

**VILLAGE OF ESSEX JUNCTION  
PLANNING COMMISSION  
MINUTES OF MEETING  
July 1, 2021**

**MEMBERS PRESENT:** John Alden, Vice Chair (and then Chair); Phil Batalion; Diane Clemens; Andrew Boutin. (Patrick Scheld, Steven Shaw, and David Nistico were absent).

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

**OTHERS PRESENT:** Bob Paroline.

- AGENDA:**
1. Call to Order/Audience for Visitors
  2. Additions/Amendments to the Agenda
  3. Minutes – June 3, 2021
  4. Review and Sign Ethics Policy
    - a. Elect Chairperson and Vice Chairperson
  5. Work Session – Continue updates for Land Development Code
    - a. Design Review Overlay
  6. Other Planning Commission Items
  7. Adjournment
- 

**1. CALL TO ORDER**

John Alden called the meeting to order at 6:08 PM.

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

None at this time.

**3. AUDIENCE FOR VISITORS:**

Bob Paroline said that as the owner of 132 Pearl Street, he is looking to tear down two existing single-family homes and redevelop the property. He noted that the property is in the Highway Arterial District and asked the Planning Commission about zoning requirements in that district. He asked if commercial space is required on the first floor, about the percentage of lot size that the building can take up and whether that includes parking, and asked about setback requirements. Mr. Pierce replied that there is a 20-foot front setback, 10-foot side setbacks, and the height can be a maximum of four stories or 58 feet (whichever is less). He said that the building can be 65% of the lot size--including parking--but that there is a waiver that could increase the maximum to 80%. Mr. Paroline asked what elements would need to be considered for a waiver. Mr. Pierce noted that the Planning Commission is currently contemplating a design overlay on its trunk roads into the Village which will increase design requirements and that Mr. Paroline should consider that in his application. Mr. Alden suggested looking at the Planned Unit Development (PUD) requirements, which tend to look for elements such as rooftop solar panels and affordable housing. Mr. Boutin added that they would also look for features such as charging stations for electric vehicles and secure bike racks, for example. Mr. Paroline asked about parking requirements and whether each unit would require two parking spaces. Mr. Alden said that the parking regulations may change, but that many districts are easing parking restrictions for housing. Mr. Pierce added that if the building

holds a mix of studio and one-and-two-bedroom apartments, the development would need fewer than two parking spaces per unit. He suggested having evidence or a study in hand that would demonstrate that his proposed parking plan is sufficient, at the time of site plan review. Mr. Paroline said that if he doesn't pursue a housing development he may instead consider a building of storage units, and asked if that would be permissible. Mr. Pierce replied that they would be less enthusiastic about storage units if they front the street, but would be more favorable if they were oriented toward the back of the property.

### 3. MINUTES

*June 3, 2021-*

**MOTION by Diane Clemens, SECOND by Andrew Boutin, to table the minutes of June 3, 2021. VOTING: unanimous (4-0); motion carried.**

### 4. REVIEW AND SIGN ETHICS POLICY

#### A. Elect Chairperson and Vice Chairperson

**MOTION by Andrew Boutin, SECOND by Phil Batalion, to nominate John Alden as Chair of the Village of Essex Junction Planning Commission. VOTING: unanimous (4-0); motion carries.**

John Alden is now the Chair of the Village of Essex Junction Planning Commission.

**MOTION by Phil Batalion, SECOND by Andrew Boutin, to nominate Steven Shaw as Vice Chair of the Village of Essex Junction Planning Commission. VOTING: unanimous (4-0); motion carries.**

Steven Shaw is now the Vice Chair of the Village of Essex Junction Planning Commission.

Mr. Alden thanked David Nistico for his service to the Village of Essex Junction as former Planning Commission Chair.

### 5. WORK SESSION: CONTINUE UPDATES FOR LAND DEVELOPMENT CODE

#### A. Design Review Overlay

Regina Mahony began by speaking about the boundaries of the overlay district. She said that the Planning Commission had previously discussed extending the overlay one parcel back from the trunk routes. She noted that in some instances, some parcels are split between zoning districts. She noted an outstanding question about the Champlain Valley Exposition Center and whether to include it in the design overlay. The Planning Commission agreed to draw the line such that the Expo is excluded from the design overlay district, while maintaining control over what can be seen from the road and activity that fronts the street.

Mr. Alden noted briefly that there may likely be controversy about this much regulation and asked other Commissioners and staff about public outreach on code revisions. Ms. Clemens suggested posting on Front Porch Forum. Mr. Batalion agreed. The Commission agreed that they want as much outreach and public input as possible during the revision process. When communicating this discussion to the public, staff will include the list of topics being considered when revising the Land Development Code. Ms. Mahony added that it may be possible to have an online comment tool to accompany the overlay map and that she will check with Chittenden County Regional Planning Commission (CCRPC) staff.

Ms. Mahony continued reviewing changes, broadly noting that they focus on streamlining and reorganizing the section. She noted that the overall purpose of the revisions is to expand the design review to the trunk routes as called for in the Comprehensive Plan, which also cited protecting historic structures, carrying out the concepts of Design Five Corners, and creating a pedestrian-friendly atmosphere in surrounding neighborhoods.

Mr. Alden requested that a distinction be made between the design review overlay and the historic preservation district, to minimize any confusion around which regulations apply to whom. He suggested retitling Section 620 to remove historic preservation but note in the section that certain regulations would also apply if a building is historic. That way, the regulations make clear that there are historic properties in the Village that should be protected, but there is also a design overlay that has a completely different purpose.

Ms. Mahony then reviewed the subsections within Section 620. She noted an incomplete sentence at the end of the second paragraph, and the Planning Commission suggested striking the sentence and adding language around the threshold for qualification for historic status. They also suggested adding language to give the Commission the flexibility to apply the standards at its discretion, in order to ensure that historic features of a building are maintained. Ms. Mahony then reviewed the Demolition subsection (third paragraph) and the Planning Commission suggested striking the paragraph, as its language is redundant with the demolition section language further down in the section.

Ms. Mahony asked if the overlay would want to alter the setbacks and height requirements of the underlying zoning districts. The Planning Commission confirmed that the overlay does not modify the setbacks. There was a discussion about the setbacks themselves in the different districts, and the Planning Commission will review setbacks in more depth at a future meeting.

Ms. Mahony asked about the formula-based requirements for retail and restaurants and whether they should be part of the overlay district. The Planning Commission discussed the utility of formula-based restaurants and retail and noted that they are a major regional attraction. Mr. Alden suggested potentially requiring them to dress up the areas that front the streets, such as with trees or other streetscape features. Mr. Boutin suggested including an example of what the Village is looking for. Mr. Batalion suggested

including language that would require formula-based retail and restaurants to take the character of the surrounding area into consideration. The Planning Commission decided to strike the formula-based retail and restaurant subsection of Section 620, since the underlying district requirements will still apply.

The Planning Commission discussed next steps, which will include receiving stormwater management edits from Jim Jutras and Chelsea Mandigo, focusing on housing, and examining potential modifications for zoning on Main Street. Mr. Alden asked if they should be reviewing and taking into consideration any Town requirements during this process, and Mr. Pierce replied that the CCRPC will review the updates and ensure that they mesh well and don't conflict with the plans of surrounding municipalities.

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

Ms. Clemens asked for an update on conversations with Railroad and Main Restaurant, which is out of zoning compliance. Mr. Pierce replied that the Village has notified Railroad and Main that once the market evens out and reaches equilibrium, they expect them to revamp the building the way it had originally been proposed and intended, including revisions to the trim, paint colors, awnings, and landscaping.

Ms. Clemens noted that she attended the June 16, 2021 Essex Housing Commission meeting, at which they were discussing Senate bill S79, which deals with improving rental housing health and safety. [This bill was passed by the Vermont legislature on June 24, 2021 but was vetoed by the Governor on July 2, 2021, after this Planning Commission meeting took place.] She said that the Commission also discussed a working group around housing trust funds.

Mr. Pierce spoke about activity around the train station. He noted that the station underwent an equity review at CCRPC and moved down in equity rankings. He said that he suggested revising the name of the station to the "Essex Junction Multi-Modal Facility", since it is one of the few places in the state that provides transfers to other modes of transportation, such as the bus lines, from the train station. He also noted that the Vermont Rail Plan included a proposal for a train route from Essex Junction to Boston, which he is firmly in favor of, however the current Plan has the train stop at Springfield, MA for passengers to alight and get on another train to Boston taking around 7 or 8 hours for the trip. There is the possibility of an alternative route (with some rail installation) that would enable travel from Essex Junction to Boston in about 3 ½ hours. Mr. Pierce noted that he plans to discuss this with the state's congressional delegation on July 19, 2021, when they will be in Essex Junction briefly.

## **7. ADJOURNMENT**

**MOTION by John Alden, SECOND by Andrew Boutin, to adjourn the meeting.  
VOTING: unanimous (4-0); motion carried.**

The meeting was adjourned at 7:56 PM.

*RScty: AACoonradt*