

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
May 1, 2014**

- MEMBERS PRESENT:** Diane Clemens (Chairwoman); Andrew Boutin, Nick Meyer, Aaron Martin, Amber Thibeault, John Alden. (David Nistico was absent.)
- ADMINISTRATION:** Robin Pierce, Development Director.
- OTHERS PRESENT:** Peter Sloan, John Glasserman, Elizabeth Skinner, Polly McEwing, Linda McKenna, MJ Engels, Bob Abell, Brian McClintock, Alex McEwing, Jaye O'Connell, Wendy Jenkins, Frank Naef, Deborah Alden, Heather Collins, Nina Curtiss, Susan McCormack, Judy Naef, Anne Whyte, Henri de Marne, Bob McEwing, Greg Morgan, Toni Morgan, Al Bergendahl, Dottie Bergendahl, Beth Glaspie, Nancy Specht, Jane Hennessey, Kate Hennessey, Paul Dame, Karen Moins.
- AGENDA:**
1. Call to Order
 2. Audience for Visitors
 3. Additions/Amendments to the Agenda
 4. Minutes
 5. Work Session: Comprehensive Plan
 6. Other Planning Commission Items
 7. Adjournment

1. CALL TO ORDER

Diane Clemens called the meeting to order at 6:05 PM.

2. AUDIENCE FOR VISITORS

Comments from attendees included:

- Anne Whyte, 10 School Street, made the following statements:
 - The vision statement as a living document is very good. Neighborhood, growth, community is what makes an active, vibrant village, but the vision statement is not getting used and what is the point of having the document if it is not used.
 - The neighborhood is concerned and has attended meetings on the bank proposal, but the process is frustrating.
 - It is difficult to find documents on the village website.
 - The planning process and weight given to the developer has been very frustrating. It seems the residents have to prove the project will have an impact on the neighborhood versus the developer working with the neighborhood.
 - The process appears predisposed to giving accommodations and waivers. If the project fit the zoning guidelines then accommodations or waivers would not be needed to fit the site.

- The residents acknowledge there will be development on the site and are not “anti-development”, but the street is substandard and to add more traffic does not feel safe.
- The development needs to be to scale.
- The residents are feeling ill served, and as a working document the residents are asking that it be used. The residents do not feel the intent was honored with the bank building proposal. The process needs to be made more ‘user friendly’ for villagers as it is for the developers.
- It is frustrating that the residents will not have an impact on a building that will have significant impact on the village. The building does not fit. The vision for a pedestrian friendly place does not happen by putting people in boxes. Park Terrace needs to be considered as well. The residents are not feeling well served.
- Henri de Marne, Pinewood Manor, spoke in support of the comments by Ms. Whyte and added the following:
 - Rather than a building that is out of scale the bank parcel should stay more as it is and be purchased by the village and town then fitted with a café selling sandwiches, burgers, desserts, creemees and such to create a central gathering area.
 - It is a shame the proposal was approved and it is hoped Act 250 offers amendments.
 - With future development, and there is opportunity with the crescent connector to move Road Rescue and Simons there, the corners should be made into a friendly park. This would be an improvement over what is there now.
 - The village planning documents are guidelines. What is more important is what the people in the community say. For example, the center lane on Pearl Street for turns improved the traffic flow and circulation, and the Village President has a vision for the Five Corners area that is appealing.
 - A project should be able to be denied if the community does not want it even if the project meets the guidelines. Developers should come to the Planning Commission early to find out if the community wants their proposal or not.
 - It is a question of scale. The proposed building if built will be a monstrosity, a skyscraper in the village. If the building was in scale with others that would be better.
- Linda McKenna, School Street, made the following comments:
 - The village’s visionary and strategy statements are good as written.
 - A scale drawing by Hugh Gibson of the proposed building and a ‘to scale’ photo of Lincoln Hall was shown and should be taken under consideration.
 - Heavy commercial development in the village is regional or city and town goals and that is not reflected strongly in the village vision statement.
 - The appeal process of the decision on the proposal should be included on the decision so residents know they have opportunity to appeal. That modification should be included in the comprehensive plan update.

- The plan also talks about maintaining the historic character and architecture in the historic district of the village.
- Frank Naef, 4 Park Terrace, made the following comments:
 - Residents have frustration as taxpayers when there is a document well put together and not followed.
 - As a resident for over 30 years lots of village taxes have been paid and some of this money was probably used for the Land Development Code and the vision statement.
 - All the issues raised by the residents were ignored. The residents see the danger of children walking on the narrow street with high snowbanks, but the feeling is the Planning Commission did not care. The residents know there will be development on the site and hope there is a better ear to hear comments in the future.
 - If the comprehensive plan was followed with the proposal then there should not have been need for waivers.
- Elizabeth Skinner, 5 School Street, stated the comments about Essex Junction being designated an urban center and hearing the words “urban”, “city”, or “village” with more density and more apartments needs to be addressed because the village is not a city.
- Bob Abell, 72 Maple Street, made the following comments:
 - As a 60 year resident, living in the village has been enjoyable, but recently there are happenings that are worrisome. Another boondoggle like the proposal at Five Corners is not wanted. ‘Backyard development’ like the five or six houses crammed on a lot on Maple Street should be decreased or eliminated.
 - Growth should be slow with careful planning over the years and with implementation and total residential input.
- Sue McCormack, East Street, commended the Planning Commissioners as community volunteers for their time and effort and added:
 - It is hoped the building works well for the village.
 - Public input and planning documents should match the vision of the community. Structure is difficult.
 - The Trustees are planning a visioning exercise for the village downtown area. The Planning Commission is encouraged to work with the Trustees to synthesize the two processes - update of the comprehensive plan and the visioning - so people can give feedback on what will work better.
- Jessica Martin, Redwood Terrace, suggested the process for approval be reconsidered and public input received early in the process so people feel they can be an effective part of the process. The process of approval, clear notification and a clear agenda of the nature of the discussion to be held should be published.
- Kate Hennessey, 40 South Street, mentioned letters and feedback on the project submitted to the Planning Commission in January 2014 and that it is not known if the communications were even considered.
- Jaye O’Connell, 27 Central Street, commented:
 - It appears village residents are saying they do not know how to give feedback on proposal or what happens to the feedback once it is given.

With federal regulations the agency must send a written response to comments.

- The village has experienced neighborhoods degrading and must be careful about staying too small. If IBM leaves property values will decline.
- There are some positives to growth, such as transportation development.
- Growth needs to complement the village's historical assets and progress to the future while maintaining vitality. An example would be renovation of the train station.
- The village needs strategies to get businesses to help the community remain vibrant. The alternative might be 10 or 20 story buildings next to single family Victorian houses. Right sized, smart growth are good principles.
- Deb Alden, 3 Mason Drive, stated:
 - The frustration by residents is there is no response to the feedback given to the public input. Residents are asked to give input, but do not know how and it is not fair to say the Planning Commission is meeting every Thursday and residents should know that and attend.
 - There is a push for housing in the village, but the occupancy rate of the buildings in the village and surrounding area should be surveyed because people are moving away and leaving the area.
 - The Planning Commission must do due diligence and have evidence there is need for a four story building of housing in the village rather than approving the project just to be a national model of urban development.
- Dorothy Bergendahl, 17 Taft Street, stated at the Act 250 hearing a representative of the builder for the proposal at Five Corners said they were encouraged when designing the building to "go big". Residents are concerned going forward with other development in the village that there will be backlash because there is encouragement to "go big".
- Alex McEwing, 34 Park Street, made the following comments:
 - Economic vitality is the largest concern for the village. If the people do not have a way to pay for the wanted services, the schools, the quality of education, then no one will be able to afford to live in the village.
 - Business owners in the community have said this winter was one of the toughest in 10 years. That is scary.
 - With IBM leaving the village should have figured out that the company would leave one day and have a plan. One suggestion is to consider the IBM property for incubator space and have GBIC create opportunity for 50 different businesses to locate there and probably employ more people than IBM. It may be necessary to define separate tax zones for this to happen. Steps must be taken to have economic development in the village to keep the quality of life and schools that are wanted.
 - The road that serves IBM should become a village owned road because the road connects to Williston and the new police station and is a natural diversion of traffic from Five Corners and another way around the village for people who are just passing through and not stopping to do business in

the village. Discussion with IBM on the road should occur now with or without the crescent connector in the works.

- To get people to stop and shop or dine in the village there must be a reason and that reason could be to shop local. The vision for the village overall is a good direction. The code should not be wholesale gutted, maybe just do careful and selective tweaking. Be sensitive to economic needs and that businesses must locate in the village for the quality of life the residents want. A balance must be found.
- Jane Hennessey, 19 South Street, thanked the Planning Commission for the work and stressed as a resident for over 50 years and having raised seven children in the village that Essex Junction is a village not a city.
- Peter Sloan, 8 School Street, commented:
 - Public input on a specific project appears to have little influence and if the project matches the code then it is approved.
 - The developer is investing in their project, but the residents are living here and paying taxes.
 - It seems the balance is on the side of the developers.
- Beth Glaspie, 20 Corduroy Road, said the words “downtown”, “city”, “urban” give a connotation of city, and it seems that the foregone conclusion is Essex Junction is to be turned into a city by the powers that be. There should be thoughtful growth and some change in the plan, such as three story building height maximum.

Comments from the Planning Commission included:

- The time is now during the update of the village comprehensive plan for residents to give input and get involved in the vision of what they want the village to look like in the future. The Planning Commission is not required to reply to feedback in writing.
- The process is two steps: vision and code. The vision is the comprehensive plan and the code deals with specifics such as building height. The next step in the process is to review the code so there will be another opportunity for the public to get involved.
- Throughout the village plan are highlights that Essex Junction has ‘downtown designation’ to become an urban core area and with this there will be certain amenities and densities. It makes sense to concentrate development in developed, urban areas. Green space has value. The goal is not to have sprawl and to concentrate the built environment to be walkable with green space.
- The Land Use section of the plan covers historic character and architecture in the historic district. Land Use also covers density.
- The village comprehensive plan gives the Planning Commission direction on what is to happen in the village center. If the public does not like the direction then now is the time to state what the community wants because the Planning Commission is in the process of updating the plan.
- The development proposal for Five Corners could have been greater than what it is and still meet the code requirements. There were many changes made to the

proposal, some due to public input. Waivers are a normal part of any planning process. The Planning Commission decides what waivers are fair to grant.

- The visioning exercise planned by the Trustees will involve gathering input from investors, residents, village officials and staff on the village downtown area.
- The draft report on the comprehensive plan update must be submitted by June 17, 2014 or the grant money that was received for the task must be returned to the state. Work on the comprehensive plan update has been ongoing for the past nine months with very limited to no attendance by the public at the work sessions until just the last couple of meetings.
- Changes may be possible to the draft village comprehensive plan before final adoption by the state after which the next opportunity to make changes will be in five years with the next plan update.
- The development review process is outlined by the state. Applications typically receive sketch plan, preliminary plan, and final plan review though some applicants choose to combine preliminary and final plan review. The public can email or voice opinions to the Planning Commission at any time. Correspondence sent to the Planning Commission becomes part of the record. Copies can be attained by a public information request to village staff.
- A development proposal that meets the requirements in the documents adopted by the village (plan and code) is difficult to deny even if there is a percentage of the population speaking against the proposal. Rules cannot be changed mid-stream. Public input can shape the final result of a project, but cannot necessarily change the 'big picture' of the project. The time to modify the rules is during the update of the comprehensive plan and the Land Development Code.
- The development review process is set up to be fair and reasonable. The community must recognize there will be development and the rules must be followed. It is not fair to change the rules after a developer makes a proposal and invests money in the project.
- In planning there is nothing constant, but change. The village is not the same as it was years ago. Open spaces now have buildings. Buildings are removed. Buildings are added. The village is more urban than it was 75 years ago. IBM changed life in the village and the entire county. Businesses come and go. Businesses drive the economy and it is hoped all benefit. The village is urban compared to other towns. 'City' is a form of government, not how a community is laid out. Essex Junction has a town/village type of government and that is what the planning documents say.
- The way the plan is laid out and how Regional Planning is looking at it is if development is allowed there will be transportation routes and population cores growing and becoming more dense. The tradeoff is areas outside stay open and small scale. The Planning Commission cannot control development that comes forth, just manage it. If the community wants to change what will be for the next 50 years then there must be some allowance for growth and that is what the planning documents (comprehensive plan and Land Development Code) are for. If the community is saying stay as a village like today (i.e. less dense development) for the next 50 years then development will go to surrounding areas

along with economic viability. The vision statement needs to reflect what the community wants to see going forward for the next 50 years.

- Creating a transition buffer from the edge of the village core is difficult. Other communities have built lots of housing. The village should, too. Change is hard.

3. ADDITIONS/AMENDMENTS TO THE AGENDA

None.

4. MINUTES

April 3, 2014

MOTION by Aaron Martin, SECOND by Amber Thibeault, to approve the April 3, 2014 minutes as written. VOTING: 5 ayes, one abstention (Andrew Boutin); motion carried.

April 17, 2014

MOTION by Diane Clemens, SECOND by Andrew Boutin, to approve the April 17, 2014 minutes as written. VOTING: 3 ayes, 3 abstentions (John Alden, Amber Thibeault, Aaron Martin); motion carried.

5. WORK SESSION: COMPREHENSIVE PLAN

Comments on the LAND USE section of the plan included:

- The Heart & Soul section feels more like a rebuttal instead of a statement of vision in terms of the way the text is written. The goal is to take the Heart & Soul values and filter them into the village plan. Better integration all through the document is encouraged.
- Section 9.1 – Lincoln Street corridor
 - Incorporate “several lots are large” into the first sentence and delete the text about subdividing in the future.
- Section 9.1.1 – Village Center
 - The way the text is written makes it appear each major road is a neighborhood onto itself.
 - Land Use chapter should reflect regional goals like what is done in Housing and Transportation. The village center core of the village around Five Corners should be recognized as having a different character than other parts of the community and even the state.
 - Delete “One final note” in paragraph starting with “One final note in most cases...” so the paragraph reads: “In most cases there is no parking between the buildings...”
 - In the paragraph beginning “The junction also benefits...” Add “for example, Railroad Avenue took advantage of historic tax credits and other credits”. Keep “The junction could build upon...”
- Section 9.3 – Land Use Goals

- Objective 1.1 – change to read: “of the village center” rather than “in the village center”.
- Objective 6.1 – have the Trustees consider a change in language to say “Enact” or “Strongly consider” with regard to the use of design review.
- Object 6.2 – delete because is already occurring.
- Renumber objectives accordingly.
- Goal 7 – delete “as appropriate”.
- Objective 7.1 should read: “Initiate communication with surrounding communities to discuss development impacts on land use and planned compatibility.”
- Goal 10 – replace “develop a grid pattern” with “increase connectivity”.
- Objective 12.2 – insert “or historic overlay district” after “zone changes”.

MOTION by Amber Thibeault, SECOND by Aaron Martin, to meet on May 8, 2014 to discuss the Land Use section of the plan and Implementation. VOTING: unanimous (6-0); motion carried.

6. OTHER PLANNING COMMISSION ITEMS

None.

7. ADJOURNMENT

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

The meeting adjourned at 8:55 PM.

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