

**VILLAGE OF ESSEX JUNCTION  
PLANNING COMMISSION  
MINUTES OF MEETING  
May 5, 2022 (rescheduled from April 21, 2022)**

**MEMBERS PRESENT:** John Alden, Chair; Phil Batalion; Diane Clemens, Patrick Scheld.

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

**OTHERS PRESENT:**

- AGENDA:**
1. Call to Order/Audience for Visitors
  2. Additions/Amendments to the Agenda
  3. Minutes – March 3, 2022
  4. Work Session
    - A. Continue updates for the Land Development Code
  5. Other Planning Commission items
  6. Adjournment

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**1. CALL TO ORDER/AUDIENCE FOR VISITORS**

John Alden called the meeting to order at 6:12 PM.

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

None at this time.

**3. MINUTES**

*March 3, 2022-*

**MOTION by Diane Clemens, SECOND by Patrick Scheld, to approve the minutes of March 3, 2022 as presented. VOTING: unanimous (4-0); motion carried.**

**4. WORK SESSION**

A. Continue updates for the Land Development Code (LDC)

Ms. Mahony said that they will focus substantive discussion tonight on Chapter 6, the Land Use table, and to review some of the parking lot items that have arisen during the course of the current LDC update.

The Planning Commission began by reviewing parking lot items. She began with inclusionary zoning, asking Mr. Scheld about for a status update from the Housing Committee. Mr. Scheld replied that the Housing Committee met with developers and have drafted a white paper proposal to discuss with the Planning Commission (potentially at the PC's June meeting), which includes recommendations around making inclusionary zoning/affordable housing mandatory for developments with 10 units or more. Mr. Alden said that any inclusionary zoning and affordable housing requirements should not have a negative impact on the development of housing in Essex Junction. Mr. Scheld replied that the developers said that meeting affordable housing requirements would be challenging, but not insurmountable. Mr. Alden suggested that they receive input from Maura Collins on any proposal that comes forward.

Ms. Mahony then asked about Chapter 11's sewer regulations, noting that Jim Jutras had potential suggestions for sewer regulation changes which were tied to the results of an appeal of a permit (which is still unsettled). She said that they are still in a holding pattern on this potential item.

Ms. Mahony then noted 3 more aspirational items, including cleaning up floodplain regulation language, removing the concept of "family" in housing definitions and removing all gender-based language, and revising the sign standards for content neutrality. Mr. Alden added that regarding sign standards, they should also look at requirements for electric signs.

Ms. Mahony then began a discussion about adjusting language throughout the LDC to reflect the status change from Village of Essex Junction to City of Essex Junction. She also noted that Mr. Pierce had suggested changing the membership of the PC from 7 to 5 members and also including a Development Review Board (DRB). Mr. Alden asked about timing, noting that the LDC won't be finalized by July 1 (which is when the Village converts to a City). Ms. Mahony said that these changes should be made for this round of the LDC, to align with the revised charter. Ms. Mahony asked whether staff members' titles will change. Mr. Pierce replied that titles should not change at this point in time.

Ms. Mahony then led a review and discussion of proposed changes to Chapter 6 of the LDC. She said that there are a number of districts that require Planned Unit Development (PUD) review for multifamily projects of 5 units or more, and said that she would recommend only requiring a site plan or subdivision review for MF1 and MF2, since that 5-unit threshold seems low for requiring the complex PUD review process. She noted that they could still allow applicants to apply for a PUD if they want to. Mr. Alden agreed, saying that clearer language and less complexity would help potential applicants.

Ms. Mahony then reviewed Village Center District changes. These include introducing the concept of the Design Five Corners plan, removing redundant references to demolition, language that better defines the historic structures concept and exemptions, clarification language around height (maximum of 4 stories in the Village Center), and language around multi-modal transportation. She asked whether the multi-modal language should align with what is required in the PUD section, or whether they would like different requirements for the Village Center. The features in question include pedestrian access from the building, pocket parks, covered bus shelters, and shade trees. Mr. Alden suggested that they could require some of those elements, but they might not want all of them in all Village Center developments. Commissioners agreed that pedestrian access should be required, and that developments should include at least two of the listed amenities. They discussed adding other amenities to the list, including art features or other community assets/features. Ms. Clemens said that it would be good to add bus shelters or benches, which would be advantageous to walkability.

Ms. Mahony then reviewed the Highway Arterial District changes. She specifically noted language related to requirements for commercial PUDs. She recommended removing that language, since requirements are already covered elsewhere.

Ms. Mahony spoke about substantive content additions to the Design Review Overlay District section. She said that the section includes information on the design overlay, infill, redevelopment, carrying out the concepts of Design Five Corners, and establishing a pedestrian-friendly atmosphere. She asked whether the design review process should be applicable to demolitions. Mr. Batalion pointed out that they would like to implement the Design Review Overlay District so that they can have a say in how the

streets within the district look. Mr. Scheld said that it would be good to require that the site has a plan for after demolition, showing how the site will be used (for example, as a pocket park until a new building is built). Ms. Mahony asked if the Commission would like the multi-modal transportation features language to align with similar language discussed above in the Village Center District, and the Commission agreed that it should align.

Ms. Mahony spoke about content added for a Historic Preservation Overlay District. Mr. Alden asked if these requirements apply to all buildings in the Village that have been listed as historic, not just a defined geographic area of the Village Center. Ms. Mahony replied that it would apply to the Design Review and Historic Preservation Overlay Districts, as well as the historic districts as delineated in the Comprehensive Plan (Map 2), and any properties registered and listed on the State/National historic registries.

Ms. Mahony then led a review of the Land Use table, which shows the different uses for each district. She noted a change that would allow duplexes in the R1 and R2 districts. She asked whether the Planning Commission would like to include in the LDC a design standard for duplexes (similar to the section describing accessory dwelling units [ADUs]). Mr. Batalion said that he does not think that detail is necessary. Ms. Mahony noted another change in the Land Use table around day care facilities, which are now their own line and would not be subject to conditional use approval (and would be reviewed similarly to single-family homes through a site plan review, in alignment with State definitions and treatment). She said that this would mean that facilities would go through a less subjective review process.

Mr. Scheld noted that he would like to discuss storage sheds in residential districts and the 8-foot setback requirement, saying that this setback does not make sense. Mr. Alden agreed. Mr. Pierce confirmed that an outdoor structure such as a shed would still require a permit. The Planning Commission agreed that they will review this language at their next meeting as part of continued LDC review and revision.

## **5. OTHER PLANNING COMMISSION ITEMS**

None at this time.

## **6. ADJOURNMENT**

**MOTION by Phil Batalion, SECOND by Patrick Scheld, to adjourn the meeting. VOTING: unanimous (4-0); motion carried.**

The meeting was adjourned at 8:19 PM.

*RScty: AACoonradt*