

**CITY OF ESSEX JUNCTION
CITY COUNCIL
MEETING AGENDA**

Online & 2 Lincoln St.
Essex Junction, VT 05452
Wednesday, Sept. 14, 2022
6:30 PM

E-mail: manager@essexjunction.org

www.essexjunction.org

Phone: (802) 878-6951

This meeting will be in-person at 2 Lincoln Street and available remotely. Options to watch or join the meeting remotely:

- **WATCH:** the meeting will be live streamed on [Town Meeting TV](#)
- **JOIN ONLINE:** [Join Zoom Meeting](#)
- **JOIN CALLING:** (toll free audio only): (888) 788-0099 | Meeting ID: 944 6429 7825; Passcode: 635787

1. **CALL TO ORDER**

[6:30 PM]

2. **AGENDA ADDITIONS/CHANGES**

3. **APPROVE AGENDA**

4. **PUBLIC TO BE HEARD**

a. Comments From Public on Items Not on Agenda

5. **PUBLIC HEARING**

a. Public Hearing on Proposed Cannabis Related Land Development Code Updates

6. **BUSINESS ITEMS**

a. Consider Approval of Proposed Cannabis Related Land Development Code Updates

b. Consider Resolutions of Appreciation: Maddie Barry & Joyce Stannard

c. Interview and Consider Appointment to Bike/Walk Advisory Committee: Eric Bowker

d. Discuss Website Redesign

e. *Discuss Negotiating or Securing Real Estate Purchase or Lease Options

f. **Discuss Documents That Are Exempt From Public Records Laws

7. **CONSENT AGENDA**

a. Approve Check Warrants #17317 (08/26/22); #17318 (09/02/22); #17319 (09/09/22)

b. Approve Minutes: February 17, 2021; March 23, 2021; July 13, 2022 (amended); August 31, 2022

c. Approve Banner Application for Junction Jam

d. Approve Beaver Deceiver Installation at Hubbell Falls

e. Approve Mailing Ballots for November 8, 2022 Special City Meeting

8. **READING FILE**

a. Board Member Comments

b. Crescent Connector Update

c. Howard Center Community Outreach FY22 Q4 Report

d. Local Option Tax Notices

e. Springer Law Office Letter: August 17, 2022

f. Planning Commission Minutes: August 4, 2022

g. Tree Advisory Committee Minutes: August 16, 2022

h. Development Review Board Minutes: July 21, 2022

i. Joint Housing Commission Minutes: August 17, 2022

j. Bike Walk Advisory Committee Minutes: June 27, 2022

9. **EXECUTIVE SESSION**

a. *An executive session may be needed to discuss negotiating or securing real estate purchase or lease options

b. **An executive session may be needed to discuss documents that are exempt from public records laws

10. **ADJOURN**

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Memo

To: Essex Junction City Council

From: Brad Luck, Interim Co-Manager

Meeting Date: September 14, 2022

Agenda Item: 5a. Public Hearing on Proposed Cannabis Related Land Development Code Updates

Issue

The Planning Commission (PC) has recommended updates to the Land Development Code (LDC) that are related to the retail sales of cannabis, which are permissible effective October 1, 2022.

Discussion

Here is the language from the PC Reporting Form for Land Development Code Amendments that related to cannabis:

Section: Overall purpose of the proposed Land Development Code (LDC) amendments:

#6. With cannabis retail beginning on October 1, 2022 the amendments include specific cannabis establishment definitions and zoning districts in which the establishments are permitted.

Section: Specific Proposed Amendments include:

Chapter 2: Definitions

Cannabis uses have been added. These definitions mimic the state definitions. [Section 201.C 34 – 41]

NOTE: this amendment has also been separately forwarded to the City Council so they may act on it on its own if they so wish.

Chapter 6: Zoning Districts Regulations

Added the cannabis uses as defined by the state to the Land Use Table (Section 622) to establish where each type of use will be permitted by zoning district. [Section 622] *NOTE: this amendment has also been separately forwarded to the City Council so they may act on it on its own if they so wish. In this separate package the Land Use Table remains is Section 620.*

The changes outlined can be found in the attached cannabis only LDC amendments.

Cost

N/A.

Recommendation

It is recommended that the Council hold a public hearing on the proposed cannabis related LDC updates and consider public feedback.

Recommended Motion

No motion necessary.

Attachments

- Essex Junction Planning Commission Reporting Form for Land Development Code Amendments
- Cannabis Only Land Development Code Amendments

Essex Junction Planning Commission Reporting Form for Land Development Code Amendments

The following report was approved by the Planning Commission on July 11, 2022. The Planning Commission held a public hearing on August 4, 2022. Following the public hearing the Planning Commission motioned to send these Land Development Code amendments to the City Council.

This report is in accordance with 24 V.S.A. §4441(c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments..... The report shall provide(:)

(A) brief explanation of the proposed bylaw, amendment, or repeal andinclude a statement of purpose as required for notice under §4444 of this title,

Overall purpose of the proposed Land Development Code (LDC) amendments:

1. Alignment with the latest Comprehensive Plan update and Five Corners Design Plan to improve infill development and the pedestrian experience in the Village and the trunk routes entering the Village. The design review and historic preservation standards that currently exist in the Village Center District have been expanded to the trunk routes Main Street, Lincoln Street, Pearl Street, Park Street and Maple Street. In addition, improved bike facility and amenity requirements have been added throughout the City. Amendments have also been made to the landscaping standards to improve the streetscape and pedestrian experience.
2. In response to the severe housing shortage, and elevated construction costs for housing, these amendments include several provisions to streamline the review process for housing and Accessory Dwelling Units, increase density in some districts, and reduce residential parking requirements.
3. Stormwater management application requirements and standards have been proposed to align with the City’s MS4 permit, Phosphorus Control Plan and changes in state stormwater requirements. These amendments include greater emphasis on Green Stormwater Infrastructure and Low Impact Development techniques.
4. State Statute changes since the last LDC update have been incorporated.
5. General amendments throughout the entire Land Development Code have been made to align with the new City of Essex Junction charter including: all references to the Village of Essex Junction have been replaced with the City of Essex Junction; development review authority has been changed from the Planning Commission and Zoning Board of Adjustment to the Development Review Board.

6. With cannabis retail beginning on October 1, 2022 the amendments include specific cannabis establishment definitions and zoning districts in which the establishments are permitted.
7. Clarification amendments have also been proposed throughout to reduce redundancy between process and standard sections.

(A)nd shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:*

The proposed amendments conform with the goals and policies of the Comprehensive Plan by incorporating reference to the Five Corners Design Plan and standards to fulfill its purpose. In addition, these amendments are intended to enable increased housing stock throughout the City as called for in the Comprehensive Plan.

2. *Is compatible with the proposed future land uses and densities of the municipal plan:*

The proposed amendments are compatible with the proposed future land uses and densities of the municipal plan. The amendments include duplexes and triplexes in the R1 and R2 zoning districts with requirements that these are done in a detached structure style, and limits the frontage of the parcel that can be used for parking to ensure conformance with the existing character of these zoning districts while enabling infill.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.”*

The proposed amendments do not carry out any specific proposals for planned community facilities and it would not impact any plans for community facilities.

Specific Proposed Amendments include:

General amendments throughout the entire Land Development Code have been made to align with the new City of Essex Junction charter including: all references to the Village of Essex Junction have been replaced with the City of Essex Junction; development review authority has been changed from the Planning Commission and Zoning Board of Adjustment to the Development Review Board.

Chapter 1: Purpose, Application and Severability

General amendments in this section include: Village references and charter references have been updated to the City.

Specific amendments in this chapter include: Removal of the 8 year Land Development Code update schedule as this is not a statutory requirement. [Section 104]

Chapter 2: Definitions

General amendments in this section include: Village references have been updated to the City; and development review authority definitions now include a reference statement just in case the old Planning Commission or Zoning Board of Adjustment terms are still in the Land Development Code.

Specific amendments in this chapter include:

- Cannabis uses have been added. These definitions mimic the state definitions. [Section 201.C 34 – 41] *NOTE: this amendment has also been separately forwarded to the City Council so they may act on it on its own if they so wish.*
- The number of children served in the day care home and day care facility and the number of adults served in the family care facility and family care home definitions have been aligned with state statute. [Section 201.C. 68 & 69, and 96 & 97]
- Triplex and fourplex definitions have been added. [Section 201.C. 87 & 88]
- Various definitions have been updated to align with stormwater management related LDC amendments. [Section 201.C, 109, 115, 127, 167, 179, 185, 203 and 204 and Section 201.H. 2, 5, 10, 23, 25 and 26]
- FEMA has been defined as the Federal Emergency Management Agency. [Section 201.E. 6]
- A high strength waste definition has been added to the Sewer Regulation definitions. [Section 201.F. 6]

Chapter 3: Decision Making and Administrative Bodies

General amendments in this section include: Village references and charter references have been updated to the City; development review authority has been changed from the Planning Commission/Zoning Board of Adjustment model to the Development Review Board model; and the Water Quality Superintendent position has been added. [All sections in Chapter 3 have been amended]

Chapter 4: Regulation of Land Use Activities

General amendments in this section include: Village references have been updated to the City.

Chapter 5: Development Review Procedures

General amendments in this section include: removal of redundant standards as those exist in other chapters, changes to timeframes as required by state statute changes, switching review authority from the Planning Commission and Zoning Board of Adjustment to the Development Review Board and associated appeals processes, clarified digital submittal requirements for final plans. [These amendments have been made to many sections throughout Chapter 5]

Specific amendments in this chapter include:

- Who receives mailed notices associated with development proposals has been aligned with the state statute requirements [Section 501.D.3]
- Simplifying the Accessory Dwelling Unit approval process in line with state statute, and to improve the process for development of accessory dwelling units. [Section 502.I]
- Clarification of process involved when a development proposal includes proposed public infrastructure. [Section 502.F.4(f) and (p), Section 503.H.4(c) and (d), Section 503.H.7]
- Alignment with state statute:

- Alignment with VTrans highway access permits [Section 502.F.3(a)(xvi), Section 502.F.4(v), Section 503.H.3(m), and Section 503.H.4(q)]
- Existing small lots [Section 502.L]
- Site plans and conditional use approvals last for two years [Section 502.C.7 and Section 502.F.9]
- Clarified Planned Unit Development approvals: better defined the purpose/objective of this review type, defined process for minor applications (under 6 units requires two stages of review) and major applications (over 6 units requires three stages of review), clarified submittal requirement for waiver requests. [Section 502.M and Section 511]
- Clarified stormwater management application requirements to align with the City’s MS4 permit. This includes additional submittal information on Green Stormwater Infrastructure and Low Impact Development techniques, and analyses as relevant for Total Maximum Daily Load standards. [Section 502.F.3(a)(ix), Section 502.F.4(u), Section 512 and Section 513]
- Clarified application requirements and expiration of approvals for activities involving public sewer. [Section 504.C and F]
- Alignment with state permits for projects involving wetlands. [Section 516.A]
- Added a “planting project” exemption as required by statute and specifically defined in 42 U.S.C. § 4121(a). [Section 516.I]

Chapter 6: Zoning Districts Regulations

General amendments in this section include: Village references have been updated to the City; development review authority has been changed from the Planning Commission/Zoning Board of Adjustment model to the Development Review Board model.

Specific amendments in this chapter include:

- Increased density in Multi-family Residential 1 (MF-1) and Multi-family Residential 2 (M-F2) and simplified how the density is calculated. Changed one single family home to one principal building is allowed per lot unless reviewed as a planned development; and principal building is defined as all uses on the use table. Planned Development review is no longer required for projects with 5 residential units or more; though an applicant can apply under Planned Development if they so choose. [Section 601 and 602]
- Requirements for Planned Development review have been eliminated in many of the districts as this review isn’t necessary when land isn’t being subdivided; though an applicant can apply under Planned Development if they so choose. [Section 603, 604, 605, 608 and 615]
- Design Five Corners concepts were incorporated into the Village Center zoning district design review standards to accommodate infill development while calming traffic and reclaiming more space for people; and to establish a pedestrian friendly atmosphere [Section 604.E and subpart 4(a)]. Eligibility for historic preservation review has been clarified in the Village Center district and reference has been made to the Historic Site map in the Comprehensive Plan (Map 2) [Section 604.E.2(b)]. Planned Unit Development section was simplified to remove reference to a commercial PUD and to clarify that a mixed use building does not necessarily need to go through PUD approval unless requested [Section 604.G].
- Added duplexes and triplexes as permitted uses in the R-1 & R-2 residential zoning districts to allow flexibility and infill development to address the severe housing shortage. The building

coverage is increased to help accommodate these uses. These uses do not require additional land area beyond that required for a single-family home. Special standards have been added to ensure compliance with the Comprehensive Plan. [Section 618, 619 & 622]

- A Design Review Overlay District has been added: The purpose of the Design Review Overlay District is to expand the design review standards used in the Village Center District into the trunk routes of Main Street, Lincoln Street, Pearl Street, Park Street and Maple Street as called for in the Comprehensive Plan. The purpose is to enable infill and redevelopment in line with the concepts of the Design Five Corners Plan and to establish a pedestrian friendly atmosphere. [Section 620]
- A Historic Preservation Overlay District has been added: The purpose of the Historic Preservation Overlay District is to expand the historic preservation standards used in the Village Center District into the trunk routes of Main Street, Lincoln Street, Pearl Street, Park Street and Maple Street as called for in the Comprehensive Plan; thereby recognizing the economic importance and unique historic qualities of the existing buildings and neighborhoods. [Section 621]
- Eliminated conditional use review for day care facilities to streamline the review for these considering the significant community need for these services. These will still need site plan review. [Section 622, and Section 717]
- Added the cannabis uses as defined by the state to the Land Use Table (Section 622) to establish where each type of use will be permitted by zoning district. [Section 622] *NOTE: this amendment has also been separately forwarded to the City Council so they may act on it on its own if they so wish. In this separate package the Land Use Table remains is Section 620.*

Chapter 7: General Development Standards

General amendments in this section include: Village references have been updated to the City; development review authority has been changed from the Planning Commission/Zoning Board of Adjustment model to the Development Review Board model.

Specific amendments in this chapter include:

- Parking requirements for residential uses (single family, duplex, triplex and multi-family) have been reduced from a minimum of 2 required parking spaces per residential unit to a minimum of 1 required parking space per residential unit. Building parking for housing is costly and takes up valuable space for parking rather than residential units. Reducing the required amount of minimum parking does not disallow a developer from building more parking if they feel they need to. [Section 703.C]
- The option to reduce required parking based on shared parking arrangements has been added with a shared parking manual for reference. [Section 703.K.14]
- Bicycle parking and amenity requirements have been added to recognize and promote cycling as a viable means of transportation and recreation for residents, consumers, visitors, and employees; and to ensure compliance with the Comprehensive Plan which calls for improved access to and safety of bicycle and pedestrian facilities. [Section 703.L]
- Reduced the setback requirement for small sheds in residential districts. [Section 706.F]

- Clarified that fences with public rights-of-way or easements are not allowed, but if unavoidable the fence shall be constructed with a removable panel for access to the infrastructure within the easement. [Section 707.B.3]
- A 15 foot buffer will not be required in accordance with Section 708.B.3 for multi-family developments next to single family uses within the Village Center District. [Section 708.B.3]
- Green Stormwater Infrastructure and Low Impact Development stormwater management strategies have been added to help the City meet the Phosphorus Control Plan; and other amendments necessary to meet the City's MS4 permit and state stormwater requirements. [Section 710.D.6 and Section 713]
- Clarified that home occupations can take place in a garage; and edited the sign requirements for home occupations for content neutrality. [Section 711]
- Landscaping requirement amendments have been included as recommended by the Tree Advisory Council. [Section 719]
- Accessory Apartments have been amended to make these easier to build and to align with state statute requirements. [Section 721]
- Planned Unit Developments have been amended to align with state statute, clarify intent and waiver process and improved design considerations. [Section 723]

Chapter 8: Nonconformities

The specific amendment in this section includes: a statutory change to the existing small lot definition; this clarifies that legally subdivided small lots in nonaffiliated ownership from surrounding properties may be developed even if smaller than dimensional requirements of the zoning district. [Section 803]

Chapter 9: Subdivision

Specific amendments in this chapter include:

- A curb cut waiver for Green Stormwater Infrastructure discharge points. [Section 906.C.4]
- Clarified requirements and process for public infrastructure and private infrastructure proposals. Created new sections to make these provisions relevant to all infrastructure, not only streets. [Sections 906.E, 914 & 915]
- Clarified that drainage and utility easements should be in the location and proper width needed for the associated utility, not a standard 8' on the sides and rear of lots in a subdivision. [Section 907]
- Added a requirement to replace any disturbed lot corner monuments and markers. [Section 911]
- Clarified digital submittal requirements for final plans. [Section 915]

Chapter 10: Enforcement

The specific amendment in this section includes: all references to the Village of Essex Junction have been replaced with the City of Essex Junction; development review authority has been changed from the Planning Commission and Zoning Board of Adjustment to the Development Review Board. [Section 1001 & 1002]

Chapter 11: Sewer Regulations

Specific amendments in this chapter include:

- Producers of high strength waste need to contact the Water Quality Superintendent prior to proceeding. [Section 1101.A]
- Combined sewer systems are now specifically prohibited. [Section 1101.B]
- Grease and fats are added to the list of prohibited substances discharged to the sewer system. [Section 1101.B]

Chapter 14: Water System Management and Use

Specific amendments in this chapter include: Clarified that the City does not need to be a co-applicant on privately funded water line extensions when not in the best interest of the City. [Section 1415.E]

Chapter 16: Fees and Charges

The specific amendment in this section includes: all references to the Village of Essex Junction have been replaced with the City of Essex Junction.

Chapter 17: Appeals

Specific amendments in this chapter include: appeals of decisions of the staff and administrative officer go to the Development Review Board rather than the Zoning Board of Adjustment or Planning Commission. All references to the Village of Essex Junction have been replaced with the City of Essex Junction.

Appendix A: Public Works Specifications

Specific amendments in this chapter include: a standard for drainage outlets has been added [Section 117.C.5].

Appendix B: Fee Schedule

General amendments in this chapter include: increased fees to align with costs of review, costs of services and state statute changes.

Note Chapters 12, 13 & 15 are reserved, so they don't have any content.

**SECTION 620
USE TABLE**

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

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
ESTABLISHMENT																	
BUSINESS SERVICE						X		X	X		X	X	C	X		X	
CANNABIS RETAIL ESTABLISHMENT											X	X					
CANNABIS WHOLESALE ESTABLISHMENT											X	X					
CANNABIS MEDICAL DISPENSARY											X	X					
CANNABIS CULTIVATOR ESTABLISHMENT																X	
CANNABIS MANUFACTURING ESTABLISHMENT (TIER 1)	X	X	X	X	X	X		X	X		X	X	X	X			
CANNABIS MANUFACTURING ESTABLISHMENT (TIERS 2 & 3)							X										
CANNABIS TESTING LABORATORY ESTABLISHMENT							X										
CAR WASH, INCIDENTAL															S		
CAR WASH												X					
CATERING SERVICES						X	C	X	X		X	X	C	X			
CHURCH	X	X	X	X	X	X		X	X		X	X	X	X	X	X	
CIRCUS, CARNIVAL						X									S		
CLINIC, MEDICAL						X	X	X	X	X	X	X		X			
CLINIC, VETERINARY						X		X	X		X	X				X	
CONGREGATE HOUSING	C	C	X	X	X	X		X	X		X		X	X		X	

Commented [RM1]: Added state cannabis uses to establish where in the City each can and can't go.

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
CONSTRUCTION SERVICES ESTABLISHMENT						X	X				C						
CULTURAL FACILITY						X		X	X		X	X	S	X	S		
DAY CARE HOME	X	X	X	X	X	X		X	X		X	X	X	X			
DAY CARE FACILITY	C	C	C	C	C	X	C	X	X		X		C	C	C		
DORMITORY						X		X	X		S	X		C			
DRY CLEANER						X	X	X	X		X	X					
EATING ESTABLISHMENT DRIVE THROUGH											X	X					
EATING AND DRINKING ESTABLISHMENT						X	X	X	X		X	X		X	S		
FAMILY CARE HOME	X	X	X	X	X	X		X	X		x	X	X	X			
FAMILY CARE FACILITY	C	C	C	C	C	C	C	X	X		S	X	C	C	C		
FLEA MARKET						X				X					X		
FREIGHT RAIL DISTRIBUTION CENTER							X										
FUNERAL HOME						X				X			C	X			
GAS PUMPS											C	C					
GROUP HOUSING	C	C	C	C	C	X				X				X			
HOME OCCUPATION	X	X	X	X	X	X		X	X		X	X	X	X			
HOTEL, MOTEL – EXTENDED STAY						X		X	X		X	X		X	C		
HOTEL, MOTEL						X		X	X		X	X		X	C		
JUNK YARD																	

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
LANDFILL COLLECTION SITE							C									C	
LANDSCAPE SERVICE						X	X			X						X	
MAIL SERVICES						X		X	X		X	X		X			
MANUFACTURING - LIGHT						C	X				X	X					
MANUFACTURING - HEAVY							C										
MASSAGE THERAPY	C	C	C	C	C	C		C	C		C	C	C	C		C	
MEDICAL AND DENTAL LAB						C	X	C	C		X	X	C	C			
MINI-WAREHOUSE						C	X			X							
MOTOR VEHICLE MAINTENANCE SERVICE							C			X		X					
MOTOR VEHICLE REPAIR SERVICES							C					X					
NURSING, REST, CONVALESCENT HOME	C	C	C	C	C			X	X		X					C	
OFFICE, HOME	X	X	X	X	X								X	X		X	
OFFICE, PROFESSIONAL						X	X	X	X		X	X	C	X	S		
PARKING, COMMERCIAL						X	X				X			X	S		
PERSONAL SERVICES ESTABLISHMENT						X		X	X		X	X	C	X			
PRIVATE COMMUNITY USE	C	C	C	C	C	X		X	X		X	X		X		X	

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
RECREATION USE, LOW INTENSITY	X	X	X	X	X	X	X	X	X		X	X	X	X	S	X	X
RECREATION USE, HIGH INTENSITY						X		X	X		X	X			S		
RECREATION USE MEDIUM INTENSITY						X		X	X		X	X		X	S		
RECREATIONAL VEHICLE SITE										X					S		
RECYCLING CENTER							C			X					C	C	
REPAIR SERVICES ESTABLISHMENT							X	X	X	X	X	X					
RETAIL, SALES W/ DRIVE-THROUGH						C	X	X	X		X	X			S		
RETAIL SALES						X	X	X	X		X	X		X	S		
ROADSIDE SALE OF AGRICULTURAL PRODUCTS																X	C
SALES, TEMPORARY						X		X	X		X	X		X	S		
SALES, OUTDOORS						X				X				X	S		
SCHOOLS	X	X	X	X	X	X		X	X		X	X	X	X	X	X	X
SHOPPING CENTER						X					X			X			
SMALL SCALE WIRELESS FACILITY						X	X	X	X	X	X	X	X	X	X		
SOLID WASTE COLLECTION POINT							C								C	C	
STABLE, PUBLIC															S	X	

DISTRICT/ USE	R1	R2	MF1	MF2	MF3	MCU	LI	MF- MU1	MF- MU2	NLSO	TOD	HA	RO	VC	PE	PA	OS
STORAGE, OUTDOOR							X			X					S		
TAXI-CAB LIMOUSINE SERVICE						C	C			X				C	S		
TRANSIT PARK AND RIDE											X				X		
VEHICLE SALES												C			S		
WAREHOUSE						C	X			X		C					
WIRELESS TELE-COMMUNICATIONS FACILITY						C	C	C	C		C	C			C		

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.

A. **Interpretation:**

1. All interpretations of words not herein defined shall be reviewed in the context of the purpose or intent Sections of this Code and the Official Plan as adopted.
2. Words shall be interpreted through consultation with standard planning textbooks. Words with a unique planning definition shall be interpreted to include that definition.
3. Words which have a unique definition in state or federal law shall be deemed to include that meaning.
4. Words without a unique planning definition shall be deemed to be common usage as defined in standard dictionaries.

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:**

1. "*Abandonment*" shall mean to cease or discontinue a use or activity for a period of twelve (12) months, but excluding temporary or short-term interruption to use or activity during periods of remodeling, maintaining, or otherwise improving a facility, or during normal periods of vacation or seasonal closure.
2. "*Accessible Parking*" shall mean parking space designed to comply with standards of the American with Disabilities Act.
3. "*Accessory Apartment*" shall mean a small apartment created within an existing single family dwelling unit, as defined by state statute.
4. "*Accessory Structure*" shall mean a structure, the use of which is incidental and subordinate in size (50% or less) to the principal structure located on the same lot.
5. "*Accessory Use*" shall mean any use or structure which clearly meets 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.
6. "*Additions*" shall mean any development activity which increases floor area or height of a building or structure.
7. "*Administrative Determination*" shall mean a written statement by Staff which approves or disapproves any request as provided herein or interprets a provision of this Code.

8. *"Adult Day Care Facility"* shall mean a facility which includes programs, services, and facilities designed to assist physically or mentally impaired adults to remain in their communities. These are persons who might otherwise require institutional or long-term care and rehabilitation.
9. *"Adverse Impact"* shall mean any addition or effect of a proposed use or structure which may be harmful or injurious to public health, safety or property; any addition or use which does not meet specific review criteria as established herein; or any proposed uses or structures which cumulatively may be harmful or injurious to public health, safety, or property.
10. *"Agent"* shall mean any individual, group, or corporation specifically authorized in writing to act on behalf of any party to a proceeding covered by this Code.
11. *"Agriculture"* or *"Agriculture Sales-Related Activity"* shall mean the use of property or structures for common farming-related activities necessary for crop and animal production. A plant or tree nursery shall be deemed an agricultural related activity. The sale of agricultural products or byproducts on agricultural property is deemed an "agriculture sales-related activity".
12. *"Agriculture PUD"* shall mean a Planned Unit Development (PUD) located in the Planned Agriculture District.
13. *"Alteration"* shall mean any change or modification to a structure.
14. *"Animal Boarding Facility"* or *"Kennel"* shall mean any land, structure, or facility designed and used for the temporary storage or housing of five (5) or more domesticated animals at any time; the housing, storage or raising of any animals as part of an active farm is not deemed to be an animal boarding facility.
15. *"Animal Exhibits"* shall mean any structure or property where animals are kept in captivity for public display with or without charge.
16. *"Animal Shelter"* shall mean any accessory structure or property which is used for housing or sheltering four (4) or fewer common household pets over three (3) months of age, outside of the principal permitted structure.
17. *"Antenna, Tower,"* or *"Satellite Dish"* shall mean any device erected and designed to transmit or accept any type of radio, television, telephone or other electronic signals.
18. *"Application"* shall mean a written request for approval of a proposed use, building or activity as regulated herein.
19. *"Average Grade Building Height Allowance"* shall mean the building height shall be no higher than that permitted in the district above preconstruction grade unless approved by the Planning Commission.
20. *"Bank"* shall mean any financial institution involved in the direct deposit or withdrawal of funds or a structure which houses facilities to deposit or withdraw funds electronically.
21. *"Bed and Breakfast"* shall mean any building, or portion thereof, of residential character which contains no more than four (4) sleeping rooms for rent for transient occupancy not exceeding (2) weeks, and where food is served family style.
22. *"Berm"* shall mean a mound of soil used for screening or landscaping which includes trees, shrubs or ground cover.
23. *"Bike Path"* shall mean any sidewalk, lane, or path designated and clearly marked by the Village for use by bicycles. Nothing shall prevent a bike path from being utilized by pedestrians or other non-motorized conveyances.
24. *"Boarding House"* shall mean any establishment or charitable organization which

provides meals and beds for pay for four (4) or more individuals for thirty (30) or more days in a single family or multi-family dwelling.

25. *"Boundary Line Adjustment"* shall mean adjusting the line between two adjacent lots when the adjustment does not change the nature of any previous subdivision, does not create any new lots, and does not make any existing lot non-conforming.

26. *"Buffer"* shall mean an area required to separate low intensity land uses from more intensive land uses, or a mandated setback from a wetland, stream, river or utility.

27. *"Building"* shall mean any structure that encloses a space for sheltering any occupancy or use including the above ground placement of any type of fuel or oil tank; any structure, vehicle or preassembled building which is permanently attached to the ground or is located on the property for thirty (30) or more days shall be deemed a building. Recreational vehicles as defined herein shall not be deemed a building.

28. *"Building Height"* shall mean the vertical distance from the average finished grade elevation to the highest point of a parapet surrounding a flat roof, the mean height between eave and the highest ridge line of a pitched roof or the highest point of a roof of any other shape (Mansard, Gambrel, Etc), excluding chimneys and decorative cupolas, provided that they do not extend more than five feet above the highest point of the rest of the structure.

29. *"Building Line"* shall mean a line defining the nearest points to adjacent streets or property lines to which a building may be constructed or placed.

30. *"Building Materials Establishment"* shall mean any facility whose principal business is the sale of products to be used off site for construction and installation purposes.

31. *"Building, Principal"* shall mean a building in which the main or primary use of the lot is conducted.

32. *"Business Service"* shall mean a business which offers services to other businesses or individuals, including but not limited to, photocopying, blueprinting, insurance sales, financial management, computer and data processing, security services, interior cleaning and similar uses whose principal business is not the sale of goods or materials.

33. *"Caliper"* shall mean the measurement of the diameter of a tree measured as follows:

(a) A tree less than four (4) inches in diameter shall be measured six (6) inches above grade.

(b) A tree four (4) or more inches in diameter shall be measured twelve (12) inches above grade.

34. *"Cannabis Retail Establishment"* shall mean an establishment licensed by the Vermont Cannabis Control Board and the Local Control Commission to sell cannabis and cannabis products to adults 21 years of age and older for off-site consumption in accordance with 7 V.S.A Chapter 33 [or current state definition at time of application].

35. *"Cannabis Wholesale Establishment"* shall mean an establishment licensed by the Vermont Cannabis Control Board and the Local Control Commission to purchase, process, transport, and sell cannabis products in accordance with 7 V.S.A Chapter 33 [or current state definition at time of application].

36. *"Cannabis Medical Dispensary"* shall mean a business organization licensed under 18 V.S.A chapter 86, 7 V.S.A chapter 37 to dispense cannabis products for medical purposes [or current state definition at time of application].

37. *"Cannabis Cultivator Establishment"* shall mean an establishment licensed by the Vermont Cannabis Control Board and the Local Control Commission to engage in the

cultivation of cannabis in accordance with 7 V.S.A Chapter 33 [or current state definition at time of application].

38. “Cannabis Manufacturing Establishment, Tier 1” shall mean an establishment licensed by the Vermont Cannabis Control Board and the Local Control Commission to manufacture cannabis products in accordance with 7 V.S.A Chapter 33 [or current state definition at time of application]. A tier 1 manufacturer may purchase, process, manufacture, transfer, and sell Cannabis as well as finished and in-process Cannabis Products to other Licensees but not directly to consumers. A tier 1 manufacturer may produce Cannabis Products using the same methods as a tier 2 manufacturer, but not a tier 3 manufacturer. A tier 1 manufacturer must be a home occupancy business with no more than one employee, and under \$10,000 in gross revenue each year.

39. “Cannabis Manufacturing Establishment, Tier 2” shall mean an establishment licensed by the Vermont Cannabis Control Board and the Local Control Commission to manufacture cannabis products in accordance with 7 V.S.A Chapter 33 [or current state definition at time of application]. A tier 2 manufacturer may purchase, process, manufacture, transfer, and sell Cannabis as well as finished and in-process Cannabis Products to other Licensees but not directly to consumers. A tier 2 manufacturer may produce Cannabis Products using the following methods but may not utilize unapproved flammable solvent chemical extraction or flammable solvent chemical synthesis: i. Water-Based Extraction: extraction using only water, ice, or other freezing substrate or process as approved by the Board. ii. Food-Based Extraction: extraction using propylene glycol, glycerin, butter, coconut or olive oil, other typical cooking fats, or alcohol as approved by the Board. iii. Heat/Pressure-Based Extraction: extraction using heat and/or pressure as approved by the Board.

40. “Cannabis Manufacturing Establishment, Tier 3” shall mean an establishment licensed by the Vermont Cannabis Control Board and the Local Control Commission to manufacture cannabis products in accordance with 7 V.S.A Chapter 33 [or current state definition at time of application]. A tier 3 manufacturer may purchase, process, manufacture, transfer, and sell Cannabis as well as finished and in-process Cannabis Products to other Licensees but not directly to consumers. A tier 3 manufacturer may produce Cannabis Products using all lawful methods of extraction.

41. “Cannabis Testing Laboratory Establishment” shall mean an establishment licensed by the Vermont Cannabis Control Board and the Local Control Commission to test cannabis and cannabis products in accordance with 7 V.S.A Chapter 33 [or current state definition at time of application].

34.42. “Capital Improvement” shall mean any public facility or infrastructure including, but not limited to, streets, sewers, water mains, lights, traffic control devices, public buildings and other public facilities.

35.43. “Capital Improvement, Off-site” shall mean the construction or placement of public infrastructure including, but not limited to, streets, sewers, water mains, lights, traffic control devices and other public facilities which is determined necessary upon review of a development proposal.

36.44. “Car wash, Incidental” shall mean any facility whose principal business is the provision of other automobile services but provides one bay for the washing of vehicles, clearly incidental to the other automobile services provided.

37.45. “Car wash,” shall mean any facility whose principal business is the cleaning and washing of vehicles of any type, or a facility which provides two (2) or more bays for the washing of vehicles by the customer or for hire by the business.

38.46. "*Catering Services*" shall mean any facility which prepares food for delivery and consumption off the premises.

39.47. "*Cemetery*" shall mean a parcel of land use for the burial of the dead for cemetery purposes, including columbaria, crematories, mausoleums, and mortuaries.

40.48. "*Change in Intensity of Use*" shall mean any change in the use of a structure or land that results in an increase or decrease in any standard established in Chapters 6 or 7 of this Code as applied to the subject use.

41.49. "*Church,*" or "*Other Place of Worship*" shall mean any premises used and operated as a non-profit operation principally as a place of worship and religious education.

42.50. "*Circus,*" or "*Carnival*" shall mean any temporary entertainment facility open to the general public with or without a fee which provides rides, shows, food booths, animal entertainment or other shows.

43.51. "*Clinic, Medical*" shall mean any facility which provides medical services by licensed professionals to individuals on an out-patient basis and which does not provide facilities for the care of patients on an overnight basis.

44.52. "*Clinic, Veterinary*" shall mean any facility which provides medical care to animals which may include facilities for keeping animals overnight as part of veterinary care. Facilities which provide for the overnight boarding or caring of animals which are not part of veterinary care are deemed to be animal boarding facilities.

45.53. "*Commercial PUD*" shall mean a Planned Unit Development (PUD) located in the Village Center, Highway Arterial, or Transit Oriented Development Districts.

46.54. "*Commercial Vehicle*" shall mean any vehicle designed (or modified) for business purposes for an individual or business; any vehicle which is used primarily to transport tools of a trade or supplies; any vehicle which has attached advertising materials.

47.55. "*Common Household Pet*" shall mean any domesticated animal commonly associated with and cared for in individual homes. Wild animals, livestock or other domesticated farm animals are not common household pets.

48.56. "*Common Improvements*" shall mean all streets, driveways, parking bays, or other vehicle use areas, and all uses, facilities, structures, buildings and other improvements or portions thereof, which are designed and provided for the common use, benefits and enjoyment of all residents or occupants of a development or portion thereof.

49.57. "*Common Ownership*" shall mean ownership of common open space or common improvements which grants at least some undivided and common rights in such lands or improvements to the residents or occupants of a development or a neighborhood, either directly or indirectly, through shares or other interests in the property.

50.58. "*Common Open Space*" shall mean all open space, or portions thereof, including landscaping, screening, and buffering, which is designated and provided for the common use, benefit and enjoyment of all residents or occupants of all or a designated portion of a development or neighborhood, or which is required as a buffer to protect adjacent property.

51.59. "*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.

52.60. "*Conditional Use*" shall mean a use, as designated on the Use Chart, which may be appropriate at a particular location following specific standards of review and approval as specified in this Code.

53.61. "*Congregate Housing*" shall mean a facility containing two or more dwelling

units for long term residence exclusively by persons 55 years or older, and their spouses, and which shall include, without limitation, common dining and social recreation features, special safety and convenience features designed for the needs of the elderly. Social services for the residents must include at least two of following: meal services, transportation, housekeeping, linen, and organized social activities.

~~54.62.~~ *"Construction"* shall mean any earthmoving activity or grading activity; the erection, placement or assembly of any building or structure or additions thereto on any lot or parcel; the moving and placement of any building, structure or materials onto any lot or parcel.

~~55.63.~~ *"Construction Service Establishment"* shall mean any facility which provides off-site services for the construction or building of any development and which stores construction materials or equipment used by business on the property.

~~56.64.~~ *"Contiguous"* shall mean adjoining or separated by no more than a street, railroad, property line, brook, stream, easement or other feature.

~~57.65.~~ *"Cul-de-sac"* shall mean a dead-end street designed to provide a vehicular turn-around at the end of the street.

~~58.66.~~ *"Cultural Facility"* shall mean the use of land, buildings, or structures to provide educational and informational services to the general public, which shall include, but not be limited to, children's museums, schools, art galleries, libraries, or similar facilities.

~~59.67.~~ *"Dark Sky Compliant"* shall mean hooded or shielded outdoor lighting fixtures that allows no light emission above a horizontal plane.

~~60.68.~~ *"Day Care Facility"* shall mean a facility in which care is provided on a regular basis for seven (7) or more children under twelve (12) years of age, at one time. Such facilities include those commonly known as "day care center", "day nurseries", "play groups", and "preschool".

~~61.69.~~ *"Day Care Home"* shall mean a facility which provides care in the owner's residence on a regular basis for six (6) or fewer children at any time, excluding children of the owner.

~~62.70.~~ *"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.

~~63.71.~~ *"Density Bonus"* shall mean an increase in the number of residential units, lot size or the size of a non-residential structure specifically granted to a single development.

~~64.72.~~ *"Design Storm"* shall mean the maximum storm expected to occur once during the interval specified in this Code.

~~65.73.~~ *"Development"* shall mean the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, a change in the intensity or use of land, or the filling of land or the dividing of land into two or more parcels.

~~66.74.~~ *"Development Standards"* shall mean the engineering, construction, and design standards, procedures and practices necessary for approval and review of development proposals.

~~67.75.~~ *"Discharge, Storm Water"* shall mean any stormwater which leaves a site and subsequently enters any artificial or natural drainage system or drainage way.

~~68.76.~~ *"Domestic Vehicle"* shall mean an automobile or non-commercial vehicle designed and used for personal purposes.

~~69.77.~~ *"Dormitory"* shall mean a building that is owned and/or operated by an educational institution whose primary purpose is to provide living accommodations for individuals associated with the institution.

~~70.78.~~ *"Double Frontage Lot"* shall mean a lot with street frontage on two boundaries.

~~71.79.~~ *"Drainage Facilities"* shall mean any drainage way or facility designed and constructed to control the surface flow of water and may include surface and sub-surface components.

~~72.80.~~ *"Driveway"* shall mean the portion of a lot and right of way used for vehicular access between an abutting street and a vehicular parking area. A driveway serving multiple units on one lot shall not be considered a private drive or private street.

~~73.81.~~ *"Dry Cleaner"* shall mean an establishment which provides laundry, dyeing or dry cleaning services to individual customers. Drop-off facilities for cleaning off-the-premises shall be deemed "personal service establishments".

~~74.82.~~ *"Dumpster"* shall mean an enclosed container or a container with a lid used to temporarily store waste. A container used for domestic waste for single family shall not be deemed a dumpster.

~~75.83.~~ *"Dwelling, Mobile Home or Manufactured Home"* shall mean a dwelling unit constructed off site on a chassis or frame and moved or placed on a lot and connected to utilities.

~~76.84.~~ *"Dwelling, Multi-Family"* shall mean a building or structure designed to contain three or more dwelling units.

~~77.85.~~ *"Dwelling, Single-Family"* shall mean a building or structure designed to contain no more than one dwelling unit.

~~78.86.~~ *"Dwelling, Two-Family or Duplex"* shall mean a building or structure designed to contain no more than two dwelling units. *"Dwelling Unit"* shall mean a dwelling structure, or portion thereof, designed, constructed or used as living quarters for one family, and which includes facilities for food preparation, sleeping and sanitation.

~~79.87.~~ *"Easement"* shall mean a grant by a property owner of one or more of the rights associated with the property for use by the public, a corporation or another person or entity. Easements shall not be subtracted from the total lot area.

~~80.88.~~ *"Eating and Drinking Establishment"* shall mean any establishment which provides, for compensation, food or drinks primarily for consumption on the premises. This term does not include establishments which provide drive-through facilities or whose primary business is the preparation of food to be consumed off the premises.

~~81.89.~~ *"Eating Establishment, Drive-Through"* shall mean any facility which provides one or more windows which allow patrons to buy and pick up food from their vehicle for consumption off premises.

~~82.90.~~ *"Emergency Shelter"* shall mean any building, structure, residence or place for the temporary housing or care of individuals or families (including limited counseling) for a period not to exceed thirty (30) days. This term shall not be deemed to include day care facilities, day care homes, family care homes, family care facilities, nursing, rest or convalescent homes, halfway houses or similar facilities.

~~83.91.~~ *"Existing"* shall mean in existence on or before the effective date of this Code.

~~84.92.~~ *"Family"* shall mean one or more persons occupying a dwelling and living as a single housekeeping unit. Family may include a group of not more than five (5) unrelated persons living as a single housekeeping unit or foster children living with one or more unrelated persons.

~~85.93.~~ *"Family Care Facility"* shall mean a facility in which care is provided on a regular basis for seven (7) or more adults, including limited counseling and medical care, and commonly known as group care facilities, hospices, half-way houses, and similar facilities.

~~86.94.~~ *"Family Care Home"* shall mean a facility which provides for care in the owner's residence on a regular basis, for six (6) or fewer adults at any time, excluding residents of the dwelling.

~~87.95.~~ *"Fence"* shall mean a freestanding structure of metal, masonry, stone, wood or any combination, which is attached to the ground and used for confinement, screening, or partitioning purposes.

~~88.96.~~ *"Fill"* or *"Filling"* shall mean the placement of material or soil on any property in any manner which increases or alters the flow of stormwater on any adjacent lot. Soil preparation for gardening purposes shall not be deemed "fill".

~~89.97.~~ *"Flea Market"* shall mean any premises where the principal use is the sale of new and used household goods, personal effects, tools, art work, handicrafts, and small appliances or equipment in small quantities on a temporary or limited basis. Spaces or booths may be rented or leased to individuals for the sale of products.

~~90.98.~~ *"Floor Area"* shall mean the square footage of the horizontal floor area within any building or structure measured from the interior walls.

~~91.99.~~ *"Formula-Based Restaurant"* shall mean a restaurant that is required by contractual or other arrangement to offer any of the following: standardized menu, employee uniforms, interior and/or exterior color schemes, architectural design, signage or similar standardized features, or which adopts a name or food presentation format that causes it to be substantially identical to another restaurant regardless of ownership or location.

~~92.100.~~ *"Formula-Based Retail"* shall mean a retail use that is required by contractual or other arrangement to offer any of the following: standardized inventory, employee uniforms, interior and/or exterior color schemes, architectural design, signage or similar standardized features, or which adopts a name or product presentation format that causes it to be substantially identical to another store regardless of ownership or location.

~~93.101.~~ *"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.

~~94.102.~~ *"Frontage"* shall mean the length of the front lot line for a single parcel of land which runs contiguous to and parallel with public right-of-way or private street or easement which it borders.

~~95.103.~~ *"Funeral Home"* shall mean any building or structure, or part thereof used for human funeral services which may include a chapel or facility to be used for funeral services. A funeral home and funeral home services shall not include cremation services.

~~96.104.~~ *"Gas Pump"* shall mean any device used for the sale of fuel where no service or repair activity is provided. The sale of fuel may be secondary or incidental to the sale of other goods or products.

~~97.105.~~ *"Group Housing"* shall mean any premises where the principal use is the housing of two or more individuals not living as a single housekeeping unit and which does not have individual cooking and eating facilities or separate apartments. This term shall be deemed to specifically include sororities, fraternities, retreat houses, camps, convents or similar uses but does not include hotels, family care facilities, family care homes or boarding houses.

~~98.106.~~ *"Hard Surfaced"* shall mean surfaced with asphalt, concrete, paving stones and

similar material. Gravel is not considered hard surfaced.

~~99.107.~~ *"Historic Property,"* or *"Historic Resource"* shall mean any property, building, structure, or place identified as having local, state or national historic significance.

~~100.108.~~ *"Home Occupation"* shall mean any activity undertaken or intended for financial gain by the occupants of any dwelling unit.

~~101.109.~~ *"Home Owners Association"* shall mean a formally constituted nonprofit association or corporation made up of the property owners and/or residents of fixed place and responsible for the costs and upkeep of common facilities.

~~102.110.~~ *"Hotel, Motel"* shall mean a facility designed and constructed to provide sleeping facilities for travelers for a fee and for limited periods of time. Common terms include inn, motor inn, motor lodge, tourist cabin, and tourist court. A hotel may have limited cooking facilities in individual rooms provided, however, that no more than fifteen (15) percent of all the units may provide cooking facilities.

~~103.111.~~ *"Hotel, Motel – Extended Stay"* shall mean a facility that contains six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied or which are occupied for sleeping purposes for guests and contain kitchen facilities for food preparation including but not limited to such facilities as refrigerators, stoves, and ovens. Guests primarily stay for periods of one week or more. Extended stay hotels/motels shall not be occupied by children in the local school system. Extended stay hotels/motels shall not be used as permanent residences.

~~104.112.~~ *"Impervious Surface"* shall mean that portion of a lot or parcel of land which has been compacted or covered in such a way to resist the infiltration of water. This shall include any building, structure, roof, sidewalk, street, driveway or similar uses.

~~105.113.~~ *"Incinerator"* shall mean any facility designed to be used for the disposal by combustion of products or materials.

~~106.114.~~ *"Infrastructure"* shall mean road, water, sewer, storm water, street lights, drainage systems or similar facilities.

~~107.115.~~ *"Junk Vehicle"* shall mean any vehicle, trailer, semi-trailer or other motorized conveyance which, for a period exceeding thirty (30) days is inoperable or in a condition that would not be allowed to operate upon public roads in its present condition under the law of the State of Vermont. Vehicles which are used for salvage or parts are specifically deemed to be junk vehicles. Vehicles that are being repaired or restored shall be excluded if the owner demonstrates that efforts to bring the vehicle to an operable condition have been made and will be completed within thirty (30) days. The restoration or repair of one antique vehicle, owned by the resident, and repaired or restored within an enclosed structure, shall not be deemed a junk vehicle.

~~108.116.~~ *"Junk Yard"* shall mean any place which is maintained, operated or used in connection with a business for storing, keeping or processing, buying or selling junk for processing or use on or off the premises. Also included is any facility designed or used for the storage or sale of unlicensed vehicles or parts from vehicles. This does not include a garage or service station where wrecked or damaged vehicles are stored for less than thirty (30) days, or a recycling or waste collection center approved under provisions of this Code, or new or used car sales establishments where vehicles for sale are unlicensed.

~~109.117.~~ *"Landfill Collection Site"* shall mean any premises, facility, structure, or building designed and utilized for the temporary storage or sorting of materials for later removal to a landfill or recycling center.

~~110.118.~~ *"Landscape Service"* shall mean any establishment which provides

maintenance, planting, sodding, seeding, trimming or other care to any plant off-premises. The production and storage of plant materials on the premises for pick-up and delivery is also deemed a landscape service.

~~111.119.~~ 119. *"Livestock or Other Domesticated Farm Animals"* shall mean animals typically associated with farm or agricultural practices. Livestock or domesticated animals shall include but not limited to the following: bison, chickens, cows, ducks, geese, goats, horses, ostrich, llamas, sheep, swine, etc.

~~112.120.~~ 120. *"Lot"* shall mean a definable parcel of land occupied or capable of being occupied by one or more structures or uses as regulated and approved by this Code.

~~113.121.~~ 121. *"Lot Area"* shall mean the area within the property lines of a lot, calculated from dimensions of the boundary lines of the lot, exclusive of any portion of the lot that is within a public or private street.

~~114.122.~~ 122. *"Lot Consolidation"* shall mean a procedure used to combine two or more lots into a single lot.

~~115.123.~~ 123. *"Lot, Corner"* shall mean a lot abutting two (2) or more intersecting public or private streets.

~~116.124.~~ 124. *"Lot Coverage"* shall mean that portion of the area (square footage) which is covered by buildings, structures, parking areas, sidewalks, driveways or other impervious surfaces.

~~117.125.~~ 125. *"Lot Depth"* shall mean the distance between the front and rear lot lines.

~~118.126.~~ 126. *"Lot Line"* shall mean the boundary which separates the lot from adjoining lots or streets.

~~119.127.~~ 127. *"Lot Line, Front"* shall mean a lot line which separates the lot from a public or private street or approved easement.

~~120.128.~~ 128. *"Lot Line, Side"* shall mean a lot line which separates a lot from adjoining properties.

~~121.129.~~ 129. *"Lot Line, Rear"* shall mean the lot line intersecting a front lot line that is most distant from and most closely parallel to the front lot line. A lot bounded by only three lot lines will not have a rear lot line.

~~122.130.~~ 130. *"Lot, Reverse Frontage"* shall mean any lot, intentionally designed so that the front lot line faces a local street rather than facing a parallel major street and which provides no access to the major street.

~~123.131.~~ 131. *"Lot Width"* shall mean the horizontal distance between the side lot lines of a lot measured along a straight line, parallel to the front line at the minimum required building setback line.

~~124.132.~~ 132. *"Mail Services"* shall mean any establishment which engages in the distribution of mail or parcels.

~~125.133.~~ 133. *"Manufacturing, Heavy"* shall mean any land use where a principal activity is the assembly or creation of products from raw materials. Specifically included are asphalt batch plants, commercial incinerators (not accessory to a permitted use), oil, gas or coal fired facilities used to process raw products, and other similar uses which potentially generate water or air-borne pollutants.

~~126.134.~~ 134. *"Manufacturing, Light"* shall mean any business where the principal use is the assembly of materials or parts to be used in the manufacture or assembly of consumer products including small appliances, electronics, computers, and other products. Research and development of new products, or improvements to existing products is permitted.

~~127.135.~~ 135. *"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.

~~128.~~136. "*Material Change in Use*" shall mean a change from:

- (a) One type of use identified in the Use Table set forth in Section 620 to another type of use set forth in such table or a use not set forth in such table; or
- (b) A type of use not set forth in the Use Table at Section 620 to a type of use set forth in such table; or
- (c) A type of use not set forth in the Use Table at Section 620 to another type of use not set forth in such table.

~~129.~~137. "*Medical and Dental Lab*" shall mean any establishment whose principal business is the processing, testing, or analysis of materials for medical purposes and which provides limited direct client service. Clients or patients shall not be examined or treated on the premises.

~~130.~~138. "*Mini Warehouse*" shall mean a storage facility designed and constructed for rent of individual storage spaces to customers where each rented or leased space has an individual door or gate. The storage or lease of spaces for commercial storage shall be deemed a warehouse.

~~131.~~139. "*Motor Vehicle Maintenance Service*" shall mean a facility which provides vehicle maintenance, including oil changes and lubrication, tire sales and replacement, and minimal work while the customer is on the premises. Sale of gasoline, oil, tires or parts for use off premises is not permitted.

~~132.~~140. "*Motor Vehicle Repair Services*" or "*Service Station*" shall mean any facility which provides repair service to individual vehicles including the installation of new or used parts. Repair and installation includes engine repair, transmission repair, body repair, and the installation or replacement of any mechanical parts. Car washing, maintenance services, tire installation and sale of parts may be an incidental or accessory use. The sale of gasoline may be permitted

~~133.~~141. "*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.

~~134.~~142. "*Nursing, Rest, or Convalescent Home*" shall mean an institution other than a hospital for the care of children, the aged, the infirm, or those suffering long-term bodily ailments and whose residents require on-going professional care and assistance.

~~135.~~143. "*Occupancy*" shall mean the use of any structure, premises, or portion thereof which is leased, rented, or owned, for any conditional, permitted, or non-conforming use.

~~136.~~144. "*Office*" shall mean any building, structure, room, suite or portion thereof where the occupant transacts business or carries on a stated occupation. An office shall not include the manufacture, assembly, cleaning, testing, processing, or repair of any product.

~~137.~~145. "*Office, Home*" shall mean any business use of a room, or portion thereof, within a dwelling, which meets the home occupation standards.

~~138.~~146. "*Office, Incidental*" shall mean any suite, room or occupancy within a

building used for the purposes of meeting customers or processing paperwork for the permitted business.

~~139.147.~~ 140.147. *"Office, Professional"* shall mean any building or structure where the principal use is the conduct of business by professionals such as engineers, architects, planners, land surveyors, artists, attorneys, accountants, insurance agents, real estate brokers, and limited dental and medical services. Facilities which provide overnight care to any customer shall not be deemed a professional office.

~~140.148.~~ 141.148. *"Off-Site Improvements"* shall mean improvements to public infrastructure required as a condition of approval of a development which created the need for the improvements.

~~141.149.~~ 142.149. *"Open Space"* shall mean that area within the boundaries of any lot or development that is intended to provide light and air and upon which no improvement which creates impervious surfaces may be installed, erected, or constructed. Open space shall in general be available for entry and use by the occupants of the lot. Ordinarily, open space shall be maintained with vegetative cover.

~~142.150.~~ 143.150. *"Ownership"* or *"Owner of Record"* shall mean the individual, group, or corporation with legal title to the land or with a contract to obtain legal title, or an individual, group, or corporation given specific ownership rights by a lease.

~~143.151.~~ 144.151. *"Parcel"* shall mean a lot or tract of land.

~~144.152.~~ 145.152. *"Parking Area"* shall mean any area outside of any street right-of-way or easement specifically allocated and designed to accommodate the parking or storage of domestic vehicles.

~~145.153.~~ 146.153. *"Parking, Commercial"* shall mean the use of land or structures as a principal use for the parking of vehicles for a fee.

~~146.154.~~ 147.154. *"Parking Space"* shall mean a striped or signed space designed to accommodate one vehicle. Spaces may be marked for handicapped vehicles, small cars, recreational vehicles, or other type of motorized vehicle.

~~147.155.~~ 148.155. *"Personal Service Establishment"* shall mean a facility which provides care to a person or a person's apparel, barber shops, beauty shops, seamstress shops, shoe repair shops, coin-operated laundries, optician shops, diet centers, health clubs, spas, pet grooming shops and similar uses. Sales of products must be clearly incidental to the services provided.

~~148.156.~~ 149.156. *"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.

~~149.157.~~ 150.157. *"Planning Commission"* or *"Commission"* shall mean the Planning Commission created under provisions of Title 24, Chapter 117 of Vermont Statutes appointed by the Village Board of Trustees with the responsibilities as specified by Vermont Statutes, the Village Charter and the provisions of this Code.

~~150.158.~~ 151.158. *"Pollution"* shall mean the presence in the air, water, or soils of any substance, contaminants or noise which may be harmful or hazardous to human health or

welfare or animal and plant life or property as defined by Federal and State law.

~~151.~~159. *"Principal Building"* shall mean a building or structure in which is conducted the main or principal use of the lot or parcel upon which said building is located.

~~152.~~160. *"Principal Use"* shall mean the main use which is conducted on a lot or parcel or within a building or structure located on the lot or parcel.

~~153.~~161. *"Private Community Use"* shall mean any structure used, owned or operated by a profit or non-profit organization for the sole benefit of its membership. Food and beverages may be provided on the premises if the facility is so designed and constructed. Membership may be recreational or social.

~~154.~~162. *"Private Street"* shall mean any street which has not been accepted as a public street.

~~155.~~163. *"Private Yard"* (condo, townhouse, etc.) shall mean any yard fenced, screened or walled to provide private space on the lot for the owners or occupants of a dwelling of any type.

~~156.~~164. *"Public"* shall mean any use, land, structure, building, or facility used by any state or local governmental entity for use by the general public regardless of ownership.

~~157.~~165. *"Public Hearing"* shall mean any duly noticed hearing on an application or use as specified by this Code.

~~158.~~166. *"Public Meeting"* shall mean any duly noticed meeting at which a quorum (a majority) is present to conduct business.

~~159.~~167. *"Public Street"* shall mean a street owned by the municipality.

~~160.~~168. *"Public Works Standards"* shall mean the construction and installation standards adopted herein for infrastructure or connection to or use of existing public infrastructure.

~~161.~~169. *"Recreation Use, High Intensity"* shall mean any public, quasi-public or private property where the principal use is a zoo, aquarium, amusement park, stadium, drive-in facility, golf course, exposition center, or similar use or activity.

~~162.~~170. *"Recreation Use, Low Intensity"* shall mean any public, quasi-public or private facility where the principal use is for active or passive recreation in a park, playground, athletic field, tennis court, bike path, or similar facility for indoor and outdoor activities. Indoor recreation structures may have accessory uses or structures such as snack bars, locker rooms, and pro shops that are designed and intended for use by the patrons of the primary use. A private club house restricted to use by development residents may be a low intensity recreation use.

~~163.~~171. *"Recreation Use, Medium Intensity"* shall mean any recreation facility or use such as billiards, bowling, miniature golf course, in-door shooting range, arcade, pool halls, theaters and similar facilities.

~~164.~~172. *"Recreation Use, Temporary"* shall mean any recreation use which is established on a temporary basis including circuses, carnivals, booths, festivals, and similar uses.

~~165.~~173. *"Recreational Vehicle"* shall mean any vehicle built and used primarily for recreation purposes (including boats) and designed to be pulled behind another vehicle or any motorized vehicle which accommodates sleeping and/or eating. Common terms include camper, topper, trailer, motor home, and RV.

~~166.~~174. *"Recreational Vehicle Site"* shall mean any parcel or portion thereof designed and constructed to accommodate the parking of one or more recreational

vehicles for a fee.

~~167.175.~~ 167.175. *"Recycling Center"* shall mean a facility designated for the delivery and pick-up of recyclable materials.

~~168.176.~~ 168.176. *"Redevelopment"* shall mean the alteration, conversion, reconstruction, structural alteration or enlargement of any structure or the change in any use.

~~169.177.~~ 169.177. *"Repair Service Establishment"* shall mean a business in an enclosed structure whose principal use is the repair and replacement of common household items such as appliances, watches, musical instruments, computers, bicycles, radios, televisions, refrigerators, air conditioners and similar uses. Product sales shall be incidental to the repair business.

~~170.178.~~ 170.178. *"Residential Development"* shall mean any subdivision, apartment, cluster home, carriage home, condominium, or townhouse designed and constructed for residential occupancy.

~~171.179.~~ 171.179. *"Re-Subdivision"* shall mean the creation of a new subdivision whose boundaries or lot lines have changed from a previously approved subdivision and excluding "lot division", "lot consolidation" or "boundary adjustment".

~~172.180.~~ 172.180. *"Retail, Convenience"* shall mean an establishment whose principal use is the sale of products in small quantities for the daily use of customers including but not limited to bakeries, food stores, newsstands, tobacco shops, card shops, liquor stores, delicatessens, musical supply stores, pet stores, jewelry stores, camera and photography supplies, ice cream parlors, meat and seafood shops, and florist shops.

~~173.181.~~ 173.181. *"Retail, Sales,"* shall mean an establishment whose principal use is the sale of products for consumption or use by the customer off the premises. This shall include but not be limited to hardware, department, paint, office equipment, sporting goods, trading stamp and redemption outlets, television (including satellite dishes), automotive supply and major household appliance stores (including refrigerators, stoves, ovens, air conditioners, furnaces).

~~174.182.~~ 174.182. *"Right-of-way"* shall mean any parcel of land deeded or for which an easement is granted for the current or future construction of a public or private street. A right of way shall be subtracted from the total lot area.

~~175.183.~~ 175.183. *"Roadside Sale of Agricultural Products"* shall mean the use of any lot or portion thereof for the display or sale of locally grown or produced agricultural products on a temporary or seasonal basis.

~~176.184.~~ 176.184. *"Sales, Outdoor"* shall mean the use of any lot or parcel or portion thereof for the sale and storage of any product or the exchange or swapping of any product among customers.

~~177.185.~~ 177.185. *"Sales, Temporary"* shall mean the use of any structure, lot or parcel for limited sales events which are conducted on private or public property for brief periods of time.

~~178.186.~~ 178.186. *"Salvage"* shall mean the recovery of any product from the waste stream with intent to recycle or sell for any purpose.

~~179.187.~~ 179.187. *"School"* shall mean any establishment certified by the Vermont Department of Education, including parochial, private, public and nursery schools, colleges, universities and accessory uses, but specifically excluding commercially operated schools of beauty, culture, business, dancing, driving, music and other similar establishments.

~~180.188.~~ 180.188. *"Service Bay"* shall mean a space designed and constructed for the placement of any motor vehicle for repair, servicing, or washing. Service bays may be

located outside of structures.

~~181.189.~~ 181.189. *"Service Station"* See *"Motor Vehicle Repair Services"*.

~~182.190.~~ 182.190. *"Setback"* shall mean the required minimum horizontal distance from the property line to the nearest point of a structure.

~~183.191.~~ 183.191. *"Sewer Allocation"* shall mean the granting of specific rights to discharge sewage into a sewer for treatment at the Village's Waste Water Treatment Plant.

~~184.192.~~ 184.192. *"Shopping Center"* shall mean a structure or series of structures which contain a variety of commercial outlets for purchasing goods and services.

~~185.193.~~ 185.193. *"Site Plan"* shall mean a plan, prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and the location of all buildings, structures, uses, and principle site development features proposed for a specific parcel of land.

~~186.194.~~ 186.194. *"Small Scale Facility"* shall mean any Wireless Telecommunication Facility that is installed on the ground and does not exceed 20 feet in elevation and/ or that is installed on an existing building or structure and does not extend more than 20 feet from the building or structure.

~~187.195.~~ 187.195. *"Solar Collector"* *"Solar Receptor"* shall mean a device designed and used for collecting solar energy and converting it to heat or electrical energy.

~~188.196.~~ 188.196. *"Solid Waste Collection Point"* shall mean an area or facility designated for the temporary collection and transfer of waste to an approved landfill.

~~189.197.~~ 189.197. *"Stable, Public"* shall mean any boarding and grooming facility for horses or other livestock with stalls for rent to the general public. A stable may include riding facilities and trails.

~~190.198.~~ 190.198. *"Staff"* shall mean any Village employee or other personnel retained on a contractual basis to whom is delegated the authority to take specific actions as provided herein.

~~191.199.~~ 191.199. *"Storage, Outdoor"* shall mean any facility whose principal use is the storage of products, equipment, recreation vehicles or supplies and which does not include storage of vehicles for sale to the general public.

~~192.200.~~ 192.200. *"Stormwater Retention Facility"* shall mean any facility designed and constructed to hold stormwater runoff.

~~193.201.~~ 193.201. *"Stormwater Runoff"* shall mean water from precipitation which is not absorbed into the soil, does not evaporate and which runs across the land during periods of precipitation.

~~194.202.~~ 194.202. *"Story"* shall mean a portion of a building between an upper surface of a floor and the upper surface of the floor above, or if there is no floor above it, the space between such floor and ceiling above it. A basement shall be considered as a story when the distance from grade to the finished surface of the floor above the basement is more than six (6) feet for more than 50 percent of the perimeter or more than twelve (12) feet at any point.

~~195.203.~~ 195.203. *"Street"* shall mean any public or private way designed for use by motorized and non-motorized vehicles and pedestrians; and providing access to adjoining lots.

~~196.204.~~ 196.204. *"Structure"* shall mean the assembly or placement of any materials for occupancy or use including, but not limited to, a building, mobile home or trailer, billboard, sign, wall or fence (except a wall or fence on an operating farm and fences less than six (6) feet in height) and tanks for storage of gas and/or oil consistent with Section 4303 of Title 24, Chapter 117 of Vermont Statutes Annotated.

~~197.205.~~ 197.205. *"Subdivision"* shall mean any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, plots, units or interests for the purpose of offer for sale, lease or development. Multi-Family developments of 5 or less units shall not be considered a subdivision.

~~198.206.~~ 198.206. *"Substantial Improvement"* shall mean any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (a) before the improvement or repair is started (b) if the structure has been damaged and is being restored, the value of the structure before the damage occurred. The term does not, however, include (1) any improvement to comply with existing State or local health, safety or sanitary code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places

~~199.207.~~ 199.207. *"Taxi-cab and Limousine Service"* shall mean a parcel, building or space designated for use by any company providing transportation for a fee. Incidental office space, structures designed for the storage of vehicles and the outdoor storage of vehicles not currently in service may be included.

~~200.208.~~ 200.208. *"Temporary Permit, Champlain Valley Exposition"* shall mean any permit authorized herein and issued for specific events at the Champlain Valley Exposition Fairgrounds.

~~201.209.~~ 201.209. *"Temporary Structure"* shall mean any structure in place greater than six months in any 12 month period shall not be considered a temporary structure.

~~202.210.~~ 202.210. *"Temporary Use"* shall mean an identified use permitted on an occasional basis for a specific length of time.

~~203.211.~~ 203.211. *"Temporary Use Permit"* shall mean a permit authorizing the establishment of a specific temporary use.

~~204.212.~~ 204.212. *"Traffic Impact Study"* shall mean a study which analyzes the traffic generated by a specific development proposal and describes the impact of the traffic generated on adjacent streets, intersections and driveways. A traffic impact study may also include a study of impact on streets or intersections not immediately adjacent to the proposed development.

~~205.213.~~ 205.213. *"Transfer of Development Rights"* shall mean a process by which the right to develop one portion of a parcel of land (sending area) is transferred to another portion of the same parcel (receiving area). The right to develop the sending area of land is eliminated.

"Trustees" or "Board of Trustees" shall mean the legislative body of the Village of Essex Junction elected pursuant to the provisions of the Village Charter.

~~206.214.~~ 206.214. *"Utility Uses, Utilities"* shall mean any public regulated company or governmental entity which provides specific public services including electricity, natural gas, telephone, cable television, water, sewer, storm sewer and similar facilities.

~~207.215.~~ 207.215. *"Variance"* shall mean a procedure by which a waiver of Code requirements may be obtained from the Zoning Board when the strict application of the Code to a specific parcel will cause undue hardship.

~~208.216.~~ 208.216. *"Vehicle Sales"* shall mean the sale of cars, sport utility vehicles and light trucks.

~~209.217.~~ 209.217. *"Visibility Triangle"* shall mean a designated area located adjacent to the intersection of two or more streets or driveways which shall be kept free from visual obstruction.

~~210.218.~~ 210.218. *"Warehouse"* shall mean a facility where the principle use is the storage of

merchandise, products, or materials for a fee or for distribution or sale to other businesses. Storage of materials incidental to a permitted use is not a warehouse.

~~211.219.~~ *"Wild Animals"* shall mean any non domesticated animals.

~~212.220.~~ *"Wireless Telecommunication Facility"* shall mean any tower or other support structure, including antennae, that will extend 20 or more feet vertically, and any accompanying structure, building, access road, service utility or equipment that broadcasts or receives radio frequency waves carrying Wireless Telecommunication Services.

~~213.221.~~ *"Wireless Telecommunication Service"* shall mean any commercial mobile service, wireless service, common carrier wireless exchange service, cellular service, personal communication service (PCS), specialized mobile radio service, paging service, wireless data service, or public or private radio dispatch service.

~~214.222.~~ *"Wireless Telecommunication Service Provider"* shall mean any person or entity providing Wireless Telecommunication Services.

~~215.223.~~ *"Yard"* shall mean the required open space area located on the same lot with a building or structure, unoccupied and unobstructed from the ground up. The minimum depth or width of a yard shall be the horizontal distance between the lot line and the nearest point of the structure.

~~216.224.~~ *"Yard, Special"* shall mean the required front, side or rear lot area normally required for setbacks which, due to unusual lot configurations, cannot meet the standard side, front, or rear yard definitions.

~~217.225.~~ *"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.

~~218.226.~~ *"Zoning Board of Adjustment," "Zoning Board," "Board of Adjustment,"* or *"Board"* shall mean the Board as appointed by the Village Trustees which has the specific authority to act on variances, conditional uses, and Code interpretations as specifically delegated by this Code and provisions of the State of Vermont Statutes.

D. Transit Oriented Development. For the purposes of Section 608 of this Code, the following definitions shall apply:

1. *"Affordable Housing"* shall mean housing, either rental or for sale, that is affordable to households earning eighty (80) percent of the median income for the Burlington Metropolitan Statistical Area (MSA) as established by the US Census Bureau and for which they pay no more than thirty (30) percent of their gross income for housing, which includes utilities for rental properties.
2. *"Alley"* shall mean a vehicular driveway located to the rear of lots providing access to service areas and parking, and containing utility easements. Alleys should be paved from building face to building face, with drainage by inverted crown at the center or with roll curbs at the edges.
3. *"Block"* shall mean an aggregate of private lots, passages, rear lanes and alleys, circumscribed by thoroughfares.
4. *"Façade"* shall mean the exterior wall of a building that is set along a frontage line.
5. *"Frontage Line"* shall mean lot lines that coincide with a public frontage. Facades along frontage lines define the public realm and are therefore more regulated than the elevations that coincide with other lot lines.
6. *"Liner Building"* shall mean a building specifically designed to mask a parking lot or a parking garage from a frontage.

7. "*Parking Structure*" shall mean a building containing two or more stories of parking. Parking structures shall have liner buildings for the full height of the parking structure.
8. "*Pedestrian Oriented Design*" shall mean the design of community neighborhoods, streetscapes, sites, and buildings that emphasizes pedestrian access, comfort, and visual interest. Transit-Oriented Design that includes design and intensity of land use to support transit in addition to pedestrians.
9. "*Plaza*" shall mean a public open space at ground level wholly or partly enclosed by a building or buildings. It is continuously accessible to the public and has openings to the sky.
10. "*Rowhouse*" shall mean a single-family dwelling that shares a party wall with another of the same type and occupies the full frontage line.
11. "*Square*" shall mean an open space available for unstructured recreation and civic purposes. A square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares. The minimum size shall be 1 acre and the maximum shall be 5 acres.
12. "*Streetscape*" shall mean the urban element that establishes the major part of the public realm. The streetscape is composed of thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.) and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).
13. "*Transit Oriented Development*" shall mean a development pattern characterized by a mix of uses surrounding a transit platform where streets have a high level of connectivity, blocks are small, and streetscape, buildings, and uses cater to the pedestrian.
14. "*Transit Park and Ride*" shall mean a facility designed for the temporary parking of automobiles, the occupants of which transfer to public transit or other automobiles to continue their trips.

E. Flood Plain Management Definitions. For the purposes of Section 614 of this Code, the following definitions shall apply:

1. "*Base Flood*" shall mean the flood having a one percent chance of being equaled or exceeded in any given year.
2. "*Base Flood Elevation (BFE)*" shall mean the height of the base flood, usually in feet, in relation to the National Geodetic Vertical Datum of 1929, the North American Vertical Datum of 1988, or other datum referenced in the Flood Insurance Study report, or average depth of the base flood, usually in feet, above the ground surface.
3. "*Basement*" shall mean any area of the building having its floor elevation subgrade (below ground level) on all sides.
4. "*Existing Manufactured Home Park or Subdivision*" shall mean a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
5. "*Expansion to an Existing Manufactured Home Park or Subdivision*" shall mean

the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

6. *"Flood"* shall mean either:

- (a) A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and mudslides which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current; or
- (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

7. *"Flood Insurance Rate Map (FIRM)"* shall mean an official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

8. *"Flood Insurance Study"* shall mean an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations or an examination, evaluation and determination of mudslide (i.e., mudflow) and /or flood related erosion hazards.

9. *"Floodplain or Flood-Prone Area"* shall mean any land area susceptible to being inundated by water from any source (see definition of "flood").

10. *"Flood Proofing"* shall mean any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

11. *"Floodway"* shall mean the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point.

12. *"Historic Structure"* shall mean any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; or
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (i) By an approved state program as determined by the Secretary of the Interior; or

(ii) Directly by the Secretary of the Interior in states without approved programs.

13. "*Legislative Body*" shall mean the selectboard in the case of a town, the trustees in the case of an incorporated village, and the mayor, alderpersons, and city council members in the case of a city, and the supervisor in the case of an unorganized town or gore.

14. "*Lowest Floor*" shall mean the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

15. "*Manufactured Home*" shall mean a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

16. "*Manufactured Home Park or Subdivision*" shall mean a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

17. "*New Construction*" shall mean, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, *new construction* means structures for which the *start of construction* commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

18. "*New Manufactured Home Park or Subdivision*" shall mean a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

19. "*Recreational Vehicle*" shall mean a vehicle which is:

- (a) Built on a single chassis; or
- (b) Four hundred (400) square feet or less when measured at the largest horizontal projection; or
- (c) Designed to be self-propelled or permanently towable by a light duty truck; or
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

20. "*Special Flood Hazard Area*" shall mean the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated a Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/AI-30, AR/AE, AR/AO, AR/AH, AR/A, VO or V1-30, VE, or V. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

21. "*Start of Construction*" includes substantial improvement, and shall mean the date the building permit was issued, provided the actual start of construction, repair,

reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, regardless whether that alteration affects the external dimensions of the building.

22. *"Structure"* shall mean, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home. *Structure*, for insurance purposes, means:

- (a) A building with two or more outside rigid walls and a fully secured roof, which is affixed to a permanent site;
- (b) A manufactured home; or
- (c) A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

For the latter purpose, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in (c) of this definition, or a gas or liquid storage tank.

23. *"Substantial Damage"* shall mean damage of any origin sustained by a structure whereby the cost of restoring the structure to the before damaged conditions would equal or exceed 50 percent of the market value of the structure before the damage occurred.

24. *"Substantial Improvement"* shall mean any reconstruction, rehabilitation, addition, alteration or other improvement of a structure, during any 5 year period, the cumulative cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specification which have been identified by the state or local code enforcement official and which are the minimum necessary to ensure safe conditions, or any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

25. *"Violation"* shall mean the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR 60.3 is presumed to be in violation until such time as that documentation is provided.

F. Sewer Regulation Definitions. For the purpose of Chapter 11 of the Code, the following special definitions shall apply:

1. *"Biochemical Oxygen Demand (BOD)"* shall mean the quantity of oxygen utilized

in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) Celsius, expressed in milligrams per liter.

2. *"Building Drain"* shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

3. *"Building Sewer"* shall mean the extension from the building drain to the public sewer or private sewer or other place of disposal. Each building sewer is a private line and must be maintained by the property owner.

4. *"Combined Sewer"* shall mean a sewer receiving both surface runoff and sewage.

5. *"Garbage"* shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

6. *"Industrial Wastes"* shall mean liquid or gaseous wastes from industrial manufacturing processes, trade, or businesses as distinct from sanitary sewage.

7. *"Natural Outlet"* shall mean an outlet into a water-course, pond, ditch, lake, or other body of surface or ground water.

8. *"Person"* shall mean any individual, firm, company, association, society, corporation, or group.

9. *"pH"* shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

10. *"Properly Shredded Garbage"* shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.

11. *"Public Sewer"* shall mean a sewer in which all owners have equal rights which is controlled by public authority.

12. *"Sanitary Sewer"* shall mean a sewer which carries sewage not including storm, surface, and ground waters.

13. *"Sewage"* shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

14. *"Sewage Treatment Plant"* shall mean any arrangement of devices and structures used for treating sewage.

15. *"Sewage Works"* shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

16. *"Sewer"* shall mean a pipe or conduit for carrying sewage.

17. *"Slug"* shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

18. *"Storm Drain or Storm Sewer"* shall mean a sewer which carries storm and surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

19. *"Superintendent"* shall mean the manager of the Sewage Department or his authorized deputy, agent or representative.

20. *"Suspended Solids"* shall mean solids that either float on the surface of, or are

suspended in water, sewage, or other liquids, and which are removable by laboratory filtering.

21. "*Water-Course*" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

22. "*Secretary*" shall mean the Secretary of the Agency of Natural Resources, State of Vermont, or his representatives.

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

1. "*Billboard*" shall mean an off-premises sign owned by a person, corporation, or other entity that engages in the business of selling the advertising space on that sign.

2. "*Directional sign*" shall mean a free-standing sign used at driveway entrances to direct traffic flow which includes no advertising or logos.

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.

4. "*Facade*" shall mean the principal face of a building, usually facing the street and/or containing a public entrance.

5. "*Natural Causes*" shall mean those causes which occur naturally in nature, such as wind, rain or earthquakes. Natural deterioration caused by rot or rust or damage caused by human actions shall not be considered a natural cause.

6. "*Replacement Cost*" shall mean the estimated total cost of replacement, at fair market rates, with the same or similar materials, by a professional contractor.

7. "*Sign*" shall mean any device that is visible to persons not located on the lot where such device is located and designed to attract the attention of such persons or to communicate information to them.

8. "*Sign, Alteration*" shall mean any repairs or replacement of any part of a sign including its support structure except for repainting. Changing messages on a permanent display area of a sign designed for periodic changing of messages is not regarded as an alteration.

9. "*Sign, Facing or Face*" shall mean the surface of a sign board, background area, and structural trim through which a message is displayed or illustrated.

10. "*Sign, Free-Standing*" shall mean a sign that is permanently attached to, erected on, or supported by an independent structure which is not an integral part of or attached to a building or other structure. If the message is removed from a structure originally designed and used as a freestanding sign, this structure shall be considered a sign.

11. "*Sign, Government*" shall mean any traffic control, directional, or informational sign placed on any parcel or in the right-of-way for the purpose of protecting the general public health, safety, or welfare.

12. "*Sign, Grand-Opening*" shall mean a temporary sign used to announce the opening of new businesses which have been closed more than seven (7) days and are re-opening. Changes in management or ownership do not qualify under this definition.

13. "*Sign, Ground*" shall mean a permanent, free-standing sign located on or close to the ground.

14. *"Signs, Internally Illuminated"* shall mean signs where the source of the illumination is inside the sign and light emanates through the message of the sign. Signs which are filled with neon or other gas that glows shall be considered internally illuminated signs.
15. *"Sign, Off-Premises"* shall mean a sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located. Signs which draw attention to causes or proclaim political, religious, or other non-commercial messages shall also be an off-premises sign.
16. *"Sign Permit"* shall mean a permit issued which authorizes the recipient to erect, move, enlarge or alter a sign.
17. *"Sign, Permanent"* shall mean any sign as defined herein, permanently affixed to a building or the ground.
18. *"Sign, Portable"* shall mean a free-standing sign not permanently affixed, anchored or secured to the ground or structure on the lot it occupies, including trailered signs.
19. *"Sign, Projecting"* shall mean any sign which is attached to a building or other structure and which projects from the wall or roof surface of that portion of the building or structure to which the sign is attached.
20. *"Sign, Roof"* shall mean a sign on a roof that has a pitch of less than one-to-four. Signs on a roof with a pitch of greater than one-to-four shall be considered a wall sign.
21. *"Sign, Wall"* shall mean a permanent sign securely affixed to and parallel to the face of a wall of a building.
22. *"Sign, Window"* shall mean signs painted or posted on any glass or translucent surfaces.
23. *"Sign, On-Premises"* shall mean a sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, enterprise or activity that exists or is conducted, offered, sold, maintained, or provided on the lot where the sign is located.
24. *"Sign, Temporary"* shall mean a sign which is used in connection with an event that is designed, intended, or expected to take place or to be completed within a short or definite period. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary

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

1. *"Alter"* shall mean any site activity that measurably changes the ability of the ground surface area to absorb water or will change existing surface drainage patterns. Alter may also be represented as the alteration of drainage characteristics or conducting any activity that disturbs the land.
2. *"Best Management Practices" (BMP)* shall mean any structural or non-structural site improvements that are recognized to be the most effective and practical means to prevent and/or reduce increases in stormwater volumes and flows, reduce point and non-point source pollution and promote stormwater quality improvement with protection to the environment. *"Structural"* BMPs are devices engineered and constructed to provide treatment and temporary storage of stormwater runoff. *"Non- Structural"* BMPs use natural measures involving site characteristics to reduce the volume of stormwater or

eliminating the source of the pollutant. Non-structural BMPs do not require extensive construction effort in order to promote pollutant reduction.

3. "*Erosion and Sediment Control Plan*" shall mean a plan that indicates the specific measures and their sequencing for use to control sediment and erosion on a development site during and after construction.

"*Existing Development*" shall mean a development that was built prior to the effective date of the adoption of this Code.

4. "*Illicit Connection*" shall mean either of the following:

(a) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited to, any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency.

(b) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized state agency or by the Village of Essex Junction.

5. "*Illicit Discharge*" shall mean any direct or indirect non-stormwater discharge to the storm drain system, except as may be exempted under Section 713 of the Code.

6. "*Impervious Cover*" shall mean human-made surfaces including, but not limited to, paved and unpaved roads, parking areas, building roofs, driveways (paved and unpaved) walkways and compacted surfaces, including lawn areas compacted by heavy vehicle or pedestrian traffic, from which precipitation and run off rather than infiltrates. For purposes of this section, decks that allow water through to the ground below shall not be considered impervious cover. Pervious pavement designed per this Code and manufacturer's specifications for cold northeastern regions shall be acceptable and will not be exempt.

"*Infiltration*" shall mean the process through which stormwater runoff penetrates into soil from the ground surface.

7. "*Maintenance Agreement*" shall mean a legally recorded document that acts as a property deed restriction and provides for long-term maintenance of stormwater management practices.

8. "*MS4*" shall mean the Municipal Separate Storm Sewer System.

9. "*New Development*" shall mean the construction of new impervious surfaces on a tract or tracts of land occurring after the effective date of this Code.

10. "*Non-Stormwater Discharge*" shall mean any discharge to the storm drain system that is not composed entirely of storm water.

11. "*Pollutant*" shall mean anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, or other wastes containing fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

12. "*Redevelopment*" shall mean in the context of stormwater, any construction, alteration, or improvement exceeding ten thousand (10,000) square feet on previously developed land.

13. "*Riparian Buffer*" shall mean the width of land adjacent to lakes or streams between the top of the bank or top of slope for streams and the edge of allowed project activity. Riparian buffer zones are typically undisturbed areas consisting of trees, shrubs, groundcover plants, duff layer, and naturally vegetated uneven ground surfaces, that protect the water body, the shoreline and the adjacent riparian corridor ecosystem from the impact of land development. See Section 516 of this Code.

14. "*Runoff*" shall mean drainage or flood discharge that leaves an area as surface flow or as pipeline flow that has reached a channel or pipeline by either surface or sub-surface routes.

15. "*Sediment*" shall mean soil, sand, and minerals washed from land into water, usually after rain. Sediment can destroy fish nesting areas, clog animal habitats, and cloud water so that sunlight does not reach aquatic plants.

16. "*Stormwater*" shall mean any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

17. "*Stormwater Management*" shall mean the use of structural or non-structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and/or peak flow discharge rates.

18. "*Stormwater System*" shall mean storm sewers; outfall sewers; surface drains; natural and manmade wetlands; channels; ditches; wet and dry bottom basins; rain gardens; and other control equipment necessary and appurtenant to the collection, transportation, conveyance, pumping, treatment, disposal, and discharge of regulated stormwater runoff.

19. "*TMDL*" shall mean Total Maximum Daily Limit as established by the State of Vermont Water Quality Division for management and restoration of impaired waterways. TMDLs are contained within applicable impaired watersheds that have been determined to not meet water quality criteria under Section 303d of the Clean Water Act.

20. "*Vermont Stormwater Management Manual – Volumes I and II (as amended)*" shall mean the guidance manual referenced in this Code that includes regulatory requirements for the management of stormwater and technical guidance to assist in the design of stormwater treatment systems.

I. Riparian Buffer District Definitions. For the purposes of Section 516 of the Code, the following special definitions shall apply:

1. "*Riparian Buffer*" shall mean a vegetated area, including trees, shrubs and herbaceous vegetation, which exists or is established to protect a stream or wetland. Alteration of this natural area is strictly limited. The buffer setback is defined as the horizontal distance from a stream bank or channel, shoreline or wetland area, to the nearest part of a building, structure or impervious surface on the property.

2. "*Non-Point Source Pollution*" shall mean pollution which is generated by various land use activities rather than from an identifiable or discrete source, and is conveyed to waterways through natural processes, such as rainfall, stormwater runoff, or ground water seepage rather than direct discharge. This may include surface run off from individual sites or properties.

3. "*Stream*" shall mean the full length and width, including the bed and banks, of

any moving watercourse including creeks, brooks, rivers, branches, and kills. A stream has a channel, whether natural or artificial, that periodically or continuously contains moving water, has a defined bed, and has banks that serve to confine water at low to moderate flows. Streams include intermittent streams that have a defined channel and evidence of sediment transport, even if such streams do not have surface water flow throughout the year and/or throughout the channel.

4. "*Stream Banks*" shall mean the physiographic features that normally contain streams within a channel. The bank is distinct from the streambed, which is normally wetted and provides a substrate that supports aquatic organisms.

5. "*Top of Bank*" shall mean the point along a streambank where an abrupt change in slope is evident, and where the stream is generally able to overflow the banks and enter the adjacent floodplain during flows at or exceeding the average annual high water stage.

6. "*Top of Slope*" shall mean a break in slopes adjacent to steep-banked streams that have little or no floodplain.

7. "*Wetlands*" shall mean lands that are inundated or saturated by surface water or groundwater with a frequency sufficient to support significant vegetation or aquatic life that depend on saturated or seasonally saturated soil conditions for growth and reproduction. Such areas include but are not limited to: marshes, swamps, sloughs, potholes, river and lake overflows, mud flats, fens, bogs, and ponds. These areas are directly regulated under the State of Vermont and Federal regulations directly relating to wetland classification and delineation.

SECTION 202: GENERAL RULES. The rules as set forth in this Section shall apply to any interpretation of this Code unless specifically limited or altered by a specific provision of this Code or a Court of competent jurisdiction.

A. Generally. All provisions, terms, phrases or expressions shall be liberally construed in order that the true intent and meaning of the Commission and Trustees is met.

B. Gender. Words which are in the masculine gender shall be construed to include the feminine and neuter.

C. Number. Words used in the singular may include the plural and words in the plural may include the singular. All interpretations shall include the context in which the words are used.

D. Tense. Words in the past or present tense include the future as well as the past or present.

E. Year. The word year shall mean a calendar year unless otherwise indicated.

F. Shall; Should; May; Will; Includes. The word "shall" is mandatory; the word "may" is authorized but not required, the word "should" is desirable, but not mandatory; the word "includes" shall not limit a term to a specific example or series of examples, but is intended to extend its meaning to all other circumstances or examples of like kind or character.

Memo

To: Essex Junction City Council

From: Brad Luck, Interim Co-Manager

Meeting Date: September 14, 2022

Agenda Item: 6a. Cannabis Related Land Development Code Updates

Issue

Now that a public hearing has been held on the proposed cannabis related Land Development Code (LDC) updates, the Council can consider adopting the updates.

Discussion

Based on the Councilors desires and public input, the Council can:

- a) Adopt the proposed cannabis related LDC updates
- b) Make minor changes and adopt the proposed cannabis related LDC updates
- c) Make significant changes and re-warn a public hearing at least 15-days out on the revised proposed updates. These changes can be made tonight or at a subsequent meeting before being approved and a hearing warned.

Cost

N/A.

Recommendation

It is recommended that the Council consider the proposed updates.

Recommended Motion

Here are some recommended motion options:

- A) Adopting as is:
"I move that we adopt the proposed cannabis related Land Development Code updates as presented."
- B) Minor changes:
"I move that we adopt the proposed cannabis related Land Development Code updates with the following change(s): _____"
- C) Significant changes:
There are two options here:
 - 1) To discuss and agree on the changes tonight, approve them, and warn a public hearing (or approve but not warn the hearing and revisit if you want).
"I move that we make the following change(s) to the proposed cannabis related Land Development Code updates: _____, and warn a public hearing on these updates for: _____ [Note: sometime after 9/28]"

- 2) To discuss changes but revisit them at a subsequent meeting, before warning a public hearing.
[No motion necessary.]

Attachments

- Report & cannabis related updates were an attachment with the Public Hearing memo

Memo

To: Essex Junction City Council

From: Brad Luck, Interim Co-Manager

Meeting Date: September 14, 2022

Agenda Item: 5b. Resolutions of Appreciation: Maddie Barry & Joyce Stannard

Issue

Maddie Barry and Joyce Stannard both recently retired from their roles as part-time, seasonal administrative assistants at the Wastewater Treatment Facility. They have both contributed to wastewater and more throughout their tenures.

Discussion

These long-time staff members deserve recognition for their time and service to the Village/City.

Cost

N/A.

Recommendation

It is recommended that the Councilors express appreciation to Maddie and Joyce with a resolution of appreciation for each.

Recommended Motion

Should the Councilors decide to move forward with the recommendation, the following is the recommended motion:

“I move that we approve the following resolutions of appreciation for Maddie Barry and Joyce Stannard, which read as follows [read the resolutions attached].....”

Attachments

- Resolution of Appreciation for Maddie Barry
- Resolution of Appreciation for Joyce Stannard



**RESOLUTION OF APPRECIATION
RETIREMENT OF MADDIE BARRY**

- WHEREAS Mrs. Barry has served as the part-time seasonal Administrative Assistant for the Wastewater Treatment Facility/Public Works since 2007.
- WHEREAS After fifteen years of employment for the Village of Essex Junction, as well as a prior career at IBM, Mrs. Barry is taking a well-deserved full retirement;
- WHEREAS Mrs. Barry’s sense of humor, attention to detail, and hard work will be greatly missed;
- WHEREAS Mrs. Barry lives and raised her family in Essex Junction. She and her late husband were deeply involved with the Essex Junction Fire Department and volunteered there for 34 years;
- WHEREAS The staff in the Village of Essex Junction cannot thank Mrs. Barry enough for her hard work and dedication over the past thirty-four years, both as an employee and as a volunteer.

NOW, THEREFORE BE IT RESOLVED

On this day, Wednesday, September 14, 2022, the Essex Junction City Council expresses its appreciation to Maddie Barry for your many years of service to the City of Essex Junction. We thank you for your time and service to our community.

WITH SINCERE APPRECIATION,

Andrew Brown, President

Raj Chawla, Vice President

Amber Thibeault

Dan Kerin

George Tyler



**RESOLUTION OF APPRECIATION
RETIREMENT OF JOYCE STANNARD**

- WHEREAS Mrs. Stannard served as the Village of Essex Junction Administrative Assistant to the Municipal Manager from 1985-2003 before beginning at the Wastewater Treatment Facility/Public Works Department in 2004 as a part-time seasonal Administrative Assistant;
- WHEREAS After thirty-seven years of employment for the Village of Essex Junction, Mrs. Stannard is taking a well-deserved full retirement;
- WHEREAS Mrs. Stannard’s historical knowledge, attention to detail, networking, and organization will be greatly missed;
- WHEREAS Mrs. Stannard lives and raised her family in Essex Junction. She is a passionate pickleball player and was instrumental to the installment of permanent pickleball courts in Essex Junction;
- WHEREAS The staff in the Village of Essex Junction cannot thank Mrs. Stannard enough for her hard work and dedication over the past thirty-seven years, both as an employee and as an engaged citizen.

NOW, THEREFORE BE IT RESOLVED

On this day, Wednesday, September 14, 2022, the Essex Junction City Council expresses its appreciation to Joyce Stannard for her many years of service to the City of Essex Junction. We thank you for your time and service to our community.

WITH SINCERE APPRECIATION,

Andrew Brown, President

Raj Chawla, Vice President

Amber Thibeault

Dan Kerin

George Tyler

Memo

To: Essex Junction City Council

From: Brad Luck, Interim Co-Manager

Meeting Date: September 14, 2022

Agenda Item: 6c. Appointment to Bike/Walk Advisory Committee

Issue

There is currently an opening on the Bike/Walk Advisory Committee. Eric Bowker has submitted an application. He has previously served on the Committee and his term recently expired on June 30.

Discussion

N/A.

Cost

N/A.

Recommendation

It is recommended that the Trustees interview Eric and consider him for appointment to the Bike/Walk Advisory Committee.

Recommended Motion

Should the Trustees decide to move forward with the appointment, the following is the recommended motion:

If the Trustees wish to discuss the appointment in executive session, the following is the motion:

“I move that we go into executive session to discuss the appointment of a public official under the provisions of Title 1, Section 313(a)(3) of the Vermont Statutes, and include the interim co-managers.”

In open session or after executive session, the following is the recommended motion for appointment, should the Trustees desire to appoint Eric:

“I move that we appoint Eric Bowker to a three-year term (7/1/22-6/30/25) on the Bike/Walk Advisory Committee.”

Attachments

- Application from Eric Bowker

Essex Junction Appointed Committees Application

Thank you so much for your interest in serving your community on one of our appointed committees or commissions. Please complete the information below and submit. A representative from the administration will be in touch regarding next steps, which typically includes a brief interview with the Trustees.

Please note that once you submit this it is a public record. Your application will appear in a board packet that the public will see. Your e-mail, address, and phone number will be redacted.

Email *

.....

Name (first & last) *

Eric Bowker

.....

Address - please note that you must be a resident of the Village of Essex Junction (City of Essex Junction effective 7/1/22) *

.....

Phone *

.....

I am interested in applying to join the (note: if you are interested in more than one, please complete a separate application for each committee): *

- Bike-Walk Advisory Committee
- Capital Review Committee
- Chittenden Solid Waste District Board
- Development Review Board
- Joint Housing Commission
- Planning Commission
- Tree Advisory Committee

Have you previously or are you currently an appointed member to the committee you are wishing to be appointed to? *

- Yes
- No

Returning Committee Member

Why do you want to be reappointed to this committee? *

At this point, I am the only original member of the committee since it was created. I believe that committees should have a "healthy" mix of both older and newer members for many reasons. As the longest standing member, I have experience and "institutional" knowledge that can be beneficial to the work and progress of the committee. I would like to help the committee continue with work of making the Village a better and safer place for pedestrians and bikers alike.

What have you enjoyed about your time on this committee so far? *

I have enjoyed seeing this committee start from the beginning as an original member. I have worked with many different members over the years and it has been helpful, I believe, to be a "constant" presence throughout.

What are two significant accomplishments this committee has made during your term?

The first significant accomplishment was getting the Village recognized as a Bicycle Friendly Community at the Bronze level by the League of American Bicyclists. We have subsequently gained the status of a Walk Friendly Community as well. The next significant accomplishment is the work we done to secure the installation of rapid flashing beacons at important cross walks around the Village. We have done a lot of work around identifying and recognizing where they should be installed and then working to make sure they are installed.

What do you hope to accomplish by being reappointed for another term? *

I would like to see the continuation of the work this Committee has done and help by using my knowledge and experience as the longest serving member.

Is there anything else you would like to say about your interest and application? *

I am excited at the prospect of continuing to serve on this committee for another term. Thank you for the opportunity.

Memo

To: Essex Junction City Council

From: Brad Luck, Interim Co-Manager

Meeting Date: September 14, 2022

Agenda Item: 6d. Website Redesign

Issue

Ashley has been working with Ecopixel on a redesign of the City website.

Discussion

This is an opportunity to get a preview of the shell of the website and provide any feedback at this juncture.

Cost

N/A.

Recommendation

It is recommended that the Council view the presentation of the current draft of the new City website, ask questions, and offer feedback.

Recommended Motion

No motion necessary.

Attachments

None.

Memo

To: Village Trustees

From: Brad Luck, Interim Co-Manager

Meeting Date: September 14, 2022

Agenda Item: 6e. Negotiating or Securing Real Estate Purchase or Lease Options

Issue

With impending renovations to 2 Lincoln Street, the municipality will need explore options for how to best provide space (temporarily and permanently) for future city operations.

Discussion

This discussion should take place in executive session.

Cost

NA.

Recommendation

It is recommended that this conversation take place in executive session.

Recommended Motion

Should the Trustees decide to move forward with the recommendation, the following is the recommended motion:

“I move that we go into executive session to discuss negotiating or securing real estate purchase or lease options under the provisions of Title 1, Section 313(a)(2) of the Vermont Statutes, and include the interim co-managers.”

Attachments

None.

Memo

To: Village Trustees

From: Brad Luck, Interim Co-Manager

Meeting Date: September 14, 2022

Agenda Item: 6f. Documents that are Exempt from Public Records Laws

Issue

This is an opportunity for the Council to discuss documents that are exempt from public records laws.

Discussion

Due to the confidential and personal nature of the documents which are exempt from public records request pursuant to 1 V.S.A. § 317, this discussion should take place in executive session.

Cost

NA.

Recommendation

It is recommended that this conversation take place in executive session.

Recommended Motion

Should the Trustees decide to move forward with the recommendation, the following is the recommended motion:

“I move that we go into executive session to discuss documents that are exempt from the public records laws under the provisions of Title 1, Section 313(a)(6) of the Vermont Statutes.”

Attachments

None.

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
42665	AMAZON/SYNCB	08/10/22 JColl; AColl; JProg; APro 9852 0822	210-5-35-10-640.202 Juvenile Collection	144.65	41635	08/26/22
42665	AMAZON/SYNCB	08/10/22 JColl; AColl; JProg; APro 9852 0822	210-5-35-10-640.201 Adult Collection	80.29	41635	08/26/22
42665	AMAZON/SYNCB	08/10/22 JColl; AColl; JProg; APro 9852 0822	210-5-35-10-840.202 Childrens Programs	66.23	41635	08/26/22
42665	AMAZON/SYNCB	08/10/22 JColl; AColl; JProg; APro 9852 0822	210-5-35-10-840.201 Adult Programs	27.95	41635	08/26/22
42665	AMAZON/SYNCB	08/10/22 JColl; AColl; JProg; APro 9852 0822	210-5-35-10-735.000 Tech: Equip/Hardware	99.99	41635	08/26/22
42665	AMAZON/SYNCB	08/10/22 JColl; AColl; JProg; APro 9852 0822	210-5-90-00-640.201 Adult Collection replacem	84.28	41635	08/26/22
42665	AMAZON/SYNCB	08/10/22 JColl; AColl; JProg; APro 9852 0822	210-5-35-10-610.000 General Supplies	190.50	41635	08/26/22
04940	COMCAST	02/12/22 TV Internet 2/19-3/18/22 0091811 0222	210-5-40-12-600.000 Salt, Sand and Gravel	62.90	41653	08/26/22
04940	COMCAST	02/12/22 TV Internet 2/19-3/18/22 0091811 0222	210-5-40-12-610.000 General Supplies	181.41	41653	08/26/22
04940	COMCAST	08/12/22 TV Internet 08/19-09/18 0091811 0822	210-5-40-12-600.000 Salt, Sand and Gravel	62.90	41654	08/26/22
04940	COMCAST	08/12/22 TV Internet 08/19-09/18 0091811 0822	210-5-40-12-610.000 General Supplies	181.41	41654	08/26/22
11870	CVC PAGING	07/25/22 AirTime Fee 10386407	210-5-40-12-530.000 Communications	76.20	41661	08/26/22
24305	DEMCO INC	08/08/22 Supplies 7165215	210-5-35-10-610.000 General Supplies	658.85	41662	08/26/22
25715	DONALD L. HAMLIN CONSULT	07/18/22 Engineering services for 22810 0722	210-5-40-12-330.000 Professional Services	2430.62	41664	08/26/22
25715	DONALD L. HAMLIN CONSULT	08/16/22 Engineering assistance re 22810 0822	210-5-40-12-330.000 Professional Services	3916.75	41664	08/26/22
25715	DONALD L. HAMLIN CONSULT	08/16/22 Engineering Assistance fo 22812 0822	210-5-40-12-330.000 Professional Services	766.38	41664	08/26/22
25715	DONALD L. HAMLIN CONSULT	08/16/22 Land Development Code upd 22813 0822	210-5-16-10-330.000 Professional Services	1901.25	41664	08/26/22
31875	ESSEX TOWN WATER DEPT	08/24/22 MSP Water Sewer 75MAPLE 822	210-5-41-26-410.000 Water and Sewer Charges	66.11	41671	08/26/22
29280	FIRST NATIONAL BANK OMAH	07/20/22 Visa WW July 2022 0481 0722	210-5-40-12-612.000 Uniforms	80.30	41680	08/26/22
29280	FIRST NATIONAL BANK OMAH	07/20/22 Visa WW July 2022 0481 0722	210-5-40-12-610.000 General Supplies	399.16	41680	08/26/22
21845	FIRST NATIONAL BANK OMAHA	08/19/22 J Programs credit/ Tech, 0017 0822	210-5-35-10-840.202 Childrens Programs	-59.95	41681	08/26/22
21845	FIRST NATIONAL BANK OMAHA	08/19/22 J Programs credit/ Tech, 0017 0822	210-5-35-10-505.000 Tech. Subs, Licenses	112.66	41681	08/26/22
21845	FIRST NATIONAL BANK OMAHA	08/19/22 J Programs credit/ Tech, 0017 0822	210-5-35-10-640.201 Adult Collection	151.13	41681	08/26/22
21845	FIRST NATIONAL BANK OMAHA	08/19/22 J Programs credit/ Tech, 0017 0822	210-5-35-10-500.000 Training, Conf, Dues	174.24	41681	08/26/22
23560	GORDON STAMP & ENG.	08/11/22 Desk seal 86058	210-5-10-10-610.000 General Supplies	28.80	41688	08/26/22

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
04035	08/09/22	GOT THAT RENTAL & SALES I	Paint Inverted Tip Yellow	210-5-40-12-572.000	17.38	41689	08/26/22
			102862	Traffic Control			
04035	08/10/22	GOT THAT RENTAL & SALES I	oil - stroke mix	210-5-40-12-610.000	23.40	41690	08/26/22
			102946	General Supplies			
07010	08/09/22	GREEN MOUNTAIN POWER CORP	Solar Accounts 08/19-09/1	210-5-41-20-622.000	113.96	41693	08/26/22
			080922 Solar	Electricity			
07010	08/09/22	GREEN MOUNTAIN POWER CORP	Solar Accounts 08/19-09/1	210-5-41-22-622.000	113.95	41693	08/26/22
			080922 Solar	Electricity			
07010	08/09/22	GREEN MOUNTAIN POWER CORP	Solar Accounts 08/19-09/1	210-5-40-12-622.000	42.04	41693	08/26/22
			080922 Solar	Electricity			
07010	08/09/22	GREEN MOUNTAIN POWER CORP	Solar Accounts 08/19-09/1	210-5-41-21-622.000	528.39	41693	08/26/22
			080922 Solar	Electricity			
07010	08/09/22	GREEN MOUNTAIN POWER CORP	Solar Accounts 08/19-09/1	210-5-40-12-622.000	89.81	41693	08/26/22
			080922 Solar	Electricity			
07010	08/09/22	GREEN MOUNTAIN POWER CORP	Solar Accounts 08/19-09/1	210-5-41-23-622.000	583.81	41693	08/26/22
			080922 Solar	Electricity			
07010	08/09/22	GREEN MOUNTAIN POWER CORP	MSP Power July	210-5-41-26-622.000	2412.27	41697	08/26/22
			822 75 MAPLE	Electricity			
21240	08/18/22	HICKOK & BOARDMAN HRI	Vill Apr-Jun 22	210-5-10-10-210.000	90.00	41700	08/26/22
			24962	Group Insurance			
21240	08/18/22	HICKOK & BOARDMAN HRI	Vill Apr-Jun 22	210-5-13-10-210.000	90.00	41700	08/26/22
			24962	Group Insurance			
21240	08/18/22	HICKOK & BOARDMAN HRI	Vill Apr-Jun 22	210-5-40-12-210.000	198.00	41700	08/26/22
			24962	Group Insurance			
21240	08/18/22	HICKOK & BOARDMAN HRI	Vill Apr-Jun 22	210-5-40-13-210.000	9.00	41700	08/26/22
			24962	Group Insurance			
21240	08/18/22	HICKOK & BOARDMAN HRI	Vill Apr-Jun 22	210-5-35-10-210.000	270.00	41700	08/26/22
			24962	Group Insurance			
21240	08/18/22	HICKOK & BOARDMAN HRI	Vill Apr-Jun 22	210-5-16-10-210.000	90.00	41700	08/26/22
			24962	Group Insurance			
21240	08/18/22	HICKOK & BOARDMAN HRI	Vill Apr-Jun 22	210-5-30-10-210.000	180.00	41700	08/26/22
			24962	Group Insurance			
21240	08/18/22	HICKOK & BOARDMAN HRI	Vill Apr-Jun 22	210-5-30-12-210.000	90.00	41700	08/26/22
			24962	Group Insurance			
03070	07/20/22	MINUTEMAN PRESS	City letterhead/envelopes	210-5-10-10-550.000	468.97	41716	08/26/22
			55112	Printing and Binding			
03070	08/24/22	MINUTEMAN PRESS	City envelopes	210-5-10-10-550.000	186.78	41716	08/26/22
			55311	Printing and Binding			
27395	08/10/22	MVP HEALTH CARE INC 43118	City health Sept 22	210-5-10-10-210.000	3929.94	41719	08/26/22
			17068299	Group Insurance			
27395	08/10/22	MVP HEALTH CARE INC 43118	City health Sept 22	210-5-13-10-210.000	1900.70	41719	08/26/22
			17068299	Group Insurance			
27395	08/10/22	MVP HEALTH CARE INC 43118	City health Sept 22	210-5-40-12-210.000	4561.68	41719	08/26/22
			17068299	Group Insurance			
27395	08/10/22	MVP HEALTH CARE INC 43118	City health Sept 22	210-5-40-13-210.000	270.57	41719	08/26/22
			17068299	Group Insurance			
27395	08/10/22	MVP HEALTH CARE INC 43118	City health Sept 22	210-5-35-10-210.000	6588.23	41719	08/26/22
			17068299	Group Insurance			
27395	08/10/22	MVP HEALTH CARE INC 43118	City health Sept 22	210-5-16-10-210.000	1352.80	41719	08/26/22
			17068299	Group Insurance			

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
27395	08/10/22	MVP HEALTH CARE INC 43118 City health Sept 22 17068299	210-5-30-10-210.000 Group Insurance	9503.50	41719	08/26/22
27395	08/10/22	MVP HEALTH CARE INC 43118 City health Sept 22 17068299	210-5-30-12-210.000 Group Insurance	2029.24	41719	08/26/22
27395	08/10/22	MVP HEALTH CARE INC 43118 City health Sept 22 17068299	210-2-00-00-210.006 Health Ins. Copay	604.12	41719	08/26/22
05485	08/10/22	NATIONAL BUSINESS LEASING Copier leases 8/15-9/14/2 77273705	210-5-35-10-442.000 Rental Vehicles/Equip	80.72	41720	08/26/22
05485	08/10/22	NATIONAL BUSINESS LEASING Copier leases 8/15-9/14/2 77273705	210-5-35-10-442.000 Rental Vehicles/Equip	80.74	41720	08/26/22
05485	08/10/22	NATIONAL BUSINESS LEASING Copier leases 8/15-9/14/2 77273705	210-5-40-12-442.000 Rental Vehicles/Equip	72.59	41720	08/26/22
05485	08/10/22	NATIONAL BUSINESS LEASING Copier leases 8/15-9/14/2 77273705	210-5-10-10-442.000 Rental Vehicles/Equip	138.97	41720	08/26/22
37965	06/08/22	S D IRELAND CONCRETE Portland Lafarge 94#(40) 361974	210-5-40-12-573.000 Sidewalk and Curb Maint	740.00	41733	08/26/22
37965	06/28/22	S D IRELAND CONCRETE 34 Corduroy Road, comm 35 95828	210-5-40-12-451.000 Summer Construction Servi	577.00	41735	08/26/22
29090	08/09/22	SUNBELT RENTALS PAINTUPSDN YELLOW 129203001	210-5-40-12-572.000 Traffic Control	8.44	41743	08/26/22
11935	08/05/22	VIKING-CIVES USA Description: OIL RESERVOI 4517458	210-5-40-12-430.000 R&M Vehicles & Equipment	38.71	41750	08/26/22
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	210-5-10-10-210.000 Group Insurance	58.18	41752	08/26/22
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	210-5-13-10-210.000 Group Insurance	38.01	41752	08/26/22
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	210-5-40-12-210.000 Group Insurance	58.56	41752	08/26/22
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	210-5-40-13-210.000 Group Insurance	2.72	41752	08/26/22
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	210-5-35-10-210.000 Group Insurance	90.55	41752	08/26/22
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	210-5-16-10-210.000 Group Insurance	18.76	41752	08/26/22
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	210-5-30-10-210.000 Group Insurance	122.00	41752	08/26/22
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	210-5-30-12-210.000 Group Insurance	22.99	41752	08/26/22
V2371	08/16/22	VMCTA Annual Conference 2208616	210-5-10-10-500.000 Training, Conf, Dues	280.00	41755	08/26/22
V10238	08/23/22	VT AIR TESTING SVC Tedeschi Trucks Concert 558	210-1-00-00-130.000 Exchange - General	767.50	41756	08/26/22
05375	08/05/22	ESSEX JUNCTION EMPLOYEES Payroll Transfer PR-08/05/22	210-2-00-00-210.005 Misc Deductions Payable	30.00	8240129	08/26/22
05375	08/12/22	ESSEX JUNCTION EMPLOYEES Payroll Transfer PR-08/12/22	210-2-00-00-210.005 Misc Deductions Payable	30.00	8240129	08/26/22
05375	08/19/22	ESSEX JUNCTION EMPLOYEES Payroll Transfer PR-08/19/22	210-2-00-00-210.005 Misc Deductions Payable	30.00	8240129	08/26/22
05375	08/26/22	ESSEX JUNCTION EMPLOYEES Payroll Transfer PR-08/26/22	210-2-00-00-210.005 Misc Deductions Payable	30.00	8240129	08/26/22

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
V1161	08/26/22	Payroll Transfer PR-08/26/22	210-2-00-00-210.004 Retirement Payable	1462.75	8240130	08/26/22
V1160	08/26/22	Payroll Transfer PR-08/26/22	210-2-00-00-210.004 Retirement Payable	998.17	8240131	08/26/22
V2337	08/05/22	Payroll Transfer PR-08/05/22	210-2-00-00-210.005 Misc Deductions Payable	12.00	8240132	08/26/22
V2337	08/12/22	Payroll Transfer PR-08/12/22	210-2-00-00-210.005 Misc Deductions Payable	12.00	8240132	08/26/22
V2337	08/19/22	Payroll Transfer PR-08/19/22	210-2-00-00-210.005 Misc Deductions Payable	12.00	8240132	08/26/22
V2337	08/26/22	Payroll Transfer PR-08/26/22	210-2-00-00-210.005 Misc Deductions Payable	12.00	8240132	08/26/22
17140	08/26/22	Payroll Transfer PR-08/26/22	210-2-00-00-210.005 Misc Deductions Payable	66.50	8240134	08/26/22
25715	08/16/22	July 2022 Densmore dr. up 21804 0822	230-5-40-13-722.801 Densmore Dr non-FEMA	16789.25	41664	08/26/22
25715	08/16/22	Brickyard waterline engin 22802 0822	230-5-40-13-895.830 BC2058 Brickyard Culvert	1072.50	41664	08/26/22
23435	07/31/22	July water City 073122 EJ	254-5-54-20-411.000 CWD Water Purchase	1320.40	41647	08/26/22
23435	07/31/22	July water City 073122 EJ	254-5-54-70-411.400 CWD Water Purchase - Glob	6181.75	41647	08/26/22
23435	07/31/22	July water City 073122 EJ	254-5-54-20-411.000 CWD Water Purchase	65861.55	41647	08/26/22
23435	07/31/22	July water City 073122 EJ	254-5-54-70-411.400 CWD Water Purchase - Glob	308345.69	41647	08/26/22
25715	08/16/22	Replacement of Waterline 21806 0822	254-5-54-70-723.004 Main St Water Line	1325.00	41664	08/26/22
21240	08/18/22	Vill Apr-Jun 22 24962	254-5-54-20-210.000 Group Insurance	112.50	41700	08/26/22
27395	08/10/22	City health Sept 22 17068299	254-5-54-20-210.000 Group Insurance	4696.96	41719	08/26/22
21230	08/19/22	Sept 22 vision City 815886306	254-5-54-20-210.000 Group Insurance	59.92	41752	08/26/22
14685	07/30/22	Maintained on old boiler 057811	255-5-55-30-570.000 Other Purchased Services	5750.00	41633	08/26/22
11375	08/01/22	Grit Disposal July 2022 33260307	255-5-55-30-421.000 Grit Disposal	1097.64	41644	08/26/22
V10734	07/20/22	Monthly Payment (6/20/22- 2207-WWTP	255-5-55-30-622.000 Electricity	2969.11	41666	08/26/22
06870	08/18/22	Sludge cert for grassland 419470	255-5-55-30-568.000 Biosolids Subcontractor	255.00	41667	08/26/22
21240	08/18/22	Vill Apr-Jun 22 24962	255-5-55-30-210.000 Group Insurance	202.50	41700	08/26/22
33195	08/03/22	JOB: CONTROL BUILDING TO 77371TE	255-5-55-30-330.000 Professional Services	135.00	41708	08/26/22
27395	08/10/22	City health Sept 22 17068299	255-5-55-30-210.000 Group Insurance	7941.13	41719	08/26/22
05485	08/10/22	Copier leases 8/15-9/14/2 77273705	255-5-55-30-442.000 Rental Vehicles/Equip	80.74	41720	08/26/22

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
21230	VISION SERVICE PLAN (CT)	08/19/22	Sept 22 vision City 815886306	255-5-55-30-210.000 Group Insurance	101.59	41752	08/26/22
07010	GREEN MOUNTAIN POWER CORP	08/09/22	Solar Accounts 08/19-09/1 080922 Solar	256-5-56-40-622.000 Electricity	85.48	41693	08/26/22
07010	GREEN MOUNTAIN POWER CORP	08/09/22	Solar Accounts 08/19-09/1 080922 Solar	256-5-56-40-434.001 Susie Wilson PS Costs	54.08	41693	08/26/22
07010	GREEN MOUNTAIN POWER CORP	08/09/22	Solar Accounts 08/19-09/1 080922 Solar	256-5-56-40-434.002 West Street PS Costs	62.30	41693	08/26/22
21240	HICKOK & BOARDMAN HRI	08/18/22	Vill Apr-Jun 22 24962	256-5-56-40-210.000 Group Insurance	108.00	41700	08/26/22
27395	MVP HEALTH CARE INC 43118	08/10/22	City health Sept 22 17068299	256-5-56-40-210.000 Group Insurance	5257.09	41719	08/26/22
21230	VISION SERVICE PLAN (CT)	08/19/22	Sept 22 vision City 815886306	256-5-56-40-210.000 Group Insurance	59.22	41752	08/26/22
05485	NATIONAL BUSINESS LEASING	08/10/22	Copier leases 8/15-9/14/2 77273705	258-5-33-13-442.000 Rental Vehicles/Equip	94.15	41720	08/26/22
01050	CREATIVE SOUND INC	06/16/22	Pool Amplifier 061622DA	259-5-30-11-431.000 R&M Buildings & Grounds	1089.00	41659	08/26/22
01790	ESSEX STUDENT ACTIVITIES	08/19/22	EJRP Soccer Programs 081922D	259-5-30-14-330.000 Professional Services	2545.00	41670	08/26/22
04640	FASTENAL INDUSTRIAL & CON	08/09/22	Park St First Aid Kit VTBUR312187	259-5-30-16-610.000 General Supplies	21.16	41674	08/26/22
04640	FASTENAL INDUSTRIAL & CON	08/09/22	Pool First Aid VTBUR312188	259-5-30-11-610.000 General Supplies	18.31	41674	08/26/22
04640	FASTENAL INDUSTRIAL & CON	08/09/22	First Aid Supplies VTBUR312189	259-5-30-17-610.000 General Supplies	10.38	41674	08/26/22
04640	FASTENAL INDUSTRIAL & CON	08/09/22	First Aid Supplies VTBUR312190	259-5-30-17-610.000 General Supplies	7.36	41674	08/26/22
11260	GOLD STAR DOG TRAINING	08/21/22	Dog Classes August 69	259-5-30-14-330.000 Professional Services	2515.80	41687	08/26/22
21240	HICKOK & BOARDMAN HRI	08/18/22	Vill Apr-Jun 22 24962	259-5-30-15-210.000 Group Insurance	360.00	41700	08/26/22
21240	HICKOK & BOARDMAN HRI	08/18/22	Vill Apr-Jun 22 24962	259-5-30-16-210.000 Group Insurance	180.00	41700	08/26/22
28425	LIBRIZZI JESSICA	08/16/22	Track Field Team 081622D	259-5-30-14-330.000 Professional Services	1950.00	41707	08/26/22
27395	MVP HEALTH CARE INC 43118	08/10/22	City health Sept 22 17068299	259-5-30-15-210.000 Group Insurance	5411.20	41719	08/26/22
27395	MVP HEALTH CARE INC 43118	08/10/22	City health Sept 22 17068299	259-5-30-16-210.000 Group Insurance	6378.50	41719	08/26/22
05485	NATIONAL BUSINESS LEASING	08/10/22	Copier leases 8/15-9/14/2 77273705	259-5-30-10-442.000 Rental Vehicles/Equip	177.89	41720	08/26/22
05485	NATIONAL BUSINESS LEASING	08/10/22	Copier leases 8/15-9/14/2 77273705	259-5-30-10-442.000 Rental Vehicles/Equip	177.90	41720	08/26/22
17565	PARVANOV DRAGOMIR	08/17/22	Soccer Sparks Camps 081722D	259-5-30-14-330.000 Professional Services	6795.00	41727	08/26/22
17315	ST. ANDREWS PIPE & DRUM B	02/23/22	Parade Performance 082422D	259-5-30-14-850.150 Memorial Day Parade	950.00	41741	08/26/22
21230	VISION SERVICE PLAN (CT)	08/19/22	Sept 22 vision City 815886306	259-5-30-15-210.000 Group Insurance	103.18	41752	08/26/22

08/28/22

Town of Essex Accounts Payable

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09:12 am

Check Warrant Report # 17317 Current Prior Next FY Invoices For Fund (GENERAL FUND)

HPackard

For Check Acct 01 (GENERAL FUND) All check #s 08/26/22 To 08/26/22 & Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
21230	08/19/22	VISION SERVICE PLAN (CT) Sept 22 vision City 815886306	259-5-30-16-210.000 Group Insurance	71.79	41752	08/26/22
Report Total				512896.43		

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
05290	08/17/22	ADVANCE AUTO PARTS Die Hard 552222934891	210-5-40-12-430.000 R&M Vehicles & Equipment	4.01	41759	09/02/22
29380	08/29/22	BALLARD KATIE L HC Stipend August HC8922	210-5-10-10-190.000 Board member Payments	25.00	41765	09/02/22
02235	08/12/22	BOUND TREE MEDICAL LLC MISC EMS Items 84642219	210-5-25-10-613.000 Program Supplies	218.11	41769	09/02/22
02235	08/15/22	BOUND TREE MEDICAL LLC Safety Glasses 84644327	210-5-25-10-613.000 Program Supplies	43.36	41769	09/02/22
00530	07/25/22	BRODART CO J Collection, Supplies B6467017	210-5-35-10-640.202 Juvenile Collection	9.71	41770	09/02/22
00530	07/25/22	BRODART CO J Collection, Supplies B6467017	210-5-35-10-610.000 General Supplies	0.80	41770	09/02/22
00530	08/02/22	BRODART CO J Collection B6471961	210-5-35-10-640.202 Juvenile Collection	15.95	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473220	210-5-35-10-640.202 Juvenile Collection	27.28	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473220	210-5-35-10-610.000 General Supplies	1.60	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473221	210-5-35-10-640.202 Juvenile Collection	59.02	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473221	210-5-35-10-610.000 General Supplies	4.00	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473226	210-5-35-10-640.202 Juvenile Collection	93.68	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473226	210-5-35-10-610.000 General Supplies	4.00	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473227	210-5-35-10-640.202 Juvenile Collection	15.12	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473227	210-5-35-10-610.000 General Supplies	0.80	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473287	210-5-35-10-640.202 Juvenile Collection	250.46	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473287	210-5-35-10-610.000 General Supplies	19.20	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473293	210-5-35-10-640.202 Juvenile Collection	48.96	41770	09/02/22
00530	08/04/22	BRODART CO J Collection, Supplies B6473293	210-5-35-10-610.000 General Supplies	3.20	41770	09/02/22
00530	08/08/22	BRODART CO Adult Collection, Supplie B6474354	210-5-35-10-640.201 Adult Collection	22.40	41770	09/02/22
00530	08/08/22	BRODART CO Adult Collection, Supplie B6474354	210-5-35-10-610.000 General Supplies	0.80	41770	09/02/22
00530	08/08/22	BRODART CO Adult Collection, Supplie B6474356	210-5-35-10-640.201 Adult Collection	14.23	41770	09/02/22
00530	08/08/22	BRODART CO Adult Collection, Supplie B6474356	210-5-35-10-610.000 General Supplies	0.80	41770	09/02/22
00530	08/08/22	BRODART CO Donations: Foundation Fas B6474366	210-5-90-00-991.000 Library Donation Expense	62.07	41770	09/02/22
00530	08/08/22	BRODART CO Donations: Foundation Fas B6474366	210-5-35-10-610.000 General Supplies	3.20	41770	09/02/22

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
00530	08/08/22	Donation: Foundation Fast B6474368	210-5-90-00-991.000 Library Donation Expense	31.85	41770	09/02/22
00530	08/08/22	Donation: Foundation Fast B6474368	210-5-35-10-610.000 General Supplies	1.60	41770	09/02/22
00530	08/08/22	Adult Collection, Supplie B6474371	210-5-35-10-640.201 Adult Collection	59.71	41770	09/02/22
00530	08/08/22	Adult Collection, Supplie B6474371	210-5-35-10-610.000 General Supplies	3.20	41770	09/02/22
00530	08/08/22	Adult Collection, Supplie B6474372	210-5-35-10-640.201 Adult Collection	139.75	41770	09/02/22
00530	08/08/22	Adult Collection, Supplie B6474372	210-5-35-10-610.000 General Supplies	8.00	41770	09/02/22
00530	08/08/22	Adult Collection, Supplie B6474377	210-5-35-10-640.201 Adult Collection	82.72	41770	09/02/22
00530	08/08/22	Adult Collection, Supplie B6474377	210-5-35-10-610.000 General Supplies	3.20	41770	09/02/22
00530	08/10/22	Adult Replacement B6475855	210-5-90-00-640.201 Adult Collection replacem	17.79	41770	09/02/22
00530	08/12/22	Adult Collection, Supplie B6476893	210-5-35-10-640.201 Adult Collection	181.92	41770	09/02/22
00530	08/12/22	Adult Collection, Supplie B6476893	210-5-35-10-610.000 General Supplies	8.00	41770	09/02/22
00530	08/12/22	Adult Replacement, Suppli B6476933	210-5-90-00-640.201 Adult Collection replacem	24.92	41770	09/02/22
00530	08/12/22	Adult Replacement, Suppli B6476933	210-5-35-10-610.000 General Supplies	0.80	41770	09/02/22
00530	08/12/22	Adult Collection, Supplie B6477035	210-5-35-10-640.201 Adult Collection	77.92	41770	09/02/22
00530	08/12/22	Adult Collection, Supplie B6477035	210-5-35-10-610.000 General Supplies	4.00	41770	09/02/22
00530	08/12/22	Adult Collection, Supplie B6477080	210-5-35-10-640.201 Adult Collection	95.22	41770	09/02/22
00530	08/12/22	Adult Collection, Supplie B6477080	210-5-35-10-610.000 General Supplies	3.20	41770	09/02/22
00530	08/15/22	Adult Collection,Supplies B6477428	210-5-35-10-640.201 Adult Collection	1603.50	41770	09/02/22
00530	08/15/22	Adult Collection,Supplies B6477428	210-5-35-10-610.000 General Supplies	80.80	41770	09/02/22
00530	08/19/22	Adult Collection B6479694	210-5-35-10-640.201 Adult Collection	83.09	41770	09/02/22
22670	08/16/22	EJRP CC July/August 6508 0822	210-5-10-10-330.000 Professional Services	25.50	41772	09/02/22
22670	08/16/22	EJRP CC July/August 6508 0822	210-5-17-10-850.000 Community Events and Cele	1244.54	41772	09/02/22
22670	08/16/22	EJRP CC July/August 6508 0822	210-5-30-10-505.000 Tech. Subs, Licenses	549.55	41772	09/02/22
22670	08/16/22	EJRP CC July/August 6508 0822	210-5-30-10-500.000 Training, Conf, Dues	349.00	41772	09/02/22
V0461	08/22/22	Adult Collection CENTRAL0822	210-5-35-10-640.201 Adult Collection	162.50	41774	09/02/22

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
21210	08/17/22	LENS/ SCREEN WIPES 100/BX 5120809329	210-5-40-12-610.000 General Supplies	137.29	41775	09/02/22
21210	08/19/22	WATERBREAK CUP 802/50PAC 5121206226	210-5-40-12-610.000 General Supplies	66.30	41775	09/02/22
04940	08/23/22	MSP Internet Sept 0176315 0822	210-5-41-26-530.000 Communications	360.46	41777	09/02/22
04940	08/23/22	Park St Internet Sept 0210908 0822	210-5-41-23-530.000 Communications	218.20	41778	09/02/22
17025	08/08/22	Recording Secretary 0102	210-5-10-10-530.000 Communications	88.68	41781	09/02/22
38280	08/16/22	Bottled Water 081622D	210-5-41-20-610.000 General Supplies	17.69	41782	09/02/22
21840	08/19/22	PW Visa charges 07/20- 09 06310 0922	210-5-40-12-610.000 General Supplies	156.63	41796	09/02/22
04035	08/18/22	Filter and Oil 103295	210-5-30-12-431.000 R&M Buildings & Grounds	76.05	41802	09/02/22
07010	08/15/22	non-solar Accts 07/12-08/ 081522 NS	210-5-40-12-622.200 Streetlight Electricity	10273.19	41803	09/02/22
07010	08/15/22	non-solar Accts 07/12-08/ 081522 NS	210-5-40-12-622.200 Streetlight Electricity	1157.96	41803	09/02/22
27515	08/19/22	Junction Jam Logo 081922D	210-5-17-10-850.000 Community Events and Cele	487.50	41811	09/02/22
27240	08/15/22	Elevator Service contract 100400892037	210-5-41-21-400.000 Contracted Services	329.18	41823	09/02/22
V10729	07/31/22	Adult Collection 22292403	210-5-35-10-640.201 Adult Collection	17.94	41824	09/02/22
V10729	08/09/22	J Replacement 22301740	210-5-90-00-640.202 Juvenile Collection repl	50.00	41824	09/02/22
V10729	08/11/22	J Collection 22304074	210-5-35-10-640.202 Juvenile Collection	539.98	41824	09/02/22
V10729	08/23/22	J Collection 22313827	210-5-35-10-640.202 Juvenile Collection	60.00	41824	09/02/22
25140	08/22/22	50 blow 9.5mm fine Asfaul 1199622	210-5-40-12-605.000 Summer Construction Suppl	618.79	41827	09/02/22
23465	08/18/22	Lease 9/20-12/19/22 3316163410	210-5-10-10-442.000 Rental Vehicles/Equip	209.97	41829	09/02/22
24325	08/17/22	Headset 24144380	210-5-25-10-430.000 R&M Vehicles & Equipment	436.00	41832	09/02/22
22680	08/29/22	HC Stipend August HC81722	210-5-10-10-190.000 Board member Payments	25.00	41833	09/02/22
02320	08/29/22	HC Stipend August HC81722	210-5-10-10-190.000 Board member Payments	25.00	41834	09/02/22
28015	08/10/22	SKUNKS TRAPS -(3) 879384	210-5-30-12-330.000 Professional Services	132.00	41838	09/02/22
42565	08/24/22	Legal Notice 223530	210-5-10-10-550.000 Printing and Binding	46.80	41840	09/02/22
29835	08/17/22	CS SOFT WOVEN and JUMBO T 00067	210-5-40-12-610.000 General Supplies	25.90	41841	09/02/22
23855	08/16/22	Trouble shooting Leaks fo SCINV655885	210-5-40-12-430.000 R&M Vehicles & Equipment	287.76	41844	09/02/22

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
V10695	SUNSET TREE CARE	08/12/22	Tree work on Roscoe Court 081222D	210-5-40-12-810.112 Tree Advisory Committee	1200.00	41846	09/02/22
V9848	TSI, INC	08/09/22	Isopropyl Alcohol 91511550	210-5-25-10-613.000 Program Supplies	172.34	41847	09/02/22
36130	VERIZON WIRELESS VSAT	08/18/22	CELL PHONE SERVICE 9913729763	210-5-40-12-530.000 Communications	35.01	41850	09/02/22
11935	VIKING-CIVES USA	08/08/22	JOHNSTON BRUSH 2 PC-710mm 4517464	210-5-40-12-430.000 R&M Vehicles & Equipment	614.12	41852	09/02/22
23395	VILLAGE HARDWARE - WILLIS	07/11/22	ME25 14/3 RED EXT Cord, E 515240	210-5-40-12-610.000 General Supplies	117.76	41854	09/02/22
23395	VILLAGE HARDWARE - WILLIS	07/12/22	APPROX 750-1 515249	210-5-40-12-605.000 Summer Construction Suppl	54.84	41854	09/02/22
23395	VILLAGE HARDWARE - WILLIS	07/27/22	STRAW APPROX 750-1 515322	210-5-40-12-610.000 General Supplies	54.84	41854	09/02/22
23395	VILLAGE HARDWARE - WILLIS	08/12/22	SEED-SOIL CONSERVATION MI 515411	210-5-40-12-605.000 Summer Construction Suppl	190.05	41854	09/02/22
V2377	VLCT EMPLOYMENT RESOURCE	08/19/22	Q4 22 UI REN033679Q4	210-5-13-10-250.000 Unemployment Insurance	132.37	41855	09/02/22
V2377	VLCT EMPLOYMENT RESOURCE	08/19/22	Q4 22 UI REN033679Q4	210-5-40-12-250.000 Unemployment Insurance	109.29	41855	09/02/22
V2377	VLCT EMPLOYMENT RESOURCE	08/19/22	Q4 22 UI REN033679Q4	210-5-35-10-250.000 Unemployment Insurance	268.45	41855	09/02/22
28470	VMERS DB 110800	08/05/22	Payroll Transfer PR-08/05/22	210-2-00-00-210.004 Retirement Payable	9279.54	41858	09/02/22
28470	VMERS DB 110800	08/19/22	Payroll Transfer PR-08/19/22	210-2-00-00-210.004 Retirement Payable	9629.86	41858	09/02/22
28470	VMERS DB 110800	08/26/22	Payroll Transfer PR-08/26/22	210-2-00-00-210.004 Retirement Payable	3611.96	41858	09/02/22
07565	W B MASON CO INC	08/15/22	Maint Supplies 231930408	210-5-30-12-610.000 General Supplies	762.64	41863	09/02/22
07565	W B MASON CO INC	08/17/22	MSP Floor Finish 231992419	210-5-30-12-610.000 General Supplies	224.97	41863	09/02/22
07565	W B MASON CO INC	08/24/22	Office Paper 232178220	210-5-30-10-610.000 General Supplies	63.98	41863	09/02/22
29395	WATSON MIA	08/29/22	HC Stipend August HC81722	210-5-10-10-190.000 Board member Payments	25.00	41864	09/02/22
30235	WU NATHAN	08/19/22	J Programs WU0822	210-5-35-10-840.202 Childrens Programs	100.00	41866	09/02/22
V1161	ICMA RETIREMENT TRUST-401	09/02/22	Payroll Transfer PR-09/02/22	210-2-00-00-210.004 Retirement Payable	2265.38	9010151	09/02/22
V1160	ICMA RETIREMENT TRUST-457	09/02/22	Payroll Transfer PR-09/02/22	210-2-00-00-210.004 Retirement Payable	1698.87	9010152	09/02/22
25715	DONALD L. HAMLIN CONSULT	08/22/22	Main St park Jul 22 22815 0822	220-5-00-00-720.002 1 Main; Road Res-Q	451.25	41784	09/02/22
25715	DONALD L. HAMLIN CONSULT	08/22/22	Crescent Connector Essex 12833 0822	230-5-16-10-890.824 Cres. Connector	1305.00	41784	09/02/22
39425	SCOTT & PARTNERS INC	08/12/22	Brownell Roof Replacement 4000	232-5-41-21-730.001 Roof	4970.00	41839	09/02/22
07010	GREEN MOUNTAIN POWER CORP	08/15/22	non-solar Accts 07/12-08/ 081522 NS	254-5-54-20-622.000 Electricity	83.82	41803	09/02/22

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
V2377	08/19/22	VLCT EMPLOYMENT RESOURCE Q4 22 UI REN033679Q4	254-5-54-20-250.000 Unemployment Insurance	41.11	41855	09/02/22
V10735	08/05/22	AQUA-AEROBIC SYSTEMS INC RETAINER BAR-NOTCH AND T 1033915	255-5-55-30-570.000 Other Purchased Services	138.54	41763	09/02/22
V9533	08/05/22	CCP INDUSTRIES FLANNEL,RECLAIMED 50# SW IN03077997	255-5-55-30-570.000 Other Purchased Services	254.62	41773	09/02/22
38955	08/05/22	F W WEBB COMPANY ADPT SSMA CST SS 1/2 MPTx 77158269	255-5-55-30-570.000 Other Purchased Services	24.06	41790	09/02/22
38955	08/12/22	F W WEBB COMPANY Pipe Supplies 77235852	255-5-55-70-722.012 Phlo Final Phase	125.81	41790	09/02/22
04640	08/02/22	FASTENAL INDUSTRIAL & CON 20001b Capacity gantry ch VTBUR311936	255-5-55-30-570.000 Other Purchased Services	163.28	41793	09/02/22
29280	08/19/22	FIRST NATIONAL BANK OMAH WW Visa Charges 07/19-08/ 0481 0822	255-5-55-30-610.000 General Supplies	2104.35	41795	09/02/22
29280	08/19/22	FIRST NATIONAL BANK OMAH WW Visa Charges 07/19-08/ 0481 0822	255-5-55-30-612.000 Uniforms	119.60	41795	09/02/22
29280	08/19/22	FIRST NATIONAL BANK OMAH WW Visa Charges 07/19-08/ 0481 0822	255-5-55-30-500.000 Training, Conf, Dues	100.00	41795	09/02/22
29280	08/19/22	FIRST NATIONAL BANK OMAH WW Visa Charges 07/19-08/ 0481 0822	255-5-55-30-570.000 Other Purchased Services	247.44	41795	09/02/22
V1093	08/24/22	HOLLAND CO., INC. SODIUM ALUMINATE 8443 lbs 17021	255-5-55-30-619.000 Chemicals	16583.15	41805	09/02/22
V1423	08/09/22	MAHER CORPORATION Watson Marlow Bredel rubb 28306	255-5-55-30-570.000 Other Purchased Services	474.00	41812	09/02/22
34995	08/08/22	MCMASTER CARR SUPPLY CO Ceiling Fan, 120V AC Volt 82716759	255-5-55-30-570.000 Other Purchased Services	291.76	41815	09/02/22
22400	08/01/22	NEFCO CORPORATION HMR DRL BIT 1/2X4X6 BLUE S4125346001	255-5-55-30-610.000 General Supplies	29.22	41818	09/02/22
19325	08/25/22	OPEN APPROACH INC Pump station Comm upgrade 17537	255-5-55-30-340.000 Technical Services	19226.64	41820	09/02/22
V2093	08/03/22	SLACK CHEMICAL COMPANY IN 3,508 G Caustic 50% 442953	255-5-55-30-619.000 Chemicals	16846.41	41843	09/02/22
36130	08/18/22	VERIZON WIRELESS VSAT CELL PHONE SERVICE 9913729763	255-5-55-30-530.000 Communications	80.86	41850	09/02/22
36130	08/18/22	VERIZON WIRELESS VSAT CELL PHONE SERVICE 9913729763	255-5-55-30-570.000 Other Purchased Services	40.01	41850	09/02/22
23395	07/07/22	VILLAGE HARDWARE - WILLIS 25PK 11/4 Coaxial Staple, 515219	255-5-55-30-570.000 Other Purchased Services	151.53	41854	09/02/22
23395	07/22/22	VILLAGE HARDWARE - WILLIS MPBST 4x1/2 Cover/ Frame 515303	255-5-55-30-610.000 General Supplies	14.52	41854	09/02/22
23395	08/19/22	VILLAGE HARDWARE - WILLIS 100Z Sub FLR Adhesive-con 515442	255-5-55-30-610.000 General Supplies	27.96	41854	09/02/22
V2377	08/19/22	VLCT EMPLOYMENT RESOURCE Q4 22 UI REN033679Q4	255-5-55-30-250.000 Unemployment Insurance	159.16	41855	09/02/22
07010	08/15/22	GREEN MOUNTAIN POWER CORP non-solar Accts 07/12-08/ 081522 NS	256-5-56-40-622.000 Electricity	361.65	41803	09/02/22
V2377	08/19/22	VLCT EMPLOYMENT RESOURCE Q4 22 UI REN033679Q4	256-5-56-40-250.000 Unemployment Insurance	41.65	41855	09/02/22
19815	08/27/22	AMAZON CAPITAL SERVICES RK MSP EES 13LDCMK3QY3W	259-5-30-15-610.000 General Supplies	40.97	41760	09/02/22

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19815	AMAZON CAPITAL SERVICES	08/24/22	RK EES Supplies 1D6WK7HN1PRQ	259-5-30-15-610.000 General Supplies	433.38	41760	09/02/22
19815	AMAZON CAPITAL SERVICES	08/22/22	RK MSP Supplies 1DH3YHCL3QMH	259-5-30-15-610.000 General Supplies	646.04	41760	09/02/22
19815	AMAZON CAPITAL SERVICES	08/30/22	RK Fleming Supplies 1DLWRW74H34V	259-5-30-15-610.000 General Supplies	589.42	41760	09/02/22
19815	AMAZON CAPITAL SERVICES	08/26/22	CMS Supplies 1GC1MDND1LMD	259-5-30-17-610.000 General Supplies	39.98	41760	09/02/22
19815	AMAZON CAPITAL SERVICES	08/29/22	RK Hiawatha Supplies 1HRMH4VXCGPP	259-5-30-15-610.000 General Supplies	8.79	41760	09/02/22
19815	AMAZON CAPITAL SERVICES	08/27/22	RK Hiawatha Supplies 1Q76QN7N6PYX	259-5-30-15-610.000 General Supplies	313.24	41760	09/02/22
19815	AMAZON CAPITAL SERVICES	08/21/22	CMS Supplies 1VPY4TN3191F	259-5-30-17-610.000 General Supplies	76.96	41760	09/02/22
22670	CAPITAL ONE CREDIT CARD -	08/16/22	EJRP CC July/August 6508 0822	259-5-30-17-610.000 General Supplies	1146.86	41772	09/02/22
22670	CAPITAL ONE CREDIT CARD -	08/16/22	EJRP CC July/August 6508 0822	259-5-30-17-330.000 Professional Services	892.44	41772	09/02/22
22670	CAPITAL ONE CREDIT CARD -	08/16/22	EJRP CC July/August 6508 0822	259-5-30-17-580.000 Travel	424.00	41772	09/02/22
22670	CAPITAL ONE CREDIT CARD -	08/16/22	EJRP CC July/August 6508 0822	259-5-30-15-610.000 General Supplies	384.31	41772	09/02/22
22670	CAPITAL ONE CREDIT CARD -	08/16/22	EJRP CC July/August 6508 0822	259-5-30-12-500.000 Training, Conf, Dues	1130.00	41772	09/02/22
22670	CAPITAL ONE CREDIT CARD -	08/16/22	EJRP CC July/August 6508 0822	259-5-30-15-500.000 Training, Conf, Dues	1130.00	41772	09/02/22
22670	CAPITAL ONE CREDIT CARD -	08/16/22	EJRP CC July/August 6508 0822	259-5-30-10-500.000 Training, Conf, Dues	3490.00	41772	09/02/22
22670	CAPITAL ONE CREDIT CARD -	08/16/22	EJRP CC July/August 6508 0822	259-5-30-16-500.000 Training, Conf, Dues	615.00	41772	09/02/22
29970	EAST COAST ICE	08/22/22	CMS Celebration 8/16 1010	259-5-30-17-610.000 General Supplies	452.00	41786	09/02/22
03520	ESSEX CINEMAS	08/11/22	Reach Field Trip 8/11 081122D	259-5-30-17-580.000 Travel	700.00	41789	09/02/22
30185	FAMILY FUN & ENTERTAINMEN	08/12/22	Camp Staff Celebration 8/ 555376	259-5-30-17-330.000 Professional Services	200.00	41792	09/02/22
04640	FASTENAL INDUSTRIAL & CON	08/16/22	Frist Aid Supplies - Pres VTBUR312442	259-5-30-16-610.000 General Supplies	13.66	41793	09/02/22
25325	FILLION ASSOCIATES, INC	08/19/22	Pool Chemicals 32881	259-5-30-11-431.000 R&M Buildings & Grounds	1836.13	41794	09/02/22
2950	KASPRISIN ANDREW	08/26/22	Track Field Team 082622D	259-5-30-14-330.000 Professional Services	2000.00	41808	09/02/22
25035	LIQUID STUDIO	08/29/22	Fall Brochure Design 22178	259-5-30-10-330.000 Professional Services	1230.00	41810	09/02/22
29605	MCCURLEY CHRISTOPHER LEE	08/31/22	SWISH Basketball League 083122D	259-5-30-14-330.000 Professional Services	1000.00	41814	09/02/22
29425	PERFORMANCE FOOD SERVICE	08/17/22	CMS Snack 711651	259-5-30-17-610.000 General Supplies	102.27	41825	09/02/22
16020	POSTMASTER	08/29/22	Fall Brochure Postage Per 082922D	259-5-30-10-560.000 Postage	1953.89	41830	09/02/22

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
14230	08/31/22	PREMIER COACH CO INC DC Trip Bus DEPOSIT 69109 0822	259-5-30-14-330.000 Professional Services	1220.00	41831	09/02/22
36130	08/18/22	VERIZON WIRELESS VSAT CELL PHONE SERVICE 9913729763	259-5-30-16-610.000 General Supplies	40.43	41850	09/02/22
25315	08/17/22	VESPA'S PIZZA PASTA & DEL CMS Staff 8/17 081722D	259-5-30-17-610.000 General Supplies	141.00	41851	09/02/22
V2377	08/19/22	VLCT EMPLOYMENT RESOURCE Q4 22 UI REN033679Q4	259-5-30-10-250.000 Unemployment	1202.97	41855	09/02/22
24520	08/17/22	VT SYSTEMS INC Symposium Reg - EJRP 2 Sp VS005178	259-5-30-10-500.000 Training, Conf, Dues	500.00	41862	09/02/22
07565	08/23/22	W B MASON CO INC RK/PS Supplies 232141181	259-5-30-16-610.000 General Supplies	44.39	41863	09/02/22
07565	08/23/22	W B MASON CO INC RK/PS Supplies 232141181	259-5-30-15-610.000 General Supplies	44.39	41863	09/02/22
07565	08/24/22	W B MASON CO INC RK Supplies 232172175	259-5-30-15-610.000 General Supplies	38.99	41863	09/02/22
Report Total				140784.49		

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Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
05290	08/17/22	ADVANCE AUTO PARTS BATTERY-GOLD 1 EA DH 1 E	210-5-40-12-430.000	311.98	41870	09/09/22
		552222934889	R&M Vehicles & Equipment			
05290	08/17/22	ADVANCE AUTO PARTS Core BATTERY-GOLD 1 EA C	210-5-40-12-430.000	-44.00	41870	09/09/22
		552222934904	R&M Vehicles & Equipment			
05290	08/24/22	ADVANCE AUTO PARTS Trk+Suv Gauge Dual 1 EA	210-5-40-12-430.000	19.37	41870	09/09/22
		552223635331	R&M Vehicles & Equipment			
05290	08/26/22	ADVANCE AUTO PARTS RUST-GLOSS BLACK, GLOSS W	210-5-40-12-430.000	18.02	41870	09/09/22
		552223835443	R&M Vehicles & Equipment			
05290	09/01/22	ADVANCE AUTO PARTS SEA FOAM FIC 5.2F	210-5-25-10-430.000	6.25	41870	09/09/22
		552224435778	R&M Vehicles & Equipment			
07465	08/30/22	BIBENS ACE HARDWARE INC CONTRACTOR BAG 55G 15PK	210-5-40-12-610.000	16.99	41877	09/09/22
		45588	General Supplies			
21120	09/01/22	CHAMPLAIN MEDICAL URGENT Physical DOT	210-5-30-10-330.000	105.00	41881	09/09/22
		0005446400	Professional Services			
21210	09/01/22	CINTAS LOC # 68M 71 M SM SHOP TWL-RED- Soap Dis	210-5-40-12-610.000	90.36	41884	09/09/22
		4130061792	General Supplies			
25120	09/02/22	CLICKTIME.COM EJRP Timesheets August	210-5-30-10-330.000	994.00	41885	09/09/22
		382041	Professional Services			
04940	08/19/22	COMCAST Internet 2 Lincoln 8/26-9	210-4-41-20-090.000	-163.39	41887	09/09/22
		0136343 0822	Transfer Town/Village			
04940	08/19/22	COMCAST Internet 2 Lincoln 8/26-9	210-5-41-20-530.000	163.39	41887	09/09/22
		0136343 0822	Communications			
35260	08/31/22	EAST COAST PRINTERS INC Art PW	210-5-40-12-612.000	114.00	41897	09/09/22
		08182213	Uniforms			
V10576	09/01/22	ECOPIXEL LLC Web hosting Sept	210-5-10-10-530.000	129.00	41898	09/09/22
		3151	Communications			
34895	09/01/22	GAUTHIER TRUCKING, INC. Barrell on bike path	210-5-40-12-425.000	69.74	41910	09/09/22
		1066749	Trash Removal			
34895	09/01/22	GAUTHIER TRUCKING, INC. Trash 11 Jackson St Aug	210-5-40-12-425.000	112.68	41910	09/09/22
		1660606	Trash Removal			
34895	09/01/22	GAUTHIER TRUCKING, INC. railroad AVE, Pearl St. M	210-5-40-12-425.000	507.21	41910	09/09/22
		1660608	Trash Removal			
20470	08/31/22	GLOBAL MONTELLO GROUP August 2022 Fuel	210-5-41-22-626.000	517.70	41911	09/09/22
		290762	Gasoline			
20470	08/31/22	GLOBAL MONTELLO GROUP August 2022 Fuel	210-5-40-12-626.000	2624.00	41911	09/09/22
		290762	Gasoline			
20470	08/31/22	GLOBAL MONTELLO GROUP August 2022 Fuel	210-5-41-26-626.000	470.36	41911	09/09/22
		290762	Gasoline			
23980	08/30/22	INTERSTATE BATTERY OF VT 1.5V ALK AAA WORKAHOLIC 2	210-5-40-12-610.000	23.40	41919	09/09/22
		903201016562	General Supplies			
28135	09/01/22	JOURNYX, INC Online Timesheets August	210-5-30-10-330.000	258.00	41920	09/09/22
		1585	Professional Services			
06675	08/29/22	NATIONAL BUSINESS TECHNOL Copier usages 7/18-8/17/2	210-5-35-10-442.000	0.98	41929	09/09/22
		IN501549	Rental Vehicles/Equip			
06675	08/29/22	NATIONAL BUSINESS TECHNOL Copier usages 7/18-8/17/2	210-5-35-10-442.000	75.72	41929	09/09/22
		IN501549	Rental Vehicles/Equip			
06675	08/29/22	NATIONAL BUSINESS TECHNOL Copier usages 7/18-8/17/2	210-5-40-12-442.000	1.13	41929	09/09/22
		IN501549	Rental Vehicles/Equip			
06675	08/29/22	NATIONAL BUSINESS TECHNOL Copier usages 7/18-8/17/2	210-5-10-10-442.000	132.60	41929	09/09/22
		IN501549	Rental Vehicles/Equip			

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
V10615	08/22/22	NATIONAL PEN COMPANY, LLC	Pens 112781929	210-5-25-10-613.000 Program Supplies	363.90	41930	09/09/22
V9862	08/18/22	PERCY RENTALS, SALES & SE	SHEAVE, BLADE DRIVE 7.25 1 39339	210-5-40-12-610.000 General Supplies	127.86	41937	09/09/22
37430	08/26/22	R R CHARLEBOIS INC	Ladder 3 Engine Light RC78985	210-5-25-10-430.000 R&M Vehicles & Equipment	145.04	41943	09/09/22
09105	09/06/22	SECURE SHRED	Shredding Service Septemb 403453	210-5-30-10-330.000 Professional Services	22.00	41950	09/09/22
29090	08/31/22	SUNBELT RENTALS	sewer snake for Lincoln h 130039805	210-5-40-12-442.000 Rental Vehicles/Equip	57.35	41961	09/09/22
19350	08/01/22	VERIZON CONNECT FLEET USA	JUL VEHICLE TRACKING 308000030446	210-5-40-12-442.000 Rental Vehicles/Equip	151.60	41966	09/09/22
19350	06/01/22	VERIZON CONNECT FLEET USA	MAY VEHICLE TRACKING 316000025901	210-5-40-12-442.000 Rental Vehicles/Equip	146.72	41967	09/09/22
19350	07/01/22	VERIZON CONNECT FLEET USA	JUN VEHICLE TRACKING 384000029846	210-5-40-12-442.000 Rental Vehicles/Equip	151.60	41968	09/09/22
19350	09/01/22	VERIZON CONNECT FLEET USA	AUG VEHICLE TRACKING 617000030921	210-5-40-12-442.000 Rental Vehicles/Equip	151.60	41969	09/09/22
36130	08/18/22	VERIZON WIRELESS VSAT	Verizon shared 8/19-09/18 9913733064	210-5-25-10-530.000 Communications	160.04	41970	09/09/22
36130	08/18/22	VERIZON WIRELESS VSAT	Verizon shared 8/19-09/18 9913733064	210-5-16-10-530.000 Communications	40.01	41970	09/09/22
36130	08/19/22	VERIZON WIRELESS VSAT	Cell Phones 08/20-09/19/2 9913820504	210-5-40-12-530.000 Communications	192.78	41971	09/09/22
11935	08/24/22	VIKING-CIVES USA	Reflectors red and yellow 4517679	210-5-40-12-430.000 R&M Vehicles & Equipment	15.20	41972	09/09/22
V2380	08/19/22	VLCT PACIF	Q4 22 REN220195Q4	210-5-40-12-260.000 Workers Comp Insurance	2325.34	41974	09/09/22
V2380	08/19/22	VLCT PACIF	Q4 22 REN220195Q4	210-5-40-13-260.000 Workers Comp Insurance	479.73	41974	09/09/22
V2380	08/19/22	VLCT PACIF	Q4 22 REN220195Q4	210-5-13-10-260.000 Workers Comp Insurance	1822.57	41974	09/09/22
V2380	08/19/22	VLCT PACIF	Q4 22 REN220195Q4	210-5-13-10-260.000 Workers Comp Insurance	1305.63	41974	09/09/22
V2380	08/19/22	VLCT PACIF	Q4 22 REN220195Q4	210-5-25-10-260.000 Workers Comp Insurance	4291.25	41974	09/09/22
V2380	08/19/22	VLCT PACIF	Q4 22 REN220195Q4	210-5-13-10-520.000 Insurance	17072.43	41974	09/09/22
V2380	08/19/22	VLCT PACIF	Q4 22 REN220195Q4	210-5-13-10-520.000 Insurance	2633.98	41974	09/09/22
V2380	08/19/22	VLCT PACIF	Q4 22 REN220195Q4	210-5-40-12-520.000 Insurance	3748.46	41974	09/09/22
29825	08/23/22	VT GAS SYSTEMS	07/19/-08/18/22 Gas 22530	210-5-40-12-621.000 Natural Gas/Heating	71.97	41978	09/09/22
29825	08/23/22	VT GAS SYSTEMS	07/19/-08/18/22 Gas 22530	210-5-41-21-621.000 Natrual Gas/Heating	61.17	41978	09/09/22
29825	08/23/22	VT GAS SYSTEMS	07/19/-08/18/22 Gas 22530	210-5-41-20-621.000 Natrual Gas/Heating	59.37	41978	09/09/22
29825	08/23/22	VT GAS SYSTEMS	07/19/-08/18/22 Gas 22530	210-5-41-22-621.000 Natrual Gas/Heating	53.41	41978	09/09/22

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
29825	08/23/22	07/19/-08/18/22 Gas 22530	210-5-41-23-621.000 Natrual Gas/Heating	167.67	41978	09/09/22
07565	07/31/22	July office supplies 073122D	210-5-10-10-820.000 Elections	115.96	41982	09/09/22
V1161	09/09/22	Payroll Transfer PR-09/09/22	210-2-00-00-210.004 Retirement Payable	1462.82	9080124	09/09/22
V1160	09/09/22	Payroll Transfer PR-09/09/22	210-2-00-00-210.004 Retirement Payable	940.65	9080125	09/09/22
26395	06/30/22	UPWP '22 Phase 2 SW TV pr 2022526	230-5-40-13-895.818 CCRPC UPWP Planning	721.94	41880	09/09/22
25715	08/22/22	Crescent Connector Phase 18814 0822	230-5-16-10-890.824 Cres. Connector	49145.25	41893	09/09/22
36240	09/06/22	Crescent Connector Essex 922001	230-5-16-10-890.824 Cres. Connector	9963.93	41895	09/09/22
V9632	09/06/22	Brickyard Road over India 0067585	230-5-40-13-895.830 BC2058 Brickyard Culvert	9137.75	41916	09/09/22
V9632	09/06/22	Densmore Drive Culvert #2 0067590	230-5-40-13-722.801 Densmore Dr non-FEMA	1112.00	41916	09/09/22
20470	08/31/22	August 2022 Fuel 290762	254-5-54-20-626.000 Gasoline	243.13	41911	09/09/22
36130	08/19/22	Cell Phones 08/20-09/19/2 9913820504	254-5-54-20-530.000 Communications	177.14	41971	09/09/22
V2380	08/19/22	Q4 22 REN220195Q4	254-5-54-20-260.000 Workers Comp Insurance	1392.85	41974	09/09/22
V2380	08/19/22	Q4 22 REN220195Q4	254-5-54-20-520.000 Insurance	549.77	41974	09/09/22
29825	08/23/22	07/19/-08/18/22 Gas 22530	254-5-54-20-621.000 Natural Gas/Heating	39.22	41978	09/09/22
05290	08/30/22	Belts 1 EA GATES 552224251623	255-5-55-30-570.000 Other Purchased Services	38.26	41870	09/09/22
21210	08/25/22	first aid box restocks su 5121985954	255-5-55-30-610.000 General Supplies	174.92	41884	09/09/22
04940	08/22/22	Internet only WW July-Aug 0316028 0822	255-5-55-30-530.000 Communications	243.34	41889	09/09/22
27420	08/23/22	New tires for the zero tu 57358	255-5-55-30-430.000 R&M Vehicles & Equipment	56.00	41891	09/09/22
06870	06/30/22	Essex Jct. WVVTF TKN Only 413472	255-5-55-30-340.000 Technical Services	35.00	41899	09/09/22
06870	08/02/22	Essex Jct. WWTF TKN Only 417898	255-5-55-30-340.000 Technical Services	35.00	41899	09/09/22
06870	08/08/22	Oil grease July 2022 418440	255-5-55-30-340.000 Technical Services	90.00	41899	09/09/22
06870	08/10/22	Constituent Monitoring Au 418593	255-5-55-30-340.000 Technical Services	160.00	41899	09/09/22
06870	08/24/22	Essex Jct. VVVVTF TKN Onl 419845	255-5-55-30-340.000 Technical Services	35.00	41899	09/09/22
06870	08/30/22	PePhlo August 2022 420454	255-5-55-70-722.012 Phlo Final Phase	210.00	41899	09/09/22
06870	08/30/22	EPA 200.7/200.8 420455	255-5-55-70-722.012 Phlo Final Phase	210.00	41899	09/09/22

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
06870	08/31/22	Essex Jct. WWTF TKN August 420487	255-5-55-30-340.000 Technical Services	35.00	41899	09/09/22
06870	09/06/22	Essex Jct. WWTF TKN Aug w 421684	255-5-55-30-340.000 Technical Services	35.00	41899	09/09/22
20470	08/31/22	August 2022 Fuel 290762	255-5-55-30-626.000 Gasoline	404.82	41911	09/09/22
07010	08/22/22	39 Cascade 07/20-08/19/22 0822Cascade	255-5-55-30-622.000 Electricity	14793.70	41914	09/09/22
V9454	08/08/22	Jay kluza lpr boot and 2 3448287	255-5-55-30-612.000 Uniforms	338.98	41922	09/09/22
V9454	08/12/22	patrick boutin uniform 2 3448782	255-5-55-30-612.000 Uniforms	519.98	41922	09/09/22
06675	08/29/22	Copier usages 7/18-8/17/2 IN501549	255-5-55-30-442.000 Rental Vehicles/Equip	31.74	41929	09/09/22
V2093	08/25/22	4,746 G Bleach 15% 444116	255-5-55-30-619.000 Chemicals	9017.73	41956	09/09/22
01020	08/19/22	Pilot-Scale PePhlo System GCAS121198	255-5-55-70-722.012 Phlo Final Phase	6346.18	41965	09/09/22
36130	08/18/22	Verizon shared 8/19-09/18 9913733064	255-5-55-30-530.000 Communications	55.84	41970	09/09/22
23395	08/11/22	4PK 1-1/2 Open S Hook, pa 200247D	255-5-55-70-722.012 Phlo Final Phase	21.88	41973	09/09/22
23395	08/15/22	5/8 RND Eye Quick Snap 515419	255-5-55-70-722.012 Phlo Final Phase	10.43	41973	09/09/22
V2380	08/19/22	Q4 22 REN220195Q4	255-5-55-30-260.000 Workers Comp Insurance	4008.65	41974	09/09/22
V2380	08/19/22	Q4 22 REN220195Q4	255-5-55-30-520.000 Insurance	9919.19	41974	09/09/22
29825	08/23/22	07/19/-08/18/22 Gas 22530	255-5-55-30-621.000 Natural Gas/Heating	718.20	41978	09/09/22
20470	08/31/22	August 2022 Fuel 290762	256-5-56-40-626.000 Gasoline	700.25	41911	09/09/22
V2380	08/19/22	Q4 22 REN220195Q4	256-5-56-40-260.000 Workers Comp Insurance	1274.57	41974	09/09/22
V2380	08/19/22	Q4 22 REN220195Q4	256-5-56-40-520.000 Insurance	423.42	41974	09/09/22
29825	08/23/22	07/19/-08/18/22 Gas 22530	256-5-56-40-434.001 Susie Wilson PS Costs	42.23	41978	09/09/22
29825	08/23/22	07/19/-08/18/22 Gas 22530	256-5-56-40-434.002 West Street PS Costs	42.23	41978	09/09/22
29825	08/23/22	07/19/-08/18/22 Gas 22530	256-5-56-40-621.000 Natural Gas/Heating	49.53	41978	09/09/22
06675	08/29/22	Copier usages 7/18-8/17/2 IN501549	258-5-33-13-442.000 Rental Vehicles/Equip	11.24	41929	09/09/22
07565	06/17/22	Credit duplicate payment 061722D	258-5-33-13-610.000 General Supplies	-57.47	41982	09/09/22
37985	08/23/22	CELL PHONE SERVICE 869X09012022	259-5-30-14-330.000 Professional Services	43.24	41867	09/09/22
37985	08/23/22	EJRP Cell Phones August 8727992 0822	259-5-30-15-530.000 Communications	277.70	41868	09/09/22

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
37985	08/27/22	A T & T MOBILITY EJRP Cell Phones August 8730181 0822	259-5-30-15-530.000 Communications	459.65	41869	09/09/22
19815	08/30/22	AMAZON CAPITAL SERVICES RK Westford Supplies 14LXKG364V61	259-5-30-15-610.000 General Supplies	423.59	41873	09/09/22
19815	08/30/22	AMAZON CAPITAL SERVICES RK Summit Supplies 161QMXTK3NRP	259-5-30-15-610.000 General Supplies	447.00	41873	09/09/22
19815	09/01/22	AMAZON CAPITAL SERVICES RK FMS Supplies 16CFN3RJNKYY	259-5-30-15-610.000 General Supplies	138.61	41873	09/09/22
19815	09/03/22	AMAZON CAPITAL SERVICES RK Summit Supplies 1TG1F7TFWCR4	259-5-30-15-610.000 General Supplies	114.54	41875	09/09/22
19815	08/31/22	AMAZON CAPITAL SERVICES RK Westford Supplies 1VYQQYXQC3W7	259-5-30-15-610.000 General Supplies	5.41	41875	09/09/22
30240	08/19/22	CHOQUETTE INFLATABLES LLC CMS 8/19 1007	259-5-30-17-330.000 Professional Services	770.00	41883	09/09/22
27810	09/06/22	DOCNETWORK INC Camp Docs September 2310254	259-5-30-15-330.000 Professional Services	81.25	41892	09/09/22
27810	10/06/22	DOCNETWORK INC Camp Docs October 2310255	259-5-30-15-330.000 Professional Services	81.25	41892	09/09/22
25075	08/31/22	ESSEX HIGH SCHOOL STUDENT EHS Volleyball - EJRP Cam 083122D	259-5-30-14-330.000 Professional Services	1920.00	41901	09/09/22
20470	08/31/22	GLOBAL MONTELLO GROUP August 2022 Fuel 290762	259-5-30-15-626.000 Gasoline	85.07	41911	09/09/22
07070	08/31/22	LIGUORI JENNIFER EJRP Volleyball Camps 083122D	259-5-30-14-330.000 Professional Services	8415.26	41923	09/09/22
27970	08/29/22	MINI GOLF ON THE GO LLC Camp Discovery 8/18 0000163	259-5-30-17-330.000 Professional Services	425.00	41926	09/09/22
27970	08/29/22	MINI GOLF ON THE GO LLC CMS 8/19 0000164	259-5-30-17-330.000 Professional Services	425.00	41926	09/09/22
06675	08/29/22	NATIONAL BUSINESS TECHNOL Copier usages 7/18-8/17/2 IN501549	259-5-30-10-442.000 Rental Vehicles/Equip	110.88	41929	09/09/22
06675	08/29/22	NATIONAL BUSINESS TECHNOL Copier usages 7/18-8/17/2 IN501549	259-5-30-10-442.000 Rental Vehicles/Equip	27.79	41929	09/09/22
22410	09/06/22	NETZEL PILAR Mountain Bike Camp WK2 090622D	259-5-30-14-330.000 Professional Services	441.00	41931	09/09/22
2900	08/11/22	PALMER LANE MAPLE Camp 8/3 11 7388	259-5-30-17-580.000 Travel	506.50	41935	09/09/22
29425	08/01/22	PERFORMANCE FOOD SERVICE CMS Snack 700486	259-5-30-17-610.000 General Supplies	202.84	41938	09/09/22
29425	08/01/22	PERFORMANCE FOOD SERVICE Discovery Snack 703448	259-5-30-17-610.000 General Supplies	35.43	41938	09/09/22
29425	08/29/22	PERFORMANCE FOOD SERVICE RK MSP Snack 714851	259-5-30-15-610.000 General Supplies	207.10	41938	09/09/22
29425	08/30/22	PERFORMANCE FOOD SERVICE RK Summit Snack 715435	259-5-30-15-610.000 General Supplies	162.56	41938	09/09/22
29425	08/30/22	PERFORMANCE FOOD SERVICE RK Westford Snack 715440	259-5-30-15-610.000 General Supplies	149.78	41938	09/09/22
29425	08/30/22	PERFORMANCE FOOD SERVICE RK FMS Snack 715721	259-5-30-15-610.000 General Supplies	159.80	41938	09/09/22
29425	08/30/22	PERFORMANCE FOOD SERVICE RK Hiawatha Snack 715820	259-5-30-15-610.000 General Supplies	150.28	41938	09/09/22

Vendor		Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
29425	PERFORMANCE FOOD SERVICE	08/30/22	RK EES Snack 715970	259-5-30-15-610.000 General Supplies	178.98	41938	09/09/22
29425	PERFORMANCE FOOD SERVICE	08/30/22	RK Sum/Hia Snack 716599	259-5-30-15-610.000 General Supplies	106.40	41938	09/09/22
29425	PERFORMANCE FOOD SERVICE	08/30/22	RK Fleming Snack 716753	259-5-30-15-610.000 General Supplies	108.00	41938	09/09/22
29425	PERFORMANCE FOOD SERVICE	09/06/22	RK FMS Snack 721263	259-5-30-15-610.000 General Supplies	120.84	41938	09/09/22
29425	PERFORMANCE FOOD SERVICE	09/06/22	RK Westford Snack 722122	259-5-30-15-610.000 General Supplies	155.91	41938	09/09/22
29425	PERFORMANCE FOOD SERVICE	09/06/22	RK Fleming Snack 722171	259-5-30-15-610.000 General Supplies	122.28	41938	09/09/22
29425	PERFORMANCE FOOD SERVICE	09/06/22	RK K Snack 722277	259-5-30-15-610.000 General Supplies	151.41	41938	09/09/22
29425	PERFORMANCE FOOD SERVICE	09/06/22	RK Summit Snack 722595	259-5-30-15-610.000 General Supplies	207.09	41938	09/09/22
14160	SHELBURNE MUSEUM	08/12/22	CMS Field Trip 8/12 1363	259-5-30-17-580.000 Travel	195.00	41953	09/09/22
23495	STUDENT TRANSPORTATION OF	08/30/22	Camp Discovery Bus 8/15 70172386	259-5-30-17-580.000 Travel	235.11	41960	09/09/22
V2380	VLCT PACIF	08/19/22	Q4 22 REN220195Q4	259-5-30-10-260.000 Workers Comp Insurance	7015.91	41974	09/09/22
Report Total					----- 192269.88 =====		

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VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
SPECIAL MEETING MINUTES
February 17, 2021

TRUSTEES PRESENT: Andrew Brown, President; Raj Chawla; Dan Kerin; Amber Thibeault;
George Tyler

ADMINISTRATION and STAFF: Marguerite Ladd, Assistant Manager; Travis Sabatano, Human
Resources Director

1. **CALL TO ORDER**

Mr. Brown called the meeting to order at 6:30 PM.

2. **AGENDA ADDITIONS/ CHANGES**

There were no changes to the agenda.

3. **APPROVE AGENDA**

Approval of the agenda was not required, because there were no changes.

4. **PUBLIC TO BE HEARD**

a. **Comments from public on items not on the agenda.**

There were no comments from the public at this time.

5. **BUSINESS ITEMS**

a. ***Discuss the evaluation of a public official**

This agenda item took place in executive session, as 6a.

6. **EXECUTIVE SESSION**

a. ***An executive is anticipated to discuss the evaluation of a public official**

ANDREW BROWN made a motion, and **GEORGE TYLER** seconded, that the Trustees enter into executive session to discuss the evaluation of a public official in accordance with 1 V.S.A. Section 313(a)(3), to include the HR Director. The motion passed 5-0 at 6:32 PM.

GEORGE TYLER made a motion, seconded by **RAJ CHAWLA**, to end Executive Session. The motion passed 5-0 at 7:59 PM.

ADJOURN

AMBER THIBEAULT made a motion, and **GEORGE TYLER** seconded, that the Trustees adjourn the meeting. The motion passed 5-0 at 8:00 PM

Respectfully Submitted,
Cathy Ainsworth

DRAFT

VILLAGE OF ESSEX JUNCTION
TRUSTEES MEETING MINUTES
March 23, 2021

TRUSTEES PRESENT: Andrew Brown, President; George Tyler, Vice President; Raj Chawla; Amber Thibeault; Dan Kerin

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Marguerite Ladd, Assistant Manager; Robin Pierce, Community Development Director

OTHERS PRESENT: Bob Burrows; Christian Chorba; Annie Cooper; Maureen Gillard; Gary Hathaway; Deb McAdoo; Betty Poulin; Claudine Safar; Amy Smith; Gabrielle Smith

1. **CALL TO ORDER**

Mr. Brown called the meeting to order at 6:30 PM.

2. **AGENDA ADDITIONS/ CHANGES**

Ms. Ladd suggested the addition of two additional handouts:

- 5b. Replacement file (repositioned for readability) – Village of Essex Junction Easement Park Terrace, clean, 3-3-21
- 5c. Merger Alternatives Study Committee – Andrew Brown

Ms. Thibeault suggested pulling 6a, Consider Appointment of Steve Rivard to the Tree Advisory Committee, from the consent agenda to become new item 5d.

Ms. Ladd suggested the addition of new agenda item 5e, Discussion of the Annual Meeting.

With these changes, former agenda item 5d became 5f, *Discussion of legal counsel recommendations on options and next steps regarding merger and/or separation of Village of Essex Junction from Town of Essex.

3. **APPROVE AGENDA**

RAJ CHAWLA made a motion, seconded by AMBER THIBEAULT, to approve the agenda as amended. The motion passed 5-0.

4. **PUBLIC TO BE HEARD**

a. **Comments from public on items not on the agenda.**

There were no comments from the public at this time.

5. **BUSINESS ITEMS**

a. **Consider approval of street vending permit for Mr. Ding-A-Ling Ice Cream**

Ms. Ladd invited the Trustees to discuss and consider approval of a street vending permit for Mr. Ding-A-Ling Ice Cream. Mr. Brown reiterated that the Trustees still expect the vendor follow all COVID guidelines. Ms. Thibeault confirmed with Mr. Hathaway, proprietor of Mr. Ding-A-Ling Ice Cream, that he will fax another copy of the business's 2021 insurance update to the Village.

GEORGE TYLER made a motion, seconded by RAJ CHAWLA, that the Trustees approve the 2021 street vending permit with the understanding that all state guidance regarding COVID-19 protocols will be followed, and on condition that a new 2021 insurance certificate be received by the Village office. The motion passed 5-0.

b. **Consider approval of easement to Green Mountain Power on Park Terrace and Park Street**

Mr. Pierce introduced the issue of whether the Trustees would approve an easement for underground electrical lines as depicted in a plan included in the meeting documents for Park Street and Park Terrace. He talked about the location and said the benefits of the underground

58 electrical line would be to switch on electricity to 3 Maple street with new electrical lines while
59 improving the streetscape aesthetic. Mr. Brown agreed that streetscapes are more beautiful with
60 underground electric lines. Ms. Thibeault said the plan is in line with the Land Development Code.
61

62 **GEORGE TYLER made a motion, seconded by AMBER THIBEAULT, that the Trustees approve**
63 **the easement with GMP which will enable the streetscape on Park Street to be cleaned up and**
64 **enable the 3 Maple Street project to come online with a permanent electric connection. The**
65 **motion passed 5-0.**
66

67 c. **Discussion and potential action on creating committee to study merger with Town of Essex**
68 **and alternatives**

69 Ms. Ladd invited the Trustees to discuss the formation of a committee or multiple committees to
70 study merger alternatives, should the merger revote fail. She provided a list of questions to
71 consider during their discussion.
72

73 Mr. Brown discussed how to form a Merger Alternatives Study Committee with the Trustees,
74 referencing a memo he included in the meeting documents. Mr. Tyler said the committee should
75 begin by reviewing the previous Governance Study Committee's research. He said the book
76 created from that work is an important resource. Ms. Thibeault wondered if forming the committee
77 works within the timeline of legal counsel and the merger revote. Mr. Brown stated if the merger
78 revote fails, the committee should be ready to begin fact-finding. Mr. Tyler offered the possibility
79 that the timeline for the committee's work may be longer than the timeline suggested. Mr. Chawla
80 said it is important to articulate clear goals for the committee, to judge alternate options, as in
81 whether the options contribute to a more equitable tax rate or support a certain level of service.
82 The Trustees talked about whether the committee should consider how the alternate options would
83 impact Village departments and discussed the Trustees' role in determining how much is needed
84 from the committee. Mr. Kerin suggested that the committees work not include extensive financial
85 impacts. Mr. Tyler said the Trustees could consider the current scope of the Village to develop
86 questions for the committee to ask; he talked about the assumptions used in the Governance
87 Study Committee work. He said the committee should know about the role of the Governance
88 Operations committee at the state level. Mr. Chawla said they should also know the process of
89 asking for legal counsel on questions they may have. Ms. Thibeault suggested that the committee
90 meet during the day, to avoid putting another evening meeting on staffs' workloads. Mr. Tyler
91 expressed concern that staff involvement with the committee may compromise them by putting
92 them in the middle. Mr. Brown said the committee should have at least one Trustee to ensure
93 someone is knowledgeable about budgets, staffing, and the Town and Village consolidation
94 structure. Ms. Thibeault wondered how other municipalities may have separated. Mr. Brown
95 discussed how separation would go from a legislative level. Mr. Chawla talked about how much
96 work is already being done in the Village and the importance of community involvement, despite
97 what the actual timeline ends up being. Mr. Kerin talked about how debts may incur in the process
98 of separating.
99

100 Mr. Teich discussed the timeline of a potential separation and some of the services that the
101 Trustees may want to determine a direction for. He talked about services that are not required in a
102 municipality, like Fire or Police Departments and he suggested looking at how other municipalities
103 are structured to determine service priorities. Mr. Teich said the committee should compile
104 questions to give to the Unified Manager, to determine if answers are already known. He pointed
105 out discrepancies between the timeline proposed by the non-binding petition question about when
106 a vote on separation may be able to take place. He said he is able to be directed in this work as
107 needed because his role is to serve both the Town and the Village. Mr. Tyler stated even if a vote
108 on separation should pass in November, it may not arrive to the legislature until January of 2022

109 and may not be approved by mid-May, but the 2023 fiscal year budget planning begins January
110 2022.

111
112 Ms. McAdoo expressed mixed feelings and said she may just vote for the separation article. She
113 said it is important for the Trustees to take enough time to make the best decision on behalf of the
114 Village and she thanked them for "being there".
115

116 The Trustees discussed next steps for forming a Merger Alternatives Study Committee. Mr. Brown
117 agreed to summarize the discussion and create a new draft of his memo, incorporating the
118 Trustees' suggestions. Mr. Chawla said selecting members for the committee should be deliberate
119 and include a diverse cross-section of the community. Mr. Brown said selection should be through
120 the standard process. Mr. Kerin wondered if anyone should be involved from outside of the Village
121 and Mr. Brown suggested it should be formed of people who reside in the Village. Mr. Teich
122 stressed the importance of the Trustees determining what would be unacceptable and being clear
123 about what parts of the community they have no intention of changing.
124

125 d. **Consider appointment of Steve Rivard to Tree Advisory Committee**

126 Mr. Brown recapped that the Trustees interviewed Mr. Rivard for the Tree Advisory Committee and
127 determined it is okay for him to serve on the committee because he owns property in the Village,
128 even though he lives outside the Village. There was no further discussion about this appointment.
129

130 **AMBER THIBEAULT made a motion, seconded by RAJ CHAWLA, to appoint Steve Rivard to**
131 **the Tree Advisory Committee. The motion passed 5-0.**
132

133 e. **Discussion of the Annual Meeting**

134 The Trustees discussed what they wanted to talk about at the Annual Meeting with the public and
135 decided the following:

- 136 • The Trustees would like to have an update to the community from the legislature and will invite
137 Rep. Houghton or Ms. Dolan.
- 138 • Mr. Brown said he will provide an overview of the FY2022 budget.
- 139 • Mr. Tyler said he will give an update about the Land Acquisition Fund and the Economic
140 Development Tax (article 2 and 3); staff agreed to provide a slide on each article.
- 141 • Mr. Teich said staff will make a slide about Article 4, Increasing the stipend for Trustees, and
142 Ms. Thibeault agreed to present the reasoning behind it, including the number of meetings
143 Trustees are involved with and their hope to attract new interest in serving.
- 144 • The Trustees agreed that Mr. Eustis will read Article 6, as usual.
- 145 • Staff will provide information on a slide about the Cannabis opt-in or opt-out decision. Mr.
146 Brown will present the issue and conduct a straw poll. The Trustees discussed the moral,
147 political, and economic implications of this issue.
- 148 • Mr. Chawla will have a conversation with residents about where they are on separation, using
149 prepared prompts and will provide answers to questions. Staff will provide a slide on why the
150 conversation of separation is happening.

151 Mr. Teich requested the Trustees provide suggestions for slides to staff by the first week of April.
152

153 f. ***Discussion of legal counsel recommendations on options and next steps regarding merger**
154 **and/or separation of Village of Essex Junction from Town of Essex**

155 This discussion took place in Executive Session as item 8a.
156

157 6. **CONSENT ITEMS**

158 a. ~~**Consider appointment of Steve Rivard to Tree Advisory Committee**~~

159 Agenda item addressed as 5d.

160 b. **Consider approval of Annual Financial Plan for Town Highways (TA-60)**

- 161 • Approve and sign the Annual Financial Plan- Town Highways (TA-60) as presented.
162 c. **Approve minutes: March 9, 2021**
163 d. **Check Warrants: #17241 – 3/5/21; #17242 – 3/12/21; #17243 – 3/19/21**
164

165 **GEORGE TYLER made a motion, seconded by DAN KERIN, to approve the Consent Agenda.**
166 **The motion passed 5-0.**
167

168 7. **READING FILE**

169 a. **Board member comments**

- 170 • Mr. Brown said community members expressed concerns after the recent Joint Board meeting
171 of the Selectboard and Trustees. He clarified that the ballot vote on separation is only advisory,
172 but because the public expressed interest in this direction the Trustees will respond if the
173 merger revote fails. He said residents can reach out to talk with the Trustees if they have
174 questions.
175 b. **Update from Marguerite Ladd regarding regulating collection of refuse**
176 c. **Memo from James Jutras re: PePhlo Stage 3 Final Report, Vermont Phosphorus Innovation**
177 **Challenge Grant**
178 • Mr. Tyler expressed enthusiasm and praise for Mr. Jutras on the Wastewater Treatment Plant's
179 innovative phosphorus removal research grant and project with UVM.
180 d. **Memo from Robin Pierce re: Connector Road Agreement 3/16/21**
181 e. **Upcoming meeting schedule**
182

183 8. **EXECUTIVE SESSION**

- 184 a. ***An executive session may be requested to discuss to discuss legal steps.**
185

186 **RAJ CHAWLA made a motion, seconded by GEORGE TYLER, that the Trustees make the**
187 **specific finding that general public knowledge of confidential attorney-client communications**
188 **made for the purpose of providing professional legal services to the body would place the**
189 **Village at a substantial disadvantage. The motion passed 5-0 at 8:05 PM.**
190

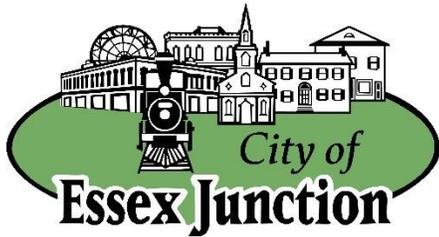
191 **ANDREW BROWN made a motion, seconded by RAJ CHAWLA, that the Trustees enter into**
192 **executive session to discuss confidential attorney-client communications made for the**
193 **purpose of providing professional legal services to the body, pursuant to 1 V.S.A. § 313(a)(1)(F)**
194 **to include the Village Attorney and Unified Manager. The motion passed 5-0 at 8:05 PM.**
195

196 **GEORGE TYLER made a motion, seconded by DAN that the Trustees exit Executive Session.**
197 **The motion passed 5-0 at 9:46 PM.**
198

199 9. **ADJOURN**
200

201 **DAN KERIN made a motion, seconded by RAJ CHAWLA, that the Trustees adjourn the meeting.**
202 **The motion passed 5-0 at 9:47 PM.**
203

204 Respectfully Submitted,
205 Cathy Ainsworth



CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING AGENDA

Online & 2 Lincoln St.
Essex Junction, VT 05452
Wednesday, July 13, 2022
6:30 PM

E-mail: manager@essexjunction.org

www.essexjunction.org

Phone: (802) 878-6951

This meeting will be in-person at 2 Lincoln Street and available remotely. Options to watch or join the meeting remotely:

- WATCH: the meeting will be live streamed on Town Meeting TV
JOIN ONLINE: Join Zoom Meeting
JOIN CALLING: (toll free audio only): (888) 788-0099 | Meeting ID: 944 6429 7825; Passcode: 635787

- 1. CALL TO ORDER [6:30 PM]
2. AGENDA ADDITIONS/CHANGES
3. APPROVE AGENDA
4. PUBLIC TO BE HEARD
a. Comments from public on items not on agenda
5. BUSINESS ITEMS
a. *Interviews and consider appointments to Capital Program Review Committee, Tree Advisory Committee, Bike-Walk Advisory Committee
b. Discuss and consider next steps with 1 Main Street Park
c. Consider July 6, 2022 Minutes
6. CONSENT ITEMS
a. Approve Minutes: May 19, 2022; June 22, 2022;
b. Approve Check Warrants: #17308 (6/24/2022); #17309 (6/30/2022); 17310 (7/8/2022)
c. Approve Banner Application: Gem, Mineral and Fossil Show
d. Approve Liquor License Application for Central Beverage pending approval by the Chief of Police
e. Approve City Liquor Licenses
f. Approve Recommendation of Sharon Kelley as Deputy Health Officer
g. Approve of Susan McNamara-Hill as City Clerk
h. Approve Resolution to Form a Local Cannabis Control Commission
7. EXECUTIVE SESSION
*An executive session may be needed for the appointment of public officials
8. ADJOURN

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Certification: 7/13/22 Brad Luck

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**CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING
MINUTES OF MEETING
July 13, 2022**

COUNCILORS PRESENT: Andrew Brown, President; Raj Chawla, Vice President; Dan Kerin; Amber Thibeault, George Tyler.

ADMINISTRATION: Wendy Hysko, Library Director/Interim Co-Manager; Brad Luck, Essex Junction Recreation & Parks Director/Interim Co-Manager; Rick Hamlin, City Engineer; Robin Pierce, Community Development Director.

OTHERS PRESENT: Rich Boyers; David Burton; Annie Cooper; Nathan Doudera; Christopher Kline; Bridget Meyer; Nick Meyer; Wendy Shellito; Miles Waite.

1. **CALL TO ORDER**

Andrew Brown called the meeting to order at 6:32 P.M.

2. **AGENDA ADDITIONS/CHANGES**

Ms. Thibeault asked that the July 6, 2022 minutes be moved from the Consent Agenda and placed on the agenda as Business Item 5c.

Mr. Brown noted that they received information from the Police Department about the liquor licenses and requested that that be added to Consent Agenda item 6c.

3. **APPROVE AGENDA**

GEORGE TYLER made a motion, seconded by DAN KERIN, to approve the agenda as amended. The motion passed 5-0.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda

None at this time.

5. **BUSINESS ITEMS**

a. *Interviews and consider appointments to Capital Planning Review Committee, Tree Advisory Committee, BikeWalk Advisory Committee

Nathan Doudera spoke about his interest in serving on the Capital Planning Review Committee. He noted a strong financial background as well as prior volunteer experience. He said he is excited about the energy of becoming a City and would like to be involved in keeping that momentum.

Rich Boyers spoke about his interest in serving on the Tree Advisory Committee. He spoke about his background as a landscape architecture, urban regional planning, and schoolteacher. He said that he had previously served on the Tree Advisory Committee in 2014 and that it tapped into his interests both in landscape architecture and teaching. He said that partnerships between the City and businesses and property-owners with regards to plantings is crucial, given that the City's public rights-of-way are narrow.

RAJ CHAWLA made a motion, seconded by DAN KERIN, to approve of appointing Nathan Doudera to the Capital Planning Review Committee (3-year term) and Rich Boyers to the Tree Advisory Committee (3-year term). The motion passed 5-0.

b. Discuss and consider next steps with 1 Main Street Park

53 Mr. Luck provided an overview of the item, noting that the Councilors (then Trustees) had previously
54 allocated \$35,000 at its May 25 meeting for short-term improvements. Those included filling in the curb
55 cut and obtaining planters and picnic tables for the site. He said that tonight's discussion will focus on
56 longer-term improvements, such as an opportunity for community input and ultimately an approved
57 design. He said that once those occur, the City can apply for grant funding to remove the contaminated
58 soils and construct the park. He outlined a potential timeline, with community input opportunities and
59 preliminary design occurring in late summer/early fall, an approved design by City Council in late fall,
60 grant-writing for soil remediation in the winter, and breaking ground on the park in the spring of 2023.
61 He said that tonight's goals will include providing the designer (Mr. Burton) with goals, constraints, and
62 a budget.

63
64 Mr. Waite outlined the contaminated soil, remediation, and obtaining grant funding for remediation
65 activities. He said that having grass areas in the park could entail the removal of more soil. He said that
66 there is funding available in the Petroleum Cleanup Fund, in addition to the \$12,000 they are seeking in
67 funding from the Chittenden County Regional Planning Commission to conduct additional testing. He
68 said that additional testing will entail more soil boring to better characterize the soil. He said that this will
69 help determine the price of remediation. He said that the worst-case scenario for remediation costs is
70 around \$100,000 for removal per foot of soil. He said that grant funding is available from the state for
71 remediation activities. He said that once they have a better sense of the soil composition as well as a
72 final design for the park, they will be able to better determine how much soil needs to be removed. Mr.
73 Kerin asked if soil removal would need to be deeper if shrubs or other vegetation are planted. Mr. Waite
74 replied that they could remove more feet of soil where plantings will occur, if needed.

75
76 Councilors began by discussing constraints for the project. Mr. Brown said that this should be a
77 community-designed area, rather than an area designed for the community based on assumptions. Mr.
78 Tyler said that he would encourage community input but would want to engage professional services to
79 create the park. He also said that they have already made the decision to cap the site, but are still
80 deliberating about how many and which trees and other types of vegetation to put on top of it. He also
81 suggested erring on the side of caution and proposed a budget of \$200,000. Mr. Luck said that if there
82 is a clear constraint that hardscape is a preference, as it is less expensive for remediation than installing
83 grass, this would be helpful for the designer to know. Mr. Chawla pointed out that the design will likely
84 be dictated by what the public wants, but it will be important to make the constraints (such as budget)
85 clear to the public when seeking their input. He said that he would be comfortable with a budget of
86 \$200,000 (to include both remediation and construction). Ms. Thibeault and Mr. Kerin agreed with Mr.
87 Chawla and Mr. Tyler about a budget. They acknowledged that it is difficult to determine costs both
88 without a final design and without further soil analysis.

89
90 Mr. Hamlin pointed out that the topography of the site has changed from the initial proposal to now. He
91 said that if they were to design the park to have multiple grades, then the hard surface could be built on
92 the existing surface and excavation could be limited to where the trees and posts for shaders would be
93 installed. He said that soil testing is the next step, as it will determine where the trees can go (if the soils
94 are more contaminated in certain areas than others).

95
96 Mr. Burton asked for more detail about several of the constraints mentioned. He asked how many trees
97 are being contemplated for the space, and Mr. Brown replied that they want 5 trees in the space. Mr.
98 Burton asked whether the suggested budget of \$200,000 is a hard limit, or whether an extra percentage
99 of contingency funding could be contemplated. Mr. Brown replied that extra funding wouldn't be an issue
100 unless it impacts the soil mitigation plan. Mr. Burton asked for confirmation that the surface would be
101 capped, and Mr. Brown confirmed that the plan is to cap it. Mr. Waite noted that one constraint could be
102 stormwater runoff. Mr. Luck said that one of the goals of the park is to have places for people to sit and

103 enjoy meals. Mr. Burton said that it will also be important to think about the longevity of the space, when
104 thinking about the materials and style for it.

105
106 Bridget Meyer suggested appointing a short-term committee comprised of a member of the Tree
107 Committee, the City Engineer, the head of grounds and facilities, staff from public works, and Mr. Burton
108 to develop a proposal and return to the City Council with its recommendations.

109
110 Annie Cooper said that in terms of public input, she has felt that her input has not necessarily been
111 heard in the past. She said that Mr. Burton is an exceptional designer and that she is confident that he
112 will help get the project completed. She advised that \$100,000 be allocated toward remediation and
113 \$200,000 be allocated for the park (for a total of \$300,000). City Councilors discussed costs and decided
114 to stick with \$200,000.

115
116 Mr. Brown asked whether Mr. Burton would find a steering committee useful. Mr. Burton replied that if
117 the City has a good feel for the elements that are the most important and are supported by the
118 community, then there may not be the need to reach out to the community further. He said he wants to
119 avoid having community members feel like there are elements that are missing. Mr. Brown said that if a
120 formal committee is appointed, then it is required to follow Open Meeting Law and could slow down the
121 process further. He said that in terms of community input, an informal survey could be acceptable (rather
122 than another full design charrette).

123
124 **DAN KERIN made a motion, seconded by GEORGE TYLER, that the City Council approve of the**
125 **1 Main Street process as outlined in the memo with a budget of up to \$200,000 for the**
126 **construction of the park. The working group, comprised of members as determined by staff, will**
127 **also be involved in the long-term improvement process. The motion passed 5-0.**

128
129 c. Consider July 6, 2022 minutes

130 Ms. Thibeault requested the following amendments to the July 6 meeting:

- 131 • Note that it was a special, rather than regular, meeting
- 132 • Remove George Tyler from attendee list
- 133 • Replace any reference to "Trustees" with "Councilors" on Line 7

134
135 **GEORGE TYLER made a motion, seconded by DAN KERIN, to amend the minutes of July 6, 2022**
136 **as recommended by Councilor Thibeault. The motion passed 5-0.**

137
138 **6. CONSENT ITEMS**

- 139 a. Approve Minutes: May 19, 2022; June 22, 2022;
- 140 b. Approve Check Warrants: #17308 (6/24/2022); #17309 (6/30/2022); #17310 (7/8/2022)
- 141 c. Approve Banner Application: Gem, Mineral and Fossil Show
- 142 d. Approve Liquor License Application for Central Beverage pending approval by the Chief of Police
- 143 e. Approve City Liquor Licenses
- 144 f. Approve Recommendation of Sharon Kelley as Deputy Health Officer
- 145 g. Approve of Susan McNamara-Hill As City Clerk
- 146 h. Approve Resolution to Form a Local Cannabis Control Commission

147 **RAJ CHAWLA made a motion, seconded by AMBER THIBEAULT to approve the consent agenda**
148 **as presented. The motion passed 5-0.**

149
150 Mr. Tyler asked if there have been any retail cannabis applications received. Mr. Chawla replied that
151 any applications are first conditionally approved by the State's Cannabis Control Board, after which they
152 will come before the Local Cannabis Control Commission for approval.

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Mr. Luck noted that the City has conducted 3 City Manager interviews so far and has 3 more to conduct by the end of the week.

7. **ADJOURN**

DAN KERIN made a motion, seconded by RAJ CHAWLA, to adjourn the meeting. The motion passed 5-0 at 8:08PM.

Respectfully Submitted,
Amy Coonradt

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**CITY OF ESSEX JUNCTION
CITY COUNCIL
MINUTES OF MEETING
August 31, 2022**

COUNCILORS PRESENT: Andrew Brown, President; Raj Chawla, Vice President; Amber Thibeault, George Tyler.

ADMINISTRATION: Wendy Hysko, Library Director/Interim Co-Manager; Brad Luck, Essex Junction Recreation & Parks Director/Interim Co-Manager;

OTHERS PRESENT: John Alden, Heidi Clark, Diane Clemens, Scott McCormack.

1. **CALL TO ORDER**

Andrew Brown called the meeting to order at 6:32 P.M.

2. **AGENDA ADDITIONS/CHANGES**

Mr. Brown asked to move Consent Item #6G to Business Item #5B.

3. **APPROVE AGENDA**

RAJ CHAWLA made a motion, seconded by DAN KERIN, to approve the agenda as amended. The motion passed 5-0.

4. **PUBLIC TO BE HEARD**

a. Comments from the public on items not on the agenda
None.

5. **BUSINESS ITEMS**

a. Discuss Land Development Code updates

Mr. Luck said that this is an initial discussion of the updates to the Land Development Code (LDC) and that they can continue the discussion at their September 14th meeting if they have questions and potentially need to engage with the Planning Commission to answer them.

Mr. Kerin noted that the schedule of fees/fines had updates and that some of the fees increased slightly and others doubled. He asked what methodology or logic was used to determine the increases. Mr. Brown said that some of those updates came from budget meetings a few years ago where there was a request to increase the fees. Mr. Alden added that the Junction's fees were amazingly low compared to other communities, which are triple or quadruple what the Junction charges. He said that the Planning Commission believed that these changes would attempt to catch up to what is reasonable and fair market value fees. Mr. Kerin asked about the methodology for changing the fees. Mr. Alden replied that it may appear haphazard, but they reviewed each of the fee line items independently to determine increases. Mr. Chawla asked if this should be reviewed every year to ensure parity with neighboring communities and whether there is a way to identify a process to catch up and mitigate some of that disparity. He noted that the Junction wants to start doing more code and ordinance enforcement, which will be expensive. Mr. Alden agreed and noted that the fees have not been adequately scrutinized for some years since the LDC is only updated every five years or so. Mr. Kerin asked how the Junction's fees compare to the Town's fees. Mr. Alden replied that the Junction's fees are lower. Mr. Kerin said that the enforcement aspect needs to be implemented equitably across the Junction, and Mr. Alden agreed. He said that one of the Planning Commission's goals was to more clearly articulate requirements for developers.

Mr. Chawla asked to what extent the new changes take climate change into account in the next 7-10 years. He noted that the updates don't mention charging facilities for electric cars and electric bikes but

54 acknowledged the thoughtful changes around more emphasis placed on multi-modal transportation. Mr.
55 Alden replied that the Planning Commission made a number of updates to the LDC to align its language
56 with State mandates around the commercial/residential energy code, but the LDC itself does not include
57 much language around how to deal with climate change. He noted a climate change task force at the
58 State level, which has developed a road map of guidelines for how to achieve climate change targets
59 for 2030 and 2050. Mr. McCormack added that the Junction should discuss what they want their own
60 next steps and goals to be around climate change. Mr. Brown and Mr. Chawla agreed. Ms. Clemens
61 said that there should be a robust discussion between the City Council, Planning Commission, and
62 Development Review Board when they conduct the next update to the Comprehensive Plan and
63 incorporate more climate change goals.

64
65 Mr. Brown noted that there were updates to the Residential 1 (R1) and Residential 2 (R2) zoning districts
66 to allow for duplex/triplex/quadplex housing (where previously only single-family dwellings were
67 permitted). He asked why these updates are occurring all at once and not in a tiered or phased approach.
68 Mr. Chawla said that the Junction needs to make the community more welcoming and affordable, and
69 this does try to address that. He asked whether the Housing Committee and Bike/Walk Committee
70 offered feedback on LDC updates. He said that he would like to hear their thoughts on these changes
71 prior to a public hearing on the LDC updates. Mr. Alden, the former chair of the Planning Commission
72 (and now the chair of the Development Review Board [DRB]), noted that the Planning Commission met
73 with the Housing Committee several times and that the entire LDC update process was managed by
74 Regina Mahony (who is now the new City Manager). He said that the Planning Commission feels
75 comfortable that the LDC updates make the community more welcoming and provide more capacity in
76 the Junction. He said that they wanted to permit higher density uses in certain districts while still
77 maintaining adherence to setback and parking requirements. He said that the DRB must still review and
78 approve all applications to ensure adherence to those requirements but that certain lots will be able to
79 take advantage of that added flexibility around density.

80
81 Mr. Brown said that in terms of the next steps, once the City Council has concluded its review and
82 approval of the cannabis requirements, they will return to the remainder of the LDC updates through the
83 public hearing process and potentially have another discussion (also involving the Planning
84 Commission).

85
86 b. Approve awarding backhoe bid to Milton CAT

87 Mr. Brown noted that the amount that was budgeted for the backhoe bid was \$114,000, and the bid
88 selected by staff was \$124,000 (and was also the bid with the highest dollar amount). He asked how the
89 funding gap would be addressed. Mr. Luck replied that the equipment from Milton CAT is higher quality
90 and has a higher trade-in value and that the Junction has experienced very high-quality service from
91 Milton CAT. He said that the Junction also has several other pieces of equipment from Milton CAT, and
92 it is convenient to use the same vendor for servicing purposes. Mr. Luck also confirmed that there is an
93 existing fund source for the extra \$10,000.

94
95 **ANDREW BROWN made a motion, seconded by GEORGE TYLER, that the City Council award**
96 **the bid for the backhoe to Milton CAT for the net amount of \$124,000. The motion passed 5-0.**

97
98 c. *Discuss real estate purchase or lease options
99 See item #8a below.

100
101 **6. CONSENT AGENDA**

102 a. Check warrants: #17315 (08/15/2022); #17316 (08/19/2022)

103 b. Approve Minutes: August 10, 2022; August 18, 2022

- 104 c. Approve Power of Attorney by Applicant form
105 d. Approve Pleasant Street Block Party application: September 17
106 e. Approve becoming a member municipality of IDEAL (Inclusive, Diversity, Equity, Action, &
107 Leadership) Vermont
108 f. Approve intent to terminate Consolidation of Public Works Services Agreements
109

110 **DAN KERIN made a motion, seconded by GEORGE TYLER, to approve the consent agenda. The**
111 **motion passed 5-0.**
112

113 7. **READING FILE**

- 114 a. Board Member Comments: no comments.
115 b. Letter from Joyce Stannard re: local purchasing
116

117 8. **EXECUTIVE SESSION:**

- 118 a. *An executive session may be necessary to discuss securing or negotiating real estate purchase or
119 lease options
120

121 **ANDREW BROWN made a motion, seconded by GEORGE TYLER, that City Council go into**
122 **executive session to discuss negotiating or securing real estate purchase or lease options under**
123 **the provisions of 1 V.S.A. 313(A)(2) to include the interim co-managers. The motion passed 5-0.**
124

125 **GEORGE TYLER made a motion, seconded by RAJ CHAWLA, to exit executive session. The**
126 **motion passed 5-0 at 8:24 P.M.**
127

128 9. **ADJOURN**

129
130 **DAN KERIN made a motion, seconded by RAJ CHAWLA, to adjourn the meeting. The motion**
131 **passed 5-0 at 8:25 P.M.**
132

133 Respectfully Submitted,
134 Amy Coonradt

**APPLICATION TO HANG STREET BANNERS, GAS LAMP BANNERS OR EVENT
FLAGS IN THE VILLAGE OF ESSEX JUNCTION**

Please Print

Applicant's Name: Ashley Snellenberger

Organization: City of Essex Junction

Tax Exempt #: 03-6000466

Non-Profit: Yes No

Address:

2 Lincoln Street • Essex Junction, Vermont 05452

Phone: 802-878-6944

Email: asnellenberger@essexjunction.org

Application for: Street Banner Gas Lamp Banners Event Flags

Message and dimensions: Junction Jam September 24-25

Locations you would like the event flags displayed: Over 2A

I certify that the above-described banner(s) or event flags have been constructed in accordance with the specifications noted.

Signed: Ashley Snellenberger Date: 8/30/22

Please return completed application to the Manager, Village of Essex Junction,
2 Lincoln Street, Essex Junction, VT 05452.

OFFICE USE ONLY

Insurance Certificate received: Yes No

Liability Waiver received: Yes No

\$250 fee received: Yes No

Application complete: Yes No

Waiver signed: Yes No

Trustees= approval (date): _____

LIABILITY WAIVER

The Village of Essex Junction has agreed to hang a banner(s) or event flags for (print organization name) City of Essex Junction, hereinafter known as "Owner."

To the extent permitted by law, the "Owner" agrees to indemnify and hold harmless the Village of Essex Junction and its subsidiaries, its agents, employees or any other persons against loss or expense including attorney's fees, by reason of the liability imposed by law upon the Village except in cases of the Village's sole negligence, for damage because of bodily injury including death at any time resulting therefrom, sustained by any person or persons, or on account of damaged property arising out of the hung banner or in consequence of the performance of hanging the banner, whether such injuries to persons or damage to property are due, or claim to be due, to any passive negligence of the Village employees or agents or any other person.

This indemnification and hold harmless agreement shall be insured by liability insurance naming the Village as an additional insured in the "Owner's" policy, and a certificate of insurance must be provided prior to hanging the banner(s) or event flags.

Event: Junction Jam

The banner(s)/event flags will be hung from 9/15/22 to 9/26/22
date date

OWNER'S ACKNOWLEDGMENT:

By: Ashley Snellenberger Date: 9/2/22

VILLAGE OF ESSEX JUNCTION ACKNOWLEDGMENT: By:

Darby E. Maquille Date: 9/9/2022



MEMORANDUM

TO: Essex Junction City Council
FROM: Chelsea Mandigo, Water Quality Superintendent
Ricky Jones, Public Works Superintendent
cc: Brad Luck, Interim Co-Manager; Wendy Hysko, Interim Co-Manager
DATE: September 8, 2022
SUBJECT: Non-lethal ways to manage beaver activity at Hubbell Falls Rd

Issue: Beavers have inhabited the area around Hubbell Falls bridge for decades however there is concern of potential flooding of resident's basement if water rises too high .

Discussion: Beavers have inhabited the area around Hubbell Falls bridge for decades. While there is an established wetland providing beaver habitat there is also concern about potential flooding into resident's basement if the water were to back up too much due to beaver activity. Previously, trappers have been used to try and remove beavers when they come into the area however residents requested the City to investigate non-lethal ways to manage the beavers.

One resident that reached out is the Vice President of the Green Mountain Animal Defenders (GMAD) which is a non-profit, volunteer-run organization that "encourage all people to promote humane choices and raise awareness of animal welfare issues through education, advocacy, outreach, and collaboration. We believe that all animals have intrinsic value and therefore are worthy of protection from harm. We use our statewide network to help animals of all species". They also provided a contact for Skip Lisle, owner of Beaver Deceiver LLC. He specializes in non-lethal management of beavers that allow them to co-exist with the land and infrastructure. He has installed Beaver Deceiver's all over the world but also locally for other communities in Vermont including Essex. City staff met with Skip and Kathee (VP GMAD) at the problem location. Skip confirmed his device would be successful at the location and explained what he planned to do for installation. We received word that GMAD is generously willing to help with the cost of the installation of a Beaver Deceiver at the Hubbell's Falls location.

Costs: The cost of the installation is \$4,600. Green Mountain Animal Defenders (GMAD) has committed to paying for 80% of the cost if the City will contribute 20%. The City match will come from the Public Works stormwater maintenance budget. Attached to the memo is a quote from Beaver Deceiver as well as an email from the VP of GMAD indicating their commitment.

Recommendation: It is recommended that City Council approve the installation of the Beaver Deceiver at Hubbell Falls bridge and accept the donation commitment from Green Mountain Animal Defenders to cover 80% of the installation cost.

Beaver Deceivers, llc*

the smart fix for conflicts

Quote

To: City of Essex Junction

Date: Sept. 7, 2022

For: One Beaver Deceiver™ on Hubbell's Falls Drive including all related travel costs.

Total: \$4600

*Beaver Deceivers, llc seeks to improve human and wildlife habitats by increasing society's understanding of, and security from, beavers. To protect properties (human habitats) from beaver flooding, and to always control damming behavior non-lethally, we have developed industry-leading "flow devices" known as Beaver Deceivers™ and Castor Masters™. These inventions, combined with our extensive knowledge and site-specific adaptability, have made us the world's leading innovators, with an unmatched success rate, for 27 years. By eliminating otherwise endless cycles of killing, dam-removal, and property-repair, our products pay for themselves quickly and often. Extirpating beavers from the local ecosystem is the only other effective defense. As their dams then decay, established wetlands drain and new ones cannot develop. By preventing this, we maximize the amazing habitat-enhancing (rich, dynamic, productive wetlands) and hydrological (water purification, storage, etc.) values of beavers. At relatively little cost, this can restore, following the massive wetland losses that began with the Fur Trade (ca.1600-1900)], the ancient hydrology and biological wealth of North American and Eurasian streams. This also greatly increases the opportunity for people to enjoy the beauty represented by the numerous and diverse wildlife species that use these habitats.

From: Kathee

Sent: Tuesday, August 30, 2022 12:12 PM

To: Chelsea Mandigo <chelsea@essexjunction.org>

Cc: skiplisle <skiplisle@essexjunction.org> Ricky Jones <rick@essexjunction.org>

Subject: Re: checking-in

CAUTION: This email originated from **OUTSIDE** our organization. **STOP & CONSIDER** before responding, clicking on links, or opening attachments.

Thanks Chelsea I was just about to contact Skip, I noticed some activity at Hubbell's Falls Rd and was concerned. Green Mountain Animal Defender is committed to covering 80 per cent if the city can cover 20 per cent of the cost

On Tue, Aug 30, 2022, 11:48 AM Chelsea Mandigo <chelsea@essexjunction.org> wrote:

MEMORANDUM

TO: City Council and Brad Luck & Wendy Hysko, Interim, City Managers
FROM: Susan McNamara-Hill, City Clerk
DATE: September 14, 2022
SUBJECT: 2022 Special City Meeting

Issue

The issue is whether or not the City Council will approve mailing ballots to all active voters for the Special City meeting to be held Australian ballot on November 8, 2022.

Discussion

The City Council has approved adding the following questions to the General Election ballot:

“Shall the City of Essex Junction join the Green Mountain Transit Authority as a member municipality?”

“Shall the City of Essex Junction join and agree to be bound by the “Agreement To Create A Union Municipal District To Be Known As The Winooski Valley Park District” and become a member municipality?”

“Shall the City of Essex Junction enter into a communications union district to be known as the Chittenden County Communications Union District, under the provisions of 30 V.S.A. chapter 82 for the purposes of improving access to broadband services?”

“Shall licenses for the sale of malt and vinous beverages be granted in the City of Essex Junction?”

“Shall spirits and fortified wines be sold in the City of Essex Junction?”

The City Council will need to warn a special city meeting in order to hold this vote and to approve mailing all ballots to all active voters.

The warning will be on the agenda for September 28th for the Council approval and signatures.

Cost

There is no cost associated with this issue as the city questions are printed on the General Election ballot that is being produced and mailed by the state.

Recommendation

Staff recommends that the City Council vote to mail ballots to all active voters for the special city meeting on November 8, 2022.

Recommended Motion

“I move that we mail ballots to all active voters for the special city meeting on November 8, 2022.”



Brad Luck and Wendy Hysko
Interim Co-Managers

City Manager's Office
2 Lincoln Street
Essex Junction, VT 05452

Office: (802) 878-6944
Fax: (802) 878-6946
www.essexjunction.org

MEMORANDUM

TO: City Council
FROM: Richard F. Hamlin, P.E., City Engineer, Local Project Manager
DATE: August 16, 2022
SUBJECT: Crescent Connector Project Management Meetings

ATTENDEES, VIA TELECONFERENCE: Richard F. Hamlin, P.E., Kenneth Robie, P.E., Corey Mack, P.E., Claudine Safar, Esq., Kristen Shamis, Esq.

Points of Discussion

❖ **Right-of-Way Acquisition**

- All tasks related to right-of-way acquisition for the entire project are complete
- Ken will follow up with Mr. Knox on his recent requests

❖ **Railroad Coordination**

- RJ Corman and their subcontractors are on site and are working on the rail crossings

❖ **Project Accounting and Payments**

- No new information since last meeting

❖ **Project Permits**

- All environmental permits are in place

❖ **Utility Coordination**

- The City attorneys are coordinating with both the GMP attorney and the railroad's attorney
- It has been clarified for GMP that the project only needs one pole to be relocated
- The conduit that we are proposing to run for future GMP use from Park Street to the new parking lot to allow GMP to serve a future commercial/residential project and to loop their power from Park to Maple is not a requirement of the roadway project

- Should we not be able to come to agreement with GMP, there is an option to issue a utility relocation order for relocation of the pole
- D&K will provide the City Attorneys with a plan to share with the GMP attorney showing the pole to be relocated with a description of where it needs to be located
- Burlington Telecom has provided new concept plans of where they would like to run their fiber optic cable, we will review the plan

❖ **Project Design**

- Permissive lefts at the Five Corners, using a three lens signal head will be incorporated into the plans
- VTrans comments have been received by D&K and are being addressed
- Goal is to wrap up the plans and bid package by August 26th

❖ **Contaminated Soils**

- The soils report will be submitted to Federal Highway in August

❖ **Bid Process**

- There will be a pre-bid meeting with contractors

❖ **Proposed Project Design Schedule, updated**

- 8-26-22 D&K submits PS&E documents
- 9-16-22 Federal Authorization
- 9-26-22 Update project estimate
- 10-8-22 Obligate funds
- 10-22-22 Update bid docs
- 10-29-22 Advertise for Bids

❖ **Remaining Project Milestones**

- Phase I construction commences, early summer 2022
- CAP ordinance adopted by Trustees after work is complete
- Utility coordination complete
- Utility clearance complete
- Railroad Clearance complete
- D&K finishes final Phase II plans
- Final Phase II plans submitted to VTrans for review
- Phase II contract documents finalized and approved by VTrans and FHWA
- Goal is to go out to bid late 2022 for the Phase II work
- Phase I RR crossing improvements should be completed before Phase II work commences
- Construction of Phase II work begins in 2023

Next meeting will be on September 6th at 3:00 pm and will be via teleconference

Action Items:

1. Claudine and Kristen to coordinate with utilities on signing the utilities agreement
2. Trustees to adopt Ordinance referenced in CAP after construction is completed
3. D&K to submit final PS&E documents to VTrans
4. D&K to issue the Utility Clearance
5. D&K to issue the Railroad Clearance
6. D&K to prepare amendment #9 for construction phase assistance
7. Rick will prepare a summary of the CAP, EA process, and 2014 Village site assessment to show that due care has been taken regarding the development soils
8. Ken will continue to coordinate with Claudine and Kristen to get the utility agreement completed

From: [Brandi Littlefield](#)
To: afrank@colchestervt.gov; [Greg Duggan](mailto:Greg.Duggan@colchestervt.gov); [Brad Luck](mailto:Brad.Luck@colchestervt.gov); jarneson@richmondvt.gov; lkrohn@shelburnevt.org; ewang@winooski.vt.gov; ewells@willistonvt.org; jbaker@sburl.com; jdubingrossman@hinesburg.org; todithvt@gmavt.net; mfoody@miltonvt.gov; dturner@miltonvt.gov; douglas.allen@colchesterpdvt.org; [Ron Hoague](mailto:Ron.Hoague@colchesterpdvt.org); michael.thomas@shelburnepdvt.org; sburke@southburlingtonpolice.org; Patrick.Foley@vermont.gov; rhebert@winooskipolice.com; Anthony.Cambridge@vermont.gov; Benjamin.Herrick@vermont.gov; Steve.laroche@vermont.gov; [Rachel.Lawler](mailto:Rachel.Lawler@vermont.gov); [Catherine.Simonson](mailto:Catherine.Simonson@vermont.gov); [Bob Bick](mailto:Bob.Bick@vermont.gov); [Deanna Ryerson](mailto:Deanna.Ryerson@vermont.gov); [Brandi Littlefield](mailto:Brandi.Littlefield@vermont.gov)
Subject: Community Outreach Q4 Data
Date: Friday, September 2, 2022 1:35:46 PM
Attachments: [HOWARD CENTER COMMUNITY OUTREACH FY22 Q4 REPORT..pdf](#)

CAUTION: This email originated from **OUTSIDE** our organization. **STOP & CONSIDER** before responding, clicking on links, or opening attachments.

Hello all,

I wanted to get the 4th quarter data to you. I am currently working on the annual data and will forward that as soon as it is complete.

Some data trends from this past quarter:

- Total services/phone/face to face contacts slightly increased
- Unique client count slightly decreased (seeing some of the known individuals at an increased rate)
- Decrease in number of individuals that have services with a Designated Agency enrollment (this speaks to the growing needs of our communities)
- Referrals are down (many individuals are on wait lists already)
- Police involved contacts decreased (this is great news when the overall numbers have increased – this means more people using the right service)
- In the cases where police contact was involved, the number of hours saved increased from 103 to 124!
- Proactive/engaging community supports increased (continuing to provide service to hopefully keep people out of crisis while waiting for services)
- Outcome to Emergency Dept decreased fairly substantially from 40 to 28!
- Out of the number of individuals rating with some level of distress upon contact, 91% improved by end of service with 0% escalating.
- Significant increase in clients/community members initiating the calls for support (62 to 89) with a decrease in police initiations (220-211)
- Primary concerns remain highest in emotional/behavioral/mental health category; however, there was a noted decrease in housing instability, medical, suicidal ideation/behaviors and family/relational. There was, however, an increase in dangerous/disorganized behaviors (such as walking in traffic, being naked in public, etc.), individuals presenting with psychosis, traumatic events and violent/aggressive behaviors (these are accounted for amongst the “other info”).
- For discussion: While all towns have maintained or increased utilization over the past quarter, Hinesburg data continues to trend toward the underutilization of the service. It would be helpful at our next meeting to share how each town is promoting this program to their communities to see if we can assist with increasing awareness and supports.

Please let me know if you have any questions. Enjoy the long weekend!

Thank you,
Brandi

Brandi Littlefield
Assistant Director
First Call for Chittenden County
Community Outreach
Howard Center
Burlington, VT
O: (802)488-6565
C: (802)343-3342
F: (802)488-6601

Have you interacted with First Call for Chittenden County recently?
We want to hear from you! Clients, families and community partners are encouraged to complete this survey:
<https://www.surveymonkey.com/r/FCforCC>

HowardCenter.org 

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Sent from the copier

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**HOWARD CENTER COMMUNITY OUTREACH QUARTERLY REPORT FY22
Q4 (April 1, 2022 – June 30, 2022)**

Total Number of Services (each service may include multiple calls)	507
Phone	1423
Face-to-Face Contacts	249
Unique Client Count	257
% Adult (Unique client count)	79%
Adult	204
Youth (< 18 yrs)	46
Age unknown	7
% Services with Active Designated Agency Enrollment	55%
Active Howard Center Services	273
Not Active Howard Center Services	138
Unknown	88
Referrals to...	202
Behavioral Health Care	81
Social Services (Economic, Housing, Basic Needs, Employment)	41
Medical Health Care	24
FCCC	56
Police-Involved Contacts	180
Assisting Police or Co-Response	74
Diverting Police	108
Police Resource Time Saved (hours)	124
Proactive/Engaging Community Outreach Supports	196
Outcome to the Emergency Department	28
Medically Necessary (only)	3
Psychiatrically Necessary (only)	16
Both Medically & Psychiatrically Necessary	9
Transportation Means to the ED	-
Ambulance	10
Police	10
Outreach Staff Transport	5
Family/Other Transport	3
Level of Distress: Total services where distress rated	505
Maintaining or improvement by pre-post encounter	100%
If distressed, % showing improvement by end of service	204/223 (91%)
Escalating in distress at end of service	0%

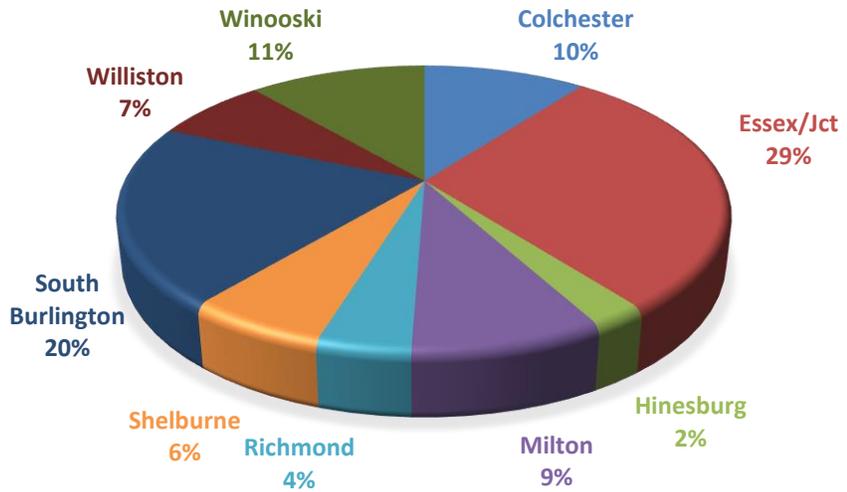
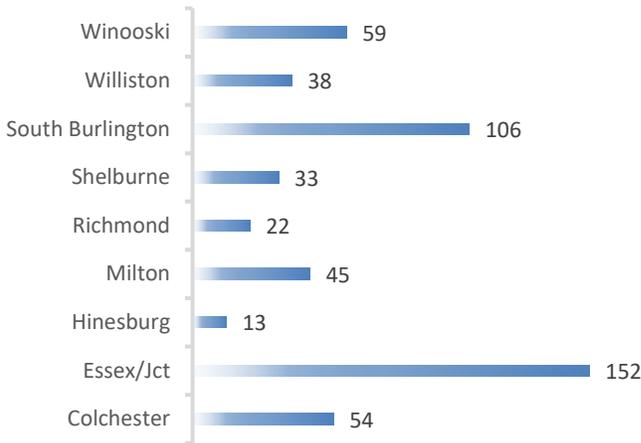
Who Initiated the Call?	
Caller	Total
Client/Community Member (self)	89
Police	211
Providers	26
Community Outreach staff	59
Schools	12
Family/Parent/Guardian/Friend	35
FCCC	28
Other (e.g., DOC, DCF, business)	19

Primary Concern	
Issues	Total
Emotional/Behavioral/Mental Health Concern	389
Family/Relational Conflict	20
Housing instability	12
Medical	8
Legal	6
Substance Use/Abuse	11
Domestic Violence (replacing self-harm)	3
Homeless	7
Suicidal ideation/behaviors	0
Other or Missing Info	51

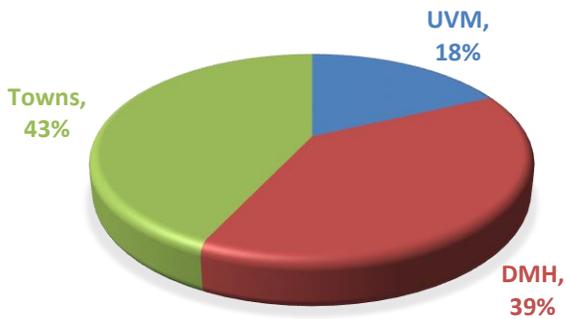
*Based on *primary* issue to increase sensitivity

FY22 Q4: CONTACTS BY TOWN

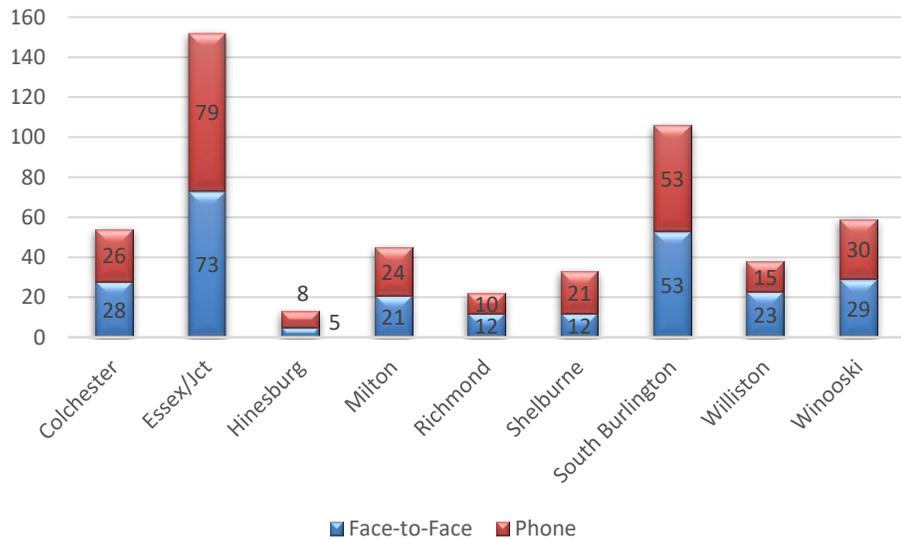
*contacts by town can overlap as services cross town borders



PARTNERSHIP FUNDING DISTRIBUTION

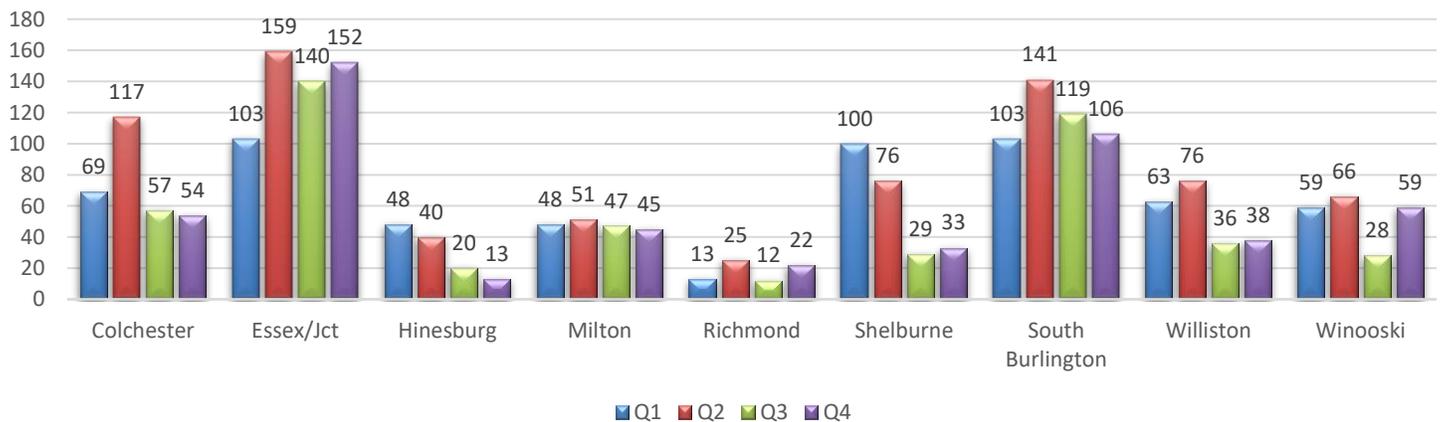


Q4 SERVICE TYPE PER TOWN



FY22 SERVICES BY TOWN

*each service may include multiple calls



The State sent the following e-mails to businesses in Vermont who sales tax returns and meals & rooms tax returns.

From: TAX - myVTax Info <myVTaxInfo@vermont.gov>

Sent: Thursday, September 1, 2022 7:19 PM

Subject: Local Option Sales and Use Tax Changes for the City of Essex Junction

City of Essex Junction Local Option Sales Tax May Affect Your Business

Dear Taxpayer:

The City of Essex Junction has adopted a 1.0% local option sales tax which will begin on October 1, 2022. The local option sales tax will apply to all sales currently subject to the Vermont Sales Tax. All exemptions that apply to the sales tax will also apply to the local option tax. The 1.0% local option tax is in addition to the sales tax rate of 6.0%. Local option tax does not apply to Vermont Use Tax.

Local option sales tax, like Vermont's sales tax, is collected based on the destination of a sale. The City of Essex Junction local option sales tax will apply to all taxable sales on and after October 1, 2022 where the purchaser takes title and/or possession of the goods within the municipal boundaries of the City of Essex Junction. Vendors located outside of the City of Essex Junction who make deliveries to customers in the City of Essex Junction will be required to collect the City of Essex Junction local option sales tax.

Local option sales tax is reported on the Vermont Sales Tax return (Form SUT-451). When you file your return electronically at myvtax.vermont.gov, you will report the local option sales tax you have collected for the City of Essex Junction in the **local option tax section** of your return.

Beginning in November of this year, the Vermont Department of Taxes will only accept sales tax returns from businesses who collect and report Local Option Sales Tax if they are filed electronically. The requirement to file electronically for Local Option Sales taxpayers is effective for the period beginning October 1, 2022. Returns for that period are due on November 28, 2022. If you need help setting up an online account or believe the electronic filing requirement will place an undue burden on your business, our tax examiners are available to assist you at (802) 828-2551.

As of October 1, 2022, the 19 municipalities in the State of Vermont which will have a local option sales tax are: Barre City, Brandon, Brattleboro, Burlington, City of Essex, Colchester, Dover, Manchester, Middlebury, Montgomery, Rutland Town, St. Albans City, St. Albans Town, South Burlington, Stratton, Wilmington, Williston, Winhall, and Winooski.

You can find additional information about Vermont's Local Option Taxes by visiting our website at tax.vermont.gov/business/local-option-tax or by contacting the Business Tax Section at (802) 828-2551 or by email at tax.business@vermont.gov.

Sincerely,

Vermont Department of Taxes
Taxpayer Services Division
Business Tax Section

Phone: (802) 828-2551
Fax: (802) 828-5787
Email: tax.business@vermont.gov

From: TAX - myVTax Info <myVTaxInfo@vermont.gov>

Sent: Thursday, September 1, 2022 7:18 PM

Subject: Local Option Meals and Rooms Tax Changes for the City of Essex Junction

City of Essex Junction Local Option Meals and Rooms Tax May Affect Your Business

Dear Taxpayer:

The City of Essex Junction has adopted a 1.0% local option meals, rooms, and alcohol tax which will begin on October 1, 2022. The local option tax will apply to all lodging, rentals, meals, and alcoholic beverages furnished or served in the City of Essex Junction and currently subject to Vermont Meals and Rooms Tax. The local option tax is in addition to the meals and rooms tax rate of 9.0% and alcohol tax rate of 10.0%. If your business delivers or caters meals or other items subject to the meals and rooms tax to a City of Essex Junction location, you must also collect and remit the 1.0% City of Essex Junction local option tax, even if your business location is outside of the City of Essex Junction.

Local option meals and rooms tax is reported on the Vermont Meals and Rooms Tax Return (Form MRT-441). When you file your return electronically at myvtax.vermont.gov, you will report the local option meals and rooms tax you have collected for the City of Essex Junction in the **local option tax section** of your return.

Beginning in November of this year, the Vermont Department of Taxes will only accept meals and rooms tax returns from businesses who collect and report Local Option Meals and Rooms Tax if they are filed electronically. The requirement to file electronically for Local Option Meals and Rooms taxpayers is effective for the period beginning October 1, 2022. Returns for that period are due on November 28, 2022. If you need help setting up an online account or believe the electronic filing requirement will place an undue burden on your business, our tax examiners are available to assist you at (802) 828-2551.

As of October 1, 2022, the 24 municipalities in the State of Vermont which will have a local option meals and rooms tax are: Barre City, Brandon, Brattleboro, City of Essex Junction,

Colchester, Dover, Elmore (rooms only), Hartford, Killington, Manchester, Middlebury, Montgomery, Montpelier, Rutland Town, St. Albans City, St. Albans Town, South Burlington, Stowe, Stratton, Williston, Wilmington, Winhall, Winooski and Woodstock.

You can find additional information about Vermont's Local Option Taxes by visiting our website at tax.vermont.gov/business/local-option-tax or by contacting the Business Tax Section at (802) 828-2551 or by email at tax.business@vermont.gov.

Sincerely,

Vermont Department of Taxes
Taxpayer Services Division
Business Tax Section

Phone: (802) 828-2551
Fax: (802) 828-5787
Email: tax.business@vermont.gov

SPRINGER LAW OFFICE, PLLC
Attorney At Law

118 Maplewood Avenue, Suite C-3
Portsmouth, NH 03801
Telephone: (603) 319-8741
Fax: (603) 319-8743
e-mail: jspringer@jspringerlaw.com

August 11, 2022

City Council
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: *Advanced Notice of T-Mobile Northeast, LLC Pursuant to 30 V.S.A. § 248a regarding a Project of Limited Size and Scope for a Wireless Telecommunications Facility at 9 Maple Street Extension, Essex Junction, VT*

Dear City Council:

Enclosed please find an Advanced Notice of T-Mobile Northeast, LLC Pursuant to 30 V.S.A. § 248a regarding a Project of Limited size and Scope for a Wireless Telecommunications Facility at 9 Maple Street Extension, Essex Junction VT. This Advanced Notice is also being filed contemporaneously with the Vermont Public Utility Commission through the "ePUC" filing system.

If you have any questions, please let me know.



Jonathan S. Springer

cc: T-Mobile Northeast, LLC

ADVANCE NOTICE

RE: ***60-day pre-filing notice of intent to file application to the Vermont Public Utility Commission for Certificate of Public Good Under Title 30 Chapter 5, Section 248a***

Wireless Facility Modification regarding the facility at 9 Maple Street Extension, Essex Junction, VT

To Whom It May Concern:

This firm, in conjunction with local counsel David L. Grayck, Esq., represents T-Mobile Northeast, LLC (“T-Mobile”) regarding the intent of T-Mobile to submit an application to the Vermont Public Utility Commission (“the PUC”) pursuant to 30 V.S.A. §248a and the PUC’s Sixth Amended Order¹ seeking approval for modification of a personal wireless service facility (“the Project”), at 9 Maple Street Extension, Essex Junction, Vermont (“the Property”).

Under the relevant portions of Act 248a, and the Sixth Amended Order, the Project is defined as “a project of limited size and scope” (“LSS”)². The LSS process requires an applicant to provide written notice to specified parties, at least 60 days in advance of filing a Section 248a application, which notice must comply with certain notice and filing requirements. Only after that 60 day notice provision is observed, may an applicant file the actual application with the PUC. You are receiving this letter as you are such a party entitled to advanced notice.

Enclosed with this Advanced Notice is a set of site plans, radio frequency (“RF”) plots and a description of the Project.

Section 248a requires T-Mobile to provide written notice to you at least 60 days in advance of filing an application for a Certificate of Public Good. When that application is submitted to the PUC, any comments, motions to intervene, or requests for hearing regarding the Project must be filed with the PUC within the thirty (30) comment period commencing once the application is filed with the PUC. This notice is being given to you pursuant to the Sixth Amended Order; the said Amended Order is available at the PUC’s office or the website of the PUC at: <https://puc.vermont.gov/section-248a-standards-and-procedures-re-telecommunications-facilities>.

In accordance with the Sixth Amended Order, attached to this notice is a statement which itemizes the rights and opportunities available to the legislative body and planning commission of each municipality under Section 248-a(c)(2), (e)(2), (m), (n), (o) and (p).

¹ Sixth Amended Order Implementing Standards and Procedures for Issuance of a Certificate of Public Good for a Communication Facility Pursuant to 30 VSA § 248a Entered September 21, 2018 (“the Sixth Amended Order”).

² T-Mobile believes that the Project is also regulated by Section 6409 of the Federal Spectrum Act (47 U.S.C. Sect. 1455(a)), which governs certain “eligible facilities” as that term is defined by federal law and regulations. T-Mobile does not waive any rights it has pursuant to Section 6409, but is submitting this Advanced Notice in compliance with Vermont law.

You will be notified when the application is filed with the Vermont PUC, which will be at least 60 days and no longer than 180 days from the date of this advance notice. During this advance notice time frame, you may direct questions to undersigned counsel. Questions or comments regarding the proposed facility may be submitted to my attention at the address below. Thank you for your attention to this matter.

Respectfully submitted,

Dated: August 11, 2022

By: /s/ Jonathan S. Springer
Jonathan S. Springer, Esq.
Springer Law Office, PLLC
118 Maplewood Avenue, Suite C-3
Portsmouth, NH 03801
Tel (603) 319-8741
Email: jspringer@jspringerlaw.com

cc Town of Essex Junction Planning Commission
cc Town of Essex Junction Selectboard
cc: Chittenden County Regional Planning Commission
cc: Vermont Public Utility Commission (via ePUC)
cc: Vermont Agency for Natural Resources (via ePUC)
cc: Vermont Division for Historic Preservation (via ePUC)
cc: Vermont Dept of Public Service (via ePUC)
cc: Director of Public Advocacy of the Dept of Public Service (via ePUC)
cc: Vermont Agency of Transportation (via ePUC)
cc: Adjoining Property Owners, as shown on Exhibit 1
cc: T-Mobile Northeast, LLC
cc: Property Owner: Essex Village Walk Homeowners Association, Inc.
cc: Law Office of David L. Grayck, Esq.

Sixth Amended Order Statement

In accordance with the Sixth Amended Order, the following statement itemizes the rights and opportunities available to the legislative body and planning commission of each municipality under Section 248a(c)(2), (e)(2), (m), (n), (o) and (p).

248a(c)(2) Unless there is good cause to find otherwise, substantial deference has been given to the plans of the affected municipalities; to the recommendations of the municipal legislative bodies and the municipal planning commissions regarding the municipal plans; and to the recommendations of the regional planning commission concerning the regional plan. Nothing in this section or other provision of law shall prevent a municipal body from basing its recommendations to which substantial deference is required under this subdivision (2) on an ordinance adopted under 24 V.S.A. § 2291(19) or bylaw adopted under 24 V.S.A. Chapter 117 by the municipality in which the facility is located. A rebuttable presumption respecting compliance with the applicable plan shall be created by letter from an affected municipal legislative body or municipal planning commission concerning compliance with the municipal plan and by a letter from a regional planning commission concerning compliance with the regional plan.

248a(e)(2) On the request of the municipal legislative body or the planning commission, the applicant shall attend a public meeting with the municipal legislative body or planning commission, or both, within the 60-day notice period before filing an application for a certificate of public good. The Department of Public Service shall attend the public meeting on the request of the municipality. The Department shall consider the comments made and information obtained at the meeting in making recommendations to the Commission on the application and in determining whether to retain additional personnel under subsection (o) of this section.

248a (m) Municipal bodies; participation. The legislative body and the planning commission for the municipality in which a telecommunications facility is located shall have the right to appear and participate on any application under this section seeking a certificate of public good for the facility.

248a (n) Municipal recommendations. The Commission shall consider the comments and recommendations submitted by the municipal legislative body and planning commission. The Commission's decision to issue or deny a certificate of public good shall include a detailed written response to each recommendation of the municipal legislative body and planning commission.

248a (o) Retention; experts. The Department of Public Service may retain experts and other personnel as identified in Section 20 of this title to provide information essential to a full consideration of an application for a certificate of public good under this section. The Department may allocate the expenses incurred in retaining these personnel to the applicant in accordance with Section 21 of this title. The Department may commence retention of these personnel once the applicant has filed the 60-day notice under this subsection (e) of this section. A municipal legislative body or planning commission may request that the Department retain

these personnel. Granting such a request shall not oblige the Department or the personnel it retains to agree with the position of the municipality.

248a (p) Each legislative body and planning commission is hereby informed of the existence of the guide published under Section 248-a(p) available through the Vermont Department of Public Service, which may be obtained at the Department of Public Services' website, at: <https://publicservice.vermont.gov/content/public-guide-section-248a-process> . The purpose of the guide is to explain the process of reviewing telecommunication facilities under Section 248-a for use by local governments, regional planning commissions and members of the public who seek to participate in the process.

Ex. 1

Global Foundries US 2, LLC
ATTN: Thomas Lane
400 Stone Break Road Ext.
Malta, NY 12020

Pratt Family Trust
Nancy H. Pratt, Trustee
54 Forest Road
Essex Junction, VT 05452

River Road Essex, LLC
PO Box 21
Colchester, VT 05446

Gregory Pierce
56 Forest Road
Essex Junction, VT 05452

NGP V1 Essex VT, LLC
1650 Tysons Blvd, Suite 1500
McLean, VA 22102

Patrick M. Treanor
26 Woods End Drive
Essex Junction, VT 05452

Essex Village Walk Homeowners Association, Inc.
c/o Mr. Francis White
62 Kiln Road
Essex Junction, VT 05452

Benny E. Williams
28 Woods End Drive
Essex Junction, VT 05452

Peter Findley
38 Forest Road
Essex Junction, VT 05452

Todd M. Centybear
30 Woods End Drive
Essex Junction, VT 05452

Eric Hoffman
44 Forest Road
Essex Junction, VT 05452

Jerome Brett Lasky, Trustee
32 Woods End Drive
Essex Junction, VT 05452

Barry S. McVey Family Trust
Laura G. McVey, Trustee
Barry S. McVey, Trustee
48 Forest Road
Essex Junction, VT 05452

William A. Brothers
34 Woods End Drive
Essex Junction, VT 05452

William M. Jenkins
36 Woods End Drive
Essex Junction, VT 05452

Peter Moino
14 Kiln Road
Essex Junction, VT 05452

Kristen B. Hadden
39 Woods End Drive
Essex Junction, VT 05452

18 River Road, LLC
1026 Joslin Hill Road
Waitsfield, VT 05673

Richard Bouffard
PO Box 1068
Jericho Center, VT 05465-1068

John McNulty
23 River Road
Essex Junction, VT 05452

Sutliff Living Trust
Patricia A. Sutliff, Trustee
49 Woods End Drive
Essex Junction, VT 05452

John P. Giroux Revocable Living Trust
5 Tiffany Lane
Essex Junction, VT 05452

Richard J. Ross
63 Briar Lane
Essex Junction, VT 05452

Psalm 16:11, LLC
5 Tiffany Lane
Essex Junction, VT 05452

Donald J. Scotti
11 Mason Drive
Essex Junction, VT 05452

Gregory P. Bowen
26A Woods End Drive
Essex Junction, VT 05452

Jason M. O'Sullivan
15 Kiln Road
Essex Junction, VT 05452

PROJECT NARRATIVE

T-Mobile Northeast, LLC (“T-Mobile”) is proposing to modify telecommunications antennas and equipment at an existing telecommunications facility located on a monopole at 9 Maple Street Extension, Essex Junction, Vt. The existing facility consists of telecommunications antennas located on an existing 75’ power transmission tower.

Currently, T-Mobile has three (3) antennas mounted together with equipment and appurtenances situated on an equipment pad within an existing fenced equipment compound at the base of the tower (the “Facility”).

T-Mobile intends to make the following changes at the facility (collectively referred to below as the “Project”), as detailed on the Site Plans:

- (a) Remove all three (3) existing panel antennas; and install three (3) new panel antennas, as detailed below; and
- (b) Install three (3) new antennas measuring approximately 95.9” x 23.5”, with the antennas having a total facial surface of approximately 47.0 square feet, all at a centerline height of approximately 83’ above ground level (“AGL”) and a top height of approximately 87’ AGL, see Sheet A-3 of the Site Plans submitted contemporaneously with this Petition. Please note, the top of the existing antennas is also 87’ AGL, and therefore the top of the antennas, the vertical extension and the tower height itself are not changing; and,
- (c) Remove the six (6) existing reverse radio heads (“RRHs”) and install new RRH’s; the current RRHs and the new RRHs are all located on the equipment pad in the fenced compound and do not add any impervious square footage or square footage of the surface area of antennas.
- (d) Remove two (2) existing equipment cabinets and associated equipment and install two (2) new equipment cabinets and associated equipment, within the already existing fenced compound

area and on an already existing concrete pad. TMO will also be using the already existing ice bridge to support the cables from the cabinets to the tower. See Sheets A-2 and A-3 of the Site Plans. The concrete pad is already existing and is not being changed. An additional current equipment cabinet not located on the concrete pad is being replaced by a cabinet that is slightly larger; this new cabinet increases the impervious square footage at the site by 3.7 sq. ft. See Sheet A-2 and Sheet A-5 of the Site Plans; and

(e) install ancillary improvements and appurtenances consisting of hardware necessary for the operation of the Facility.

The proposed project will not involve clearing or excavations outside the current equipment compound, that is, all of the antennas and base equipment are on the tower or within the compound.

Pursuant to 248a(e)(3), an applicant is required to provide a written assessment of the co-location requirements of subdivision (c)(3) of the statute, as those requirements pertain to the proposed telecommunications facility. In turn, the provisions of subsection (c)(3), require that if the proposed facility relates to the provision of wireless service, the applicant must show that the proposed facility reasonably cannot be co-located on or at an existing telecommunications facility, or such co-location would cause an undue adverse effect on aesthetics.

In this case, T-Mobile is not proposing a new facility, but is seeking to upgrade the antennas on an existing tower. The purpose of a co-location requirement is to avoid building new towers where a carrier can install its antennas on an existing tower. Here, T-Mobile is doing exactly that by upgrading its equipment on an existing site.

GENERAL NOTES:

1. THE CONTRACTOR SHALL OBEY ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND STATE, FEDERAL AND LOCAL, AND ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. JURISDICTIONAL CODES BEARING ON THE PERFORMANCE OF THE WORK, THE WORK PERFORMED ON THE PROJECT AND THE MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES.
2. THE ARCHITECT/ENGINEER HAS MADE EVERY EFFORT TO SET FORTH IN THE CONSTRUCTION AND CONTRACT DOCUMENTS THE INTENT OF THE CONTRACTOR BUILDING THE JOB IS NEVERTHELESS CAUTIONED THAT MAJOR OMISSIONS OR ERRORS IN THE DRAWINGS AND CONTRACT DOCUMENTS ARE THE RESPONSIBILITY OF THE CONTRACTOR FROM COMPLETION OF THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS.
3. THE CONTRACTOR OR BIDDER SHALL BEAR THE RESPONSIBILITY OF NOTIFYING (IN WRITING) THE CLIENT'S REPRESENTATIVE OF ANY CONFLICTS, ERRORS, OR OMISSIONS PRIOR TO THE SUBMISSION OF CONTRACTOR'S PROPOSAL OR PERFORMANCE OF WORK.
4. THE CONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO THE SUBMISSION OF BIDS OR PERFORMING WORK TO FAMILIARIZE HIMSELF WITH THE FIELD CONDITIONS AND TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS.
5. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO THE MANUFACTURER'S / VENDOR'S SPECIFICATIONS UNLESS NOTED OTHERWISE OR WHERE LOCAL CODES OR ORDINANCES TAKE PRECEDENCE.
6. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS DURING CONSTRUCTION.
7. THE CONTRACTOR SHALL COMPLY WITH ALL PERTINENT SECTIONS OF THE BASIC STATE BUILDING CODE, LATEST EDITION, AND ALL OSHA REQUIREMENTS AS THEY APPLY TO THIS PROJECT.
8. THE CONTRACTOR SHALL NOTIFY THE CLIENT'S REPRESENTATIVE IN WRITING WHERE A CONFLICT OCCURS ON ANY OF THE CONTRACT DOCUMENTS. THE CONTRACTOR IS NOT TO ORDER MATERIAL OR CONSTRUCT ANY PORTION OF THE WORK THAT IS IN CONFLICT UNTIL CONFLICT IS RESOLVED BY THE CLIENT'S REPRESENTATIVE.
9. THE WORK SHALL CONFORM TO THE CODES AND STANDARDS OF THE FOLLOWING AGENCIES AS FURTHER CITED HEREIN:
 - A. ASTM, AMERICAN SOCIETY FOR TESTING AND MATERIALS, AS PUBLISHED IN "COMPILATION OF ASTM STANDARDS BUILDING CODES" OR LATEST EDITION.
 - B. AWS, AMERICAN WELDING SOCIETY INC. AS PUBLISHED IN "STANDARD D1.1-08, STRUCTURAL WELDING CODE" OR LATEST EDITION.
 - C. AISI, AMERICAN INSTITUTE FOR STEEL CONSTRUCTION AS PUBLISHED IN "CODE FOR STANDARD PRACTICE FOR STEEL BUILDINGS AND BRIDGES", "SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS" (LATEST EDITION).
 - D. BOLTING:
 - A. BOLTS SHALL BE CONFORMING TO ASTM A325 HIGH STRENGTH, HOT DIP GALVANIZED WITH ASTM A153 HEAVY HEX TYPE NUTS.
 - B. BOLTS SHALL BE 3/4" MINIMUM (UNLESS OTHERWISE NOTED)
 - C. ALL CONNECTIONS SHALL BE 2 BOLTS MINIMUM.
 - E. FABRICATION:
 - A. FABRICATION OF STEEL SHALL CONFORM TO THE AISI AND AWS STANDARDS AND CODES (LATEST EDITION).
 - B. ALL STRUCTURAL STEEL SHALL BE HOT DIP GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A123 (LATEST EDITION), UNLESS OTHERWISE NOTED.
 - F. ERECTION OF STEEL:
 - A. PROVIDE ALL ERECTION EQUIPMENT, BRACING, PLANNING, FIELD BOLTS, NUTS, WASHERS, DRIFT PINS, AND SIMILAR MATERIALS WHICH DO NOT FORM A PART OF THE COMPLETED CONSTRUCTION BUT ARE NECESSARY FOR ITS PROPER ERECTION.
 - B. ERECT AND ANCHOR ALL STRUCTURAL STEEL IN ACCORDANCE WITH AISI REFERENCE STANDARDS. ALL WORK SHALL BE ACCURATELY SET TO ESTABLISHED LINES AND ELEVATIONS AND RIGIDLY FASTENED IN PLACE WITH SUITABLE ATTACHMENTS TO THE CONSTRUCTION OF THE BUILDING.
 - C. TEMPORARY BRACING, CLYING AND SUPPORT SHALL BE PROVIDED TO KEEP THE STRUCTURE SAFE AND ALIGNED AT ALL TIMES DURING CONSTRUCTION, AND TO PREVENT DANGER TO PERSONS AND PROPERTY. CHECK ALL TEMPORARY LOADS AND STAY WITHIN SAFE CAPACITY OF ALL BUILDING COMPONENTS.
10. ANTENNA INSTALLATION:
 - A. INSTALL ANTENNAS AS INDICATED ON DRAWINGS AND CLIENT'S REPRESENTATIVE SPECIFICATIONS.
 - B. INSTALL GALVANIZED STEEL ANTENNA MOUNTS AS INDICATED ON DRAWINGS.

11. INSTALL COAXIAL / FIBER CABLES AND TERMINATIONS BETWEEN ANTENNAS AND EQUIPMENT PER MANUFACTURER'S CONSTRUCTION CONDITIONS, WEATHERPROOF ALL CONNECTIONS BETWEEN THE ANTENNA AND EQUIPMENT PER MANUFACTURER'S REQUIREMENTS.
12. ANTENNA AND COAXIAL / FIBER CABLE GROUNDING:
 - A. ALL EXTERIOR #6 GREEN GROUND WIRE "DANBY CHAIN" CONNECTIONS ARE TO BE WEATHER SEALED WITH ANDREWS CONNECTOR/SPICE WEATHERPROOFING KIT TYPE #221213 OR EQUAL.
 - B. ALL COAXIAL / FIBER CABLE GROUNDING KITS ARE TO BE INSTALLED ON STRAIGHT RUNS OF COAXIAL / FIBER CABLE (NOT WITHIN BENDS).
13. RELATED WORK, FURNISH THE FOLLOWING WORK AS SPECIFIED UNDER CONSTRUCTION DOCUMENTS, BUT COORDINATE WITH OTHER TRADES PRIOR TO BID:
 - A. FLASHING OF OPENING INTO OUTSIDE WALLS
 - B. SEALING AND CAULKING ALL OPENINGS
 - C. PAINTING
 - D. CUTTING AND PATCHING
14. REQUIREMENTS OF REGULATORY AGENCIES:
 - A. FURNISH U.L. LISTED EQUIPMENT WHERE SUCH LABEL IS AVAILABLE. INSTALL IN CONFORMANCE WITH U.L. STANDARDS WHERE APPLICABLE.
 - B. INSTALL ANTENNA, ANTENNA CABLES, GROUNDING SYSTEM IN ACCORDANCE WITH DRAWINGS AND SPECIFICATION IN EFFECT AT PROJECT LOCATION AND RECOMMENDATIONS OF STATE AND LOCAL BUILDING CODES, AND SPECIAL CODES HAVING JURISDICTION OVER SPECIFIC PORTIONS OF WORK. THIS WORK INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:
 - C. TIA-EIA - 222 (LATEST EDITION), STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES.
 - D. FAA - FEDERAL AVIATION ADMINISTRATION ADVISORY CIRCULAR AC 707/460-11H, OBSTRUCTION MARKING AND LIGHTING.
 - E. FCC - FEDERAL COMMUNICATIONS COMMISSION RULES AND REGULATIONS FORM 715, OBSTRUCTION MARKING AND LIGHTING SPECIFICATIONS FOR ANTENNA STRUCTURES AND FORM 715a, HIGH INTENSITY OBSTRUCTION LIGHTING SPECIFICATIONS FOR ANTENNA STRUCTURES.
 - F. AISI - AMERICAN INSTITUTE OF STEEL CONSTRUCTION SPECIFICATION FOR STRUCTURAL JOINTS USING ASTM A325 BOLTS (LATEST EDITION).
 - G. NEC - NATIONAL ELECTRICAL CODE - ON TOWER LIGHTING KITS.
 - H. UL - UNDERWRITER'S LABORATORIES APPROVED ELECTRICAL PRODUCTS.
 - I. IN ALL CASES PART 77 OF THE FAA RULES AND PARTS 17 AND 22 OF THE FCC RULES ARE APPLICABLE AND IN THE EVENT OF CONFLICT, SUPERSEDE ANY OTHER STANDARDS OR SPECIFICATIONS.
 - J. 2018 LIFE SAFETY CODE NFPA - 101.

APPLICANT:
AT&T
T-Mobile
T-MOBILE NORTHEAST LLC
 36 GRIFFIN ROAD SOUTH
 BLOOMFIELD, CT 06002
 860-662-7100

PROJECT MANAGER

 420 MAIN STREET, BLDG 4
 STURBRIDGE, MA 01566
 208-275-6889

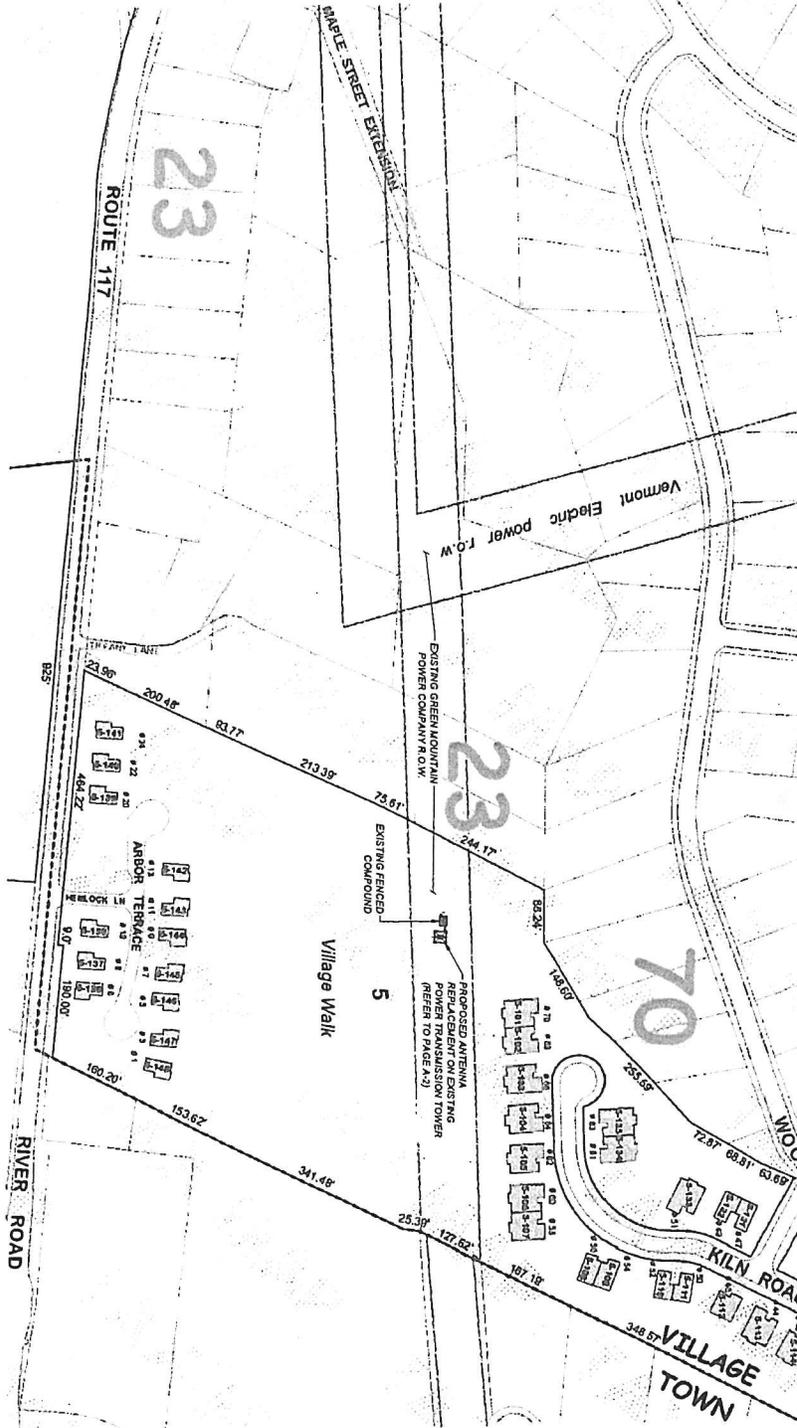
CONSULTANT:
FORESITE LLC
 Architects, Engineers, Surveyors
 492 WALNUT STREET, SUITE 1
 NEWTON, MA 02460
 617-212-3123

PROFESSIONAL SEAL

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REV	DESCRIPTION	DATE
A	PRELIMINARY	02/22/22
B	REVISED PER COMMENTS	03/10/22
C	STRUCTURAL REFERENCE	04/07/22
D	FINAL ISSUED	04/19/22
1	REVISED PER COMMENTS	06/02/22
2	DE MINIMIS TABLE ADDED	05/20/22

SHEET TITLE:
N-1: GENERAL NOTES
 SITE NUMBER: 48V4524-N243C482
 SITE NAME: 48V4524
 SITE ADDRESS: 9 MAPLE STREET EXTENSION
 ESSEX JUNCTION, VT 05452



SITE PLAN
SCALE: 1"=200'



SHEET TITLE:
A-1: SITE PLAN

SITE NUMBER: 48194524-AR5XNC462
SITE NAME: 48194524
SITE ADDRESS: 0 MALE STREET EXTENSION
ESSEX JUNCTION, VT 05452

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A	PRELIMINARY	02/22/22
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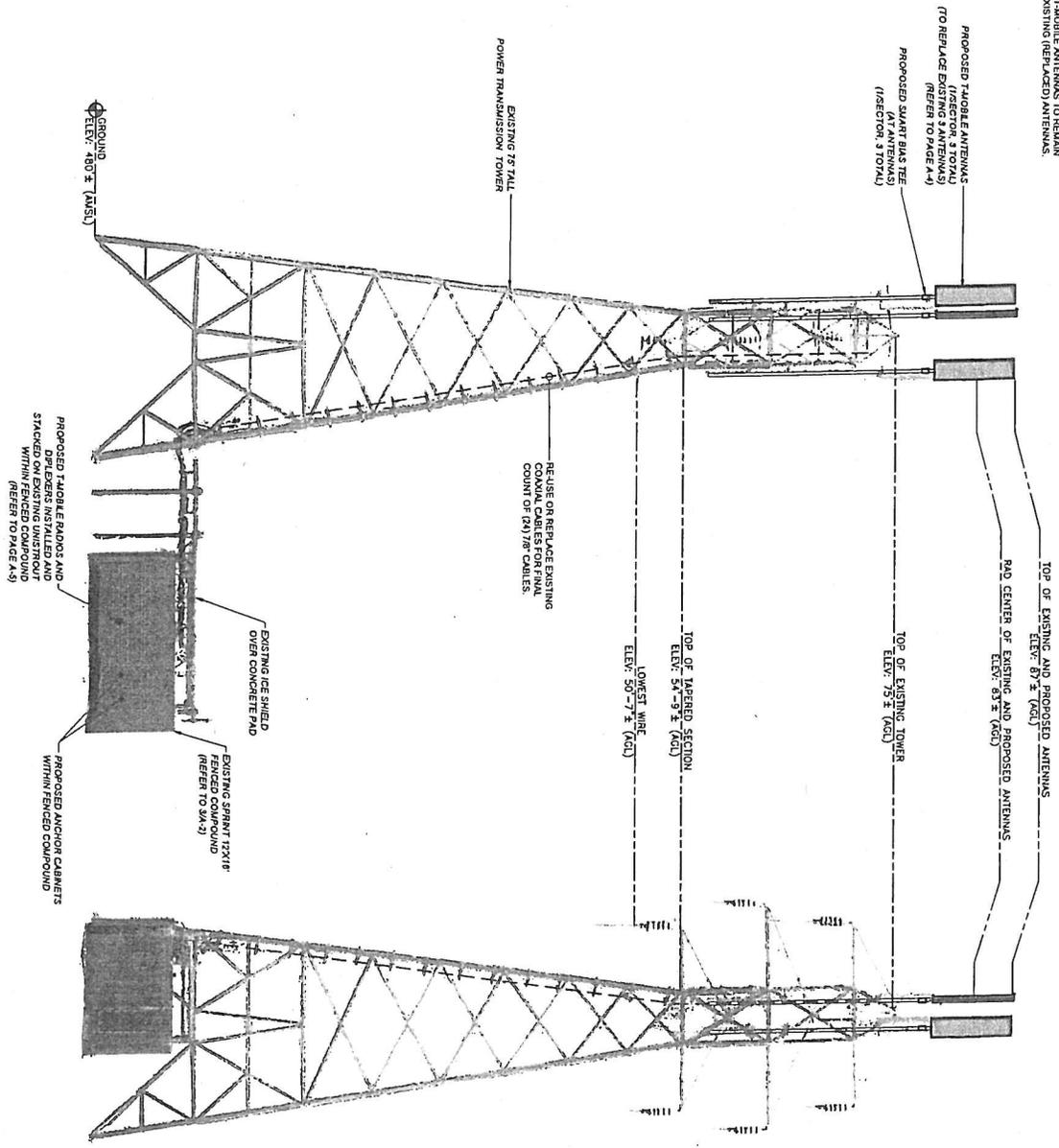


PROFESSIONAL SEAL
FORESITE LLC
Architect, Engineer, Surveyor
483 WALLUT STREET SUITE 1
NEWTON, MA 02460
617-273-2323

CONSULTANT:
FORESITE LLC
PROJECT MANAGER
NORTHEAST
420 MAIN STREET, BLDG 4
STURBRIDGE, MA 01566
203-273-0888

APPLICANT:
T-Mobile
T-MOBILE NORTHEAST LLC
35 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002
860-982-7100

ANTENNA ELEVATION NOTE: NOTE
TOP OF PROPOSED T-MOBILE ANTENNAS TO REMAIN THE SAME AS THE EXISTING (REPLACED) ANTENNAS.



NORTH ELEVATION
SCALE: 3/32"=1'-0"
1 A-3

WEST ELEVATION
SCALE: 3/32"=1'-0"
2 A-3

APPLICANT:
T-Mobile
T-Mobile Northeast LLC
35 GRIFIN ROAD SOUTH
BLOOMFIELD, CT 06002
860-482-7100

PROJECT MANAGER:
NORTHEAST
420 MAIN STREET, BLDG 4
STURBRIDGE, MA 01566
203-275-8689

CONSULTANT:
FORESITE LLC
Architects | Engineers | Surveyors
482 WALNUT STREET, SUITE 1
NEWTON, MA 02460
617-212-3123



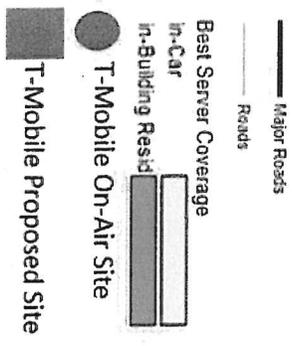
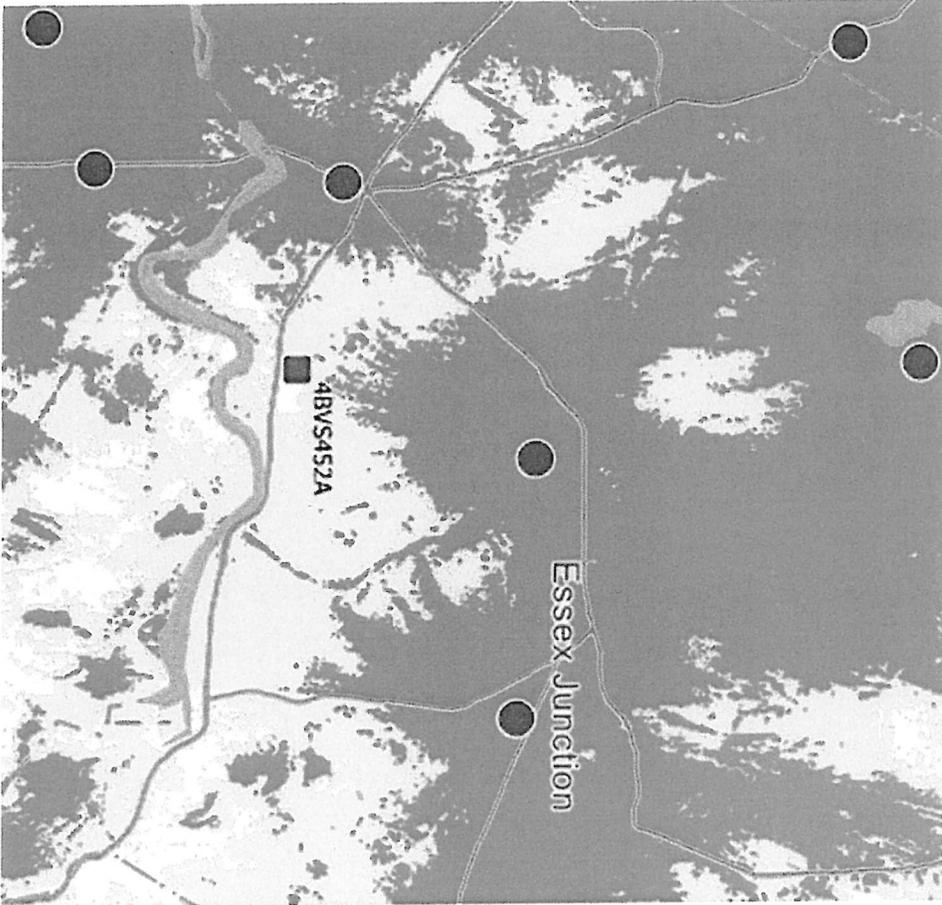
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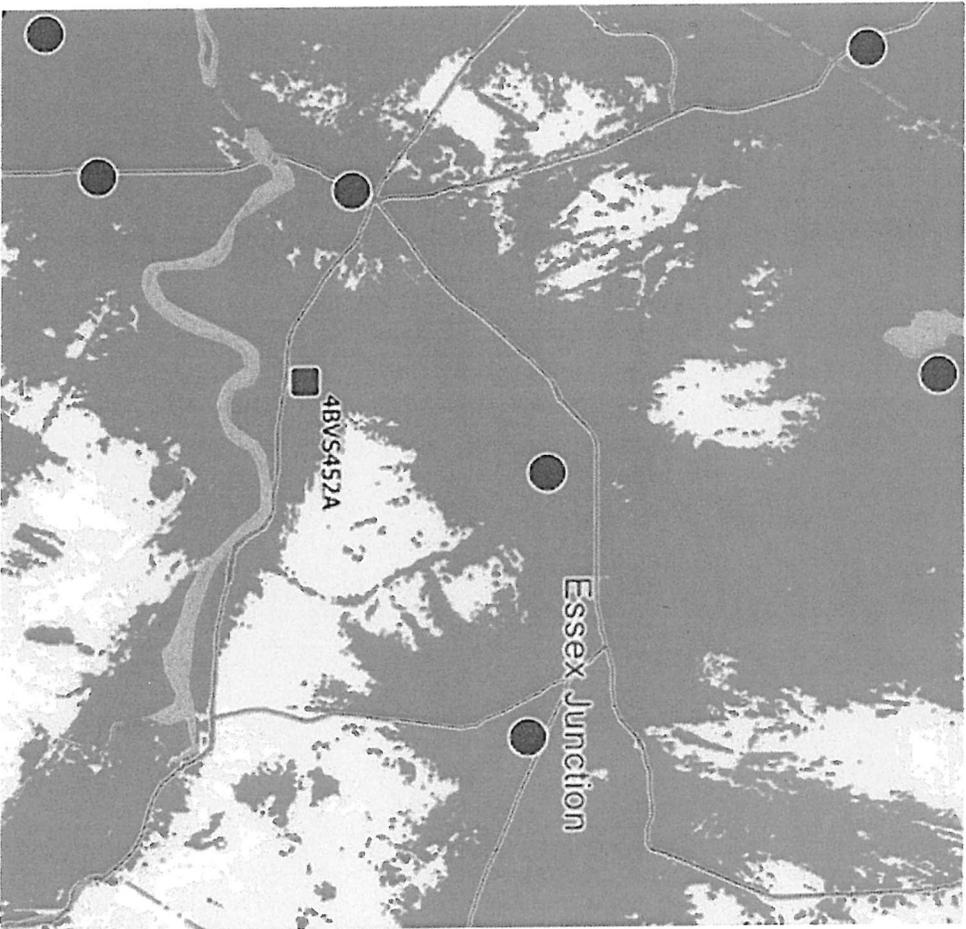
SITE NUMBER: 4819424_NEA5X462
SITE NAME: 4819452A
SITE ADDRESS: 9 MARLE STREET EXTENSION
ESSEX JUNCTION, VT 05452

SHEET TITLE:
A-3. ELEVATION AND ANTENNA LAYOUT PLAN

T-Mobile Existing Coverage – Town of Essex Junction, VT



T-Mobile Planned Coverage – Town of Essex Junction, VT



- Major Roads
- Roads
- Best Server Coverage
 - In-Car
 - In-Building Resid
- T-Mobile On-Air Site
- T-Mobile Proposed Site

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
PUBLIC HEARING
DRAFT MINUTES OF MEETING
AUGUST 4, 2022**

MEMBERS PRESENT: Phil Batalion, Diane Clemens, Scott McCormack, Elijah Massey, Patrick Scheld.

ADMINISTRATION: Wendy Hysko, Interim Co-Manager/Library Director; Regina Mahony, Chittenden County Regional Planning Commission; Robin Pierce, Community Development Director.

OTHERS PRESENT: Nick Meyer.

AGENDA:

1. Audience for Visitors
2. Additions or Amendments to the Agenda
3. Elect Chair and Vice-chairperson
4. Public Hearing: Proposed Land Development Code Updates
5. Other Planning Commission items
6. Adjournment

1. CALL TO ORDER/AUDIENCE FOR VISITORS

Robin Pierce called the meeting to order at 6:30 PM.

2. ADDITIONS/AMENDMENTS TO THE AGENDA

Mr. Pierce noted the addition of two maps to the amendments to the land development code. He provided a summary of the maps.

3. ELECT CHAIR AND VICE CHAIRPERSON

MOTION by Phil Batalion, SECOND by Diane Clemens, to nominate Phil Batalion for Chair.

MOTION by Patrick Scheld, SECOND by Diane Clemens, to nominate Patrick Scheld for Vice Chair.

MOTION by Scott McCormack, SECOND by Elijah Massey, to appoint Patrick Scheld as Vice Chair. VOTING: unanimous (5-0); motion carries.

MOTION by Patrick Scheld, SECOND by Diane Clemens, to appoint Phil Batalion as Chair. VOTING: unanimous (5-0); motion carries.

4. PUBLIC HEARING

A. Proposed Land Development Code Updates

Chapter 1: Purpose, Application & Severability

Chapter 2: Definitions

Chapter 3: Decision Making and Administrative Bodies

Chapter 4: Regulation of Land Use Activities

Chapter 5: Development Review Procedures

Chapter 6: Zoning Districts Regulations and Use Table
Chapter 7: General Development Standards
Chapter 8: Nonconformities
Chapter 9: Subdivision
Chapter 10: Enforcement
Chapter 11: Sewer Regulations
Chapter 14: Water System Management and Use
Chapter 16: Fees and Charges
Chapter 17: Appeals
Appendix A: Public Works Specifications

Chapter 2: Definitions for Cannabis
Chapter 6: Use Table to include Cannabis

Ms. Mahony began by providing context for and a summary of the changes to the Land Development Code. She noted that changes were made to align with the City's 2019 Comprehensive Plan update and Five Corners Design Plan, to attempt to address the severe housing shortage, to improve stormwater management, to align with State statute changes since the prior LDC update, to make general amendments to reflect the Junction's new City status, to incorporate amendments related to cannabis retail, and clarification amendments to reduce redundancy between process and standard sections.

She briefly outlined the changes related to Design Five Corners. These included more pedestrian and bicycle-friendly changes and creating welcoming streetscapes. These also included the creation of a design review and historic preservation overlay district to apply to the trunk routes that lead into Essex Junction. She noted that this is an added level of review to ensure that developments in those areas are receiving the same level of scrutiny as the heart of the Village, with the goal of creating a more vibrant streetscape. These also include more bicycle parking, amenities, and access throughout the City. These further included feedback from the Tree Advisory Committee on landscaping and trees in the public right-of-way.

She then spoke about amendments related to housing. She noted changes around Accessory Dwelling Units (ADUs) that were made to align with State statute. She additionally noted increased density in Multi-family Residential 1 and 2 (MF-1 and MF-2) Zoning Districts and adding duplexes and triplexes as permitted uses in the R-1 and R-2 Residential Zoning Districts. She further noted clarifications around the purpose and intent of Planned Unit Development (PUD) review. She finally noted reduced residential parking requirements from 2 spaces per unit to 1 space, as well as inclusion of shared parking provisions.

She spoke about amendments related to stormwater. These include more of an emphasis on Green Stormwater Infrastructure, which focuses on managing stormwater impacts through more natural processes such as infiltration, evapotranspiration, storage, and reuse. These also include a focus on Low Impact Development, which seeks to maintain a site's pre-development ecological and hydrological functions through the protection, enhancement, or mimicry of natural processes.

Ms. Mahony briefly walked through the State statute changes that have occurred since the previous iteration of the LDC. These include changes to the duration of site plan and conditional use approvals to

2 years, changes to ADU language, alignment with VTrans highway access permits, minor changes to language around existing small lots and planting project exemptions, changes to PUD definitions, and an increased plat recording fee.

She noted other changes that occurred as a result of the Village's transition into a City. All references to the Village in the LDC have been modified to refer to the City. Additionally, the Planning Commission/Zoning Board of Adjustment model of review has been converted to a Development Review Board model of review.

Mr. Pierce then walked through the Cannabis Regulation Map and Cannabis Use Table for the City. He noted that retail cannabis is permitted in the HA district and TOD district, which are both on Pearl Street, west of the Champlain Valley Exposition. He said that the State requires that they allow retail cannabis if voted on by the community. He noted 500-foot buffer zones around schools, where retail cannabis is not permitted. He noted other categories of cannabis permitted in these districts, which include Home Occupation/Tier 1 Manufacturing. He noted that the Tiers 2 and 3 Cannabis Manufacturing and Laboratory Establishment uses are permitted only in the Light Industrial district, and that the Cultivation use is permitted only in the Agricultural District.

She outlined next steps, which include receiving public comment and then incorporating any changes they see fit. After that, the Planning Commission would amend its written report and send the report and LDC amendments to the City Council, who will then hold their own public hearing. She noted that the Chapter 2 Definitions for Cannabis and Chapter 6 Use Table to Include Cannabis can be sent to the City Council separately if the Planning Commission wishes to handle it separately.

Mr. Batalion opened the discussion up to the public.

There was no public comment.

MOTION by Patrick Scheld, SECOND by Diane Clemens, to close the public hearing. VOTING: unanimous (5-0); motion carries.

MOTION by Elijah Massey, SECOND by Patrick Scheld, to send the amendments to the Land Development Code to the City Council as well as the Definitions of Cannabis, Use Table, and Updated Zoning Map. VOTING: unanimous (5-0); motion carries.

MOTION by Patrick Scheld, SECOND by Elijah Massey, to approve the Definitions for Cannabis and Use Table to Include Cannabis. VOTING: unanimous (5-0); motion carries.

5. OTHER PLANNING COMMISSION ITEMS

None at this time.

6. ADJOURNMENT

MOTION by Patrick Scheld, SECOND by Scott McCormack, to adjourn the meeting. VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 7:18 P.M.

RScty: AACoonrad

**Village of Essex Junction
Tree Advisory Committee
Minutes of Meeting
August 16, 2022**

Members Present: Nick Meyer, Warren Spinner, Steve Rivard, Sheridan Johnson, Tim Kemerer, Rich Boyers

Community Guest: Max Seaton

I. Call To Order

The meeting was called to order at 5:50 by Nick.

II. Additions or Amendments to Agenda

No additions or amendments.

III. Approval of Meeting Minutes

The approval of the April meeting minutes will be held over to the September meeting.

IV. State of the Trees This Growing Season

Warren reported that the trees that were recently planted are all doing well, except for one. He noted that Public Works has done a great job watering throughout the summer.

VI. Fall Planting 2022 and Spring 2023

Nick reported that there are about 35 trees that can be pulled from the BOB nursery for spring and fall planting. Nick indicated that, according to the building codes, trees damaged during construction near the shopping center on Pearl Street should be replaced by the property owner. Nick discussed other potential planting locations, including on Old Colchester Road. Steve suggested tree planting west of Sunoco Station on Route 15. Tim inquired about additional plantings on Wilkinson St. Warren responded that more ash trees need to be removed before more trees can be planted. Nick shared that the North Creek Condo Association inquired about tree plantings on the Mansfield/Brickyard location. Sheridan asked about whether there are opportunities for individuals to suggest planting locations on their property. Rich commented that a key criterion for planting on private property is that it must contribute to the streetscape.

VI. Pocket Park and Land Development Code Update

Nick shared that the city hired a landscape architect to design the pocket park in front of Firebird Cafe and appointed a committee to work with him. The committee sent a survey out to the community, and the key priorities conveyed by the survey were that people want trees, shade, and a place to sit. The soil will be tested at specific locations on the site to determine if there is contamination, and based on these findings, a plan for remediation will be developed. The

landscape architect will provide three potential designs for the site, and the city will select one from these options.

Nick conveyed that the land development code is complete, and all recommendations from the Tree Advisory Committee were accepted. There will be one or two public meetings before the codes are adopted. With the new building review structure, the Tree Advisory Committee will be working with the Design Review Board. Tim inquired about the process for code enforcement. Nick noted that Tree Advisory Committee has been under Community Development but will now fall under Parks. Warren shared that this is the structure in Burlington. Several committee members raised questions related to resources, budget, and maintenance.

VII. Tree Contest

Rich shared his thoughts for an Essex Junction Tree Contest, similar to the one run by Branch Out Burlington. The contest might be entitled The Essex Junction Greatest Tree Contest, with one open-ended category in which participants consider what makes a tree great. It could be its size, shape, location, use, story, or anything else that speaks to someone. Participants could submit their entries through a Google form, and they could include a link to a photo and a brief description of the tree, and an explanation of what makes it “great.”

The Committee discussed possible times to launch the contest. Around Arbor Day was one suggestion. Local businesses could be solicited to sponsor the contest and offer prizes. Rich will connect with the city’s PR person to see how they might help to utilize social media and move this initiative forward.

VIII. Public Engagement

Warren discussed a tree walk within some of the city’s historical neighborhoods. He suggested that this could be combined with a historical buildings walk. Perhaps someone like Tim Jermain would be open to collaborating on this. Early October was suggested as a possible time.

XI. Date for Next Meeting and Adjournment

Tim made a motion to adjourn, 2nd Steve. The next meeting is scheduled for September 20, 2022.

**CITY OF ESSEX JUNCTION
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
JULY 21, 2022**

DEVELOPMENT REVIEW BOARD MEMBERS PRESENT: Cristin Gildea, Maggie Massey, Robert Mount, Dylan Zwicky. (John Alden was absent)

ADMINISTRATION: Robin Pierce, Community Development Director; Regina Mahony, Chittenden County Regional Planning Commission.

OTHERS PRESENT:

- AGENDA:**
1. Welcome/Audience for Visitors
 2. Additions or Amendments to Agenda
 3. Minutes
 4. Public Meeting
 - A. Discussion with CCRPC of roles and responsibilities of the DRB
 - B. Review and sign Ethics Policy
 - C. Elect Chair and Vice-Chairperson
 - D. Conceptual plan to remove existing structures and construct 18 residential units with parking and 1 retail space at 132 Pearl Street in the HA District, by Paroline Real Estate, Inc., owner.
 5. Other DRB Items
 6. Adjournment

1. WELCOME

Robin Pierce called the Development Review Board meeting to order at 6:30 P.M. The order of the agenda was modified.

2. ELECT CHAIR AND VICE-CHAIRPERSON

- A. Elect Chair and Vice-Chairperson

MOTION by Robert Mount, SECOND by Cristin Gildea, to approve John Alden as the Development Review Board Chair. The motion passed 4-0.

MOTION by Maggie Massey, SECOND by Cristin Gildea, to approve Robert Mount as the Development Review Board Vice-Chair. The motion passed 3-0 (Robert Mount abstained).

3. AUDIENCE FOR VISITORS

An architect for Gabriel Handy, Daniel Goltzman, spoke before the Board about 195-197 Pearl Street. He said that Mr. Handy obtained approval some time ago for the property, but then work on the plan was paused for some time. He said that some of the elements now being proposed differ from the approval that was previously received, and that there have been questions about the currently-proposed color scheme.

Mr. Pierce noted that there is not currently design review in the district in question, though there will be when the new Land Development Code (LDC) is approved. He said despite that, he felt it important for the DRB to review what is being proposed.

They showed what was approved, which includes hues of yellow, green, and red. He said that the new plan would have much more muted colors in varying shades of grey. Mr. Pierce noted that the building would be the same height and footprint, with the same number of dwelling units and parking spaces. The changes have been to the elevations and colors.

DRB members confirmed that the new design looks good.

Mr. Zwicky requested copies of the digital files of the new drawings that were presented. Mr. Pierce said he will work with the architect to have those drawings distributed.

MOTION by Robert Mount, SECOND by Cristin Gildea, to approve of the new design as presented. The motion passed 4-0.

4. PUBLIC MEETING

A. Discussion with CCRPC of roles and responsibilities of the DRB

Ms. Mahony reviewed material around the roles and responsibilities of the DRB in the context of meetings, public hearings, and due process.

She began by providing an overview of the public notice requirements for meetings, legislative hearings, and quasi-judicial hearings. She said that the agenda must be posted in adherence with Open Meeting Law, and that notice requirements are different depending on the type of hearing. She said that subdivision revision and Planned Unit Development (PUD) applications, as well as conditional use and variance requests require 15-day notices, and that site plan applications require a 7-day notice. She said that meeting information is posted in 3 or more public places and in the newspaper of record, and that notices are mailed to applicants and adjoining properties.

She walked through the process of opening a quasi-judicial hearing. Steps include reviewing the order of events, reminding participants of the importance of order, making copies of the rules of procedure and ethics policies available, review the definition of interested persons and ensure documentation of participants, administer the oath, and request disclosure of conflicts of interest or ex parte communications.

She briefly reviewed the definition of an interested person. She said that because the DRB is a quasi-judicial board, they are not required to allow public comment and can limit comments to the applicant, the municipality and any adjoining municipality, property owners in the immediate neighborhood of the subject proposal, any petition of ten persons (combination of voters or property owners), and any department or administrative subdivision of the state owning property or any interest, and the Agency of Commerce and Community Development (ACCD). She said that these people have statutory rights to bring evidence before the DRB and have a legal right to appeal DRB decisions. She said that general public doesn't have that right. Mr. Zwicky asked whether the DRB would need to define interested persons for every meeting or whether they would adopt a blanket policy. Ms. Mahony suggested articulating that decision in their policies and procedures documentation.

Ms. Mahony then reviewed conflicts of interest within the quasi-judicial hearing process. She noted that these can include financial interest (direct or indirect), personal interest, known bias or prejudice, and ex parte communication. She said that members can recuse themselves prior to the start of the hearing, but that it is a personal choice whether to do so. She said that if DRB members recuse themselves, alternate members (which still need to be identified) would step in as voting members for that hearing. She said that applications cannot be discussed outside of the hearing, to avoid ex parte communication and maintain due process. She spoke about managing conflicts of interest, which could include adopting rules of procedure and ethics, disclosing ex parte communication where appropriate, recusing oneself when necessary, and using alternates.

She then walked through the flow of a quasi-judicial public hearing. In brief, the chair will open the hearing, the applicant will present their proposal or request, board members will then have a chance to ask questions in relation to conformance with the provisions in land use regulations, there is a period for comment from interested parties (and/or the public), the chair will close the public hearing and open deliberations, and then the board will decide on an application and issue a written decision. Mr. Pierce noted that DRB members could implement a time limit on public comment, which has been adopted by other municipalities.

She spoke about the role of the board chair during quasi-judicial hearings, which is to administer the agenda, keep board members focused on the issue at hand, and ensure that the Board finishes on time. She said that best practice for chairs is to state the question where necessary, ask for discussion without giving their own opinion, and bring the board to resolution after discussion has occurred.

She then spoke about the role of board members during quasi-judicial hearings. She said that these entail listening to testimony and evidence, asking questions, referring to regulations (on which all decisions should be made), avoiding conflicts of interest, basing decisions on evidence presented, and not pre-judging a matter. She emphasized the importance of asking questions during the hearing, because once the hearing is closed, the conversation with the applicant is over. She noted that once a hearing is closed, a decision is issued, which typically contains conditions of approval.

Ms. Mahony then provided detail on deliberative sessions, what they are, and when they can be used. She said that they can be used once all evidence and testimony have been taken, they are exempt from Open Meeting Law, they don't require advanced notice or minutes, they can be public or private, and they don't need to reveal how board members voted (though some DRBs choose to list how each member voted on a decision). She said that though decisions can be arrived at during deliberative sessions, any decision must be stated in an open and public session.

She spoke about requirements around regulatory decisions made during quasi-judicial hearings. She said that decisions must be in writing and contain findings of fact and conclusions of law, must be based on the review standards in the bylaw, that minutes can suffice as a written decision, and that they should clearly memorialize the concurrence of the majority of the Board. She said that decisions also need to outline how an Applicant or interested persons could appeal the decision.

Ms. Mahony outlined the different types of applications and reviews. She noted that it is staff's role to determine which type of review a development proposal falls under prior to it coming to the DRB. She noted that of all of the review types, Planned Unit Developments (PUDs) and subdivisions may come to

the DRB more than once (multiple hearings), since they are laid out as either a two- or three-step process. She noted that for PUDs, the steps typically include conceptual plan review, preliminary plat review, and final plat review, all of which entail three distinctly separate hearings (or more, if any of these stages are continued).

Ms. Massey asked why voting by each member is disclosed. Ms. Mahony replied that because members are basing their decisions on the review standards, voting is usually transparent. Mr. Pierce noted that previously, every deliberation has taken place in public and board member voting has been disclosed.

B. Review and sign Ethics Policy

Board members will sign the policy and email it to Mr. Pierce.

C. Conceptual plan to remove existing structures and construct 18 residential units with parking and 1 retail space at 132 Pearl Street in the HA District, by Paroline Real Estate, Inc., owner.

Mr. Pierce noted that this presentation was postponed.

5. OTHER DEVELOPMENT REVIEW BOARD ITEMS

None at this time.

6. ADJOURNMENT

MOTION by Robert Mount, SECOND by Cristin Gildea, to adjourn the meeting.

The meeting was adjourned at 7:32 PM.

RScty: AACoonradt

1 **TOWN OF ESSEX / CITY OF ESSEX JUNCTION**
2 **JOINT HOUSING COMMISSION MEETING**
3 **Minutes of Wednesday, August 17, 2022**

4 **City Representatives:** Katie Ballard, Chair; Mia Watson, Clerk; Ta-Tanisha Redditta;
5 Ned Daly.

6 **Town Representatives:** Mark Redmond, Emily Taylor

7 **Staff:** Darren Schibler, Town Planner.

8 **Members of the Public:** Jean MacBride, The Essex Reporter

9 **1. CALL TO ORDER AND AGENDA ADDITIONS / CHANGES**

10 Ballard called the meeting to order at 3:01 PM. There were no proposed changes to
11 the agenda.

12 **2. PUBLIC TO BE HEARD**

13 Ballard summarized the recent Vermont Community Leadership Summit, at which
14 she was a panelist for the session “Implementing Local and Regional Housing
15 Solutions.”

16 **3. BUSINESS ITEMS**

17 **a. Election of Clerk**

18 **Daly made a motion, seconded by Redditta, to elect Emily Taylor as Clerk of**
19 **the Housing Commission for a term ending June 30, 2023. The motion passed**
20 **6-0.**

21 **b. Minutes**

22 **Daly made a motion, seconded by Redditta, to approve the minutes of July 20,**
23 **2022. The motion passed 6-0.**

24 **c. Housing Trust Fund Presentation**

25 In preparation for meetings with the Essex Selectboard and Essex Junction City
26 Council, Ballard and Schibler practiced their presentation on the Housing Trust Fund
27 with the Housing Commission. They also solicited feedback on the draft Housing
28 Trust Fund Policy. Commissioners suggested waiting to present the policy until it is
29 more finalized, and also suggested refining the scope and potential uses of the
30 Housing Trust Fund before bringing the idea to the Selectboard / City Council. More
31 discussion on this will take place at the September 7 Housing Commission meeting.

32 **d. Housing Development Projects Update**

33 Schibler reviewed two housing development projects proposed within the Town:
34 Section I of the Pinewood Manor neighborhood (a 34-unit Planned Unit

35 Development with both single-unit lots and triplexes), and 87 Pinecrest Drive (a 32-
36 unit Planned Unit Development, nearly all duplexes, of which two units will be
37 perpetually affordable in exchange for a 25% density bonus). The Commission
38 provided comments on the projects, and authorized Ballard as chair to attend the
39 Aug. 25th Town Planning Commission meeting to speak in favor of the Pinewood
40 application. The Commission also discussed creating a task force to address the
41 question of compliance monitoring for projects which include perpetually affordable
42 dwelling units.

43 **4. Reading File**

44 There was no discussion on the reading file.

45

46 **5. Adjourn**

47 **The Chair adjourned the meeting at 4:29pm.**

48

49 Minutes prepared by Darren Schibler, Town Planner.

Subject	BWAC Meeting for June 27th, 2022
From	Christopher Kline (cckline@gmail.com)
Meeting Date	6/27/2022, 7:00:00 PM
Attendees	Micah Hagan, Chair, Annie Cooper, Vice Chair, Eric Bowker, Aaron Todd, Carolyn West, Evan Lawrence, Christopher Kline
Absent	Stefan Fetterhoff
Guests	Bryan Davis - CCRPC (Chittenden County Regional Planning Commission)
Location	https://zoom.us/j/95857502850?pwd=ZkhRNTlhZ0VqSTI6UzVPb1JNRURZUT09

Updated Agenda:

1. Call to Order
2. Determine who will take minutes
3. Changes to Agenda/Review/Approval of Minutes
4. Bryan Davis CCRPC Update
5. Annie: Bike Tour discussion for September event
6. Potential Bike Outing near future
7. Touch base on BWAC plan for 2021/2022
8. Local Motion Discussion Update: Groundhogs Day Activity
9. RRFB Update
10. Upcoming Vermont Walk/Bike Laws Webinar and Discussion

Topics Discussed:

- *CCRPC Update* - Bryan Davis (added to agenda by Annie)
 - He is working on the long range Walk/Bike Plan for the county which eventually becomes the Metropolitan Transportation Plan
 - Updated every five years or so. Working with consultant Tool Design Group on design work. They will be sharing more detailed information sometime this August
 - Looking for ways to understand the priorities of existing and proposed routes from local communities
 - Links to the tracking & additional information via websites are listed below - he encourages for anyone to update the map to help identify any major barriers in the community as well as ideas for improvement
 - Micah mentioned he appreciates the new sidewalk extension along Rt 15 in front of Saint Mike's college however Pearl Street, Five Corners remain problem areas
 - Arron mentioned the bike like ends abruptly at Industrial Ave
 - Carolyn suggested the sidewalks could be improved as well
 - Eric believes the Five Corners area is not at all bike friendly for cyclists and is concerned the new Crescent Connector will also be problematic and notices a lot of jaywalking around this area too which is pretty risky

- Annie mentions work re sidewalks and other items that are Village/City related vs work by CCRPC, to differentiate/collaborate to create a better pedestrian/bike friendly community as we grow forward as a City.
- *BWAC Participation at Upcoming Fall City Event - Annie*
 - working title is "Junction Jamboree" or similar
 - Scheduled for Sept 24th and 25th
 - Carolyn suggested we also coordinate this with EJRP
 - Annie stated that EJRP is on committee and will discuss at next meeting
 - Evan suggested he could help coordinate a "booth" or table to help promote our committee to both educate them and provide an opportunity to gain feedback on what is working and what could be better
 - Maybe produce some marketing material to include description of this committee and our scope
 - Chris to create a route for a group ride during the event (a city bike tour)
 - Ride would start from the booth
 - Probably keep it simple, short and close so families could participate (versus creating different lengths...)
 - Annie will create/get created a BWAC logo we could use for branding of this committee going forward
 - Annie will provide a draft logo post-meeting
 - Annie will also research getting some stickers made
 - Micah mentioned we should probably shoot for having representation at the booth a few hours before and after the ride
- *BWAC Bike Outing - Micah*
 - Team agreed to meeting for a ride at the library for this Thursday @ 6pm 🚲♂
- *RRFB Update - Micah*
 - Micah is hopeful but has not yet received official confirmation of this committee's budget for next year
 - Missed cutover for this fiscal years spend on RRFB but will plan to order it next month as part of 2022/2023 budget
- *Local Motion Vermont Safe Routes to School - Carolyn*
 - Local Motion has several activities. She suggested the mid-winter one for a walk to school on Ground Hogs Day
 - We would need volunteers who would walk with them to school instead of taking the bus or being driven
 - Suggestion is to send out an email blast to everyone who might want to be involved like Parks and Rec, PTO, School Principals, CHIPS, etc.
 - Carolyn will draft an email and ask this committee to review it before sending out
 - They do have other events such as Walk and Roll in the Fall and Spring for future consideration
- *Upcoming Vermont Walk/Bike Laws Webinar - Annie/Chris*
 - Scheduled for Noon on this Wednesday, June 30th

- Annie invited Trustees plus Karen Dolan and Lori Houghton to attend. Lori Houghton plans on attending. Karen is not available but awaits feedback.
 - Chris & Annie are planning to attend and will provide feedback to our committee
 - Summary of this free event:
 - "Are Vermont's walk/bike laws enough to keep people safe? A few years ago, Vermont Legislators worked to revise and update some of our walk/bike/roll laws, but we still have a way to go before we have statutes that reflect the current realities of walking, biking, and rolling. This presentation will discuss the history and evolution of road use, describe the current state of Vermont's walk/bike/roll statutes, and explore possible solutions to address gaps in our laws, such as the Idaho Stop or instituting a firm four-foot-passing law."
- Meeting was adjourned @ 8:09 pm
- Eric mentioned he can not attend next months meeting
- Annie and Micah expressed gratitude for all Eric has done for committee and that Eric has signed on for three more years

Next Steps:

Team BWAC Bike Ride scheduled for this Thursday, Jun 30th @ 6pm meeting at the ESJ Library
 Next BWAC monthly meeting is scheduled for Monday, July 18th @ 7pm on our usual Zoom bridge
 Team provides feedback to Annie on proposed BWAC logo design
 Chris creates local bike route for possible bike tour during the upcoming City of Essex Junction Celebration Event
 Evan will draft some language around what a booth handout might look like
 Carolyn will draft email to send to interested parties for the Ground Hog day walk to school idea

URL's discussed/reviewed:

- Wiki Map for Public Input:
 - <https://ccrpc.maps.arcgis.com/apps/webappviewer/index.html?id=08dc3211665a4a69b1f53f22f6631e01>
- Project webpage:
 - <http://tinyurl.com/RegionalWalkBikePlan>
- Crescent Connector:
 - <https://www.essexjunction.org/crescentconnector>
 - <http://files.dubois-king.com/index.php/s/ivxny1DYjoudmPK>
- Chittenden County RPC:
 - <https://www.ccrpcvt.org/our-communities/essex-junction/>
 - <https://studiesandreports.ccrpcvt.org/>
- Local Motion - Safe Routes to School
 - https://www.localmotion.org/safe_routes_to_school_vt

Annie offered this draft for a BWAC Logo after the meeting

RScty: C Kline