

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
AUGUST 5, 2021**

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

ADMINISTRATION: Robin Pierce, Community Development Director; Regina Mahony, Chittenden County Regional Planning Commission; Chelsea Mandigo, Stormwater Coordinator/Wastewater Operator.

OTHERS PRESENT: Nick Meyer

- AGENDA:**
1. Call to Order
 2. Additions/Amendments to the Agenda
 3. Audience for Visitors
 4. Minutes – June 3, 2021, and July 1, 2021
 5. Work Session – Continue updates for Land Development Code
 - a. Stormwater Management
 - b. Housing
 - c. Format for public outreach of Overlay District
 6. Other Planning Commission Items
 7. Adjournment
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1. CALL TO ORDER

Steven Shaw called the meeting to order at 6:00 PM.

2. ADDITIONS/AMENDMENTS TO THE AGENDA

None.

3. AUDIENCE FOR VISITORS:

Nick Meyer said that he believes that the Planning Commission should post summaries of meeting discussions as well as proposed changes to the Land Development Code on social media. He said that the language used in many communications is difficult for the general public to understand. Mr. Meyer said that he is happy to see that the design district is going to be extended to Pearl Street and indicated displeasure with recent administrative approvals in the area. He encouraged the Planning Commission to develop a rental registry program to assist in increasing the quality of the housing stock in Essex Junction. Mr. Meyer asked the Planning Commission to mandate larger setbacks in the Village Center District to increase walkability, add greenspace, and assist with temperature regulation. He encouraged the Planning Commission to use the Vermont Green Streets Guide to assist with this work. Mr. Meyer discussed neighborhood traffic calming efforts. As a member of the Tree Advisory Committee, Mr. Meyer said that he hopes that the two boards could collaborate on Section 719, “Landscaping and Tree Planting Requirements.” Mr. Pierce said that the Village is exploring changing the regulations regarding accessory apartment occupation to help increase the housing stock. Ms. Clemens said that a rental registry is something that is being discussed by the Essex Housing Commission.

4. MINUTES

MOTION by Patrick Scheld, SECOND by Diane Clemens, to approve the minutes of June 3, 2021, and July 1, 2021. VOTING: unanimous (4-0); motion carried.

5. WORK SESSION: CONTINUE UPDATES FOR LAND DEVELOPMENT CODE

A. Stormwater Management

Ms. Mandigo began with proposed changes to the definitions section in Chapter 2. The items with substantial discussion are as follows:

- # 99, Hard Service: Stormwater staff proposed to eliminate the sentence, “Gravel is not considered hard surface” from the definition. Ms. Mahoney said that she will need to review the rest of the document to see where this definition was used and to see if this change would make sense.
- #105, Impervious Surface: Stormwater staff suggested adding “accessory driveway” to this definition. The Planning Commission discussed what this would involve, as residents of Essex Junction are not permitted to create additional driveways on their lawns without approval. Ms. Clemens said that she believes that this problem could be solved through additional enforcement. Ms. Mahoney will look further into this but did say that the definitions section is not the appropriate place to address this issue.

The LDC will be edited to include references to all genders throughout, rather than just the masculine gender. Ms. Mandigo explained that, in accordance with a state mandate, the Village needs to reduce the amount of phosphorus in Lake Champlain by 20%. Many of the changes she has proposed are in accordance with new state regulations.

In Section 306, the definition for Water Quality Superintendent, was added, as a definition for Public Works Superintendent is already included. Ms. Clemens asked the Commission if there was interest in codifying the option for supposals, where developers or homeowners come to the Commission with their ideas for development to get feedback. This is something that is already done informally. Mr. Shaw expressed concern about inadvertently sending applicants down the wrong path should the project not be approved. The Commissioners agreed that the current process is sufficient. The Commissioners discussed the regulations for installing electric charging stations in new construction and will bring it back up at a future meeting.

Regarding Section 302, Ms. Clemens asked if the meeting regularity for the Planning Commission should be defined. Mr. Pierce said that the Planning Commission can expect to meet monthly from now on, and that it is possible that some of these meetings may be remote to assist in scheduling. In Section 501.C, the Commission chose to change the number of working days that the Community Development Department must review and application for completeness from ten to thirty, as well as eliminate a following clause allowing for a longer period for “special exceptions.” In Section 502C.6, Ms. Mahoney explained that the time for the Zoning Board to approve, deny, or approve with conditions an application following a public hearing needed to be changed from 60 days to 45 days to meet state statute. After some discussion, references in Chapter 5 to various phosphorus management software were changed to “AutoCAD” for consistency. Ms. Clemens reminded the Commission that this document is

intended for the “common person” and that some of the technical software references in the document could be confusing. Mr. Boutin said that all abbreviations should be spelled out to minimize confusion.

Ms. Mandigo proposed adding a sentence to Section 503.H.8 stating that easements for infrastructure and maintenance being taken over by the Village must be recorded in the Land Records within six months of the project completion. After some discussion, it was decided that this must occur prior to receiving a Certificate of Occupancy for the project. In Section 504.C, the phrase “certified site technician” is used but is not defined. The Commission feels that this phrase will need to either be defined or removed. In Section 512.C.4, Ms. Mandigo said that regulation of impervious services needs to be changed from 1 acre to .5 acre to be in line with state regulations. The Commission would also like to have further discussion on regulations for less than .5 acre in the future. The remainder of the Stormwater edits will be reviewed at the September meetings.

B. Housing

Not discussed.

C. Format for future public outreach of Overlay District

Not discussed.

6. OTHER PLANNING COMMISSION ITEMS

Mr. Scheld said that he is happy with the press release developed by Ms. Mahoney and would like to see it put on social media and the Village website. Ms. Clemens said that she hopes that this will encourage the community to tell the Planning Commission what they would like to see in their community in the future.

7. ADJOURNMENT

MOTION by Patrick Scheld, SECOND by Diane Clemens, to adjourn the meeting.

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

The meeting was adjourned at 8:44 PM.

RScty: Darby Mayville