

**CITY OF ESSEX JUNCTION
PLANNING COMMISSION
PUBLIC HEARING
MINUTES OF MEETING
JANUARY 19, 2023
APPROVED FEBRUARY 2, 2023**

MEMBERS PRESENT: Phil Batalion, Chair; Patrick Scheld, Vice Chair; Diane Clemens; Scott McCormick (via Zoom); Elijah Massey

ADMINISTRATION: Regina Mahony, City Manager

OTHERS PRESENT: None

1. CALL TO ORDER

Phil Batalion called the meeting to order at 6:35 PM.

2. AGENDA ADDITIONS/CHANGES

Ms. Mahony noted that the following business items will be tabled from: 5a(i) Housing – Conversation with Katie Ballard & Ned Daly from the Housing Commission

- i. Inclusionary Zoning
- ii. Housing Trust Fund

3. PUBLIC TO BE HEARD

- a. Comments from Public on Items Not on Agenda

None.

4. MINUTES

- a. December 1, 2022

MOTION by DIANE CLEMENS, SECOND by ELIJAH MASSEY, to approve the minutes of DECEMBER 1, 2022. Motion passed 5-0.

5. BUSINESS ITEMS

- a. **Housing – Conversation with Katie Ballard & Ned Daly from the Housing Commission:**

~~i. Inclusionary Zoning~~

~~ii. Housing Trust Fund~~

iii. Duplex and triplexes in the R1 and R2 zoning districts

Mr. Massey said that the state may be passing legislation to allow duplexes and triplexes to be built anywhere single-family homes were allowable. Ms. Mahony said that she read an article about the bill and noted that it also included a provision for only one parking space per unit. The Planning Commission discussed the proposed bill, potential changes it could bring to Act 250, and what would take for it go into effect. Ms. Mahony mentioned that some residential developments in Essex Junction have Homeowner’s Associations which may have their own restrictions on duplexes or triplexes, however, that is not a municipal issue and she is unclear on state regulations that may prevent those prohibitions.

iv. Rental Registry & Inspection Program

Mr. McCormick reviewed and provided examples of rental registries and inspection ordinances and what they can accomplish to the Planning Commission. He said that different communities have different amounts of time in which inspections are required and said that this could depend on the results of previous inspections. He brought up possible concerns regarding the feasibility of inspections and who would conduct them. He discussed the difference between major and minor violations in some communities, as well as the amount of time given to address each type. There was discussion regarding the number of rental units and what the potential revenue could be of a rental registry. Ms. Mahony said that, in both Essex and Essex Junction (because the census data is not broken out), there are approximately 9,000 residential units and approximately 2,500 of those are rentals. There was discussion that the rental registry would be one way for the City to be sure how many rental units there are. Ms. Mahony said the current version of the proposed budget includes a full-time code enforcement employee; the position could also run the rental registry program. Mr. Batalion, a Burlington property owner, discussed his experiences going through the rental registry and inspections in Burlington. He said that, as a landlord, consistent enforcement and compliance, is very important. The Planning Commission discussed financial options for mitigating the impact on landlords, such as utilizing the housing trust fund for necessary repairs or offering low-interest loans. The Planning Commission discussed looking further into this option with local credit unions or the housing trust fund if one is started here in the city.

Ms. Mahony asked the Planning Commission about next steps on this initiative. The Planning Commission discussed collaborating with the Housing Commission, as well as meeting with other communities and the Chittenden County Regional Planning Commission (CCRPC). At the next meeting:

- Mr. Scheld will share info that he gathers from St. Albans
- Mr. Batalion and Ms. Mahony will share info from CCRPC's Housing Convening
- Housing Commission members will be in attendance
- The Planning Commission will focus on the ordinances from Winooski (2500 rental units); St. Albans (1500 rental units); and Barre City (2100 rental units) as a starting place for an Essex Junction ordinance.
- A more specific timeline will be established

b. Housing Next Steps:

i. Discuss option of roundtable with profit and non-profit developers

Mr. Batalion suggested that a roundtable discussion with developers in Essex Junction occur in the next 6-9 months. This would be a less formal opportunity to engage with developers than traditional meetings. The roundtable would help the Commission learn more about what the community is doing well, and what they could improve upon. The Commission discussed how they would best engage developers to attend, and possibly including it with a meet and greet with the new Community Development Director

ii. Talk with municipalities that have rental housing codes and inspections

Ms. Mahony plans on attending the CCRPC Housing Convening meeting; the agenda includes rental registry and inspection programs. Mr. Scheld will reach out the City of St. Albans.

c. Consideration of Downtown Transportation Fund grant application for 1 Main Street Park*

Ms. Mahony said that the City plans to apply for a Downtown Transportation grant for the 1 Main Street Park. She explained that the total project cost would be around \$650,000, however the grant application will be for a scaled-down version with plans to complete the entire project after the grant period is over. This grant could provide \$200,000 toward the park. Ms. Mahony said that the Urban & Community Forestry Program anticipates offering grants this year, and that this could be another source of funds. Mr. Batalion asked if this project could be an impediment to the potential closure of Main Street. Ms. Mahony said that the idea of closing Main Street is in its very early stages, but that she does not anticipate that it would cause any problems.

Motion by PATRICK SCHELD, second by DIANE CLEMENS to support the application for the Downtown Transportation Fund grant to apply for funding for the 1 Main Street Park. Motion passed 5-0.

6. READING FILE

- a. SevenDays Locked Out Series
- b. SevenDays Co-op Article

7. MEMBERS UPDATES

Mr. Battalion asked for clarification on a recent Development Review Board (DRB) decision regarding a cannabis-related home occupation. Ms. Mahony said that a home occupation for indoor Tier 1 Cannabis cultivation was requested by a homeowner on Shawn's Way. Ms. Mahony denied the application as it was for cannabis cultivation outside of the City's Planned Agriculture District. The homeowner appealed to the DRB, who decided to approve it. This was because home occupations have a different review criteria than traditional businesses, and this was found to have no negative impact on the neighborhood.

8. STAFF UPDATES

None.

9. ADJOURN

MOTION by DIANE CLEMENS, SECOND by PATRICK SCHELD, to adjourn the meeting at 8:40 PM. Motion passed 5-0.

Respectfully submitted,
Darby Mayville