



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, JULY 12, 2016 at 6:30 PM
LINCOLN HALL, 2 LINCOLN STREET, ESSEX JUNCTION, VT 05452

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS**
 - a. Comments from Public on Items Not on Agenda
 - b. Public Hearing on Land Development Code Updates – Robin Pierce
5. **EXECUTIVE SESSION/PERSONNEL/INTERVIEWS**
 - a. Bruce Murdough, Zoning Board of Adjustment
 - b. Eric Bowker, Bike/Walk Advisory Committee
6. **OLD BUSINESS**
 - a. Reappointments – Lauren Morrisseau
 - b. Note Renewal for Fire Dept. Ladder Truck – Lauren Morrisseau
7. **NEW BUSINESS**
 - a. None
8. **MANAGER'S REPORT**
 - a. Trustees meeting schedule
9. **TRUSTEES' COMMENTS & CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Minutes from Other Boards/Committees:
 - Planning Commission 6/16/16
 - Block Party Committee 6/27/16
 - c. Letter from Sen. Bernard Sanders re: Tree City USA
 - d. Memo from CCPRC re: Public Hearing on Transportation Improvement Program 7/20/16
10. **CONSENT AGENDA**
 - a. Minutes of Previous Meeting 6/28/16
 - b. Expense Warrant #16050 dated 6/30/16 in the amount of \$188,393.98
 - c. Expense Warrant #17001 dated 7/05/16 in the amount of \$398,010.99
11. **ADJOURN**

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

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
July 12, 2016**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Andrew Brown, Lori Houghton. (Elaine Sopchak was absent.)
ADMINISTRATION: Lauren Morrisseau, Finance Director/Assistant Manager; Robin Pierce, Community Development Director. (Pat Scheidel, Municipal Manager was absent.)
OTHERS PRESENT: Sue Buswell, Steve Shaw, Wayne Beebe, George and Beth Paul, Genevieve Melle, Dawn Giambastista, Mary Jo Engel.

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order at 6:30 PM and led the assemblage in the Pledge of Allegiance.

2. AGENDA CHANGES/APPROVAL

The following changes to the agenda were noted:

- Add to Public Hearing – Additions to the Land Development Code
- Add to Trustees Comments – Letter to the Editor re: Growth in the Village
- Add to Consent Agenda – Warrant #17001, dated 7/8/16

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

3. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda

Genevieve Melle, 13 Jackson Street, thanked the Trustees for the fast response to Front Porch Forum emails. The responses were well received and show the Trustees are listening.

2. Public Hearing: Land Development Code Update

The public hearing was opened at 6:35 PM. George Tyler noted this is the first of two public hearings on the Land Development Code (LDC).

Robin Pierce summarized the updates to the LDC and highlighted the following:

- Update of some items in the LDC were to align with state regulations. For example the state uses “PUD” (Planned Unit Development) rather than “PRD” so each incidence of “PRD” in the LCD was changed to “PUD”.
- There were updates to the Public Works Specs on road profiles and turning radius.
- Streetlights to be used in the Village Center District were noted in the code.
- The Neighborhood Overlay in the Village Center District was added. There are various benefits available for specific types of development (i.e. affordable housing).
- The landscaping requirement for parking lots was increased.

- Terms and definitions were updated and/or added (i.e. PUD, dark sky compliant).
- Approval procedures for master plans were clarified.

Lori Houghton asked about the affordable housing component. Robin Pierce said the waivers were not changed. The overlay is in the Village Center District. There are also waivers for renewable energy. There was discussion of affordable housing and according to the statistics at this time there is enough affordable housing in the village versus other areas in the state.

Andrew Brown asked about the following:

- Re-adoption of the code every eight years rather than every five years - Robin Pierce said the change to every eight years is a state requirement.
- Massage Therapy definition and who determines “approved alternative certification” (Section 201.C.127) - Robin Pierce said the Trustees would make the decision. George Tyler said further clarification is needed.
- Sign Regulations and illuminated message boards – Robin Pierce said the signs are limited to public service announcements to avoid having these types of signs all over the village.
- The deleted items under Zoning Permit Requirements (Section 502) – Robin Pierce said the items are covered elsewhere in the LDC.

Dan Kerin said he has heard concerns from people in the village about allowed building height.

PUBLIC COMMENTS

Sue Buswell, Briar Lane, expressed concern about building heights up to six floors, especially in the village center. Ms. Buswell asked about future plans for buildings adjacent to the structure at 4 Pearl Street. Lori Houghton read Section 604.H (Building Height) which says the height is not to exceed four stories or 58’ whichever is less. The Planning Commission can grant a waiver to up to six stories or 84’ whichever is less if the site design does not negatively impact the character of the area. The Planning Commission can set conditions to ensure there is no adverse effect on the surrounding neighborhood. George Tyler noted there was a conceptual proposal put forward for a four story building on Park Street and a four story senior housing building behind it. The Planning Commission has not yet received an actual development application however. The single family house on Pearl Street next to 4 Pearl Street is historic and cannot be removed.

Mary Jo Engel, Gaines Court, pointed out if the language is in the LDC then the public does not have much say on a development. Ms. Engel expressed concern about six story buildings and the ability to grant a waiver. A six story building in the village gives an overwhelming, “canyon-like” feeling. The village is a village or town, not a city. This is the critical time to provide input to the language in the LDC. George Tyler pointed out the LDC has allowed six story buildings since 2001, but no applications have been submitted until the building at Five Corners. The Trustees wanted four stories, but the Planning Commission argued for the flexibility to go higher in case an application came

forth that the village wants. Mary Jo Engel commented the village is an asset. Developers want to develop here whether four stories or six stories.

Genevieve Melle, Jackson Street, mentioned her recent visit to New Jersey and the suburban commercial and historic district with beautiful parks and no buildings taller than two stories. Ms. Melle felt the village should not be reaching out to developers, but should ask the people if they want six story buildings. Ms. Melle opposed buildings greater than four stories and giving the Planning Commission the power to grant waivers. There are many changes in the LDC that are significant and the Planning Commission needs to put this in words the people can understand and respond to. People need to understand the process. The process is transparent for people who are educated and have been through the process. There are many people who live in the village center who did not anticipate the changes when they purchased their house. There is also concern about some members of the Planning Commission and recruitment of new members. George Tyler mentioned the Design Five Corners concept. Ms. Melle said the plan was put forth by a sham consultant who did not have a professional background except to have written a book.

Wayne Beebe, Wilkinson Drive, explained the problem he continues to experience from lights and hockey pucks from his neighbor's backyard 60'x 40' ice hockey rink. The light spills over onto his house at night and flying pucks have hit his house and often go in his yard. The matter still has not been resolved after five years of effort. Mr. Beebe showed pictures of the rink, winter and summer, and suggested the village define how much light is allowed and perhaps restrict the time the lights can be on to minimize light trespass. Robin Pierce stated the Planning Commission struggled with language that would offer some relief while still allowing people to use their yards. There is language on maximum illumination levels and "dark sky compliant" in the LDC. The Planning Commission wrestled with the best way to address pucks, balls, or any item from games people are playing in their yard going onto neighboring property. George Tyler suggested the Planning Commission look at how long lights around a backyard ice rink can be on at night. More specific regulations are needed to address the safety aspect of pucks going onto neighboring property.

Beth & George Paul, Summit Street, spoke against closing Main Street to vehicles and allowing waivers for buildings to be greater than four stories. Tall buildings overshadow smaller buildings. Green space was lost to concrete and brick with the new building at Five Corners. Regarding light pollution and security lights, Ms. Paul said they had to get "blackout" shades to block the security lighting from the school and the neighbors. Green Mountain Power also switched the streetlight. Ms. Paul spoke in support of controlling light pollution.

George Tyler mentioned the crescent connector road and the suggestion once the road is built to convert Five Corners to a four-way intersection which will reduce the wait time at the traffic lights by half. The proposal will be studied and if the results are positive then a community conversation will be held on next steps.

There were no further comments. The public hearing was closed at 7:47 PM.

4. EXECUTIVE SESSION

MOTION by Dan Kerin, SECOND by Andrew Brown, to find that premature public knowledge of candidates for volunteer positions would place the Village of Essex Junction at a substantial disadvantage. VOTING: unanimous (3-0)[Lori Houghton not present for vote]; motion carried.

MOTION by Dan Kerin, SECOND by Andrew Brown, to go into Executive Session to interview candidates for volunteer positions in accordance with the Open Meeting Law, 1VSA313(a)(3), and to invite the Assistant Manager to attend. VOTING: unanimous (3-0)[Lori Houghton not present for vote]; motion carried.

Executive Session was convened at 7:50 PM.

MOTION by Dan Kerin, SECOND by Andrew Brown, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous (4-0); motion carried.

Executive Session was adjourned and the regular meeting reconvened at 8:15 PM.

5. OLD BUSINESS

1. Re/Appointments to Boards, Commissions, Committees

MOTION by George Tyler, SECOND by Lori Houghton, to appoint Bruce Murdough to the Zoning Board of Adjustment through 6/30/19. VOTING: unanimous (4-0); motion carried.

MOTION by Lori Houghton, SECOND by Andrew Brown, to appoint Eric Bowker to the Bike/Walk Advisory Committee for a three year term ending June 30, 2019. VOTING: unanimous (4-0); motion carried.

MOTION by Lori Houghton, SECOND by Dan Kerin, to appoint Robin Pierce as the representative to the CCRPC Planning Advisory Committee and John Alden as alternate for the period of July 1, 2016 through June 30, 2018. VOTING: unanimous (4-0); motion carried.

2. Note Renewal for Fire Department Ladder Truck

Lauren Morrissette reported this will be the last year of borrowing and the last payment on the ladder truck.

MOTION by Andrew Brown, SECOND by Lori Houghton, to adopt the resolution for current expense borrowing and sign the current expense note and the resolution. VOTING: unanimous (4-0); motion carried.

6. NEW BUSINESS

None.

7. MUNICIPAL MANAGER’S REPORT**1. Meeting Schedule – Regular Trustees Meetings @ 6:30 PM**

- August 9, 2016
- August 23, 2016
- September 13, 2016
- September 27, 2016

***Special Events/Meetings**

- July 16, 2016 @ 5 PM – Block Party & Street Dance
- July 21, 2016 @ 3 PM – Employee Appreciation Party
- July 25, 2016 @ 6:30 PM – Joint meeting with Planning Commission and Zoning Board of Adjustment

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

- George Tyler mentioned the editorial for the *Essex Reporter* on growth in the village downtown and the homeless person on Pearl Street.
- Lori Houghton commented growth is good, but there are impacts.
- Lori Houghton reported on the productive meeting on promoting food security in Essex and building a network to share resources and make sure people in the community are fed.

2. Reading File

- Minutes
 - Planning Commission 6/16/16
 - Block Party Committee 6/27/16
- Letter: Bernard Sanders re: Tree City USA
- Memo: CCRPC re: Hearing on Transportation Improvement Program 7/20/16

9. CONSENT AGENDA

MOTION by Andrew Brown, SECOND by Dan Kerin, to approve the consent agenda as follows and with the addition of Warrant #17001, dated 7/8/16:

- 1. Approve Minutes of Previous Meetings 6/28/16**
- 2. Expense Warrant #16050 dated 6/30/16 in the amount of \$188,393.98.**
- 3. Expense Warrant #17001 dated 7/5/16 in the amount of \$398,010.99.**

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

10. ADJOURNMENT

MOTION by Andrew Brown, SECOND by Dan Kerin, to adjourn the meeting.

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

The meeting was adjourned at 8:30 PM.