

**VILLAGE OF ESSEX JUNCTION  
PLANNING COMMISSION  
NOVEMBER 5, 2015  
AGENDA  
6:00 P.M.**

**I. Audience for Visitors**

**II. Additions or Amendments to Agenda**

**III. Minutes**

- A. Regular Meeting – October 15, 2015

**IV. Work Session – Updates for Land Development Code**

- A. Chapter 9: Subdivisions
- B. Chapter 10: Enforcement

**V. Other Planning Commission Items**

**VI. Adjournment**

This meeting will be held at the Essex Junction municipal building at 2 Lincoln St., Essex Jct., VT. Reasonable accommodations will be provided upon request to the Village, 878-6950, to assure that Village meetings are accessible to all individuals regardless of disability.

**VILLAGE OF ESSEX JUNCTION  
PLANNING COMMISSION  
MINUTES OF MEETING  
November 5, 2015**

**MEMBERS PRESENT:** Dave Nistico (Chairman); Amber Thibeault, Joe Weith, Nick Meyer, Diane Clemens, Andrew Boutin. (John Alden was absent.)

**ADMINISTRATION:** Will Hayden, intern.

**OTHERS PRESENT:** None.

**AGENDA:**

1. Call to Order
2. Audience for Visitors
3. Additions/Amendments to the Agenda
4. Minutes
5. Work Session: LDC Update, Chapters 9 & 10
6. Other Planning Commission Items
7. Adjournment

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**1. CALL TO ORDER**

Chairman Nistico called the meeting to order at 6:14 PM. There were no announcements.

**2. AUDIENCE FOR VISITORS**

None.

**3. ADDITIONS/AMENDMENTS TO THE AGENDA**

None.

**4. MINUTES**

*October 15, 2015*

**MOTION by Amber Thibeault, SECOND by Andrew Boutin, to approve the 10/15/15 minutes as written. VOTING: unanimous (6-0); motion carried.**

Diane Clemens explained her comment on noise mentioned in the 10/15/15 minutes pertained to noise occurring before 7 AM from garbage trucks collecting at the apartment complex at 159 Pearl Street. How the noise regulation is enforced outside of the fair and if there are other areas in the village within the commercial zone experiencing noise issues should be discussed. There is a residential level of noise and a commercial level of noise in the ordinance, but it is not clear which noise level prevails (residential or commercial) when residential is bordering commercial. Dave Nistico pointed out there is a noise ordinance and a complaint process. A complaint can be filed regardless of where the noise is originating (commercial or residential). Andrew Boutin mentioned the use of Jake brakes by trucks in residential neighborhoods is a noise issue. The Planning Commission agreed clarification is needed on noise and will further discuss the noise ordinance with staff at the next meeting.

**5. WORK SESSION: LDC UPDATE, Chapter 9 & Chapter 10**

The Planning Commission completed review of Chapter 9 and Chapter 10 of the Land Development Code. The following revisions/comments were made:

- Ensure proper capitalization, spelling, spacing, and formatting throughout the document.
- Staff is asked to explain whether Section 503 (development review process) can be consolidated into Chapter 9.
- Staff is asked to confirm whether the text in Chapter 9 can be altered or if the chapter outlines state requirements.
- Section 905.F (lot requirements) – a definition of “double frontage lots” is needed.
- Section 906.B.3 (streets, arrangement) – add “in residential districts” to the end of the sentence.
- Discussion is needed at some point on how the village center is envisioned to look.
- Section 906.C.7 (streets, design) – staff will confirm the numbers in the table are current and in compliance with ‘complete streets’.
- Section 906.D (streets, dead-ends) – add a definition of “dead-end street”.
- Section 906.D.3 – change “903.F.3” to “905.F.3”.
- Section 907 (easements) – staff will check the current design standard for storm events (i.e. 25 year storm or something greater).
- Section 913 (utility lines) – add “and shall be hidden from view in the public right-of-way” to the end of the last sentence in paragraph. Staff will confirm the section agrees with other text in the bylaws relative to requiring underground utilities (i.e. “shall” or “should” language).
- Section 1001 (enforcement, violations) – discussion is needed on when and if enforcement is occurring.
- Clarification is needed on sewer penalties for violations being different from other code violations.

Staff is requested to do the following for the next meeting:

- Clarify which noise level in the ordinance prevails (residential or commercial) when residential is bordering commercial.
- Jake brakes by trucks in residential neighborhoods are a noise issue that needs to be addressed.
- Clarify whether Section 503 (development review process) can be consolidated into Chapter 9.
- Confirm whether the text in Chapter 9 can be altered or if the chapter outlines state requirements.
- Confirm whether the numbers in the table in Section 906.C.7 are current and in compliance with ‘complete streets’.
- Confirm the current design standard for storm events (i.e. 25 year storm or something greater).
- Confirm that Section 913 (utility lines) agrees with other text in the bylaws relative to requiring underground utilities (i.e. “shall” or “should” language).
- Discussion is needed on when and if enforcement of the code is occurring.

- Clarify whether sewer penalties for violations are different from other code violations.
- Check on the progress of review of Chapters 11 and 14, and Appendix A by Waste Water and Public Works and if the sections are ready for review by the Planning Commission.
- Provide a staff recommendation on alternation of the fee schedule.

#### **6. OTHER PLANNING COMMISSION ITEMS**

Next meeting: November 19, 2015 at 6 PM

Agenda: Discussion of the list of items for staff (see above)  
Review of Chapter 17 (appeals)  
Review of Chapter 11 & 14 and Appendix A if available

#### **7. ADJOURNMENT**

**MOTION** by Amber Thibeault, **SECOND** by Nick Meyer, to adjourn the meeting.

**VOTING: unanimous (6-0); motion carried.**

The meeting was adjourned at 7 PM.

Rcdg Scty: MERiordan

