSTEMS VA GAS HEAT 081615066	210-43110.623 HEATING/NATURAL GAS	67.17	7194	09/09/16
29825	08/23/16	VT GAS SYSTEMS VA GAS HEAT 081615066	210-42220.623 HEATING/NATURAL GAS	47.73	7194	09/09/16

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29825	08/23/16	VA GAS HEAT 081615066	210-45551.623 HEATING/NATURAL GAS	51.07	7194	09/09/16
30210	08/31/16	VA Q4 fye 17 unemp ins 20398Q4	210-20215.000 STATE UNEMPLOYMENT PAYABL	445.00	7198	09/09/16
25535	09/07/16	AD membership dues SMH 160907	210-41320.500 TRAINING, CONFERENCES, DU	35.00	7200	09/09/16
07565	08/22/16	BL SUPPLIES I37047950	210-45551.610 SUPPLIES	169.00	7205	09/09/16
V10636	09/01/16	AD FSA admin Sept 160916463	210-41320.210 HEALTH INS & OTHER BENEFIT	3.45	16090909	09/09/16
21850	08/03/16	SC CLEANING AT SEN CTR 318	225-45122.430 REPAIRS & MAINTENANCE	150.00	7079	09/09/16
31545	08/31/16	SC FOOD/PAPER CTR MEALSIT 083116D	225-45122.812 MEAL SITE EXPENSES	14.23	7095	09/09/16
31545	08/31/16	SC FOOD/PAPER CTR MEALSIT 083116D	225-45122.610 OPERATIONAL SUPP/EXP	59.59	7095	09/09/16
21570	08/26/16	SC items with petty cash 81982616	225-45122.614 PROGRAM EXPENSES	17.08	7149	09/09/16
21570	08/26/16	SC items with petty cash 81982616	225-45122.610 OPERATIONAL SUPP/EXP	6.32	7149	09/09/16
21570	08/26/16	SC items with petty cash 81982616	225-45122.810 TRIP EXPENSES	50.00	7149	09/09/16
21570	08/26/16	SC items with petty cash 81982616	225-45122.614 PROGRAM EXPENSES	2.99	7149	09/09/16
12265	08/22/16	SC MONTHLY COPIER FEE 97395022	225-45122.610 OPERATIONAL SUPP/EXP	83.74	7159	09/09/16
43320	09/01/16	SC SIGN-CTR HRSFOROUTSIDE 5299	225-45122.430 REPAIRS & MAINTENANCE	145.00	7169	09/09/16
25140	08/09/16	ST SO SUMMIT PAVING GRANT 34691	230-46801.014 So. Summit Paving	74833.01	7150	09/09/16
V10070	08/19/16	VR multi path engineering 225785	230-46801.006 MULTI-USE PATH NORTH	600.07	7189	09/09/16
28785	08/17/16	RS 2016 SILVERADO TRK#3 94341	231-43131.161 4WD PICKUP - TRK #3	12148.00	7174	09/09/16
31275	08/31/16	WW WATER BREAK 9987	254-43200.430 WATER LINES MAINT-BREAKS	6242.50	7099	09/09/16
23215	08/26/16	VW SUPPLIES 10616311	254-43200.610 SUPPLIES	70.46	7106	09/09/16
04035	08/26/16	ST SHOVELS 29772	254-43200.610 SUPPLIES	44.08	7125	09/09/16
07010	08/22/16	VA AUG CONSOLIDATED BILL 08160206201	254-43200.622 ELECTRICAL SERVICE	54.72	7127	09/09/16
V1636	08/11/16	VW/SA SS FLGD HOSE END 81002	254-43330.002 METER REPLACEMENT PROGRAM	56.34	7143	09/09/16
V10641	08/25/16	VW HYDRANT PAINTING 823203026225	254-43200.430 WATER LINES MAINT-BREAKS	279.68	7153	09/09/16
29835	08/29/16	VW HYDRANT PAINTING 6444-3	254-43200.430 WATER LINES MAINT-BREAKS	25.21	7175	09/09/16
36130	08/19/16	ST PHONE SERV& WAT LPAD 9770585604	254-43200.891 CAPITAL OUTLAY	879.96	7190	09/09/16

09/09/16
02:18 pm

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29825	08/23/16	VA GAS HEAT 081615066	254-43200.623 HEATING/NATURAL GAS	34.39	7194	09/09/16
05290	08/31/16	WW FUNNELS GAUGES 4424799	255-43200.570 MAINTENANCE OTHER	32.29	7065	09/09/16
11375	08/22/16	WW 1.25 TON GRIT PLUS 693381	255-43200.565 GRIT DISPOSAL	187.31	7084	09/09/16
V10734	08/22/16	WW JULY-AUGUST 1608-WWTP	255-43200.622 ELECTRICAL SERVICE	2969.11	7102	09/09/16
06870	08/25/16	WW WEEKLY TRN 210373	255-43200.577 CONTRACT LABORATORY SERVI	25.00	7103	09/09/16
V10616	08/17/16	WW FULL LD BIOXIDE 902752508	255-43200.619 CHEMICALS	9114.00	7107	09/09/16
38955	08/24/16	WW GAS COMPRESS PRESSTNK 51978169	255-43200.570 MAINTENANCE OTHER	44.11	7108	09/09/16
21740	08/11/16	WW LUNCH & LEARN 08/11/16D	255-43200.500 TRAINING, CONFERENCES, DU	25.78	7115	09/09/16
07010	08/23/16	WW 7/20-8/22/16 WWTF 0816/23407	255-43200.622 ELECTRICAL SERVICE	8881.25	7127	09/09/16
37715	08/25/16	WW LINE CHECKS 32143	255-43200.570 MAINTENANCE OTHER	80.00	7130	09/09/16
29835	08/17/16	WW POLY FOR DUMP TRAILER 5972-4	255-43200.570 MAINTENANCE OTHER	46.83	7175	09/09/16
V2093	08/12/16	WW FULL LD SOD HYDROXIDE 331179	255-43200.619 CHEMICALS	3996.83	7178	09/09/16
36130	08/18/16	VA TELE 9770515605	255-43200.535 TELEPHONE SERVICES	182.69	7190	09/09/16
29825	08/23/16	VA GAS HEAT 081615066	255-43200.623 HEATING/NATURAL GAS	937.18	7194	09/09/16
07010	08/22/16	VA AUG CONSOLIDATED BILL 08160206201	256-43220.002 WEST ST PS COSTS	557.86	7127	09/09/16
07010	08/22/16	VA AUG CONSOLIDATED BILL 08160206201	256-43220.001 SUSIE WILSON PS COSTS	709.17	7127	09/09/16
07010	08/22/16	VA AUG CONSOLIDATED BILL 08160206201	256-43200.622 ELECTRICAL SERVICE	850.34	7127	09/09/16
V1636	08/11/16	VW/SA SS FLGD HOSE END 81002	256-43330.002 METER REPLACEMENT PROGRAM	112.67	7143	09/09/16
29825	08/23/16	VA GAS HEAT 081615066	256-43220.002 WEST ST PS COSTS	37.85	7194	09/09/16
29825	08/23/16	VA GAS HEAT 081615066	256-43220.001 SUSIE WILSON PS COSTS	37.85	7194	09/09/16
29825	08/23/16	VA GAS HEAT 081615066	256-43200.623 HEATING/NATURAL GAS	43.29	7194	09/09/16

09/09/16
02:18 pm

Town of Essex / Village of EJ Accounts Payable
Check Warrant Report # 17010 Current Prior Next FY Invoices For Fund (GENERAL FUND)
For Check Acct 01 (GENERAL FUND) All check #s 09/09/16 To 09/09/16 & Fund 2

Page 6 of 6
LMorrisseau

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
		Report Total		179610.27		

...

Patty Benoit

Subject: FW: Essex Homecoming Request

From: Jeff Goodrich [mailto:jgoodrich@ccsuvt.org]
Sent: Monday, September 12, 2016 1:41 PM
To: Patty Benoit
Subject: Re: Essex Homecoming Request

Dear Village Trustees,

This request pertains to the upcoming Essex High School Homecoming. It has been an annual tradition that we include a short fireworks display prior to kick-off of our Football Game and more recently a post game bonfire.

This year's date for homecoming is Friday September 30th with a 7 pm start time.

I am requesting two waivers in order to hold these two events. 1) Waiver of the Noise Ordinance for the fireworks at approximate 7:03 pm on 9/30/16 for approximately 3 minutes 2) Waiver for the no burn ordinance to hold the bonfire from approximately 9 pm to 10:30 pm at 2 Educational Drive Essex Jct.

Attached is the permit from the fireworks company (Northstar) that does our Homecoming fireworks.

I have communicated with EJFD (John Rowell) about the date of Homecoming and in the past he has coordinated having a crew on site for the bonfire.

Thank you for your consideration.

(Note: There will not be a homecoming parade this year)

Best,

Jeff

Jefferson Goodrich

Academic Dean of Student Activities

Essex High School

2 Educational Drive

Essex Junction, VT 05452

(802) 857-7012

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.

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.

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.~~
- ~~(e) — 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.~~

- ~~(e) — 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 ~~move 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)~~ 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 ~~615~~601.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~~ **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 Prophibitions.

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 and Board of Trustees, 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.

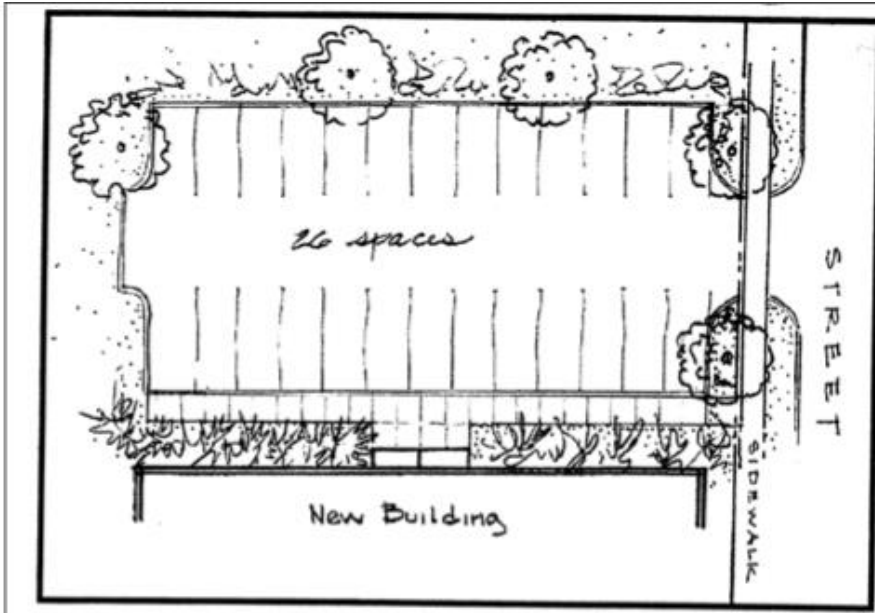
8. Example Schematics:

Figure 8.1 Parking Area Landscaping/Screening



From Landscape Guide for Vermont Roadways & Transportation Facilities

Figure 8.2 Perimeter Landscaping for Parking Areas

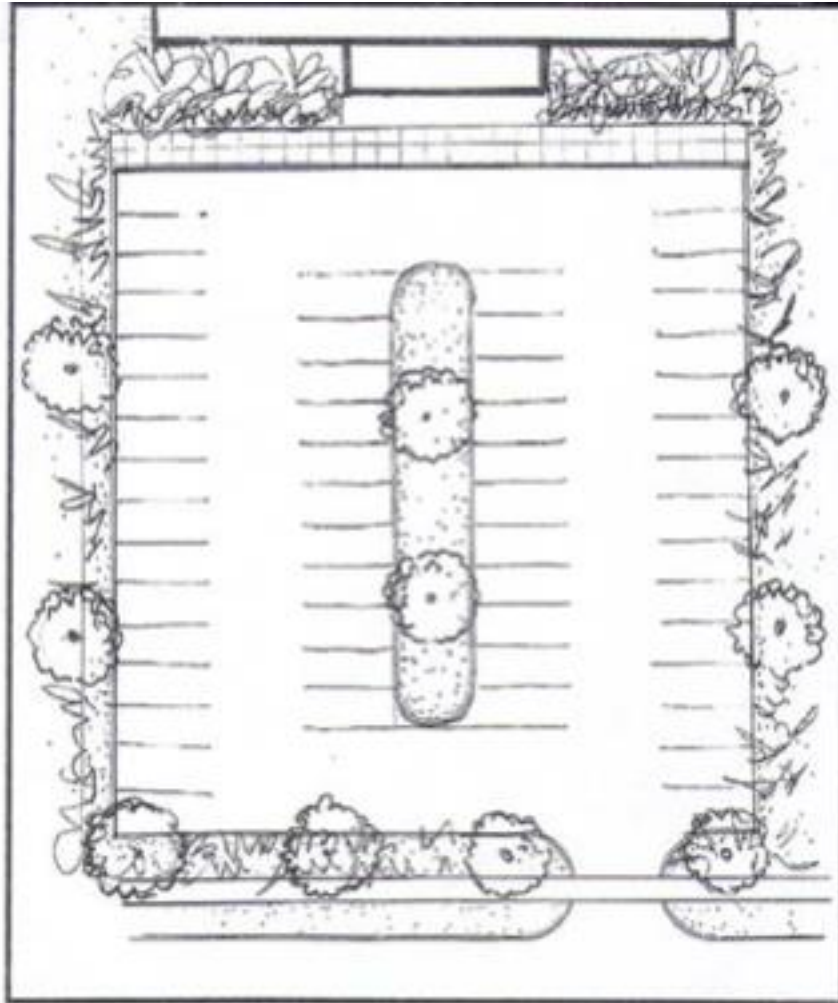


Example

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 9053.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~~ **Planning Commission-Zoning Board of Adjustment** by filing a written Notice of Appeal with the ~~clerk of the Commission Village Clerk~~ **clerk of the Commission** 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~~ **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~~ **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% ± 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 ~~504~~ 541.

SECTION 108: CEMENT CONCRETE SIDEWALK

C. 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.

B. 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~~ **lines** ~~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.**

Memo

From: George Tyler

To: Essex Junction Board of Trustees

9/9/16

Subject: Why the Recreation Governance Committee resolution now?

Based on discussions with Village staff and with the Prudential Committee at our previous joint meeting we realized there are several issues we should address as soon as possible prior to the December 13 vote to decide whether to create a union municipal recreation district:

- 1) Regardless of how the vote turns out, we will be required to dissolve the existing contract with the Prudential Committee regarding status quo operation of EJRP. We need to have the manager and Village attorney assess and advise us on the process. We should have them look into this now rather than discover some unanticipated legal or statutory issue after the December 13 vote.
- 2) Regardless of how the vote turns out, we (the Village government) may be required to collect the remaining payments for the bond to improve Maple Street Park. When the Village School District dissolves in 2017 the Village government will be the only municipal entity within Essex Junction. The Town or the new recreation district may be able to levy an additional tax solely on Village residents, but it might be more expedient for the Village to take on that assignment. It might be helpful to the RGSC and Prudential Committee for us to signal our willingness to take on that role, if necessary, as soon as possible.
- 3) If the vote is negative, the Prudential Committee must decide how and to whom it will transfer governance of EJRP. They are about to enter the final phase of the process of dissolving the Village School District. They take their responsibility for EJRP very seriously and need to have the question of its governance successfully resolved. The Unified School District board has indicated a preference for not taking over governance of EJRP, leaving the Village municipality as the most likely and obvious candidate. If we are willing to accept EJRP governance (if the union district vote fails) it would be helpful to the Prudential Committee for us to signal our willingness to do so at the earliest possible date. In fact, due to the late timing of the vote we may wish to have some preliminary discussions with the Prudential Committee about transfer of governance prior to December 13.
- 4) A clear signal of our intentions is also necessary to resolve any lingering uncertainties about the recreation consolidation process. We indicated to the Prudential Committee last year that if they transferred governance of EJRP to the Village, we would accept the governance but due to the ongoing shared services initiative we would most likely approach the Town about consolidating recreation departments. Indeed, the entire RGSC process was an effort to expedite that process. A negative vote on December 13 will signal that the community does not wish to consolidate recreation departments. The Prudential Committee can now proceed with the process of establishing EJRP under Village governance with assurance that the question of consolidating recreation departments with the Town has been concluded.

(DRAFT) The Trustees Resolve to:

Support and advocate for the recommendation of the RGSC to create a Union Municipal Recreation District.

Support and assist efforts to disseminate accurate information explaining the RGSC's mission, process, findings, and recommendations.

Urge the Selectboard and the Prudential Committee to join us in supporting the RGSC's recommendations and assist with efforts to disseminate accurate information explaining the RGSC's mission, process, findings, and recommendations.

If Voters Approve the Recommendation to Establish a Union Municipal Recreation District, We Resolve to:

Acknowledge that Village taxpayers will be required to retire the outstanding debt on the bond to improve Maple Street Park.

Support and assist efforts to work with the Selectboard, Prudential Committee, and the new Union Municipal Recreation District to develop an incremental tax assessment formula to mitigate any tax increases that might unduly affect one portion of the Village-Town community as a result of town-wide tax equalization to fund recreation.

If Voters Do Not Approve the Recommendation to Establish a Union Municipal Recreation District, We resolve to:

Work with the Prudential Committee and their supervisory support staff, if they so desire, to initiate the transfer of governance of EJRP to the Essex Junction municipal government (the Village), with the following conditions:

- The Trustees and Village government will seek to maintain and enhance all current EJRP programs and services
- The Trustees and Village government will explore finance and governance models that will allow EJRP to maintain its present entrepreneurial approach to creating and financing its programs and services including, if possible, keeping its budget separate from the Village general fund.
- The Trustees and Village government will not pursue any further efforts to consolidate recreation departments with the Town of Essex.
- The Trustees and Village government may, in time, pursue recreation consolidation efforts with other municipalities or compatible partnerships for EJRP.

(DRAFT) Trustees' Resolution Regarding the RGSC Recommendations

Questions and Answers

Why do the Trustees Support the RGSC's recommendation to form a union municipal recreation district?

1) The RGSC's core mission was to find the best governance model for consolidating the two departments while maintaining existing programs and services. The union municipal district model they have recommended will be governed exclusively by one elected board. Unlike other municipal boards who must divide their attention among many departments, the recreation district board would be singularly focused on governing recreation finance, operations, and policies. They will codify their governance authority with a charter approved by the Vermont Legislature that requires them to adhere to the same open meeting and transparency processes as other municipal legislative bodies. This model reflects the familiar and time-honored Vermont tradition of open, accessible, and accountable governance.

2) The EJRP, which operates as a special taxing district, has not increased its tax rate for ten years. All budget increases over the last decade have been funded by program consumers, at no cost to Village taxpayers. The Essex Town Recreation Department's tax rate has steadily increased over the same period as part of the overall Town general fund increase, and will continue to do so. Although the two departments receive similar tax support, EJRP offers substantially more programs and services. In a time of fiscal uncertainty and rising municipal budgets the Trustees believe the EJRP finance model has clearly demonstrated itself to be the most prudent, cost effective, and progressive funding model. It has allowed a much higher degree of entrepreneurial programming with no impact on taxes. The Trustees believe that a union municipal recreation district would most closely resemble EJRPs current governance, tax, and finance model.

EJRP is a special taxing district?

EJRP *operates* as a special taxing district. Vermont law does not allow school district budgets to intermingle with other municipal budgets. Therefore, EJRP has separate taxing authority to raise revenue and its finances are substantially separated from Essex Junction School District finances. The Essex Junction Prudential Committee provides public oversight of its operations and finances. A union municipal recreation district would have a similar independent tax and finance model. The main difference is that a newly elected board would provide public oversight.

Is Cost the Only Reason the Trustees Support the RGSC's recommendation?

No. Due to its association with Village Schools, EJRP staff has developed an extensive combination of in-school childcare/after school programs. Many working families throughout the Town and Village depend on those programs. The RGSC concluded that creating a union municipal recreation district would be the best way to assure continuation of those programs in the face of the pending Essex school district consolidation. The Trustees believe those programs are an essential economic benefit to community families. We therefore concur with the RGSC's recommendations.

Why would the Trustees Not Pursue Another Recreation Consolidation Study with Essex Town if Voters Choose Not to Create a Union Municipal Recreation District?

1) In the event of a 'no' vote, transferring governance of EJRP from the Village school district to the Village municipality will be at least a year-long undertaking that requires extensive effort by the respective elected boards and staffs. The Trustees anticipate that it may take several years for the Village government and EJRP staff to develop the collaborative partnership EJRP deserves. We would need to approach that responsibility with the intention of embracing full stewardship of EJRP and not with the ulterior intention of putting the Village community, EJRP patrons, EJRP staff, and Village staff through another period of transition and uncertainty.

2) The Trustees believe any reasonable discussion of consolidating recreation services must include consideration of forming a union municipal recreation district. The possibility of that option was unanimously acknowledged at the joint meeting of the three boards to form the RGSC. Subsequently, a member of the selectboard has now voiced strong opposition to that option, publicly criticized the RGSC process, questioned their motives, and formed a political action committee to discredit the RGSC's work and defeat their recommendation. The precipitous and prejudicial tone of those recriminations has had a chilling effect on the the subject of consolidating recreation services with the Town and has interfered with the RGSC's responsibility to report its findings and recommendations. The Trustees cannot know if other shared service discussions or studies will trigger similar episodes, but we could not reasonably ask citizens and staff to serve on another recreation study committee. Therefore, in the event of a 'no' vote we would not re-engage the Selectboard on this matter.

Will a 'no' vote allow enough time for the School District and Village to effectively transfer governance of EJRP by April, 2017? Could a 'no' vote interfere with the creation of the unified union school district?

The Prudential Committee can retain governance of EJRP through most of the transition period of 2017 – 2018 during which the new unified union school district board and supervisory service assimilates the responsibilities of the participant school districts, boards, and supervisory services. EJRP will have taxing authority in April 2017, under the auspices of the Essex Junction School District, to raise revenue to fund its FYE 2018 budget. The Village municipal government will not need to include EJRP operations in the FYE 2018 budget it warns for Annual Meeting in 2017. The Village government will work with the Prudential Committee and Chittenden Central Supervisory Union from January – June in 2017 and thereafter with the Unified Union School District, if necessary, to affect a transition of governance by the end of the 2017 calendar year. A 'no' vote will not affect the formation of the unified union school district.

Will transfer of governance of EJRP require dissolution of the contract between the Prudential Committee and Trustees that acknowledges the Prudential Committee's 'ownership' of EJRP?

Yes, the two boards must mutually agree to cancel the contract. The contract is void thereafter.

RECEIVED

SEP 07 2016

Village of Essex Junction

TO: Pat Scheidel
Town Select Board
Village Board of Trustees
Prudential Committee
Recreation Governance Study Committee
FROM: Elaine Sopchak, Village Trustee
DATE: September 7, 2016
RE: Research regarding special taxing districts

Dear Pat and Board members,

In the midst of all the conflicting information recently shared with the community about the proposed unified recreation district and the warnings we have all heard about special taxing districts in general, I decided to do some further research to satisfy my own misgivings. There has been so much vocal opposition to the proposed unified recreation district, I have been concerned that because of the overbearing—and sometimes offensive—presentation of these objections, we may have overlooked some legitimate concerns.

At Irene Wrenner's frequent request I have reviewed the research I could find on special taxing districts. I thought it would be beneficial to the overall conversation to share with you and the relevant boards what I learned. However, upon reading the report Irene most frequently references in her pamphlet, in the media, and on her website, "Out of Sight: How Special Taxing Districts Circumvent Spending Limits and Decrease Accountability in Government" by Stephen Slivinski of the Goldwater Institute, and after reviewing several articles and books that were referenced in the report, it is clear to me that the issues the report exposed in most cases do not apply to our local situation. While the report uncovers many bad things about special taxing districts, from the stupid to the outright illegal, it appears that many negative aspects of special taxing districts not relevant to our current situation are being lifted out of the context of the report and used to criticize the proposed unified recreation district. In fact, the agreement proposed by the RGSC already incorporates all of the recommendations the report makes to ensure the fairness and legality of special taxing districts.

I'll also include here a link to a video Irene suggested I watch that comes from the show "[John Oliver's Last Week Tonight](#)," in which he editorializes on special districts. It's hilarious and I highly recommend watching it. However, it is based on much of the same research as the Goldwater report and doesn't really apply to our proposed unified recreation district.

For brevity's sake I've included a summary of what I learned, followed by a more detailed review.

Respectfully,

Elaine Sopchak, Village Trustee

SUMMARY

The Goldwater Institute report appears to be the sole basis for the majority of objections raised about the unified recreation district. Upon review, this report has almost nothing to do with the unified recreation district being proposed for our community. Here's why.

INACCURACIES REGARDING TAXATION & EXPENSES

- The report asserts that special taxing districts are often established to circumvent debt and/or spending limits. **However, Vermont is one of only four states that does not impose spending or debt limits on municipalities—this concern is irrelevant to our situation.**
- The report asserts that once a special taxing district is established, a municipality will allocate the money it's saving to other expenses. **In our case, the cost of administering the recreation departments would be removed from both the Town and Village budgets and not be replaced—the costs of recreation would be shifted to the new district and Town and Village municipal taxes would go down.**
- Both recreation departments will continue to hold their tax rates steady because their customers pay for services—**this is not the case in the special taxing districts studied in the report.**
- The report states that special taxing districts result in wild variations in what taxpayers pay. **The creation of a unified recreation district will result in all residents paying exactly the same tax rate for this service. There will be no variations based on location or usage.**
- The report asserts that services in a special taxing district cost more and are of poorer quality than services provided by the municipality. **The cost of recreation services to Town-outside-the-Village users provided by the unified recreation district will decline, as they will no longer be charged the non-resident rate. The quality of programs will not change.**
- The report claims few special taxing districts are audited to prevent fraud. **The financial operations of the unified recreation district would be required to be audited annually, just as municipal finances are.**

INACCURACIES REGARDING VOTING & BOARD MAKEUP

- The report states that elections for special taxing districts are often timed to occur during times of low turnout. **Except for the vote to establish the unified recreation district—which is forced by circumstance to happen December 13th—all future votes regarding the unified district will occur in April with Town Meeting. In addition, the proposed unified recreation district would hold all votes by Australian Ballot, ensuring that the entire population gets to vote on recreation related initiatives.**
- Appointed board members of special taxing districts are accused of having business interests or other stakes in the creation of the district. **Members of the unified recreation district would be elected, not appointed, providing a check against special interests. Other than the elected officials from the Village and Town and the two recreation directors, who**

are obviously intimately acquainted with the operations of both departments, none of the volunteer members of the Recreation Governance Study Committee have business or vested interests in the formation of a unified district.

- The report implies that fraudulent intent is the basis for the vast majority of special taxing districts investigated. **The intent of all our local consolidation efforts, including a unified recreation district, is the most efficient and cost-effective government possible.**

FALSE COMPARISONS TO DISTRICTS IN OTHER STATES

- All the districts discussed in the report are enormous, serving up to millions of people and representing hundreds of millions of dollars. **This comparison is vastly out of scale with the size and budget of the proposed unified recreation district.**
- The report asserts that 90% of special taxing districts are created within the boundaries of a single municipality, and therefore are not technically necessary. **The proposed unified recreation district would encompass two distinct municipalities, and would allow other municipalities to join the district.**
- Recent comments in the newspaper and in materials opposing a unified recreation district would lead voters to think that special taxing districts in New England are highly unusual and that recreation districts are non-existent. According to data in the report, **all New England states have hundreds of special taxing districts, including Vermont. All of them except Vermont—Maine, New Hampshire, Connecticut, Rhode Island, and Massachusetts—also have recreation districts.**
- Vermont has many parks districts, including the Winooski Valley Parks District, of which both the Village and Town are a part. Parks districts are not unusual in Vermont. **Recreation districts are not an unusual, untried entity in New England. They are actually quite common across the entire country. What's more, according to the report they are even more common in rural states.**
- **Both the Village and Town are already members of multiple districts:** Chittenden Solid Waste District, Tri-Town Stormwater District, and the U-46 School District that currently operates Essex High School. **Our community has a very successful track record when it comes to participating in special taxing districts that all residents pay into, and that have not resulted in widely varying, rapidly increasing, and unaccounted for spending.**

WE ARE ALREADY DOING IT RIGHT

The report ends with a series of recommendations. What's interesting is that the proposed unified recreation district **already includes them.**

- The report encourages states to apply municipal spending limits to special taxing districts. **But Vermont statute does not require these spending limits.**
- The report recommends an annual report and audit. **Both of these happen now and would continue to happen under a unified recreation district.**

- The report reminds us that only elected boards may issue debt. **The unified recreation district's board would be elected.**
- They recommend that all votes be aligned with regularly scheduled votes. Again, if voting requirements hadn't prevented otherwise, the vote on this district would have been in November. **All subsequent votes will be in April along with Town Meeting.**

The proposed unified recreation district agreement already includes all the recommendations of this report. This has not been mentioned by those using this report to oppose the district.

The criticisms that are based on this report are largely inaccurate and/or inapplicable. ***If anything, reading this report has made me feel even more confident that we are on the right path.***

MORE DETAILED REVIEW

INACCURACIES REGARDING TAXATION & EXPENSES

The Goldwater Institute report asserts that special taxing districts are primarily created to avoid spending limits imposed by the state; lead to increased municipal and district spending; result in varying levels of taxation; and provide lower quality services.

- Special taxing districts are often established to circumvent debt and/or spending limits—the report asserts that this motivation is the norm rather than the exception. The main example the report uses to demonstrate much of what is wrong with special taxing districts is an Arizona hospital district task force that explicitly investigated whether a special taxing district could be exempt from such limits. This task force also considered closing the hospital as a last resort to help guide the conversation—a subtle, threatening tactic. The report goes on to say that in a study of over 300 metropolitan areas, the growth of special districts was directly attributable to the presence of tax limitations in those areas. However, Vermont is one of only four states that does not impose spending or debt limits on municipalities—therefore this concern is irrelevant to our situation.
- The report also asserts that once a special taxing district is established, the dollar amount normally spent by the municipality on services would now be paid by the new district; the municipality would then be able to allocate that money toward other things. The report emphasizes that special district spending results in an increase in municipal spending. But in our case, the cost of administering the recreation departments would be removed from both the Town and Village budgets and *not be replaced*—the costs of recreation would be shifted to the new district and Town and Village municipal taxes would go *down*.
- Recreation department tax rates in both the Village and Town have held steady for many years; it is expected this trend will continue. In addition, both recreation departments are able to hold their rates steady because those who use their services pay for them over and above their taxes—this is not the case in the special taxing districts studied in the report.
- The report states that special taxing districts result in wild variations in what taxpayers of different, abutting districts pay. While this has been the case in other states, one of the main purposes of establishing a unified recreation district is to create tax equity across the Village and the Town. The creation of a unified recreation district will result in all residents paying exactly the same tax rate for this service. There will be no variations based on location or usage. The report does not address tax equity at all and instead assumes fraudulent intent in almost all cases.
- The report also asserts that services in a special taxing district cost more and are of poorer quality than services provided by the municipality. In fact, the cost of recreation services to Town-outside-the-Village users provided by the unified recreation district will decline, as they will no longer be charged the non-resident rate to use them. The goal of the unified district is to continue to provide services at a level that is the same or better than what residents currently experience. The special taxing districts discussed in the report were of such a large size that it is not surprising some of them have experienced a decline in quality and an increase in cost, but I do not think that will be the case here.

- In addition, there is no discussion in the report about auditing. The financial operations of the unified recreation district would be required to be audited annually, just as the municipal finances are. This is an additional check that does not receive any mention except as a recommendation at the end of the report.

INACCURACIES REGARDING VOTING & BOARD MAKEUP

The Goldwater Institute report spends much time criticizing the timing of votes and the makeup of appointed boards. It does not however, discuss votes other than those that establish a district; it doesn't mention special taxing districts that get voter approval for budgets or bonding. Nor does it discuss boards with elected members, only appointed.

- According to the report, special taxing districts "tend to have little accountability to voters." It states that elections are often timed to occur during unusual times when turnout would be low and special interests can work to influence the outcome. The report recommends that "special district tax and bond elections should take place alongside all other elections in November." With the exception of the vote to establish the unified recreation district—which has been forced by circumstance to occur on December 13th—all future votes regarding the unified district, including elections, large investments, and bonding, will occur in April alongside town meeting. The report actually does not talk about whether budgets for special taxing districts are approved by vote; it focuses primarily on votes to establish the district.
- The aforementioned hospital district vote occurred in an off-year and passed with about 2% of registered voters approving, implying that the vote was intentionally scheduled to occur in this way. The sad reality of our local voting habits has shown that consistently 1.2 – 2.3% of registered voters turn out for any particular Town or Village meeting. This is why the proposed unified recreation district would hold all votes by Australian Ballot, thus ensuring that the entire population gets to vote on recreation related initiatives, just like the school budget, instead of being tucked away in the Town and Village budgets and approved by an extremely small group of voters, or amended by an even smaller but very loud interest group on Town Meeting Day.
- The report uses as an example the Maricopa County (AZ) task force charged with creating a hospital district, the majority of whose members were found to have business interests or other stake in the creation of the district. Members of the unified recreation district would be elected, not appointed, providing a check against special interests. Other than the elected officials from the Village and Town and the two recreation directors, who are obviously intimately acquainted with the operations of both departments, none of the volunteer members of the Recreation Governance Study Committee have business or vested interests in the formation of a unified district.
- The report expresses concern about membership of boards that run special taxing districts. It discusses the inherent unfairness in appointing members to serve on those boards, and implies that these appointed members can be influenced by special interests. However, it does not at all address districts where all board members are elected, which would be the

case with a unified recreation district. Again, the absence of commentary on district budgets that are approved by vote is notable.

- Fraudulent intent is implied for the vast majority of special taxing districts investigated in this report, implying many districts are created to help a particular development get built or to enrich private interests. This simply is not the case with the proposed unified recreation district. The emphasis in this report is on the smallest government possible. The emphasis in all our local consolidation efforts, including a unified recreation district, is the most efficient and cost-effective government possible.

FALSE COMPARISONS TO DISTRICTS IN OTHER STATES

All of the districts discussed in the report are enormous, serving hundreds of thousands up to millions of people and representing hundreds of millions of dollars. This comparison is vastly out of scale with what the proposed unified recreation district would cost. The report gives almost no attention to recreation districts, instead focusing on much larger districts pertaining to water, electricity, healthcare, and other uses.

- Many special taxing districts are created due to increasing services having to be provided to increasing populations, the result of significant urbanization occurring particularly in the west. The report focuses almost exclusively on Arizona, a state with vastly different reasons for and experiences with special taxing districts.
- The report asserts that the vast majority (90%) of special taxing districts are created within the boundaries of a single municipality, and therefore are not technically necessary. This is not the case with a unified recreation district, which would encompass two distinct municipalities, and would allow other municipalities to join the district.
- The report provides a table of census data containing the number of special taxing districts in each state. Recent comments in the media and in materials generated by those opposing a unified recreation district would lead voters to think that special taxing districts in New England are highly unusual and that recreation districts are non-existent. The fact is all New England states have hundreds of special taxing districts, including Vermont (and the Essex community already has two: the U-46 school district and EJRP itself, both with taxing authority). All of them except Vermont—Maine, New Hampshire, Connecticut, Rhode Island, and Massachusetts—also have recreation districts.
- Vermont has many parks districts, including the Winooski Valley Parks District, of which both the Village and Town are a part, the Lake Iroquois District in Williston, and many others. Parks districts are not an unheard of entity in Vermont. Recreation districts are not an unusual, untried entity in New England. They are actually quite common across the entire country. What's more, according to the report they are even more common in rural states.
- Both the Village and Town have been members of multiple districts for decades: Chittenden Solid Waste District, Tri-Town Stormwater District, and the U-46 School District that operates Essex High School. Our community has a very successful track record when it comes to participating in special taxing districts that all residents pay into, and that have not

resulted in widely varying, rapidly increasing, and unaccounted for spending. And as we know, EJRP is a special taxing district that has not raised its tax rates in ten years.

WE ARE ALREADY DOING IT RIGHT

The Goldwater Institute report ends with a series of recommendations for ensuring transparency and mitigating spending increases. What's interesting to this discussion is that the proposed unified recreation district already includes them, or they are not relevant to the state of Vermont. What's concerning to me is that while the critiques in this report have been liberally shared, no mention that these recommendations are already being followed has been made.

- The report encourages state lawmakers to make sure spending limits apply to special taxing districts as they do to municipalities. Except that Vermont does not have spending limits at all.
- The report recommends transparency in the form of an annual report and audit. Both of these happen now and would continue to happen under a unified recreation district.
- It states that only elected boards may issue debt. This assumes that all special taxing districts have appointed boards, which is not the case here.
- They recommend that all votes be aligned with November. Again, if voting requirements hadn't prevented otherwise, the vote on this district would have been in November and all subsequent votes will be by Australian Ballot in April alongside town meeting.

We are already doing all the recommendations of this report, a fact that conveniently has not been mentioned. The criticisms directed at the RGSC that are based on this report are largely inaccurate and/or inapplicable.

If anything, reading this report has made me feel even more confident that we are on the right path. I am hopeful that as the RGSC begins its outreach work, they will share accurate, clear, easily understandable information, and be prepared to counter criticism loosely based in selective research.




Community Development Department

2 Lincoln Street
Essex Junction, VT 05452
www.essexjunction.org

Office: (802) 878-6950
Fax: (802) 878-6946

MEMORANDUM

TO: Pat Scheidel, Village Manager, Trustees
FROM: Robin Pierce, Community Development Director 
DATE: September 13, 2016
SUBJECT: Approval for NECR to work in Village ROW as part of the Crescent Connector project

Issue

The issue is whether or not the Trustees give permission to New England Central Railroad (NECR) to work in the Village right-of-way (ROW) for rail crossing improvements as part of the Crescent Connector project.

Discussion

As part of the construction of the Crescent Connector and the upgrade of Railroad Street, there is a requirement to improve the rail crossings on Park, Maple, Main and Central Streets. NECR will be completing these sections of the work. To do so, they will be within the Village ROW. In order to satisfy VTrans requirements, it is necessary for the Village, through a Trustee vote, to give NECR permission to undertake the work that is within the Village ROW necessary for rail crossing improvements. Subsequent to an affirmative Trustee vote, the Community Development Department needs to issue a local permit for the work. Both of these documents must to be submitted with the final bid set for the rail crossing improvements.

Cost

There is no cost to the Village.

Recommendation

It is recommended that the Trustees approve NECR working in the Village ROW as part of needed construction work for the Crescent Connector and authorize the Community Development Department to issue a permit for same.



MEMORANDUM

TO: Village Trustees
FROM: Pat Scheidel, Municipal Manager
DATE: September 13, 2016
SUBJECT: Trustees Meeting Schedule

TRUSTEES MEETING SCHEDULE/EVENTS

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
PLANNING COMMISSION
MINUTES OF MEETING
August 18, 2016**

MEMBERS PRESENT: David Nistico (Chairman); John Alden, Amber Thibeault, Andrew Boutin, Joe Weith, Steve Shaw. (Diane Clemens was absent.)

ADMINISTRATION: Robin Pierce, Development Director.

OTHERS PRESENT: Greg Morgan, Bill Nedde, Hank Slauson, Bill Whitby.

- AGENDA:**
1. Call to Order
 2. Audience for Visitors
 3. Additions/Amendments to the Agenda
 4. Minutes
 5. Public Hearing
 - Final Plan, Manufacturing Building Addition, 1 Jackson Street, Flex-A-Seal
 6. Other Planning Commission Items
 7. Adjournment

1. CALL TO ORDER

Chairman David Nistico called the meeting to order at 6 PM.

2. AUDIENCE FOR VISITORS

None.

3. ADDITIONS/AMENDMENTS TO THE AGENDA

None.

4. MINUTES

June 16, 2016

MOTION by Amber Thibeault, **SECOND** by John Alden, to approve the minutes of 6/16/16 as written. **VOTING:** 4 ayes, one abstention (Steve Shaw)[Joe Weith not present for vote]; motion carried.

5. PUBLIC HEARING

Final Plan for a two storey, 18,774 s.f. addition to an existing light manufacturing building at Flex-A-Seal, 1 Jackson Street, in the MCU District by Krebs & Lansing Consulting Engineers, agents for Hank Slauson, owner

John Alden recused himself from the Planning Commission. Bill Nedde, John Alden, Hank Slauson, and Bill Whitby appeared on behalf of the application.

STAFF REPORT

The Planning Commission received a written staff report on the application, dated 8/18/16.

APPLICANT COMMENTS

Bill Nedde reviewed the site plan and existing conditions, noting the parking, loading docks, building expansion area, and stormwater system (infiltration chambers will be installed on the northerly and south side of the building to collect storm water runoff). Existing water and sewer services will be used. There will be separate service to the new addition.

John Alden reviewed the existing building and proposed expansion to provide more manufacturing space. There will not be an increase in staff. Flex-A-Seal has customers all over the world and employees about 100 employees at the site in Essex Junction (second largest employer in the village). Mr. Alden reviewed the traffic pattern for trucks accessing the two loading bays at the back of the building. Landscaping on the site includes a large existing hedgerow and trees. Existing plantings will be supplemented in the appropriate places (i.e. avoiding the infiltration chambers). Regarding parking, in addition to the parking on the site Flex-A-Seal has a long term lease for parking and access on the adjacent property owned by the village. Lighting on the building and grounds will be fully shielded downcast lights at a height of 16' so no waivers are necessary. There is can lighting in the canopy over the front door and lighting by the loading docks at the back of the building. There are lights above all the exit doors.

Robin Pierce commented the long term lease with the village shows the commitment of the village to having Flex-A-Seal remain in the village. Mr. Pierce suggested the applicant use the urban tree nursery program at the Center for Technology for plantings or provide a donation in lieu of plantings through the Village to the CTE Urban Nursery. The village partnered with CTE on the urban tree program. John Alden said the final numbers for landscaping are not yet known, but the applicant will work with Staff on plantings/donation.

David Nistico asked if there is any new construction proposed on village property. John Alden stated the expansion is only on the Flex-A-Seal site. In the future space for parking may be needed. The property owner will work with the village on this. This type of manufacturing use has a higher number of employees and the business owner has looked at other buildings, but there was not enough parking. Flex-A-Seal has arranged to have employees park nearby and will work with the village in the future if additional parking is needed.

Joe Weith asked if parking on the village property satisfies the parking need presently and with the expansion. John Alden confirmed this. It was noted per the regulations the applicant needs to provide 25 parking spaces and is providing 28 spaces. Mr. Weith pointed out the parking aisle width does not meet the requirement. John Alden said the parking is existing and not being changed (i.e. grandfathered). The parking spaces in the front of the building are being reworked and will meet the required width. Joe Weith asked if the Fire Chief feels the site is accessible. John Alden confirmed this. Regarding lighting, Joe Weith commented the village may want to consider greater heights for lights in industrial zones provided the lights are shielded and not impacting adjacent properties.

Joe Weith pointed out the existing building does not meet the setback. John Alden agreed the building is an existing nonconforming structure and is on the lot line of the right-of-way for the railroad. The building was originally a warehouse for the railroad. Robin Pierce added the expansion can be allowed provided there is no increase in the nonconformance of the building.

Amber Thibeault mentioned the letter from an adjacent property owner expressing concern about additional parking. John Alden said there is no additional parking proposed on the Flex-A-Seal site at this time. The existing 28 spaces are being restriped. Additional employee parking is on the land leased from the village.

David Nistico asked if there will be an increase in truck traffic with the expansion. Hank Slauson said an increase no greater than 10% may occur. It is expected more material will be delivered (bigger loads), but not more trucks.

There was discussion of waivers. Joe Weith questioned whether the criteria for waiver of lot coverage is met by the proposal. John Alden said the character and the space created and protected is through 'superior design'. The infiltration chambers are a sophisticated stormwater design that will handle a 10 year 24 hour storm (the existing system cannot handle this). The viewshed from the green area is not impacted for the neighbors. The area does not have open space except on railroad property which is off limits. More manufacturing space is being provided so Flex-A-Seal can remain in the village. The proposed addition fits in the nonconforming space and is an efficient way to achieve a larger footprint. The property owner made a significant monetary contribution with the proposal in order to remain in the village. The lot coverage increase is 7% (13,300 s.f. building footprint and net new impervious surface of approximately 7,000 s.f.).

Andrew Boutin asked about heavy trucks on village roads. John Alden said it is estimated there will be 10% more truck traffic on roads already used by dump trucks and heavy equipment from Public Works. There will not be more frequent truck deliveries or a significant increase in the number of trucks, but more material per delivery. The material is steel which is very heavy. Hank Slauson said most of the truck traffic is deliveries by UPS and FedEx.

PUBLIC COMMENT

A letter, dated Marcy 11, 2016, from Cecilia Polansky and John Heerman, 9 Jackson Street, was received regarding the number of additional employees, having enough parking, increase in trips by large trucks, when an alternate access for truck traffic may be needed, and the noise level from the site.

There were no further comments.

MOTION by Amber Thibeault, SECOND by Andrew Boutin, to close the public portion of the hearing on the Final Plan for expansion at Flex-A-Seal, 1 Jackson Street. VOTING: unanimous (5-0); motion carried.

DELIBERATION/DECISION

Final Plan, Manufacturing Building Addition, 1 Jackson Street, Flex-A-Seal

There was mention of Flex-A-Seal staying in the village and the long term lease arrangement. Joe Weith expressed concern about the proposal meeting the criteria for a lot coverage waiver and suggested downsizing the addition to meet the permitted lot coverage. There was discussion of having to meet some or all of the criteria and "superior design". John Alden said the expansion is the most square footage that could be done and still have a reasonable building for Flex-A-Seal to remain on the site. The green space is all that can be done on an industrial site with an industrial building. Joe Weith suggested investigating a boundary line adjustment with the village.

MOTION by Amber Thibeault, SECOND by Andrew Boutin, to approve the waiver requested for lot coverage and approve the Final Plan for a two story, 18,774 s.f. addition to a light manufacturing building at Flex-A-Seal, 1 Jackson Street, with the following stipulations:

- 1. All staff comments shall be addressed by the applicant and resolved to staff's satisfaction prior to the issuance of any permits.**
- 2. All work shall comply with the Land Development Code.**
- 3. Post-development storm water runoff from the site shall not exceed pre-development storm water runoff from the site.**
- 4. The waiver for 72.2% lot coverage is granted.**
- 5. Lighting shall meet the 16' height requirement.**
- 6. The applicant will donate a percentage of the required landscape budget to CTE via the Village for the urban tree nursery project.**
- 7. The applicant will explore the potential for a boundary line adjustment with Public Works to help meet the lot coverage requirement.**

And further, it is noted the existing structure is noncomplying and the expansion meets the requirement of not increasing the noncompliance.

VOTING: 4 ayes, one nay (Joe Weith); motion carried.

John Alden returned to the Planning Commission.

6. OTHER PLANNING COMMISSION ITEMS*Renewable Energy Sites*

Robin Pierce will forward to the Planning Commission the email he sent to Regional Planning regarding protecting the landscape and retaining productive farmland by requiring renewable energy to be of a scale that suits an area, is used in the area it is generated and thus does not require as many transmission lines generated in the area and hooked into the existing grid.

Food Truck and Pergola

Joe Weith asked if the food truck and pergola by Five Corners was reviewed by the Planning Commission. Robin Pierce said temporary uses do not require site plan review.

Status of LDC

Robin Pierce reported the Trustees wanted to further discuss the language for massage parlors and building height. The Trustees changed the wording in the comprehensive plan to say buildings over four stories in height are not anticipated. There was mention of clarifying or eliminating subjective phrases such as “superior design” in the LDC. Joe Weith stressed the need for clear criteria for waivers.

Acknowledging Written Correspondence

The Planning Commission agreed any written correspondence that is received from the public will be noted under the “Public Input” section of a hearing.

Time Limit for Public Comments

Amber Thibeault suggested a policy be written establishing a time limit for comments during the public forum portion of the meeting. The suggestion will be added to the next meeting agenda for discussion.

7. ADJOURNMENT

MOTION by Amber Thibeault, SECOND by Andrew Boutin, to adjourn the meeting. VOTING: unanimous (6-0); motion carried.

The meeting was adjourned at 7:18 PM.

Rcdg Scty: MERiordan *smh*

MINUTES SUBJECT TO CORRECTION BY THE ESSEX JUNCTION BIKE/WALK ADVISORY COMMITTEE.
CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE
COMMITTEE.

**VILLAGE OF ESSEX JUNCTION
BIKE/WALK ADVISORY COMMITTEE
MINUTES OF MEETING
August 22, 2016**

MEMBERS PRESENT: Rick Hamlin, Jud Lawrie, Phoebe Spencer, Jeff Frolik, Eric Bowker, Raj Chawla, Micah Hagan, Gabe Epstein

OTHERS: Julie Miller-Johnson, Five Corners Farmer's Market

ADMINISTRATION: Darby Mayville, Community Relations/Economic Development Assistant

1. CALL TO ORDER

Rick called the meeting to order at 5:46 PM.

2. AGENDA ADDITONS

The following items were added to the agenda:

- Review and Sign Ethics Policy.
- Discuss Wellness Day at the Five Corners Farmer's Market.

3. MINUTES REVIEW

**MOTION BY JUD, SECOND BY MICAH TO ACCEPT JULY MEETING MINUTES.
MOTION PASSED.**

4. REVIEW AND SIGN ETHICS POLICY

Members reviewed and signed this policy.

5. DISCUSS WELLNESS DAY AT THE FIVE CORNERS FARMER'S MARKET

Darby introduced Julie Miller-Johnson, Market Coordinator for the Five Corners Farmer's Market. The Market was hoping to do a wellness day on September 2nd, and had invited the BWAC to participate.

Julie explained that the goal of this event was to attract a different crowd to the market, and said that she thought that it would be a good way for the BWAC to inform the public of their work.

Rick said that they had tried doing a slow ride last year at the Market and this got very little traction. Julie noted that their recent survey showed that very few people bike to the market, and recommended a focus on walkers instead.

The committee decided to the following at the event:

- Hand out brochures (provided by Local Motion).
- Give out walking maps.
- Raffle off two children's helmets.
- Share BWAC goal list.
- Share guerilla signage.
- Give away stickers from Cycle de Mayo and blinkers from Essex Police.
- Collect input on barriers to biking and walking.
- Possibly do minor bicycle repairs.

Phoebe and Jeff will both be available to work at this event.

6. BIKE RACK COLLABRATION WITH CTE

Rick said that he had spoken with Bob Travers, CTE principal. He liked the idea of having CTE students work to build public bike racks, and will present it to the teachers once school begins. He asked Rick to contact him again if he does not hear back from him by mid-September.

Jeff noted that it would be nice for the arts academy to participate in some way, as there is no public art in Essex Junction.

7. MAPPING PROJECT

The committee reviewed the work that they had done mapping out barriers to biking and walking. They will bring this map to the Five Corners Farmer's Market to share with the public.

8. PUBLIC INPUT

None.

9. NEXT MEETING & AGENDA

The next meeting will be held on September 19th at 5:45 PM. The agenda is TBD.

10. ADJOURNMENT

**MOTION BY JUD, SECOND BY RAJ TO ADJOURN THE MEETING. MEETING
ADJOURNED AT 6:50 PM.**

Respectfully submitted, Darby Mayville.



89 Main Street, Suite 4
Montpelier, Vermont
05602

Capitol Plaza Hotel and
Conference Center
100 State Street
Montpelier, Vt.

802-223-5252

MUNICIPAL BUDGETING WORKSHOP

TUESDAY, SEPTEMBER 27, 2016

CAPITOL PLAZA HOTEL AND CONFERENCE CENTER,
MONTPELIER

PRSR STD
U.S. POSTAGE PAID
MONTPELIER, VT
PERMIT NO. 358

RECEIVED

AUG 23 2016

Village of Essex Junction



Board of Trustees
Essex Junction Village
2 Lincoln St
Essex Junction VT 05452-3154

MUNICIPAL BUDGETING WORKSHOP - SEPTEMBER 27, 2016, MONTPELIER, VT

This workshop is for selectboard members, town managers and administrators, treasurers, finance directors, auditors, and planning commission members. Financial management is a topic of great importance to Vermont taxpayers. This workshop will focus on statutory requirements, accounting best practices, the capital plan and budget, and more. Come learn what your town can do to ensure a sufficient return on taxpayer dollars.

Presentations and Speakers:

Municipal Budgeting and Finance: Legal Requirements and Best Practices

Garrett Baxter, Senior Staff Attorney, VLCT
William Hall, Senior Financial Consultant, VLCT

Voter Authorization to Spend or Borrow – Town Meeting Articles

Garrett Baxter, Senior Staff Attorney, VLCT
Carl Andeer, Staff Attorney I, VLCT

Tools to Manage Future Public Investments

Geoff Urbanik, Town Manager, Richmond, Vermont
William Hall, Senior Financial Consultant, VLCT

RATE (PER PERSON):

\$60.00..... VLCT PACIF Members

\$90.00..... VLCT Members

Register by
September 20,
2016*

To see a detailed agenda and register online, visit vlct.org/eventscalendar and click on the workshop title. Questions? Contact VLCT at 800-649-7915 or info@vlct.org.

*Pre-registration is required to ensure a sufficient number of packet materials and meals. Registration fees are not refundable after the registration deadline.

REGISTRATION OPENS AT 8:30 A.M. THE WORKSHOP ENDS AT 3:30 P.M. A LIGHT BREAKFAST AND LUNCH ARE INCLUDED.

RECEIVED

AUG 30 2016

Village of Essex Junction

MEMORANDUM



*Serving and
Strengthening
Vermont Local
Governments*

To: Town Managers, Town Administrators, Town Clerks, Mayors, Listers, Selectboards, Village Trustees, and Board and Policy Committee Members

From: Karen Horn, Director
Public Policy and Advocacy

Date: August 26, 2016

Re: 2017 Draft Municipal Policy

Attached is the draft 2017 VLCT Municipal Policy, which contains the recommendations of VLCT's Municipal Policy Committee members and Board of Directors and whose format we updated so that it focuses on municipal priorities. This Policy will guide VLCT's advocacy efforts during the next legislative session relative to issues such as transportation funding, stormwater management mandates, public safety answering points, and municipal self-governance. Language proposed for deletion is crossed out, and language proposed for addition is underlined.

The year 2017 will feature a new administration, new legislative leadership, and many new state senators and representatives. Help VLCT prepare for the change and set VLCT's municipal legislative priorities by discussing these policies with your colleagues and fellow board and commission members before the annual meeting at Town Fair on **Wednesday, October 5**.

- Are these the most significant issues for your municipality?
- If not, what issue is most relevant to you?
- Will the proposed actions fix problems you encounter as a local official?
- What are we missing?

This platform of legislative initiatives will be debated at VLCT's Annual Business Meeting at the Champlain Valley Fair Grounds at Town Fair on Wednesday, October 5, 2016, beginning at 2 p.m. Join us and make your town's vote count!

Please return any proposals of amendment on the attached form by **Wednesday, September 7**, if you want the VLCT Board to consider endorsing them at its meeting on September 8. You may, of course, also offer amendments from the floor during the Annual Meeting. The entire draft Municipal Policy and proposal amendment and voting delegate forms are also posted on VLCT's website, www.vlct.org/advocacy/legislative-platform/.

Please email me at khorn@vlct.org with any questions. Thank you!

Sponsor of:

VLCT Employment
Resource and Benefits
Trust, Inc.

VLCT Municipal
Assistance Center

VLCT Property and
Casualty Intermunicipal
Fund, Inc.

attachments

Vermont League of Cities and Towns Municipal Policy Guiding Principles 2017

VLCT supports:

- a robust ongoing partnership between state and local governments;
- decision-making at the local level, including allowing the adoption of local fees and taxes; full implementation of municipal charter provisions following adoption by local voters; and a home rule amendment to the Vermont constitution;
- including local officials and personnel in discussions regarding changes governing local response to emergency situations;
- enabling implementation of local planning decisions and encouraging collaboration between the state and municipalities to support policies that best meet the needs of cities and towns;
- substantial deference to municipal planning, zoning, and siting decisions when state entities make permitting decisions;
- allowing maximum flexibility in decision-making regarding how cities and towns respond to state regulatory and statutory requirements; and
- allowing local flexibility in pursuing economic development activity.

State Mandates. VLCT opposes all unfunded mandated programs, pre-emption of municipal programs, or shifts in costs to local government. We support full reimbursement of costs for any mandated programs and the preparation of fiscal impact statements that show any potential shift in cost to inform any action that is taken legislatively or administratively.

State Funding Policy. VLCT supports using state funding efficiently, effectively, and fairly for the specific purposes for which it is appropriated. We oppose diverting those funds to other programs or functions.

VLCT supports funding and incentives for:

- an Open Meeting Law educational program;
- PILOT payments based on fair market value;
- all municipal highway programs;
- programs to spur economic development at the local level;
- expeditious construction and repair of municipal sidewalks and recreation paths;
- required stormwater management infrastructure;
- Department of Corrections programs that return offenders to the community;
- sufficient beds to serve those with long- and short-term mental health or addiction needs;
- support services and mobile crisis units;
- municipal recovery of costs incurred in providing services to individuals lodged in state-owned or funded facilities and costs to comply with their federal, state, or court-ordered licensing, registration, or testing;
- housing and transportation of persons who present a danger to themselves or the public;
- public safety answering points (PSAPs), the Community Drug Interdiction Program and state drug task force, and the Vermont Fire Academy certified training programs; and
- reimbursement of costs of training law enforcement officers who are hired by the state.

1.0 FINANCE, ADMINISTRATION AND INTERGOVERNMENTAL RELATIONS (FAIR)

1.01 EDUCATION FUNDING

Policy.

1. Municipal and school officials, state administration, and the legislature should begin ~~immediately~~ as equal partners to analyze the issues within Acts 60, 68, ~~(including ways in which they do not meet the Brigham decision)~~ and now Act 46, and create a new education finance system that reduces and reforms the property tax burden.
2. The legislature should assess whether Act 46 has resulted in cost reductions in school district budgets and per pupil expenditures. The legislature should develop a tangible definition of success. Act 46's success in curbing the rate at which education property taxes increase and establish the target rate of increase that will define the legislation's success.
3. ~~Until then,~~ Education Fund monies should *only* be used for pre-K--12 education functions listed in 16 V.S.A. § 4025(b), and billing and collection of the state education property tax should remain at the local level.

Explanation.

Vermont's education funding system has significantly diminished the capacity for municipalities to use property tax dollars for non-education expenditures, making it difficult for municipalities to craft and secure voter approval for municipal budgets, particularly when seeking funding for expensive but essential municipal projects. Act 46 (H.361) of 2015 did not ease the education property tax burden.

Many aspects of education finance are controlled by the State, which continually raids the Education Fund, fails to restrict the Education Fund to uses specified in Act 60, and fails to fully fund General Fund support of education as specified in Act 68. Local officials and others spend far too much time trying to understand and implement the increasing complexities of the education finance system.

1.02 VERMONT TAX STRUCTURE OVERHAUL

Policy.

VLCT supports:

1. legislation to reform Vermont's income, sales, and property taxes; and
2. providing sufficient revenue for local government initiatives and reimbursing municipalities for all state-mandated property tax exemptions or providing local voters with the authority to impose municipal service fees on such properties; and

VLCT opposes any new state property taxes until a reformed tax structure is adopted.

Explanation.

The legislature should require that income, sales, and property taxes are thoroughly analyzed and reformed to ensure simplicity, sustainability, equity, and balance. The Blue Ribbon Tax Commission last analyzed state tax sources in 2010. That analysis should be updated. Vermont's reformed tax structure should include sufficient revenues for initiatives that local governments need but cannot afford.

1.03 OPEN MEETING LAW CHANGES

Policy.

VLCT supports:

1. applying the Open Meeting Law to the legislative and executive branches of state government as well as local government; and

2. making the following changes to the law during the 2017 legislative session to facilitate its use by municipal government:

- increasing the five-day requirement for posting minutes to ten business days;
- limiting mandatory application of the 2014 amendment's posting and penalty requirements to statutory- and charter-required public bodies;
- making other municipal public bodies, including committees and subcommittees of public bodies, comply with the law as it existed before July 1, 2014, and;
- providing sustainable funding for an educational program to acquaint municipal officials with the Open Meeting Law's requirements.

1.043 STATE PAYMENTS IN LIEU OF TAXES (PILOT) PROGRAMS

Policy.

VLCT supports full funding of all state Payments In Lieu of Taxes (PILOTs) using fair market value for all state buildings and state lands and expanding PILOTs to include all state owned lands.

Proceeds from local options taxes should fund only PILOTS for those state-owned buildings specified in 32 V.S.A. 3701(1)(A) as of 2016. All dollars raised by local option taxes should be retained in the buildings PILOT and used only to increase PILOT payments for those state owned buildings specified in 32 V.S.A. 3701(1)(A) as of the year 2016.

Explanation.

The General Fund must fund any remaining balance and all other PILOT payments until proceeds from local option taxes fully fund the state buildings PILOT. Otherwise, specific municipal taxpayers fund the loss of revenue related to lands and buildings that benefit all Vermont taxpayers.

1.05-4 LOCAL OPTION TAXES

Policy.

VLCT supports allowing all cities, towns, and villages to adopt consumption taxes.

Explanation.

Eighteen municipalities have approved local option taxes (sales, meals and rooms or alcohol). That authority should be extended to all municipalities.

1.06-7 PROTECTING AND ENHANCING MUNICIPAL FINANCES

- ~~A. Require the House Ways and Means and Senate Finance committees to review and adjust all local fees set in statute on a three-year cycle. Include significant local input.~~
- ~~B. Ensure that the legislature increases existing or imposes new state agency fees assessed against municipalities only when the agency can show a comparable increase in the costs, quality, or quantity of the services provided.~~
- ~~C. Provide ways for the state to help municipalities get the highest interest income on their investments while continuing to ensure low risk of loss.~~
- ~~D. Clearly communicate the state economic development strategy to municipalities and regional entities and engage them in a partnership to implement that strategy on the local, regional, and state levels.~~
- ~~E. Require the state to pay its portion of costs associated with defending the grand list and property tax collections, including appeals and abatements. The \$150,000 appropriation to defend appeals from reappraisals of TransCanada Hydro Northeast, Inc. properties along the Connecticut and Deerfield Rivers is a good start in that direction. The state should also pay the taxpayer directly for any education property taxes and interest required to be reimbursed due to a property valuation adjustment resulting from an appeal beyond the board of civil authority.~~

~~F. The state should reimburse municipalities for any local costs for implementation of any state election law changes or reapportionment (including voter and election official education), as well as subsequent administrative or technological costs. The implementation of any election law changes must also satisfy the requirements of local election officials to have an election system that functions smoothly and effectively on Election Day.~~

~~G. Make statutory changes that enable cities and towns to better manage end-stage blighted properties and tax sale transactions.~~

Policy.

VLCT supports:

1. adjusting all local fees set in statute on a minimum three-year cycle, with significant local input;
2. creating a partnership with municipalities and regional entities to implement a clearly communicated state economic development strategy at all levels of government;
3. enabling cities and towns to more effectively manage blighted properties and tax sale transactions;
4. state payment of its portion of costs associated with defending the grand list and property tax collections, including appeals and abatements; and
5. paying taxpayers directly for education property taxes and interest required to be reimbursed when a property value is adjusted as a result of an appeal beyond the board of civil authority.

VLCT opposes any new or increased state agency fees assessed against municipalities unless the agency shows a comparable increase in costs, quality, or quantity of the services provided.

Explanation.

Municipal fees established in statute have not been increased in many years. Those fees should be reviewed and amended on the same cycle as are state agency fees for permits and licenses.

A municipality must be authorized to sell an entire property at tax sale and not only that portion sufficient to cover the amount of delinquent taxes. The law appropriately provides that any revenue derived from a tax sale that exceeds the amount owed on taxes goes to the delinquent property tax payer. The window for lodging an appeal of a tax sale should be limited to 30 days following the date of issuance of the tax collector's deed.

1.07 8-MUNICIPAL AUTHORITY

Policy.

VLCT supports:

1. properly adopted municipal charters and amendments taking effect on the July 1 following voter approval without a vote by the legislature, unless both houses of the legislature vote by majority to take up the municipal charter or amendment for consideration. Upon enactment of this provision, the legislature could vote to take up the charter or amendment only if it contained provisions never previously approved by the legislature; and
2. continuation of authority for municipalities to adopt conflict of interest policies or ordinances locally, either by local legislative body action or by voter petition.

VLCT opposes municipal conflict of interest policies being overseen by a state imposed process or law.

Explanation.

Municipalities adopt conflict of interest policies and ordinances at the municipal level. The state needs to adopt and enforce conflict of interest policies at the state executive and legislative branches of government.

1.08 9 PUBLIC RECORDS IMPACT ON MUNICIPALITIES

Policy.

VLCT supports:

1. subjecting non-profit organizations that receive government financial support, except those exempted based on a constitutionally-protected religious purpose, to the Open Meeting and Public Records laws;
2. clarifying that the Public Records Law allows municipalities to charge for and collect the actual cost of staff time associated with complying with a request to inspect or copy public records and allows a public agency to require pre-payment for the cost of that staff time;
3. making property tax bills with homestead property tax adjustments public documents; and
4. amending the Public Records Law to allow individuals the right to request the same materials no more than twice during a 12-month period.

1.09 OTHER PRIORITIES

Policy.

VLCT supports:

1. requiring municipal ratification of the county budget including any costs incurred as a result of a sheriff providing dispatch services;
2. allowing local voters to decide all delinquent property tax collection issues, including whether or not to assess delinquent property tax penalties on each late installment;
3. requiring that all state rules, regulations, criteria, and other administrative actions affecting local government operations be implemented only 30 days after a publicly noticed hearing;
4. eliminating the mandate that local governments take over any non-municipal cemeteries;
5. continuing to implement mechanisms prohibiting resident property owners with high unearned income or assets from receiving a property tax adjustment;
6. restoring the current use program to an agricultural and silvicultural preservation program;
7. encouraging cooperative municipal activities to achieve cost savings and efficiencies and eliminate any statute or rule that prohibits or hinders cooperation;
8. holding the Department of Taxes responsible for any changes to education tax property parcel classification or homestead property tax adjustment amounts made after June 30;
9. requiring the Department of Taxes to deal directly with the taxpayer; and
10. giving town voters the authority to choose to appoint or elect town clerks and treasurers.

2.0 TRANSPORTATION

2.01 PRIORITY ISSUES FOR IMPLEMENTATION

Policy.

VLCT supports:

1. substantially increasing funding to all highway programs affecting local government, now that the Agency of Transportation (VTrans) has stable funding from the federal government for five years under the Fixing America's Surface Transportation Act of 2015, and a FY17 budget of \$618 million;
2. fully funding any new transportation programs, including the municipal roads permit;
3. ensuring communication among all state agencies and their divisions so that redundant and contradictory oversight of municipal projects is eliminated, the permitting process is expedited, and project review is tailored to the size and impact of a project;
4. increasing the gas tax and dedicating those new revenues to meeting municipal stormwater obligations;
5. implementing additional recommendations of the 2013 Vermont Transportation Funding Options Section 40 Report;

6. creating a streamlined and efficient process for the Local Transportation Facilities (LTF) program to use funding most efficiently and funding it with state money;
7. applying efficiencies from the Accelerated Bridge Construction (ABC) and design-bid-build processes to other programs and; ensuring that the processes are applied to all bridge projects unless there is a compelling reason not to use it.

VLCT opposes:

1. municipal roads permit fees - both establishment of one fee regardless of municipality size or number of road miles, and charging fees at all for roads permits which the law requires every municipality to obtain;
2. using any money from the Transportation Fund for non-transportation purposes.

Explanation.

Increasing Town Highway Aid programs, Class 1 Local Highways, Class 2 Paving and Town Highway Structures grant programs, and the Town Highway Bridge Program is critical to enable municipalities to comply with water quality improvement and protection project mandates. Funding new transportation programs, particularly those related to stormwater management requirements, is critical, as is ensuring that VTrans and other state agencies pay their fair share of local stormwater fees. Implementing additional recommendations of the 2013 Vermont Transportation Funding Options Section 40 Report can be used to sustain future Transportation Fund revenues. LTF projects should be managed by local governments with responsibility to see the project through to completion.

2.02 ADDITIONAL FUNDING PRIORITIES

Policy.

VLCT supports:

1. ensuring that funding for the Town Highway Emergency Fund is sufficient to cover municipal costs resulting from natural or manmade disasters, whether or not a federal disaster has been declared;
2. streamlining Municipal Assistance Bureau programs and processes, and establishing performance standards that must be met within the agency;
3. expanding funding to the Municipal Assistance Bureau and Better Roads Program for training and assistance to municipalities;
4. reimbursing any project using federal dollars at the federally allowed rate if it includes undergrounding of utilities or moving water, sewer, and similar infrastructure;
5. fully funding upgrades to municipal post-disaster recovery projects mandated by state agencies but not eligible for funding from the Federal Emergency Management Agency or other federal sources; and
6. ensuring that town highways and bridges are adequately engineered to mitigate the impacts of any future weather-related disaster.

Explanation.

If VTrans mandates moving water and sewer infrastructure for transportation projects, the agency must reimburse municipalities for those costs.

2.03 STATE AND LOCAL COOPERATION

Policy.

VLCT supports:

1. restoring District Transportation Administrators' flexibility and authority to work with local governments;
2. eliminating Act 250 review and nullifying existing Act 250 permits of town highway maintenance and reconstruction projects;
3. revising existing road design and traffic standards to better define village areas and respect the traffic and infrastructure needs of Vermont's villages and downtowns;

4. expanding the state's line painting operations to include painting lines on all Class 2 highway each year;
5. modifying the billboard law to allow municipalities to hang temporary banners within the state highway right-of-way advertising events and activities;
6. exempting municipalities from signing management or maintenance agreements as co-applicants or accepting responsibility for the state's stormwater infrastructure on state projects; and;
7. providing incentives to municipalities to take over state highways that function as main streets.

Explanation.

The purpose for expanding existing District Transportation Administrators' flexibility and authority to work with local governments is to ensure effective technical assistance and efficiency in implementing transportation projects. When VTrans partners with municipalities and other agencies, it enhances the asset management/project priority program to ensure the importance of local and regional priorities and the participation of local officials in selecting projects.

2.04 COMMERCIAL VEHICLES

Policy.

VLCT supports:

1. urging the institution of a statewide process for permitting overweight or oversized vehicles on local roads and authorizing municipalities to fine owners of permitted vehicles violating or not obtaining such permit; and
2. requiring commercial and agricultural custom service vehicles to comply with all motor vehicle laws when operating on state and local highways.

2.05 MULTI-MODAL TRANSPORTATION

Policy.

VLCT supports:

1. establishing a state funding source for construction and repair of sidewalks and recreation paths;
2. fully funding the "Complete Streets" program, and providing state money to fund portions of paving and rehabilitation projects in combination with other funding sources;
3. encouraging state coordination with municipalities on state-managed projects regarding appropriate siting of transportation infrastructure and ensuring funding is available to pay for required stormwater management infrastructure at the time projects are constructed or re-constructed.

2.06 RAIL

Policy.

VLCT supports:

1. -requiring all railroad-related projects to comply with environmental regulations, especially water quality;:
2. -requiring rail companies to notify municipalities of hazardous materials they are transporting through or storing within a municipality's borders;:
3. restricting funds allocated for rail or related projects to those specific projects;
4. -working with railroad companies to prohibit speeding trains in downtown areas; and;
5. - extending passenger rail service to Burlington on the western side of the state by 2020.

3.0 PUBLIC SAFETY

3.01 PRIORITY ISSUES FOR IMPLEMENTATION

Policy.

VLCT supports:

1. the recommendations of the President's Task Force on 21st Century Policing with sufficient funding to implement them successfully;
2. providing public safety officials the authority, information, and funding to combat drug--related crimes throughout the state;
3. funding Department of Corrections' (DOC's) programs and initiatives rooted in evidence--based outcomes to avoid adverse local government impacts resulting from criminal justice system decisions;
4. assessing the number of beds required to accommodate the need for short- and long-term mental health and addiction care, and providing sufficient funding to pay for all beds related to long- and short-term mental health needs; and
5. including host municipality officials in decisions about where to provide temporary housing and respecting local zoning bylaws and plans in those decisions.

VLCT opposes the legalization of marijuana or the expansion of current exemptions to Act 76.

Explanation.

All activity designed to combat Vermont's growing drug culture should be accomplished in a coordinated fashion and state-sponsored initiatives to address opiate addiction should be supported by evidence based models. It is vital to determine the specific need for beds for individuals with both long-term and short-term mental health needs. Those with short-term needs should not be kept in hospital emergency rooms or similar places. Public safety and human resources officials should be part of the decisions regarding the location of temporary housing and municipal zoning should be respected in those decisions, especially as it pertains to the potential for co-location with individuals under the supervision of the Department of Corrections. The state should use public databases, to screen and appropriately place potential housing voucher recipients.

3.02 CORRECTIONS COMMUNITY

Policy.

VLCT supports:

1. requiring 30 days' notice to local officials of changes in the status of offenders in their municipalities, particularly those at risk to re-offend, and collaborating with those officials in any decision about where to place a released person;
2. ensuring that offenders housed in community settings receive reasonable DOC supervision and access to support services that ensures the safety of the community;
3. additional personnel to provide support services for individuals with mental illness or addictions and additional mobile crisis units to support law enforcement and emergency services in crisis situations;
4. adherence to municipal zoning in approving housing for offenders and locating adequate supervision and wrap-around support services where offenders are lodged in close proximity to one another and the general population;
5. clarifying in Title 24 Chapter 117 that temporary housing for offenders does not meet the definition of a "group home:";
6. coordination between DOC and municipal law enforcement to monitor the release of offenders to avoid undue adverse burden on any individual municipality;
7. authority for corrections officers to serve citations and domestic abuse orders to offenders in a correctional facility in lieu of municipal police serving the paperwork there.
8. re-convening the Community Safety and Corrections Taskforce of 2010, which was discussing the adequacy of corrections facilities, and whose work was interrupted by Tropical Storm Irene.

Explanation.

DOC must inform local officials, particularly the chief law enforcement officer and local legislative body, of the circumstances of an incarcerated individual's release and any risk to the municipality it may create.

Support services for individuals with mental illness or addictions are critical before they become a threat to themselves or others. Mobile crisis units are vital to address emergency situations.

3.03 PUBLIC SAFETY FUNDING

Policy.

VLCT supports:

1. authorizing local emergency service agencies to recover all costs associated with complying with any federal, state, or court-ordered licensing, registration, or testing requirement;
2. a moratorium on unfunded training requirements;
3. identifying and funding housing and transportation needs of persons who present a danger to themselves or to the public;
4. reimbursing municipalities for uninsured costs of providing emergency medical services for all persons lodged in state-owned or -funded facilities;
5. restoring adequate funding for the Community Drug Interdiction Program and the state drug task force;
6. providing funding to municipalities to undertake drug investigations at the local level.

Explanation.

Drug enforcement must have a robust local component. State police cannot be everywhere. Distribution of funding must support municipal enforcement efforts.

3.04 PUBLIC SAFETY TRAINING

Policy.

VLCT supports:

1. providing adequate funding and resources to the Vermont Fire Academy for certified training programs and activities for all full-time, part-time, and volunteer firefighters addressing the particular needs and constraints of volunteer firefighters and emergency services personnel;
2. the Law Enforcement Advisory Board assessing statutorily mandated training and determining if it should still be required;
3. regionalizing and diversifying the delivery system for the continuing education of public safety personnel;
4. providing tuition credits to municipalities that send students to the Criminal Justice Training Academy if those municipalities also contribute instructors or training assistants; and
5. including all users of the Criminal Justice Training Academy in discussions to reorganize the structure and funding for local first responder and emergency services provider training.

Explanation.

Many years' accumulation of unfunded training requirements for law enforcement, fire safety, and emergency services personnel has significantly increased both the cost and time commitment required to meet certification requirements. -Current mandated training needs to be re-evaluated to determine whether or not it remains relevant and outdated training mandates need to be deleted.

3.05 PUBLIC SAFETY EMERGENCY RESPONSE

Policy.

VLCT supports:

1. including local personnel in discussions about changes in laws or regulations governing how local public safety and emergency management personnel respond to emergency incidents, particularly hazardous materials incidents; and
2. providing incentives or seed funding for regional public safety services programs run locally.

VLCT opposes mandating a response time for fire departments or EMTs.

Explanation.

Imposing a mandatory response time may endanger the traveling public, reduce ability of volunteers to meet requirements of the job and diminish the value of Vermont's volunteer fire departments or emergency services providers.

3.06 SAFE DRIVING INITIATIVES

Policy.

VLCT supports:

1. enacting primary enforcement of the seat belt law;
2. providing that sanctions levied upon a driver under 18 charged with a motor vehicle violation, continue past the driver's 18th birthday until the case is adjudicated; and
3. the state's initiatives to address highway safety, particularly with respect to bicyclists, pedestrians, and workers in the highway right of way.

3.07 LAW ENFORCEMENT ISSUES

Policy.

VLCT supports:

1. allowing a Vermont law enforcement officer to make an arrest based on a warrant from another state;
2. indemnifying any law enforcement agency providing field training to a constable;
3. enacting state law that mirrors federal law regarding forfeiture of property, particularly when property is used in commission of a crime; and
4. prosecuting as a listed crime possession of bath salts and designer drugs above a specified quantity;
5. in any discussion of marijuana legalization, identifying the effects on cities, towns, and villages, including those on school populations, municipal first responders, municipal ordinances, and municipal budgets;
6. maintaining the independent status and function of the E-911 and Vermont Communications boards.

4.0 QUALITY OF LIFE AND ENVIRONMENT

4.01 HOUSING

Policy.

VLCT supports:

1. directing incentives and programs to designated downtowns, village centers, new town centers, growth centers, and other areas designated in the adopted municipal plan for growth and development near jobs, services, and amenities;
2. where regional and municipal plans agree, accommodating development in prioritized areas and implementing Act 250 incentives for housing; and;
3. allocating property transfer tax funds to the Housing and Conservation Trust Fund at the rate established in Act 200.

Explanation.

All Vermonters need access to safe, quality, ADA-compliant, and affordable housing. Incentives and programs should encourage housing designed and built to minimize impacts on natural resources, that takes advantage of public investments in infrastructure, Act250 incentives for housing, and technology to support sustainable growth and economic development.

4.02 ACT 250 AND STATE PERMITS

Policy.

VLCT supports:

1. further consolidating, coordinating, and expediting all required state permit processes for all projects;
2. delegating responsibility for Act 250 to municipalities demonstrating the professional capacity and willingness to assume responsibility for administration;
3. defining "local impact" and "regional impact" for development projects in Act 250 and comprehensively evaluating Act 250 jurisdiction over projects with local and regional impacts, including recommendations for jurisdictional thresholds and levels of review commensurate with the potential impact of a project.
4. once recommendations are in place, eliminating Act 250 review of projects with local impact in municipalities that have in place duly adopted municipal plans approved by the regional commission and zoning and subdivision regulations, if the local legislative body votes to eliminate such review.
5. assigning to district commissions review of projects with impacts that would affect regional interests.

VLCT opposes revisiting permitting decisions in a second forum such as Act 250 if a local or state permit decision has been made subsequent to appropriate hearing and review. Regional plans should be considered in concert with municipal plans and may not be used to trump duly adopted municipal plans.

Explanation.

Vermont municipalities support reforms that recognize priorities in duly adopted municipal plans, and that make the overall permitting process more efficient and less redundant.

4.03 GROWTH AND LOCAL LAND USE

Policy.

VLCT supports:

1. allocating property transfer tax revenue to cities and towns for municipal planning purposes at the rate established in Act 200;
2. providing additional incentives to spur development in locally planned growth centers as well as designated downtowns, new town centers, or village centers;
3. enabling municipalities to regulate the zoning of agricultural and, diversified agripreneurial and silvicultural facilities through zoning bylaws;
4. compliance by a federal or state governmental entity that owns or leases any facility with the municipal approved plan and zoning bylaws;
5. enabling municipalities to establish incentives and requirements to develop housing and encourage economic development that entices people to stay in Vermont;
6. continuing the Tax Increment Financing (TIF) program and providing incentives to municipalities and funding municipal infrastructure necessary to support economic development; ~~and~~
7. authorizing municipalities to enact ordinances that hold property owners responsible for the maintenance and appearance of their properties and structures; and;
8. recognizing that an adopted regional plan is not a regulation but a guidance document to assist municipalities implement duly adopted plans.

Explanation.

The State must provide local governments authority to manage growth and land use in their municipalities. Development that revitalizes traditional downtowns, promotes smart growth, and mitigates damage caused by natural or manmade disasters must be facilitated. When a federal or state governmental entity proposes a change to a facility, it must advise the municipality of any change before it's made and must provide a master management plan for all structures it owns or leases. Regional plans should not be used to take governance and planning authority from the local government level.

4.04 WATER QUALITY AND WASTE MANAGEMENT AND WASTEWATER

Policy.

VLCT supports:

1. stable funding and expanded governance of the Clean Water Fund to achieve the goals of the Vermont Clean Water Act and Total Maximum Daily Loads (TMDLs).
2. holding municipalities harmless from liability for any hazardous material incident at any facility that conforms with all state and federal permits and regulations;
3. enabling local governments to determine the most appropriate collection, storage, disposal, and treatment methods for sewage, solid waste, wastewater, their process byproducts, and recyclables;
4. regulating complete treatment processes for materials such as wastewater, solid waste, and recyclables through single permits that address the entire treatment cycle at a facility, and issuing permits for facilities based on the useful life or capacity of the facility;
5. requiring the departments of Health and Environmental Conservation to coordinate regulations and create unified treatment standards for safe management and disposal of products determined to be hazardous;
6. providing municipalities with maximum flexibility to implement the 2012 universal recycling law;
7. providing for relocation of lightly contaminated urban soil so as to protect the public and the environment; and
8. facilitating needed investment in downtowns, new town centers, villages, and areas in which state and local policies encourage economic development.

VLCT opposes requiring certificate or permit holders to reduce any analyte or TMDL below background levels found in the environment.

Explanation.

The Clean Water Fund Board should be expanded to include representation from municipalities and other affected parties outside the administration.

Enforcing State-mandated variable rate pricing and separating recyclable materials from the waste stream should be a condition of a Department of Environmental Conservation permit for haulers. The legislature should establish urban soil management practices for soils disturbed in the process of preparing a site for development that distinguish between naturally occurring background contaminants and contaminants that are at higher concentrations than surrounding undisturbed soil due to pollution.

4.05 AIR QUALITY, ENERGY AND TELECOMMUNICATIONS

Policy.

VLCT supports:

1. reducing the consumption of fossil fuels;
2. ensuring the reliability of Vermont's energy supply and restoring balance between the transition to renewable energy and the protection of land use priorities established in municipal plans and State land use goals;
3. encouraging the use of solar panels and renewable or energy efficiency measures on all buildings where appropriate, installing them without detracting from a building's structural or design integrity, and ensuring that such measures are subject to existing local building and electrical codes and standards;
4. establishing State mechanisms to ensure statewide compliance with the Vermont energy efficient building codes without imposing further mandates on municipalities; and
5. including all local decisions concerning a renewable energy generation project within the Public Service Board docket, providing substantial deference to those local decisions and municipal plans, formulating

areas of inquiry based on concerns raised in the local hearing process, and specifically addressing local concerns raised in local determinations and adopted municipal plans.

Explanation.

S.260 is a small step in the direction of providing deference to municipal plans in the CPG process. PSD guidance and standards for renewable energy plan components must be clear, achievable and developed in collaboration with municipalities. Renewable energy projects must be approved consistent with municipal plans and siting standards established pursuant to that guidance. Municipalities, service areas and utilities should collaborate on planning for Vermont's renewable energy future.

4.06 HEALTH CARE

Policy.

VLCT supports:

1. the whole population health care model, which aims to engage partners across many sectors to improve the individual experience of care, reduce the per capita cost of care, and improve the health of populations;
2. effectively managing health care and health insurance costs and rates; and improving the health care system;
3. pursuing the goal of universal health care coverage;
4. Reducing cost shifts such as from Medicaid;
5. establishing health care mandates as public health issues with public funding and accessibility for all;
6. requiring medical providers to rigorously adhere to medical community-developed, evidence-based protocols and best practices for prescription of opioids;
7. continuing and expanding health promotion and wellness activities that offer an opportunity to promote healthy lifestyles and appropriate use of medical care; and;
8. the universal availability of opioid addiction treatment on demand.

Explanation.

The health insurance landscape in Vermont continues to evolve. Health insurance rates continue to increase faster than the general rate of inflation. Out of pocket health care costs continue to increase.

There must be a balance between the funding necessary to provide high quality health insurance and establishing affordable rates. Whole population health objectives will address health care costs in clinical and other settings to change behavior and provide health care along with other services to reduce the need for in-hospital health care.

Much progress has been made in establishing medical protocols and best practices for prescription opioids for both short term and chronic pain relief. This work must continue. Alternative approaches to managing chronic pain should be considered. Workers' compensation insurers need more effective tools to help manage opioid usage for chronic pain by their claimants.

5.0 WATER RESOURCES

5.01 TOTAL MAXIMUM DAILY LOADS (TMDLs)

Policy.

VLCT supports:

1. financial and technical support to municipalities to fully implement mandates included in the Clean Water Act and its associated Total Maximum Daily Loads (TMDLs), and Act 64;
2. the fair, effective, and efficient spending of state and federal dollars to achieve TMDL goals; and to mitigate phosphorus and other TMDL-regulated discharges;

3. subjecting potential mitigation efforts to a cost-effective analysis, with implementation based on that analysis;
4. directing the Agency of Natural Resources (ANR) to work closely with the U.S. Environmental Protection Agency (EPA) to implement reasonable TMDLs for Lake Champlain and other Vermont waters;
5. reducing runoff from non-point sources of pollution by state and local governments, developers, farmers, and other stakeholders; and;
6. requiring ANR to automatically re-issue permits for a five-year term if they have been expired without renewal for more than three years.
7. assuring wastewater facility discharge limits are based upon permitted waste load allocations.

VLCT opposes:

1. requiring municipalities to construct treatment plants to meet the highest available technical standards for discharges to impaired waters, regardless of cost;
2. re-opening facility permits in order to amend them before their five-year terms expire;
3. imposing water quality mandates without funding to achieve compliance; and
4. adjusting wastewater treatment facility permit discharge limits to reflect historical WWTP performance.

Explanation.

The state's financial and technical support should occur through locally appropriate watershed plans and water management provisions that promote the health of the economy and the environment. A reasonable TMDL standard should lead to a cleaner lake, a more vibrant landscape, and a healthy economy. ANR permits must address non-point pollution discharges as part of the overall implementation plan for reducing nitrogen contributions to the Long Island Sound TMDL. Permit limits must be based upon waste load allocations and not upon actual discharge results; the consequence of holding WWTPs to past performance levels will be to incent significant increases in discharge volumes to protect plant reserve capacity.

5.02 POTABLE WATER AND WASTEWATER SYSTEM PERMITTING

Policy.

VLCT supports:

1. ANR enforcing the provisions of the Wastewater System and Potable Water Supply Program, including requirements to repair or replace failed on-site septic systems; and;
2. funding and improving public health protection by ensuring high quality potable water supplies.

5.03 PRIORITIZE IMPLEMENTATION OF ENVIRONMENTAL PROJECTS

Policy.

VLCT supports:

1. ANR and EPA implementing the Integrated Planning Approach Framework so municipalities can prioritize and schedule, notwithstanding statutory limits, municipal Clean Water Act responsibilities and investments in compliance activities according to greatest need;
2. requiring ANR to use a system similar to the Integrated Planning Approach Framework that allows municipalities to prioritize and schedule, notwithstanding statutory limits, municipal investments in compliance, based on financial ability; and;
3. limiting rights of third parties to appeal approved integrated planning and implementation schedules. Those appeals only further delay the time when municipalities can begin to implement measures to improve water quality.

Explanation.

Municipalities must have discretion to work with ANR and EPA to make infrastructure improvements on a schedule that accommodates their financial capacity. Municipalities should not be penalized for achieving exemplary phosphorus levels at wastewater treatment facilities by having those levels made the limits of discharge permits.

5.04 STORMWATER AND MUNICIPAL ROADS

Policy.

VLCT supports:

1. on-site collaboration and technical assistance from ANR and VTrans to municipalities that conduct road inventories so that prioritized projects complying with the Municipal Roads permit are economically feasible at the municipal level; and
2. promoting the improvement of town highways and bridges through all means available so they are properly engineered to mitigate the impacts of weather-related disasters.

Explanation.

The mandated municipal roads permit must recognize the limitations of financial and human resources capacity to implement improvements and assure that the most significant portions of the municipal transportation network are addressed first.

5.05 VERMONT CLEAN WATER ACT FUNDING AND IMPLEMENTATION

Policy

VLCT supports:

1. Accounting for the capacity of potential funding sources to pay for priorities related to the Vermont Clean Water Act, in conjunction with programs to which that funding source is already dedicated; and
2. Developing standards for the Combined Sewer Overflow rule that recognizes the benefits of combined sewers.

DELEGATE DESIGNATION FORM

VLCT Annual Business Meeting

2:00-4:00 p.m.

Wednesday, October 5, 2016

Champlain Valley Exposition Center

Expo North, Room A

Essex Junction, Vermont

We, the Selectboard/City Council of _____, designate the following individual as the voting delegate for our city/town at the 2016 Annual Business Meeting:

Name (please print)

Position

We understand that the above individual will represent the city/town as a voting member of the VLCT membership.

Signed,

Chairperson

Date

Please complete and return by **Friday, September 23, 2016**, to:

**VLCT
89 Main Street, Suite 4
Montpelier, VT 05602.**

If you prefer, you may fax it to us at 802-229-2211 or bring it with you to Town Fair.

Note that this is *not* a Town Fair registration form. Visit www.vlct.org/eventscalendar/ to download a copy of the attendee registration form or to register online.

If you plan to attend *only* the VLCT Annual Meeting (and Wednesday evening reception in the Exhibit Hall), please check the box below. There is no charge to attend either activity.

I will *only* be attending the Annual Meeting.

SEP 06 2016

Village of Essex Junction

Memorandum

**VERMONT LEAGUE
OF CITIES & TOWNS**

*Serving and
Strengthening
Vermont Local
Governments*

To: Managers, Administrators, Clerks, Listers, Selectboards, Policy Committee Members, Village Trustees, Planning Commissioners, Treasurers

**From: Karen Horn
Director, Public Policy and Advocacy**

Date: September 2, 2016

Re: 2016 Candidate Forum Toolkit

In September and October, VLCT will send you and the candidates running for state office a series of *Municipal Action Papers* that provide general information about municipal priority issues and recommendations for action during the 2017 legislative session. Using these papers plus the draft VLCT 2017 Municipal Policy and this Toolkit, you will be better able to host a forum for local officials and candidates to discuss how legislators and statewide office holders can give municipal officials the resources to do the jobs they require of you.

Why Hold a Candidate Forum?

This is the season of campaign promises. Candidates are running to work on *your* behalf during the next two years. Legislators introduced 1,155 bills during the last biennium, almost one-third of which affected municipalities. Many candidates have no experience with local government and may not give any thought to how they can help or harm municipalities once in office – unless you tell them. After all, your legislators need to know your priorities and what you think, and you need to know where they stand when you go to the ballot box.

Face-to-face conversations before the election and early in a term of office is key to maximizing accountability when legislators represent you in the State House. Make sure they know who to call with questions about your town.

How to Hold a Candidate Forum

This Tool Kit contains materials to help you host and publicize a Candidate Forum, including:

- Suggestions for running the Candidate Forum and a draft agenda.
- A letter of invitation to candidates.
- A draft press/website release notifying the public of the Candidate Forum.
- Questions to ask about candidates' positions on municipal priorities.

Remember to post to your website, Facebook, Twitter, Front Porch Forum, and any other social media your town uses!

If you have any questions about hosting a Candidate Forum, please contact Karen Horn (khorn@vlct.org or 800-649-7915). We are happy to provide whatever assistance we can, and we look forward to hearing the results of your Candidate Forum!

attachments

Sponsor of:

VLCT Employment
Resource and Benefits
Trust, Inc.

VLCT Municipal
Assistance Center

VT Property and
Casualty Intermunicipal
Fund, Inc.

Sample Suggestions for Organizing a Forum and Agenda
Town of [Name of Town] Candidate Forum
[Date, Start/Finish Time, Location]

- Invite the clerk, treasurer, school board, planning commission and other local boards or commissions to co-host the meeting. Join with neighboring towns for a multi-town forum.
- Invite a member of the local news media, your town moderator or a respected citizen to moderate. The forum moderator needs to know that he or she is managing the forum and therefore not participating in any debate or argument that may ensue.
- The chair of the selectboard should act as the host. Introduce candidates and the moderator. Ask local officials to introduce themselves. If there is no moderator, the chair should moderate.
- Have available prepared questions to ask each candidate. Sample questions are included. Inform candidates that they will have a specific amount of time (3-5 minutes) to answer a question, and that there will be time for further discussion at the end of the meeting. The chair may want to assign board or commission members prepared questions to ask.
- Consider providing questions to candidates ahead of time, so they may prepare answers.
- Arrange chairs in a semi-circle if possible, with candidates and moderator in front, on same level as audience. This encourages dialogue when the agenda gets to that point.
- Provide time for audience members to ask questions. Be prepared to suggest a conversation continue outside the forum if specific to a small group of people or if running out of time.
- Snacks are always welcome!

SAMPLE AGENDA

- 1. Introduce candidates and board/commissions members.**
By selectboard chair.
- 2. Explain Candidate Forum format for evening.**
By selectboard chair or moderator if there is one.
- 3. Ask prepared questions of each candidate, with a specific timeframe for answering.**
Moderator or chair keeps track of time.
- 4. Allow time for additional questions from audience, board or commission members.**
Specify an amount of time for questions. Moderator or chair manages questions.
- 5. Candidates may make closing remarks.**
Specify an amount of time here, too. It may not be necessary, but if you have a run-on speaker, it is helpful to remind him or her of the time limit that was established.
- 6. Thank candidates, board and commission members, and public for their participation.**
Thank yous are very important!

**SAMPLE INVITATION TO CANDIDATE
TO ATTEND TOWN (S) OF _____ CANDIDATE FORUM**

[Date]

[Candidate/Legislator]

[Street Address]

[City, State, Zip code]

[or email] (both may be obtained from the Secretary of State's Candidate List
<https://www.sec.state.vt.us/elections/candidates.aspx>)

Dear [Name of Candidate/Legislator],

The [Selectboard/City Council/Board of Trustees] of [Municipality Name] invites you to participate in a Candidate Forum on Local Government Legislative Issues on [date] at [location] from [start time] to [finish time].

Legislators introduce well over 1,000 bills during the course of a biennium. At least a third of them, if enacted, would affect local governments. During the 2015-2016 legislative biennium, bills addressed issues such as the open meeting law; elections; the Lake Champlain Total Maximum Daily Load and municipal roads permit mandates; municipal and state law enforcement; transportation funding; state budgets; and school consolidation.

We look forward to discussing your position on local government priorities, including:

- Municipal self governance authority,
- Transportation funding,
- Mandates to manage roads and developed lands for stormwater,
- The continuing opiate crisis and its impact on our communities,
- State deficits and shrinking availability of federal dollars,
- Siting of renewable energy facilities,
- Municipal environmental infrastructure.

We trust this forum will be a first step in establishing a long-term and close partnership between [Name of Municipality] and you as our voice in the Legislature. We will also welcome the opportunity to meet with you during the session to review progress on these very important issues.

Please call [Name] by [Date] to confirm attendance at this forum. Thank you for your interest!

Sincerely,

Chair, Local Legislative Body

SAMPLE PRESS RELEASE/WEBSITE NOTICE

Selectboard/City Council in Town/City of _____ to Host Candidates' Forum

The [town/city] [selectboard/city council] will hold a Legislative Candidates' Forum on [date] at [location] from [start time] to [end time].

The [board/council] will pose questions of the candidates on the following subjects:

- Municipal self governance and charters,
- Transportation funding,
- Mandates to manage roads and developed lands for stormwater,
- The continuing opiate crisis and its impact on our communities,
- State deficits and shrinking availability of federal dollars,
- Siting of renewable energy facilities,
- Municipal environmental infrastructure.

According to [name], chairperson of the [board/council], [town/city] expects the forum to be the beginning of active involvement in legislative matters by the [selectboard/council]. [Name] said, "Every day the Legislature considers bills that affect [city/town]. We owe it to our taxpayers and citizens to participate in decisions that affect the safety of our citizens and our roads, waterways, property tax base, and ability to provide essential services." The [town/city] forum is part of a statewide effort to involve local officials actively in the legislative process.

The [legislators/candidates] invited to participate include [list Senate and House members and candidates]. The public is welcome and encouraged to attend.

(If your cable television company broadcasts your meeting, include information about when the forum will be aired.) If you are posting information on your website, include links to where that can be found.

Suggested Questions to Ask Candidates

You may have others that are specific to your city or town.

Municipal Self Governance

Despite its narrative of local control, Vermont has one of the most centralized governments in the country. Municipalities may only do those things that the legislature grants them permission (in statute) to do. What will you do to ensure that municipal elected officials and citizens have the authority to make decisions affecting their communities?

Do you support allowing municipal charters to take effect as adopted by the voters? How will you limit interference from the legislature in the substance of those charters?

How will you ensure that the legislature does not enact unfunded mandates that further burden the property tax or shift costs to local governments and the property tax?

Transportation

Of Vermont's total 15,804 highway miles, 13,000 of them are maintained at least in part by municipalities. For the first time in ten years, the U.S. Congress provided five years of stable transportation funding. Revenues from state gas taxes are declining due to changing technology and habits. The Agency of Transportation's FY17 budget is \$618 million, and is expected to increase by \$20 million in each of the next five years. State funding for Town Highway aid was flat for many years until 2016, when Class 2 Roadway paving was increased by \$400,000 statewide. The new Municipal Roads Permit and total maximum daily load (TMDL) requirements to reduce stormwater runoff will cost many millions of dollars. State land use goals and energy standards urge municipalities to accommodate every roadway user, including pedestrians, bicycles, and public transit.

What do you propose as funding sources for local transportation programs? How will you ensure that new funds are directed to mandated municipal highway projects?

Tax Burden

Vermont's state and local tax burdens are consistently among the highest in the nation. As well, between 70 and 90 percent of any town's property tax bill is directed toward education. What will you do to reduce the overall tax burden on Vermonters? How will you stop the shift of mandated program costs to the property tax payer? Will you support legislation to "broad base" the property tax and remove exemptions that the legislature has enacted over the years? Alternatively, will you support reimbursing municipalities for state-mandated property tax exemptions?

Corrections

Municipalities often end up dealing with repeat offenders, particularly for those whose crimes affect the quality of life of the general population. What steps would you take to reduce the rate of criminal recidivism statewide and enhance public safety in Vermont communities?

Stormwater and Wastewater

The federal Environmental Protection Agency (EPA) recently issued the Total Maximum Daily Load (TMDL) for Lake Champlain and is considering the Connecticut River TMDL. Costs for mandated water quality improvement projects will run into the hundreds of millions of dollars. How will Vermont pay for these water quality improvement programs?

Clean Energy and Energy Conservation

Act 174 requires the Public Service Department to develop guidance and standards for municipal and regional plans by November 1. Those that comply with the standards will be accorded "substantial deference" before the Public Service Board. The success of this approach in providing municipalities and

Suggested Questions to Ask Candidates

You may have others that are specific to your city or town.

regions the ability to develop, present, and have their vision of a local renewable energy future be accepted has yet to be proven. What will you do to ensure that municipal concerns and priorities are addressed in the permitting of energy generation projects?

Education Funding System

Act 46 of 2015 set in motion the consolidation of school districts around the state. Legislation has been specific that we should not assume that savings or reductions in costs will result from this consolidation. Do you believe it is time to scrap Acts 60 and 68 and develop a new education funding system? Why? If not, what measures would you support to simplify the current system and control education property taxes?

To George Tyler
Essex Junction Board of Trustees

Re: Height limits in the Village Center

I would like to be on the record in favor limiting the height of buildings to four stories. I would also like to be on record that there should be no waivers allowed. I think this should at a minimum be applied to the Village Center, and should also be applied to the Village as a whole.

In the past the Planning Commission has been in favor of limiting height to four stories. This is an excerpt from a meeting, dated August 7, 2014

iPad

8:07 AM

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Library

ejpc08072014

ESSEX JUNCTION PLANNING COMMISSION 8/7/14

PAGE 4

DELIBERATION/DECISION

Conceptual Review, Master Plan, Residential lots, Taft Street, U-46 School District
MOTION by John Alden, SECOND by Diane Clemens, to accept the master plan for 8.47 acres off Taft Street to include subdivision of five residential lots and potentially more lots in the future by U-46 School District with the following stipulations:

1. All staff comments shall be satisfied.
2. All work shall comply with the Land Development Code.

VOTING: unanimous (5-0); motion carried.

8. OTHER PLANNING COMMISSION ITEMS

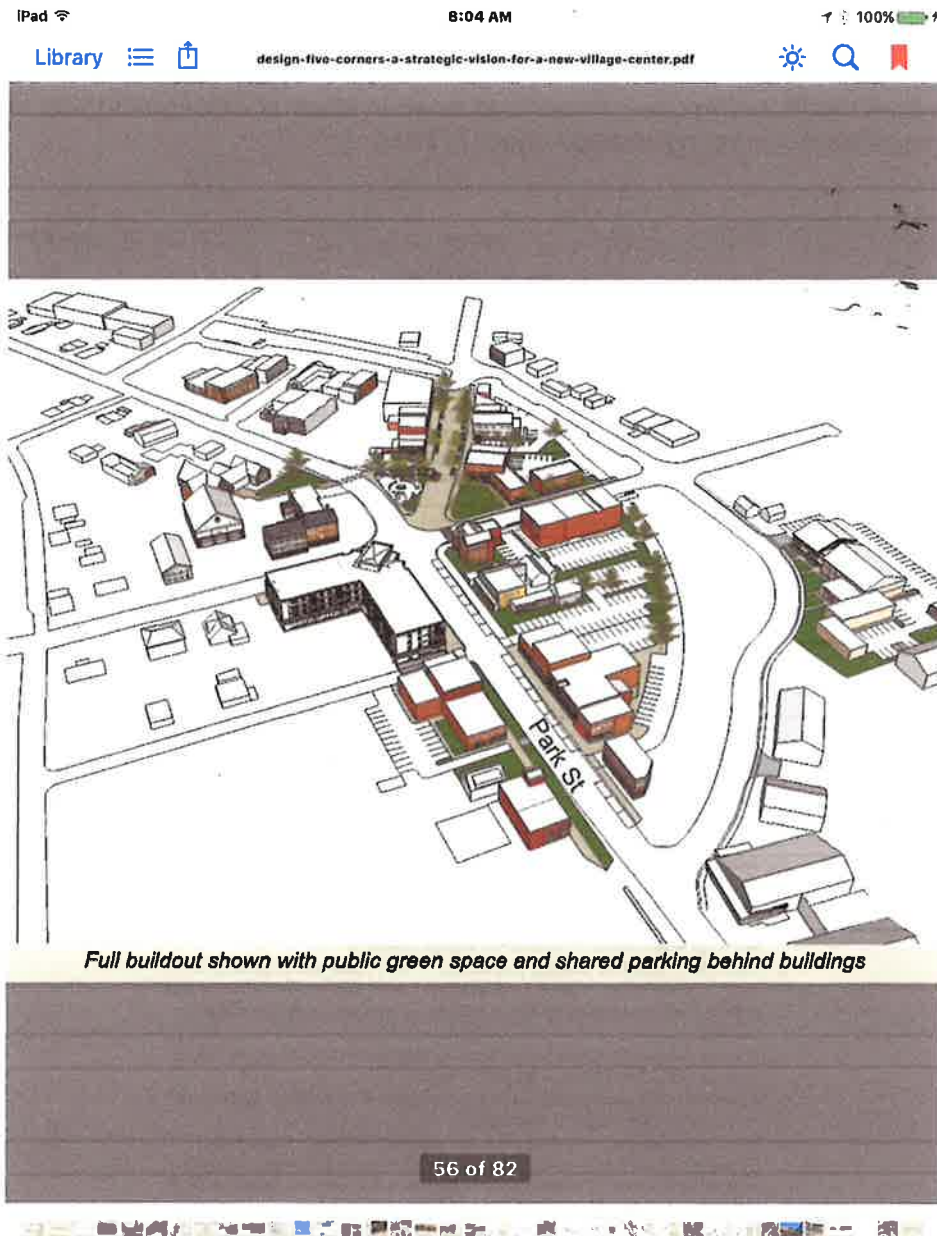
Comprehensive Plan Amendments from Village Trustees

The Planning Commission reviewed proposed changes to the comprehensive plan forwarded by the Trustees. The following comments were made:

- Diane Clemens mentioned there are inconsistencies, errors and omissions in the draft document. For example, Heart & Soul and ECOS goals are not included in some sections of the plan, specifically Open Space. Ms. Clemens said she emailed her notations to staff.
- The Planning Commission had concern about the wording suggested by the Trustees relative to building height in Section 9.4.11 (Village Center Land Use) in that the wording could have adverse impact on potential development in the village center with high land prices and developers not being able to build a substantial enough building to recoup investment. There was agreement projects should be judged on their merit and the village should try to avoid granting waivers. The Planning Commission concurred the second sentence in the Intent section of 9.4.11 should read: "It is not anticipated any building greater than four stories in height would be built in the Village Center."
- Nick Meyer noted the building proposal for 4 Pearl Street was a lightning rod of sorts for some village residents, and comments were received from other village residents besides adjacent neighbors to the building about the height of the building.
- It was mentioned that there has not been development in the village center as is proposed for 4 Pearl Street in the past 20 years.
- Robin Pierce suggested going forward master plans for the village center show open spaces and linkages to open spaces.
- It was noted language about having a representative from the village on the Champlain Water District board was eliminated from the comprehensive plan because there can only be one representative from the Essex community (village and town). The current representative is a village resident.

MOTION by Diane Clemens, SECOND by John Alden, to accept the comprehensive plan changes from the Board of Trustees with the notes and suggested amendments as discussed by the Planning Commission on 8/7/14. VOTING: unanimous (5-0); motion carried.

When the Design Five Corners report was issued there were multiple images showing the potential buildout of empty lots and replacement of current buildings. None of the images showed any building taller than the four story building at 4 Park St. Below is an image from that report:



I do not find any mention of residents desiring six story buildings. When the language and images presented consistently show four stories or less, like the Brownell block, I think the public assumes this is the type of development we can expect. It is what I expected.

When you say that there is no expectation that anyone plans to build a six story building, you can't guarantee that.

Originally, on January 17, 2013, the 4 Pearl St project was presented as one floor of commercial space and 36 residential units, a three story building. On July 18, 2014 the building had added another floor and 15 more apartments, for a total of 51 units. Clearly developers will modify proposals, perhaps with encouragement from the Village itself.

MINUTES SUBJECT TO CORRECTION BY THE ESSEX JUNCTION PLANNING COMMISSION. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE COMMISSION.

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
January 17, 2013**

- MEMBERS PRESENT:** Liza Kilcoyne (Chairwoman); Diane Clemens, Nick Meyer, Aaron Martin. (David Nistico, John Alden, and Andrew Boutin were absent.)
- ADMINISTRATION:** Robin Pierce, Development Director.
- OTHERS PRESENT:** Chantal Beliveau, Brett Grabwoski, Greg Rabideau, David Robideau, Peter Cottrell, Patricia Cottrell, Michael Flaherty.
- AGENDA:**
1. Call to Order
 2. Audience for Visitors
 3. Additions/Amendments to the Agenda
 4. Approval of Minutes
 5. Public Meeting
 - Site Plan, Parish Hall, 4 Prospect Street, Holy Family Church
 6. Other Planning Commission Items
 7. Adjournment

1. CALL TO ORDER

Chairwoman Liza Kilcoyne called the meeting to order at 6 PM.

2. AUDIENCE FOR VISITORS

Greg Rabideau re: Proposed Development at 4 Pearl Street

Greg Rabideau briefly reviewed a proposal to replace the former bank building on the corner of Pearl Street and Park Street with a mixed use structure (an application for the development has not yet been submitted). The parcel is approximately one acre in size. The proposed building will wrap around the corner and have underground parking, first floor retail/commercial space, and rental apartments above. There will be sidewalk and landscaping to create a meaningful streetscape. The project may be the catalyst to discontinue Park Terrace as a through road though this is not part of the proposal. The property owner is willing to work with the village on the matter. The curb cut on the Route 15 (Pearl Street) side of the property will be closed.

Robin Pierce noted the village owns the right-of-way for Park Terrace and can decide to close the road at any time. Presently the road has two-way traffic flow on a portion and one-way traffic flow on another portion. People tend to use the street as a means to avoid Five Corners and do so at excessive speeds going the wrong way on the one way portion of the street creating a dangerous situation. The street could be closed to through traffic and used as a bike/pedestrian connection which will solve several problems in the area and create a nice village environment for the residential portion of the street.

Nick Meyer asked about lot coverage and parking. Greg Rabideau stated the lot coverage is nearly 100% with about 100 parking spaces for the 36 residential units that are

- The existing bank building will be demolished and replaced with an L-shaped building having a mix of commercial uses (café, restaurant, professional offices) on the first floor and residential dwellings on the next three floors (51 dwelling units in total with 24 two-bedroom units, 24 one bedroom units, and three studio units).
- The goal is to have activity at the street level and a mix of activity in the building.
- The building will have wings on Route 2A and Route 15 with the front corner facing the Five Corners intersection. The building will have glass, brick masonry, and windows. Materials and features present in the village will be threaded into the building, such as double hung (two-over-two windows, gesture of a cornice on the wings, different materials, colors, shapes so the building is interesting visually and compatible with the Village.
- There will be a double sidewalk system around the building with one sidewalk next to the building then a planted buffer (planted island, benches, and such) and then the village sidewalk. Pedestrian activity is being encouraged. The building entrance will be ADA compliant. The front corner area of the building could be made into a space to sit and gather.
- There are 95 parking spaces on the site with 51 in the underground garage. There will be one parking space per residential unit plus parking for the commercial uses. Shared parking is proposed because the commercial uses will likely need parking during the day and most of the residential spaces are available during the day.
- The site will be accessed from Park Terrace. The curb cut will be closed on Pearl Street.
- The applicant will try to save the stand of mature Linden trees on Park Street during construction, but if that is not possible the trees will be replaced in-kind with fairly good sized trees.
- The development is exempt from Act 250 review because the area is a designated downtown. A storm water permit is not required because the site is less than one acre. There are storm flows now which will be used. The storm water system will be gravity flow except for the pump to be used to pump water from the underground parking level to the infiltration system before discharge. Roof water drainage will be collected with an internal roof drain system. The water will be treated before discharge. More details will be provided at the next level of review.
- A waiver is requested for the truck loading area. It is anticipated the commercial uses will be smaller establishments and smaller delivery vehicles will be used (i.e. UPS delivery type trucks).
- Regarding traffic, according to the ITE standard a bank with a drive through teller window generates a higher volume of traffic than a mixed residential and retail development.
- The building is up on the street with attention to detail, a variety of colors and materials, and an emphasis on the pedestrian level. The parking is hidden by the building. There will be discussion of using solar with the building.
- It is hoped to have the permitting complete by fall (2013) to start construction next spring (2014).

Using 4 stories as the height limit but allowing the Planning Commission to grant waivers to six stories is disingenuous at best. The Planning Commission itself has said so.

iPad

8:47 AM

100%

Library

ejpc08072014

ESSEX JUNCTION PLANNING COMMISSION 8/7/14

PAGE 4

DELIBERATION/DECISION

Conceptual Review, Master Plan, Residential lots, Taft Street, U-46 School District

MOTION by John Alden, SECOND by Diane Clemens, to accept the master plan for 8.47 acres off Taft Street to include subdivision of five residential lots and potentially more lots in the future by U-46 School District with the following stipulations:

1. All staff comments shall be satisfied.
2. All work shall comply with the Land Development Code.

VOTING: unanimous (5-0); motion carried.

8. OTHER PLANNING COMMISSION ITEMS

Comprehensive Plan Amendments from Village Trustees

The Planning Commission reviewed proposed changes to the comprehensive plan forwarded by the Trustees. The following comments were made:

- Diane Clemens mentioned there are inconsistencies, errors and omissions in the draft document. For example, Heart & Soul and ECOS goals are not included in some sections of the plan, specifically Open Space. Ms. Clemens said she emailed her notations to staff.
- The Planning Commission had concern about the wording suggested by the Trustees relative to building height in Section 9.4.11 (Village Center Land Use) in that the wording could have adverse impact on potential development in the village center with high land prices and developers not being able to build a substantial enough building to recoup investment. **There was agreement projects should be judged on their merit and the village should try to avoid granting waivers.** The Planning Commission concurred the second sentence in the Intent section of 9.4.11 should read: "It is not anticipated any building greater than four stories in height would be built in the Village Center."
- Nick Meyer noted the building proposal for 4 Pearl Street was a lightning rod of sorts for some village residents, and comments were received from other village residents besides adjacent neighbors to the building about the height of the building.
- It was mentioned that there has not been development in the village center as is proposed for 4 Pearl Street in the past 20 years.
- Robin Pierce suggested going forward master plans for the village center show open spaces and linkages to open spaces.
- It was noted language about having a representative from the village on the Champlain Water District board was eliminated from the comprehensive plan because there can only be one representative from the Essex community (village and town). The current representative is a village resident.

MOTION by Diane Clemens, SECOND by John Alden, to accept the comprehensive plan changes from the Board of Trustees with the notes and suggested amendments as discussed by the Planning Commission on 8/7/14. VOTING: unanimous (5-0); motion carried.

5 of 6

If the Village is going to keep the height limit at four stories then no waivers can be allowed. This is fair to both residents and developers. I can continue live, enjoy and pay taxes in the Village that I been a part of for 36 years. Developers can plan knowing the rules are firm and that exceptions will not be made for the building next door.

Sincerely,

Anne Duany Whyte
10 School Street

Patty Benoit

To: George Tyler
Subject: RE: NO SIX STORIES

From: Nancy L'Ecuyer [lecinv@aol.com]
Sent: Thursday, September 08, 2016 10:35 AM
To: George Tyler
Subject: NO SIX STORIES

PLEASE no buildings of 6 stories!!!!!! Four is bad enough. I fear that even if the whole town turned out to object it still wouldn't make a difference! And Handy does NOT need to put up a 6 story building next to that monstrosity on the five corners!!!! Nobody wanted that one either but it's there!

Patty Benoit

Subject: FW: Re waiver for height on village buildings

From: Susan Littlefield [s.field.little@gmail.com]

Sent: Wednesday, September 07, 2016 10:16 PM

To: George Tyler; Elaine Sopchak; Daniel Kerin; Lori Houghton; Andrew Brown

Subject: Re waiver for height on village buildings

I would like to add my voice to those who are opposed to allowing the village planning commission permission to grant waivers allowing buildings as high as six stories in the village center. The new four story building already looms disproportionately over the Five Corners (not to mention its ugly shopping mall style appearance). We have some beautiful traditional buildings in the village. Let's add thoughtful development that enhances and relates to rather than overwhelming them.

Patty Benoit

Subject: FW: 4 story building code - leave it be

From: kate_hennessey@comcast.net [kate_hennessey@comcast.net]

Sent: Wednesday, September 07, 2016 7:06 PM

To: George Tyler

Subject: 4 story building code - leave it be

Dear Mr Tyler,

I thank you for taking the time to be our voice of the village, now do as you were voted in to do, listened to the people and vote NO to the 6 story high building. I have yet to hear 1 home owner who likes what you are turning the village into.

I am not sure what your intentions are: Is it section 8 money, federal and state handouts? This village was so quaint until the last 5 or so years. I look around in what has happened in such a short time. More traffic down residential streets, with the changing of Pearl, and continue to do so around other parts of the village. Adding another stop light on Park is only sending traffic down Cascade, South, and Iroquois. She is losing her beauty, she is turning into a ghetto

Please do the right thing here and vote no.

Save our village.

Kate Hennessey

Patty Benoit

Subject: FW: September 13 Trustee Meeting

From: Lynda [bassettly@comcast.net]
Sent: Wednesday, September 07, 2016 6:20 PM
To: George Tyler
Subject: September 13 Trustee Meeting

Hello,

I understand from Front Porch Forum that you have a say in an important vote at the next Trustee meeting on September 13. From what I understand, the Land Development Code is being updated. My understanding is that right now the height limit is 4 stories and that the Planning Commission would to be able to waive that to six stories. I am writing to ask that the code height limit remains at 4 stories.

Please consider our voice.

Village Residents
8 Owaissa Avenue

Patty Benoit

Subject: FW: 4 stories high

From: Joe Cornacchia [cornacchiag@aol.com]
Sent: Wednesday, September 07, 2016 6:04 PM
To: George Tyler
Subject: 4 stories high

Hello George, my wife & I have been village residents for over 30 years. We raised 3 children & love it here. Please do all in your power to limit the height of buildings in the village to 4 stories. We thank you for hearing us.

Joe & Genie Cornacchia
15 Pine Court

Patty Benoit

Subject: FW: Please don't increase height limit

From: darells@comcast.net [darells@comcast.net]

Sent: Thursday, September 08, 2016 7:06 PM

To: George Tyler

Subject: Please don't increase height limit

Hello,

Please do allow a new height limit of buildings in the village or town. I cringe every time I drive through Winooski with the tall buildings around the round about and falls. They even want to squeeze another building between the bridge and the mill. No view of the falls will be available after that happens. Essex should not follow suit. The monstrosity at 5 corners is enough. The traffic is horrendous already. It will be worse when it's occupied. The height allowance will not only affect the village. The mountains are already blocked by the new apartments at Essex Center. Higher building will eliminate any view. They owners/ sponsors of these developments don't care about the residents, only the money lining their pockets.

Please respect long time residents.

Thank you

Darell Whitaker, Essex Junction

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
August 23, 2016**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Lori Houghton, Elaine Sopchak. (Andrew Brown was absent.)
ADMINISTRATION: Pat Scheidel, Municipal Manager; Lauren Morrisseau, Finance Director/Assistant Manager; Robin Pierce, Development Director.
OTHERS PRESENT: Dylan Giambatista, Frank & Judy Naef, Darren Connelly, Anne Whyte, John Alden, Madelyn Nash, Lorraine Pierce, Bob Pierce, Linda McKenna, Jan Wilson, Tim Shea.

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 change(s) to the agenda were noted:

- Add to Presentations/Public Hearings – Emailed comments from Lori Houghton on the Land Development Code.
- Add to Manager’s Report – Information on the Essex Community Parks & Rec webpage and public forum schedule; copy of Essex Junction Ethics Policy and signature page.
- Add to Consent Agenda – Warrant #17007, dated 8/19/16.

**MOTION by Dan Kerin, SECOND by Lori Houghton, to accept the agenda as amended.
VOTING: unanimous (4-0); motion carried.**

3. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda
None.

2. Public Hearing: Land Development Code Amendments

The Trustees discussed the following:

- Language for “Massage Therapy” and requiring certification/registration when the state does not require this - Robin Pierce explained massage therapists who gave input urged recognizing certification/registration in New Hampshire and Connecticut as well as the national association since Vermont does not have this requirement.
- Striking “historic character of the Village Center District” under Design Review and Historic Preservation – Robin Pierce explained removing the phrase allows inclusion of the neighborhood designation in the village center. John Alden added the Planning Commission wanted the language to be consistent with language being used by other planning groups in the county (Regional Planning, the state), and is relative to funding (grants). There are many buildings that make up the character of the village including warehouses. Lori Houghton countered some of the buildings that are not “historic” were built because there was no language in the Code prohibiting this. George Tyler

commented ‘historic character’ is broad. A building could be historic because it has been in existence for a long time, but may not have much character. John Alden pointed out the people charged with upholding the vision of the village need to have a document that does not restrict doing just that. Pat Scheidel asked how stringent the state and federal historic registration criteria are. John Alden said the criteria are very strict. The village does not require strict compliance. Pat Scheidel asked if the state could stop a tear down if a building may be eligible for the Registry. Robin Pierce confirmed this. John Alden added the Code is trying to allow the village to control its own destiny to the extent possible. The Code should acknowledge the criteria, but not as an absolute. Elaine Sopchak added there is also the comprehensive plan. A phrase such as “historic character” is nonspecific for the Code. The Purpose section in the Code does cover historic character. Dan Kerin said he does not like language that will limit the ability to develop the downtown or the village center.

- Reference to the study of Main Street – Robin Pierce explained reference to the “Design Five Corners Study” is there so people are aware of potential future plans. Lori Houghton suggested mentioning the study by name in the Code rather than saying there may be a potential study done or do not make any reference since there may not be a study done. Following further discussion the Trustees agreed to delete the statement about a study in Section 604.A (Purpose).
- Section 714.Q (Exemptions) which would allow electronic message boards that could change the character of Lincoln Hall – Lori Houghton said the electronic boards should only be approved by the Trustees. Following further discussion the Trustees agreed to add the need for approval by both the Planning Commission and Board of Trustees.
- Section 604.H (Building Height) and a waiver to allow more than four stories – Lori Houghton said the maximum building height should be four stories. John Alden said the waiver gives the Planning Commission the option to be able to approve a building greater than four stories if the village wants the building. A building can be made to look four stories when it is actually of greater height. For example, the apartment building fronting Park Street at the Iroquois Avenue intersection is four stories in the front and five stories in the rear. There was mention of creating a “dip” by allowing taller buildings outside the village center (in the Transit Oriented District) than in the village center. Elaine Sopchak said if building height is limited to four stories then there is not the potential of creating a “dip” in the village downtown. Elaine Sopchak asked if there is significant economic impact on a developer of a building in the village center or TOD if the height is limited to four stories or if a building can be profitable at four stories. John Alden said every building story is more development. Robin Pierce added the profitability of a building depends on the cost of the land and the capacity of the land based on the Code and conditions placed by the Planning Commission. Dan Kerin stressed perspective is key. If a building is setback there is a different perspective than if the building is up close to the road. The height should not be limited to four stories because there are places a taller building can be done tastefully. George Tyler said a six story building on Park Street may not be likely, but for economic development along the railroad track with the crescent connector a higher building could be built. Both the Planning Commission and Board of Trustees should approve buildings higher than four stories.

Jan Wilson, 2 School Street, asked for clarification of the current ordinance relative to building height. George Tyler said the ordinance allows a four story building or up to six stories with special permission from the Planning Commission. Ms. Wilson said a six story building by Park Street School would feel very tall for the neighbors. Also, Park Street School is an historic building.

Frank Naef, 4 Park Terrace, asked what the criteria are to grant a waiver allowing a six story building. Robin Pierce said the criteria are listed in Section 724 (PUD). Mr. Naef showed photos of the building elevation today at 60 paces away and the elevation with two more stories added.

Linda McKenna, 9 School Street, read a statement of concern about the process for amendments to the LDC, noting residents worked hard to point out discrepancies between the comprehensive plan and the LDC and the input was not considered. The residents felt their input was perceived as complaints. Ms. McKenna expressed concern about waivers allowing an increase in building height to six stories and the Planning Commission making that decision. In reference to proposed development on Park Street using Park Terrace as an access, there is concern about building height, support for the walkability of the village, getting approval from the residents if there is a change from the village plan, access to Park Street from the Park Terrace driveway, and cars going the wrong way on a one-way street. George Tyler said there have not been any requests for waivers to six stories and the Trustees are trying to find a solution for Park Terrace in regard to connectivity and sidewalk.

Anne Whyte, 10 School Street, said the building at 4 Pearl Street is visible from South Summit Street, the brickyard, and Maple Street pool. It cannot be assumed a six story building next to the one at Five Corners will seem proportional. The original proposal was for a two story building, but the developer was told to go back to do four stories. The building did not have to be that big and does not fit in the village center. The village will look like Winooski with small buildings on one side and tall buildings on the other side. Act 250 is interested in the LDC, not the comprehensive plan. Regarding mass and proportion and historic buildings, six stories is not appropriate. The vision of the village is more of a downtown village with historic buildings. Per the minutes of 2/18/16 John Alden said the village wants four story buildings in the village center. The villagers were not asked if six story buildings were wanted. People think of historic buildings in the village, not the building at 4 Pearl Street, and to make “bookend” buildings is not appropriate. George Tyler asked if there are any circumstances where a waiver for a six story building on Park Terrace would be granted. John Alden said the higher building is to counteract sprawl. The village works with Regional Planning and the village center is where Regional Planning wants the density so the village may want to allow more than four stories. If the language is removed from the Code that the village cannot allow a taller building even if a proposal comes along that the village wants.

Madelyn Nash noted Five Corners is one of the busiest intersections in the state and people avoid using it by shortcutting through neighborhoods so why concentrate people living near Five Corners and adding to the traffic. George Tyler said there are different philosophies to accommodate. Regional Planning, state planning, and economic development planning want to concentrate growth in the centers. Most of the studies show commuter traffic is impacting Five Corners, not traffic from people living here. Dan Kerin added Regional Planning wants to limit

sprawl with development focused in the village center which requires either building up or out. People living in the village center will be able to walk to many places.

Elaine Sopchak noted the criteria for the waiver is in Section 724.D, but should be in the building waiver criteria, rather than PUD. Ms. Sopchak pointed out the village is a designated downtown where development is concentrated so the area is more vital and not spread out all over the village. The village is not a typical New England village because of a major intersection (Five Corners). The height of buildings and the number of residences can be controlled to balance village character and affordability. Anne Whyte interjected that the village is not a 'designated downtown'. Designated downtown and village center are both distinct districts and have different criteria which is very confusing. Other terms being used are "walkability" and "pedestrian friendly". Robin Pierce clarified the village is a "Designated Village Center" and considered a growth center by Regional Planning and the State of Vermont.

Robin Pierce stated there are nine districts outlined in the LDC that can receive waivers due to unique physical characteristics of the land, superior design (lot layout, landscaping), open space, and joint vehicle access. Frank Naef asked if all criteria must be met. George Tyler said the waivers are meant to give flexibility to the Planning Commission with each project. Elaine Sopchak said according to the Code waivers can be granted for setbacks, parking, and lot coverage. There is nothing said about building height. Robin Pierce pointed out building height has been in the Code since 2007 because the Trustees wanted to encourage a hotel in the village center. Elaine Sopchak said building height needs to be added to the list of waivers and the criteria need to be clarified. The language is too vague. The Trustees felt the Design Five Corners Concept should be supported. John Alden mentioned potential for development by the railroad tracks once the crescent connector is built where a six story building may be appropriate. Lori Houghton pointed out any land around Five Corners could be rebuilt with taller buildings.

Darren Connelly, School Street, urged clearly stating the building height that is wanted in the village so the Planning Commission has direction. George Tyler said the discussion has been four story buildings and anything greater would need approval by both the Planning Commission and Board of Trustees. Dan Kerin said he does not want to limit building height to four stories in the village. Elaine Sopchak and Lori Houghton felt there should be no waivers granted for building height in the village center or TOD. Maximum building height should be four stories.

There was discussion of the building at 4 Pearl Street and the proposal for 9 & 11 Park Street. Anne Whyte said the building at 4 Pearl Street received Act 250 approval with conditions including parking spaces on Park Terrace and a 30' buffer zone, but there is no documentation of the Trustees granting a curb cut waiver. Also, there is question of who will ensure the sidewalk on Park Terrace is done properly. Robin Pierce said the Village Engineer inspects construction sites during and at the end of the work. Planning staff will inspect toward the end of construction to ensure all village standards are met.

Ms. Whyte expressed concern for people using the easement that was granted by the school superintendent for the Park Street School driveway as a way to avoid Five Corners. Ms. Whyte asked if the easement was warned and public discussion held. There are remedies to help with traffic calming. Regarding walkability on Park Terrace and not closing the end of the road, Ms.

Whyte pointed out the proposed development wants to expand the curb cut onto Park Terrace to accommodate a two-way road and have a secondary access. The senior housing portion of the development does not include sidewalk to either Park Terrace or Park Street. There is no sustainability because there is no exit to the street. Ms. Whyte contended the developer is given a hearing and the residents should be given the same consideration when discussing the issues. Lori Houghton suggested adding to a future agenda discussion of streets used as shortcuts to avoid Five Corners (Park Terrace, School Street, Summit Street are a few).

Robin Pierce explained the easement for use of the Park Street School driveway is between the school district and the private property owner, not the village. George Tyler noted the village has granted easements and not all require a public vote. The decision is made by the Trustees. Anne Whyte referred to the original deed for the school property, dated May 29, 1873, showing the school and land deeded to the village. The easement that was initiated will affect the village and was done a month before the site plan was submitted.

Anne Whyte asked about the waiver for the parking spaces on Park Terrace and the curb cuts granted by the village. Pat Scheidel said the information is filed in the Clerk's Office and in the land records. Ms. Whyte asked what version of the Code will apply to the proposal at 9 & 11 Park Street. George Tyler said the Code in place when the application is submitted is the one that applies.

Anne Whyte suggested the village emulate the Front Porch Forum done by the town which is very informative for items before the planning commission.

Elaine Sopchak commented positively on the Public Participation Guide and the flowchart included in the LCD, and thanked the Planning Commission for the outstanding work done on behalf of the community.

George Tyler stated everyone has a different vision of what a village is.

There were no further comments.

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to close the public hearing on the LDC update. VOTING: unanimous (4-0); motion carried.

The public hearing was closed at 8:26 PM.

4. OLD BUSINESS

1. Adopt Amended Land Development Code

Postponed to the next meeting when the full board is present and all are informed.

2. Appointment to Library Board of Trustees

The Trustees interviewed Max Holzman who currently facilitates the Star Wars Club at the library and is a patron of the library along with his children.

MOTION by George Tyler, SECOND by Elaine Sopchak, to appoint Max Holzman to the Library Board of Trustees. VOTING: unanimous (4-0); motion carried.

3. Status of Rec Governance Study Committee

Pat Scheidel referred to the memo, dated 8/23/16, and explained the statutory requirements for the special vote in December. The transition team for the rec district has begun work on getting the municipal district operational and preparing all the required documents. Staff from the school district, town and village including both rec directors and employees are assisting. Other committees have been formed for specified tasks (outreach committee, research & discussion committee). There will be six public forums (free childcare will be offered). The dates are posted on the rec website. The union municipal district agreement is currently being reviewed by the Attorney General. The document is on the rec website. Lori Houghton added the Rec Governance Committee will not disband as yet and will be present at the six public forums and to help get out information on the vote. Erika Baldasaro is the communications point person.

George Tyler said the Rec Governance Committee was set up to study options and the committee chose a union municipal district. The committee then drafted the necessary documents. The rec district has not been created, just the agreement has been drafted. The community will vote to form the rec district as outlined. The village will vote once and the entire town will vote once. The village is also part of the town. The village and town are not interested in setting up an awkward, out of control, nontransparent structure, but shares the same interest in setting up the best structure possible.

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to recommend the Trustees state support of the development of data relative to the rec district and making available village staff for this work. VOTING: unanimous (4-0); motion carried.

5. NEW BUSINESS

None.

6. MANAGER'S REPORT

1. Meeting Schedule – Regular Trustees Meetings @ 6:30 PM

- September 13, 2016
- September 27, 2016
- October 11, 2016
- October 25, 2016
- November 8, 2016
- November 22, 2016

* December 13, 2016 – Special Village Meeting/Australian Vote

2. Ethics Policy

The Trustees signed the Ethics Policy

3. Essex Community Parks & Rec Webpage

The webpage is operational.

4. Maple Street Repaving

Work by the State will begin after Labor Day and after 8:30 AM.

7. TRUSTEES COMMENTS/CONCERNS & READING FILE**1. Board Member Comments**

- There was mention of parking issues in the village center and private lots allowing public parking after hours. Dan Kerin showed an example of this arrangement with the Merrill Lynch parking lot in Burlington.
- George Tyler said the signs for the public parking on the Handy property (former Kolvoord lot) have been ordered. There was discussion of improving the Handy property that will be used for public parking. There was discussion of moving the pergola.

2. Reading File

- Minutes from other boards/committees:
 - Block Party Committee 8/8/16
- Brownell Library Staff and Director's Report July 2016
- Letter from VLCT re: Town Fair at CVE 10/5/16-10/6/16
- Letter to Essex Selectboard 8/15/16

8. CONSENT AGENDA

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to approve the consent agenda as follows and with the addition of Warrant #17007, dated 8/19/16:

- 1. Approve Minutes of Previous Meetings 8/9/16**
- 2. Expense Warrant #17006, dated 8/12/16, in the amount of \$187,965.03.**
- 3. Expense Warrant #17007 dated 8/19/16, in the amount of \$12,663.98.**

VOTING: unanimous (4-0); motion carried.

9. ADJOURNMENT

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to adjourn the meeting. VOTING: unanimous (4-0); motion carried.

The meeting was adjourned at 9:12 PM.

RScty: M.E.Riordan 

08/30/16
11:42 am

Town of Essex / Village of EJ Accounts Payable
Check Warrant Report # 17008 Current Prior Next FY Invoices For Fund (GENERAL FUND)
For Check Acct 01(GENERAL FUND) All check #s 08/26/16 To 08/26/16 & Fund 2

Page 1 of 8
IMorrisseau

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
05290	08/10/16	ADVANCE AUTO PARTS ST SUPPLIES 2346224	210-43110.610 SUPPLIES	24.64	6920	08/26/16
05290	08/10/16	ADVANCE AUTO PARTS ST GAS, GREASE, OIL 2346226	210-43110.626 GAS, GREASE AND OIL	22.50	6920	08/26/16
05290	08/12/16	ADVANCE AUTO PARTS ST SUPPLIES 2559999	210-43110.610 SUPPLIES	28.37	6920	08/26/16
02420	08/21/16	AUTOZONE VF def fluid 3236737908	210-42220.610 SUPPLIES	7.49	6923	08/26/16
V1655	08/04/16	BLUE CROSS BLUE SHIELD OF VA Sept health ins 4870001187	210-41320.210 HEALTH INS & OTHER BENEFIT	3445.88	6926	08/26/16
V1655	08/04/16	BLUE CROSS BLUE SHIELD OF VA Sept health ins 4870001187	210-43110.210 HEALTH INS & OTHER BENEFIT	2929.01	6926	08/26/16
V1655	08/04/16	BLUE CROSS BLUE SHIELD OF VA Sept health ins 4870001187	210-43151.210 HEALTH INS & OTHER BENEFIT	456.58	6926	08/26/16
V1655	08/04/16	BLUE CROSS BLUE SHIELD OF VA Sept health ins 4870001187	210-45551.210 HEALTH INS & OTHER BENEFIT	5168.84	6926	08/26/16
V1655	08/04/16	BLUE CROSS BLUE SHIELD OF VA Sept health ins 4870001187	210-41970.210 HEALTH INS & OTHER BENEFIT	1722.95	6926	08/26/16
V1655	08/04/16	BLUE CROSS BLUE SHIELD OF VA Sept health ins 4870001187	210-41335.210 HEALTH INS & OTHER BENEFIT	861.47	6926	08/26/16
V1655	08/04/16	BLUE CROSS BLUE SHIELD OF VA Sept health ins 4870001187	210-15109.000 EXCHANGE - COBRA	2845.52	6926	08/26/16
00530	08/04/16	BRODART CO BL books 4623442	210-45551.640 ADULT COLLECTION-PRINT &	46.38	6928	08/26/16
00530	08/04/16	BRODART CO BL books 4623442	210-45551.610 SUPPLIES	0.30	6928	08/26/16
00530	08/08/16	BRODART CO BF books 4625192	210-49345.000 LIBRARY DONATION EXPENDIT	16.30	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625210	210-45551.640 ADULT COLLECTION-PRINT &	798.98	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625210	210-45551.610 SUPPLIES	43.20	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625218	210-45551.641 JUVEN COLLECTION-PRNT & E	85.02	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625218	210-45551.610 SUPPLIES	7.20	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625425	210-45551.640 ADULT COLLECTION-PRINT &	88.08	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625707	210-45551.640 ADULT COLLECTION-PRINT &	21.99	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625707	210-45551.610 SUPPLIES	0.90	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625708	210-45551.640 ADULT COLLECTION-PRINT &	14.04	6928	08/26/16
00530	08/08/16	BRODART CO BL books 4625708	210-45551.610 SUPPLIES	0.90	6928	08/26/16
00530	08/09/16	BRODART CO BL books 4627635	210-45551.641 JUVEN COLLECTION-PRNT & E	9.34	6928	08/26/16
00530	08/09/16	BRODART CO BL books 4627635	210-45551.610 SUPPLIES	0.90	6928	08/26/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
00530	08/10/16	BL books 4629201	210-45551.640 ADULT COLLECTION-PRINT &	47.82	6928	08/26/16
00530	08/10/16	BL books 4629201	210-45551.610 SUPPLIES	2.70	6928	08/26/16
00530	08/10/16	BF books 4629296	210-49345.000 LIBRARY DONATION EXPENDIT	15.19	6928	08/26/16
00530	08/11/16	BL books 4630586	210-45551.640 ADULT COLLECTION-PRINT &	54.01	6928	08/26/16
00530	08/11/16	BL books 4630586	210-45551.610 SUPPLIES	2.70	6928	08/26/16
00530	08/11/16	BL books 4630891	210-45551.640 ADULT COLLECTION-PRINT &	11.40	6928	08/26/16
00530	08/11/16	BL books 4630891	210-45551.610 SUPPLIES	0.90	6928	08/26/16
00530	08/15/16	BL books 4633718	210-45551.641 JUVEN COLLECTION-PRNT & E	5.39	6928	08/26/16
00530	08/15/16	BL books 4633718	210-45551.610 SUPPLIES	0.90	6928	08/26/16
00530	08/16/16	BL books 4635557	210-45551.641 JUVEN COLLECTION-PRNT & E	13.94	6928	08/26/16
00530	08/16/16	BL books 4635557	210-45551.610 SUPPLIES	0.90	6928	08/26/16
00530	08/16/16	BF books 4635562	210-49345.000 LIBRARY DONATION EXPENDIT	16.84	6928	08/26/16
00530	08/17/16	BL books 4637694	210-45551.641 JUVEN COLLECTION-PRNT & E	9.89	6928	08/26/16
00530	08/17/16	BL books 4637694	210-45551.610 SUPPLIES	0.90	6928	08/26/16
00530	08/18/16	BF books 4641111	210-49345.000 LIBRARY DONATION EXPENDIT	16.84	6928	08/26/16
13800	08/16/16	BL childrens programs 788516	210-45551.837 CHILDRENS PROGRAMS	100.00	6930	08/26/16
V9941	06/07/16	BL Library Monthly Fee 060816A	210-45551.640 ADULT COLLECTION-PRINT &	23.00	6931	08/26/16
V9941	06/10/16	BL Tech Access 061016B	210-45551.530 TECHNOLOGY ACCESS	95.88	6931	08/26/16
V9941	06/20/16	WW Email Cert CM 062016E	210-41320.340 COMPUTER EXPENSES	-899.97	6931	08/26/16
V9941	06/28/16	AD Trustee & LH Supplies 062816H	210-41940.610 SUPPLIES	4.34	6931	08/26/16
V9941	06/28/16	AD Trustee & LH Supplies 062816H	210-41320.560 TRUSTEES EXPENDITURES	7.50	6931	08/26/16
V9941	08/05/16	BL NEWSPAPERS 070716B	210-45551.640 ADULT COLLECTION-PRINT &	26.00	6931	08/26/16
V9941	08/05/16	BL YOUTH PROGRAM SUPPLIES 071116D	210-45551.837 CHILDRENS PROGRAMS	5.39	6931	08/26/16
V9941	08/05/16	AD SMALL COPIER DRUM 071916F	210-41320.610 SUPPLIES	78.43	6931	08/26/16
V9941	08/05/16	DV/VE GIFT CARD COMMITTEE 071916G	210-41335.835 BLOCK PARTY EXPENSE	100.00	6931	08/26/16

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
V9941	BUSINESSCARD SERVICES	08/05/16	VF COMPUTERS/MONITORS 072116H	210-42220.889 ROUTINE EQUIPMENT PURCHAS	2223.03	6931	08/26/16
V9941	BUSINESSCARD SERVICES	08/05/16	AD EMPLOYEE APPRECIATION 072116J	210-41320.291 HEALTH IMPROV PROGRAMS	681.24	6931	08/26/16
V9941	BUSINESSCARD SERVICES	08/05/16	AD PRIZES FOR EMPLOYEES 072116K	210-41320.291 HEALTH IMPROV PROGRAMS	11.78	6931	08/26/16
V9941	BUSINESSCARD SERVICES	08/05/16	AD TRUSTEES MEESTNG7/25/16 072516L	210-41320.560 TRUSTEES EXPENDITURES	92.16	6931	08/26/16
V9941	BUSINESSCARD SERVICES	08/05/16	VE TRAIN HOP SNOWFLAKE 072616M	210-41335.810 COMMUNITY EVENTS & PROGRA	526.22	6931	08/26/16
21500	CANON FINANCIAL SERVICES	08/13/16	AD COPIER LEASE 16348243	210-41320.442 LEASED SERVICES	245.00	6934	08/26/16
V10633	CCI SOLUTIONS	08/11/16	BL supplies 30397859	210-45551.610 SUPPLIES	76.46	6936	08/26/16
24305	DEMCO INC	08/11/16	BL supplies 5933327	210-45551.610 SUPPLIES	145.56	6947	08/26/16
35260	EAST COAST PRINTERS INC	08/15/16	ST UNIFORMS 07281616	210-43110.612 UNIFORMS,BOOTS,ETC	180.00	6952	08/26/16
06870	ENDYNE INC	08/10/16	ST ST SWEEP CHEM TEST 209090	210-43151.430 STORM SEWER MAINTENANCE	185.00	6954	08/26/16
21780	ENGRAVING & AWARDS OF N E	08/03/16	VF parade axes 349797M	210-42220.889 ROUTINE EQUIPMENT PURCHAS	687.50	6955	08/26/16
23215	ESSEX EQUIPMENT INC	06/08/16	ST SUPPLIES ROSE 106080110001	210-43110.610 SUPPLIES	119.00	6957	08/26/16
V0795	ESSEX TOWN OF	08/19/16	AD 1/12 MGR CONTRACT 081916D	210-41320.150 MANAGER CONTRACT	5381.25	6960	08/26/16
41410	FINANCIAL OPERATIONS	08/09/16	ST TRAFFIC LIGHTS 073116	210-43123.570 TRAFFIC LIGHTS MAINTENANC	78.74	6964	08/26/16
V10226	G & K SERVICES	08/11/16	ST SUPPLIES 1295456738	210-43110.610 SUPPLIES	68.43	6968	08/26/16
33495	INGRAM LIBRARY SERVICES I	08/16/16	BL books 94270575	210-45551.640 ADULT COLLECTION-PRINT &	19.92	6976	08/26/16
05845	RME FIRE APPARATUS INC	08/10/16	VF gas shock NY28031	210-42220.432 VEHICLE MAINTENANCE	38.50	6981	08/26/16
14025	LINCOLN NATIONAL LIFE INS	08/11/16	VA Sept life ins 09161537732	210-41320.210 HEALTH INS & OTHER BENEFIT	178.52	6982	08/26/16
14025	LINCOLN NATIONAL LIFE INS	08/11/16	VA Sept life ins 09161537732	210-43110.210 HEALTH INS & OTHER BENEFIT	151.73	6982	08/26/16
14025	LINCOLN NATIONAL LIFE INS	08/11/16	VA Sept life ins 09161537732	210-43151.210 HEALTH INS & OTHER BENEFIT	23.65	6982	08/26/16
14025	LINCOLN NATIONAL LIFE INS	08/11/16	VA Sept life ins 09161537732	210-45551.210 HEALTH INS & OTHER BENEFIT	267.76	6982	08/26/16
14025	LINCOLN NATIONAL LIFE INS	08/11/16	VA Sept life ins 09161537732	210-41970.210 HEALTH INS & OTHER BENEFIT	89.25	6982	08/26/16
14025	LINCOLN NATIONAL LIFE INS	08/11/16	VA Sept life ins 09161537732	210-41335.210 HEALTH INS & OTHER BENEFIT	44.63	6982	08/26/16
08645	LOWES BUSINESS ACCT/SYNCH	07/28/16	ST SUPPLIES 02477P	210-43110.610 SUPPLIES	89.46	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCH	07/28/16	ST SUPPLIES FOR CONCRETE 09921Q	210-43110.610 SUPPLIES	16.52	6984	08/26/16

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
08645	LOWES BUSINESS ACCT/SYNCR	07/12/16	VF SMALL TOOLS 10327353G	210-42220.889 ROUTINE EQUIPMENT PURCHAS	69.98	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/06/16	BL SUPPLIES 10828988A	210-45551.610 SUPPLIES	31.78	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/15/16	NB PERGOLA MAT EC DEV 19599265L	210-49340.000 MISC GRANT EXPENDITURES	165.80	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/19/16	NB PERGOLA MAT EC DEV 19938310M	210-49340.000 MISC GRANT EXPENDITURES	28.11	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/19/16	NB CM RETRN PERG MAT ECDE 19938399N	210-49340.000 MISC GRANT EXPENDITURES	-1.59	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/19/16	NB PERGOLA MAT EC DEV 19941245O	210-49340.000 MISC GRANT EXPENDITURES	26.52	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/08/16	NB PERGOLA MAT EC DEV 2343095F	210-49340.000 MISC GRANT EXPENDITURES	111.30	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/14/16	NB PERGOLA 2495205H	210-49340.000 MISC GRANT EXPENDITURES	7.95	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/14/16	NB PERGOLA MAT EC DEV 2515822I	210-49340.000 MISC GRANT EXPENDITURES	296.59	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/07/16	NB PERGOLA MATER EC DEV 2901662B	210-49340.000 MISC GRANT EXPENDITURES	222.30	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/07/16	NB PERGOLA MAT EC DEV 2917934C	210-49340.000 MISC GRANT EXPENDITURES	902.44	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/08/16	NB PERGOLA MATER EC DEV 2982206E	210-49340.000 MISC GRANT EXPENDITURES	34.02	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/08/16	NB PERGOLA MAT EC DEV 2986337D	210-49340.000 MISC GRANT EXPENDITURES	296.35	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/15/16	NB PERGOLA MAT EC DEV 88607364K	210-49340.000 MISC GRANT EXPENDITURES	42.73	6984	08/26/16
08645	LOWES BUSINESS ACCT/SYNCR	07/14/16	LH SUPPLIES 9507036J	210-41940.610 SUPPLIES	13.53	6984	08/26/16
27295	MAPLEHURST FLORIST	08/12/16	BL childrens programs 201606	210-45551.837 CHILDRENS PROGRAMS	50.00	6988	08/26/16
38340	MINUTEMAN TRUCKS INC	08/10/16	VF light 1107662	210-42220.432 VEHICLE MAINTENANCE	118.99	6989	08/26/16
14585	MUNICIPAL EMERGENCY SERVI	08/12/16	VF SCBA parts 1054837	210-42220.570 MAINTENANCE OTHER	294.00	6990	08/26/16
V1636	NEW ENGLAND MUNICIPAL	08/08/16	VA HOSE AND CLAMP 16382	210-43110.570 MAINTENANCE OTHER	102.15	6991	08/26/16
24960	NORTHEAST DELTA DENTAL	08/15/16	VA Sept dental ins 161508	210-41320.210 HEALTH INS & OTHER BENEFIT	298.52	6996	08/26/16
24960	NORTHEAST DELTA DENTAL	08/15/16	VA Sept dental ins 161508	210-43110.210 HEALTH INS & OTHER BENEFIT	253.74	6996	08/26/16
24960	NORTHEAST DELTA DENTAL	08/15/16	VA Sept dental ins 161508	210-43151.210 HEALTH INS & OTHER BENEFIT	39.55	6996	08/26/16
24960	NORTHEAST DELTA DENTAL	08/15/16	VA Sept dental ins 161508	210-45551.210 HEALTH INS & OTHER BENEFIT	447.78	6996	08/26/16
24960	NORTHEAST DELTA DENTAL	08/15/16	VA Sept dental ins 161508	210-41970.210 HEALTH INS & OTHER BENEFIT	149.26	6996	08/26/16
24960	NORTHEAST DELTA DENTAL	08/15/16	VA Sept dental ins 161508	210-41335.210 HEALTH INS & OTHER BENEFIT	74.63	6996	08/26/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
24960	08/15/16	NORTHEAST DELTA DENTAL VA Sept dental ins 161508	210-15109.000 EXCHANGE - COBRA	246.58	6996	08/26/16
25140	07/29/16	PIKE INDUSTRIES INC HS/ST - 2016 paving 34646	210-43120.610 PAVEMENT MAINTENANCE	109000.14	7003	08/26/16
25140	06/07/16	PIKE INDUSTRIES INC ST PAVING 867548	210-43120.610 PAVEMENT MAINTENANCE	783.00	7003	08/26/16
25140	06/14/16	PIKE INDUSTRIES INC ST PAVING 869374	210-43120.610 PAVEMENT MAINTENANCE	348.60	7003	08/26/16
25140	06/17/16	PIKE INDUSTRIES INC ST PAVING 869904	210-43120.610 PAVEMENT MAINTENANCE	423.60	7003	08/26/16
25140	08/09/16	PIKE INDUSTRIES INC ST PAVEMENT MAINTENANCE 881498	210-43120.610 PAVEMENT MAINTENANCE	1006.20	7003	08/26/16
25140	08/12/16	PIKE INDUSTRIES INC ST PAVEMENT MAINTENANCE 881840	210-43120.610 PAVEMENT MAINTENANCE	778.80	7003	08/26/16
18010	08/15/16	REYNOLDS & SON, INC. VF helmet fronts 3281888	210-42220.612 UNIFORMS,BOOTS,ETC	145.80	7006	08/26/16
18010	08/16/16	REYNOLDS & SON, INC. vf foam 3281972	210-42220.889 ROUTINE EQUIPMENT PURCHAS	695.20	7006	08/26/16
18010	08/16/16	REYNOLDS & SON, INC. VF foam 3281992CM	210-42220.889 ROUTINE EQUIPMENT PURCHAS	-206.21	7006	08/26/16
40840	08/15/16	SOVERNET COMMUNICATIONS VF telephone 3666967	210-42220.535 TELEPHONE SERVICES	101.22	7018	08/26/16
V2124	08/06/16	STAPLES ADVANTAGE ST SUPPLIES 3310804297	210-43110.610 SUPPLIES	251.48	7019	08/26/16
V2124	08/13/16	STAPLES ADVANTAGE BL supplies 3311337541	210-45551.610 SUPPLIES	84.00	7019	08/26/16
14800	08/01/16	TECH GROUP INC ST SUPPLIES 71481	210-43110.610 SUPPLIES	1050.00	7023	08/26/16
25535	08/18/16	VT MUNICIPAL CLERKS & TRE AD VMCTA ANNUAL MEET-SMH 160919	210-41320.500 TRAINING, CONFERENCES, DU	150.00	7035	08/26/16
V9941	08/05/16	BUSINESSCARD SERVICES SC POST STAMP&PACK TAPE 070716A	225-45122.610 OPERATIONAL SUPP/EXP	97.49	6931	08/26/16
V9941	08/05/16	BUSINESSCARD SERVICES SC GROCERIES FOR CTR 070716C	225-45122.610 OPERATIONAL SUPP/EXP	19.56	6931	08/26/16
V9941	08/05/16	BUSINESSCARD SERVICES SC SMALL SIDE TABLESX10 071516E	225-45122.614 PROGRAM EXPENSES	199.90	6931	08/26/16
V9941	08/05/16	BUSINESSCARD SERVICES SC TABLE RETURN CM 072216I	225-45122.614 PROGRAM EXPENSES	-21.39	6931	08/26/16
V9941	08/05/16	BUSINESSCARD SERVICES SC ITEMS FOR BEACH PARTY 072716N	225-45122.614 PROGRAM EXPENSES	25.74	6931	08/26/16
V9941	08/05/16	BUSINESSCARD SERVICES SC DECORATION 080216Q	225-45122.614 PROGRAM EXPENSES	18.95	6931	08/26/16
31545	08/18/16	COSTCO #314 SC OPERATNL/TRIP/SOC EVNT 160818D	225-45122.614 PROGRAM EXPENSES	20.68	6945	08/26/16
31545	08/18/16	COSTCO #314 SC OPERATNL/TRIP/SOC EVNT 160818D	225-45122.610 OPERATIONAL SUPP/EXP	51.55	6945	08/26/16
31545	08/18/16	COSTCO #314 SC OPERATNL/TRIP/SOC EVNT 160818D	225-45122.810 TRIP EXPENSES	84.39	6945	08/26/16
21770	08/02/16	JAZZERCISE SC JAZZERCISE INSTRUCTFEE 080216D	225-45122.330 OTHER PROF SERVICES	100.00	6979	08/26/16

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Check Warrant Report # 17008 Current Prior Next FY Invoices For Fund (GENERAL FUND)

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For Check Acct 01 (GENERAL FUND) All check #s 08/26/16 To 08/26/16 & Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
41630	08/24/16	SC ferry passes to Burton 082416D	225-45122.810 TRIP EXPENSES	128.00	7039	08/26/16
36240	08/11/16	VR Cres cntr design 716328	230-46801.008 CRESCENT CONNECTOR	13146.44	6950	08/26/16
31275	08/15/16	VWVB Briar Ln thru 8/12 PAYREQ#9	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	201299.17	6949	08/26/16
V1655	08/04/16	VA Sept health ins 4870001187	254-43200.210 HEALTH INS & OTHER BENEFI	1292.21	6926	08/26/16
V9941	06/28/16	VW Record Check PWD 062816I	254-43200.572 INTERVIEW COSTS	30.00	6931	08/26/16
V9941	08/05/16	VW CL EMPLOYMENT AD 080216P	254-43200.572 INTERVIEW COSTS	15.00	6931	08/26/16
23435	07/31/16	VW State Wtr Tax/CWD GF 073116D	254-43200.412 STATE WATER TAX	1200.07	6940	08/26/16
23435	07/31/16	VW State Wtr Tax/CWD GF 073116D	254-43210.412 STATE WATER TAX - GF	6213.25	6940	08/26/16
23435	07/31/16	VW State Wtr Tax/CWD GF 073116D	254-43200.411 CWD WATER PURCHASE	48914.81	6940	08/26/16
23435	07/31/16	VW State Wtr Tax/CWD GF 073116D	254-43210.411 CWD WATER PURC - GF	253252.07	6940	08/26/16
31275	08/15/16	VWVB Briar Ln thru 8/12 PAYREQ#9	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	32091.17	6949	08/26/16
18000	08/09/16	VW SUPPLIES 0710505	254-43200.610 SUPPLIES	185.40	6963	08/26/16
18000	08/09/16	VW SUPPLIES 0710592	254-43200.610 SUPPLIES	44.04	6963	08/26/16
18000	08/11/16	VW SUPPLIES 0711145	254-43200.610 SUPPLIES	49.72	6963	08/26/16
14025	08/11/16	VA Sept life ins 09161537732	254-43200.210 HEALTH INS & OTHER BENEFI	66.94	6982	08/26/16
V1636	08/08/16	VA HOSE AND CLAMP 16382	254-43200.570 MAINTENANCE OTHER	17.03	6991	08/26/16
24960	08/15/16	VA Sept dental ins 161508	254-43200.210 HEALTH INS & OTHER BENEFI	111.94	6996	08/26/16
05290	08/22/16	WW spark plug 4582	255-43200.570 MAINTENANCE OTHER	1.99	6920	08/26/16
V1655	08/04/16	VA Sept health ins 4870001187	255-43200.210 HEALTH INS & OTHER BENEFI	4453.82	6926	08/26/16
V9941	06/14/16	WW Waterproof Paint 061416C	255-43200.570 MAINTENANCE OTHER	699.66	6931	08/26/16
V9941	06/14/16	WW Waterproof Paint Credi 061616D	255-43200.570 MAINTENANCE OTHER	-360.56	6931	08/26/16
V9941	06/21/16	WW Mobilemapper Battery 062116F	255-43200.570 MAINTENANCE OTHER	106.58	6931	08/26/16
V9941	06/28/16	WW Free Press monthly fee 062816G	255-43200.610 SUPPLIES	22.00	6931	08/26/16
V9941	08/05/16	WW NEWSPAPERS 072816O	255-43200.610 SUPPLIES	23.00	6931	08/26/16
V9941	08/05/16	WW HD BULK TANK 080416R	255-43200.570 MAINTENANCE OTHER	1150.00	6931	08/26/16

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Check Warrant Report # 17008 Current Prior Next FY Invoices For Fund (GENERAL FUND)

LMorrisseau

For Check Acct 01(GENERAL FUND) All check #s 08/26/16 To 08/26/16 & Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
11375	08/08/16	CASELLA WASTE SYSTEMS INC WW 1.01 TON GRIT REMOVED 693268	255-43200.565 GRIT DISPOSAL	130.34	6935	08/26/16
11375	08/15/16	CASELLA WASTE SYSTEMS INC WW 1.05 ton grit 693321	255-43200.565 GRIT DISPOSAL	135.50	6935	08/26/16
23455	07/20/16	CHITTENDEN SOLID WASTE DI WW 119.44 Tons Chat Analy 20166-ESS	255-43200.568 SLUDGE MANAGEMENT	14085.43	6942	08/26/16
23455	08/12/16	CHITTENDEN SOLID WASTE DI WW CSWD DIRECT FEES IVC023023	255-43200.565 GRIT DISPOSAL	100.17	6942	08/26/16
15055	08/10/16	E&I CORPORATION WW GRIT BUCKETS INV013078	255-43200.570 MAINTENANCE OTHER	3602.18	6951	08/26/16
V10734	07/20/16	ENCORE ESSEX JUNCTION SOL WW Jun/July year end 1607WWTP16	255-43200.622 ELECTRICAL SERVICE	614.06	6953	08/26/16
V10734	07/20/16	ENCORE ESSEX JUNCTION SOL WW Jun/Jul year end 1607WWTP17	255-43200.622 ELECTRICAL SERVICE	1979.41	6953	08/26/16
06870	08/11/16	ENDYNE INC WW weekly tkn 209253	255-43200.577 CONTRACT LABORATORY SERVI	25.00	6954	08/26/16
06870	08/19/16	ENDYNE INC WW weekly tkn 210014	255-43200.577 CONTRACT LABORATORY SERVI	25.00	6954	08/26/16
06870	08/19/16	ENDYNE INC WW Q 3 sludge 210026	255-43200.577 CONTRACT LABORATORY SERVI	565.00	6954	08/26/16
38955	08/08/16	F W WEBB COMPANY WW TANK TRAILER STOCK 51807027	255-43200.570 MAINTENANCE OTHER	134.10	6961	08/26/16
38955	08/08/16	F W WEBB COMPANY WW TANK TRAILER 51808305	255-43200.570 MAINTENANCE OTHER	5.11	6961	08/26/16
38955	08/12/16	F W WEBB COMPANY WW ADAPTERS 51865351	255-43200.570 MAINTENANCE OTHER	13.04	6961	08/26/16
18000	08/16/16	FERGUSON WATERWORKS #590 WW HYDRANT VALVE SEALS 0709998	255-43200.570 MAINTENANCE OTHER	180.38	6963	08/26/16
14025	08/11/16	LINCOLN NATIONAL LIFE INS VA Sept life ins 09161537732	255-43200.210 HEALTH INS & OTHER BENEFIT	230.72	6982	08/26/16
V1423	08/18/16	MAHER CORPORATION WW pump rotors 23974	255-43200.570 MAINTENANCE OTHER	1471.72	6987	08/26/16
V1636	08/08/16	NEW ENGLAND MUNICIPAL VA HOSE AND CLAMP 16382	255-43200.610 SUPPLIES	17.02	6991	08/26/16
V1661	08/03/16	NORTH CENTRAL LABORATORIE WW NITRATE TEST 376660	255-43200.618 SUPPLIES - LABORATORY	176.89	6995	08/26/16
24960	08/15/16	NORTHEAST DELTA DENTAL VA Sept dental ins 161508	255-43200.210 HEALTH INS & OTHER BENEFIT	385.83	6996	08/26/16
03160	08/17/16	P & H SENESAC INC WW 2 totes polymer 19807	255-43200.619 CHEMICALS	6900.00	6999	08/26/16
12265	08/16/16	RICOH USA, INC WW copier lease 97394286	255-43200.610 SUPPLIES	115.94	7009	08/26/16
25480	08/11/16	SAC FASTENER COMPANY WW stainless hardware 36774	255-43200.570 MAINTENANCE OTHER	28.72	7010	08/26/16
V2124	08/06/16	STAPLES ADVANTAGE WW LEGAL PAPER 3310804283	255-43200.610 SUPPLIES	20.79	7019	08/26/16
38680	08/16/16	VT RURAL WATER ASSOC WW ethics seminar 072616D	255-43200.500 TRAINING, CONFERENCES, DU	24.00	7038	08/26/16
V1655	08/04/16	BLUE CROSS BLUE SHIELD OF VA Sept health ins 4870001187	256-43200.210 HEALTH INS & OTHER BENEFIT	2067.54	6926	08/26/16

08/30/16

11:42 am

Town of Essex / Village of EJ Accounts Payable
 Check Warrant Report # 17008 Current Prior Next FY Invoices For Fund (GENERAL FUND)
 For Check Acct 01 (GENERAL FUND) ALL check #s 08/26/16 To 08/26/16 & Fund 2

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LMorrisseau

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
14025	08/11/16	VA Sept life ins 09161537732	256-43200.210 HEALTH INS & OTHER BENEFI	107.10	6982	08/26/16
V1636	08/08/16	VA ROSE AND CLAMP 16382	256-43200.570 MAINTENANCE OTHER	204.29	6991	08/26/16
24960	08/15/16	VA Sept dental ins 161508	256-43200.210 HEALTH INS & OTHER BENEFI	179.11	6996	08/26/16
Report Total				747218.83		

09/08/16
04:04 pm

Town of Essex / Village of EJ Accounts Payable
Check Warrant Report # 17009 Current Prior Next FY Invoices For Fund (GENERAL FUND)
For Check Acct 01(GENERAL FUND) All check #s 08/31/16 To 09/02/16 & Fund 2

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LMorrisseau

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
37585	08/05/16	ST SUPPLIES 3491531-00	210-43110.610 SUPPLIES	16.50	7043	09/01/16
42665	08/10/16	BL books supplies 69852081016D	210-45551.610 SUPPLIES	382.55	7044	09/01/16
42665	08/10/16	BL books supplies 69852081016D	210-45551.640 ADULT COLLECTION-PRINT &	47.08	7044	09/01/16
42665	08/10/16	BL books supplies 69852081016D	210-45551.641 JUVEN COLLECTION-PRNT & E	139.29	7044	09/01/16
16030	08/20/16	ST STREET LIGHTS 31488	210-43160.610 STREET LIGHTS SUPPLIES/MA	1927.63	7045	09/01/16
25015	08/04/16	ST MANHOLE 34111	210-43151.430 STORM SEWER MAINTENANCE	156.00	7046	09/01/16
V9766	08/23/16	BL MILEAGE FAIRLEE CONF 82916ED	210-45551.500 TRAINING, CONFERENCES, DU	81.00	7047	09/01/16
21835	06/20/16	VF FIRE CALL FOODD 000036	210-42220.500 TRAINING, CONFERENCES, DU	169.90	7051	09/01/16
21835	06/26/16	VF APC SMART UPS BATTERY 28750200132	210-42220.570 MAINTENANCE OTHER	40.49	7051	09/01/16
03525	08/25/16	VA/FN audit progress bill 61933	210-41320.335 AUDIT	201.98	7053	09/01/16
V10695	08/24/16	ST TREE TRIMMING 082416D	210-43161.000 STREETSCAPE MAINT./IMP	845.00	7055	09/01/16
21095	08/16/16	LH bathroom floors 11043	210-41940.891 CAPITAL OUTLAY	1579.00	7056	09/01/16
24620	12/31/15	ST wacker loader rental 1520319	210-43110.442 EQUIPMENT RENTALS	1633.50	7057	09/01/16
37965	08/03/16	ST CATCH BASIN FRAMES 339948	210-43151.430 STORM SEWER MAINTENANCE	491.40	7058	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	210-41335.210 HEALTH INS & OTHER BENEFIT	14.91	7059	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	210-41970.210 HEALTH INS & OTHER BENEFIT	29.83	7059	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	210-45551.210 HEALTH INS & OTHER BENEFIT	89.48	7059	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	210-41320.210 HEALTH INS & OTHER BENEFIT	59.66	7059	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	210-43110.210 HEALTH INS & OTHER BENEFIT	50.72	7059	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	210-43151.210 HEALTH INS & OTHER BENEFIT	7.90	7059	09/01/16
24570	08/23/16	DV NAME PLATE PC MEMBER 69549	210-41970.610 SUPPLIES	17.20	7062	09/01/16
31275	08/23/16	VR MULTIUSE PATH CONST PAY AP 1 MVP	230-46801.006 MULTI-USE PATH NORTH	70855.16	7048	09/01/16
03525	08/25/16	VA/FN audit progress bill 61933	254-43200.335 AUDIT	120.66	7053	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	254-43200.210 HEALTH INS & OTHER BENEFIT	22.37	7059	09/01/16
05020	07/29/16	VA water sewer 072916D	255-43200.410 WATER AND SEWER CHARGE	70.16	7042	08/31/16

09/08/16

Town of Essex / Village of EJ Accounts Payable

04:04 pm

Check Warrant Report # 17009 Current Prior Next FY Invoices For Fund (GENERAL FUND)
For Check Acct 01(GENERAL FUND) All check #s 08/31/16 To 09/02/16 & Fund 2

LMorrisseau

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
05020	07/29/16	VA water sewer 072916D	255-43200.410 WATER AND SEWER CHARGE	70.16	7042	08/31/16
05020	07/29/16	VA water sewer 072916D	255-43200.410 WATER AND SEWER CHARGE	70.16	7042	08/31/16
05020	07/29/16	VA water sewer 072916D	255-43200.410 WATER AND SEWER CHARGE	70.16	7042	08/31/16
05020	07/29/16	VA water sewer 072916D	255-43200.410 WATER AND SEWER CHARGE	84.19	7042	08/31/16
05020	07/29/16	VA water sewer 072916D	255-43200.410 WATER AND SEWER CHARGE	70.16	7042	08/31/16
V10734	06/20/16	WW May Jun 2016 1606WWTP	255-43200.622 ELECTRICAL SERVICE	2969.11	7049	09/01/16
03525	08/25/16	VA/FN audit progress bill 61933	255-43200.335 AUDIT	141.65	7053	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	255-43200.210 HEALTH INS & OTHER BENEFIT	77.10	7059	09/01/16
05020	07/29/16	VA water sewer 072916D	256-43200.410 WATER AND SEWER CHARGE	70.16	7042	08/31/16
03525	08/25/16	VA/FN audit progress bill 61933	256-43200.335 AUDIT	60.33	7053	09/01/16
V9968	08/16/16	VA SEPT VISION INS 091630023622	256-43200.210 HEALTH INS & OTHER BENEFIT	35.79	7059	09/01/16
Report Total				82768.34		

RECEIVED

SEP 07 2016

VILLAGE OF ESSEX JUNCTION
APPLICATION TO CLOSE OR OBSTRUCT A STREET
FOR A NEIGHBORHOOD BLOCK PARTY

Village of Essex Junction

I/we do hereby make application, as required by the Village of Essex Junction, VT, to enclosed or obstruct a Village street.

CONDITIONS:

1. On the attached form, provide unanimous consent signatures of the households and businesses that abut the section of the street to be closed or obstructed. Return the signature form with your completed application to the Village Office, 2 Lincoln Street, Essex Junction, VT 05452.
2. Work with the Public Works Director (878-6942 or 878-6944) to obtain road signs to warn drivers of road closing. The applicant will be responsible for picking up the signs from the Public Works garage, erecting the signs and returning them to the Public Works garage in a timely manner.
3. Maintain a twelve (12) foot clear road in the center of the street in case of emergency.
4. Remove any obstructions immediately if emergency vehicles need to use the street.

Street(s) section to be closed: Hawthorn Circle

Purpose: Block Party

Date: 9/17/16

Hours: from 3pm to 7pm

Margaret Gilbert
Name (please print)

10 Hawthorn Circle
Street Address

Margaret Gilbert
Signature

Phone: day evening 734-4931

FOR COMPLETION BY VILLAGE STAFF

The following have been contacted by Village staff and advised of this event.

Police Dept. Date approved _____ Approved by: _____
Comment: _____

Fire Dept. Date approved _____ Approved by: _____
Comment: _____

Village Manager: _____ Date approved _____