VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
AUGUST 10, 2023
APPROVED SEPTEMBER 14, 2023

MEMBERS PRESENT: Philip Batalion, Chair; Patrick Scheld, Vice Chair; Diane Clemens; Elijah Massey; Scott McCormick
ADMINISTRATION: Chris Yuen, Community Development Director
OTHERS PRESENT: Dan Marconi, Tolemi

1. CALL TO ORDER
Mr. Batalion called the meeting to order at 6:31 PM.

2. AGENDA ADDITIONS/CHANGES
Mr. McCormick requested to add an update on a recent Capital Committee meeting. This will be discussed under Item 7, Members Updates.

3. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
None.

4. MINUTES
a. July 12, 2023
MOTION by PATRICK SCHELD, SECOND by DIANE CLEMENS, to approve the minutes of July 12, 2023. Motion passed 5-0.

5. BUSINESS ITEMS
a. Rental Registry & Inspection Program
• Software demo by Tolemi
Mr. Yuen said that he had seen several software demonstrations for tools that could help organize the Rental Registry program. He was impressed by one by a provider called "Tolemi". He invited Mr. Maconi, from Tolemi, to do a presentation to the Planning Commission. Mr. Maconi said that Tolemi is a Boston-based software company that helps communities be more data-driven with their rental registries. Tolemi will extract existing public data and upload it to the rental registry for each community and can also be used for other purposes than rental registries. It can provide essential information on properties to identify potential rental properties and to make inspections easier and can also be used to provide information to the public. Potential tenants can use this search feature to learn more about the property prior to making a rental decision. Extensive search features can be used to determine compliance and other potential issues with properties. Single owners who use multiple LLCs can also be linked together using the data. In Rochester NY, Tolemi uses their database to calculate a score for each rental property owner. Higher scores result in a longer period between inspections. Mr. Maconi explained the backend of the system, and how the data can be viewed and used to determine a good route for inspections. He made some suggestions about how to implement this system, such as instituting higher fees for repeated failed inspections and instituting a system to ensure that high-quality properties are inspected less often than problematic ones.

Mr. Massey asked if Mr. Maconi saw a benefit to landlords when using this software. Mr. Maconi said that the application can allow landlords to sign up for specific alerts, such as a police incident at the property or other code violations. Mr. Yuen said that this would require the police to submit their data, and that he was unsure if this would be possible. Mr. Maconi said that most police departments can provide this type of data. Mr. McCormick asked if this would be adapted to each municipality, Mr. Maconi answered affirmatively and said that roll-out would take between 4-8 weeks. Mr. Maconi said that the City will have a dedicated Customer Success Manager to contact regularly if there are any issues. There is a development cost associated with Tolemi as well as an annual expense.

Mr. Yuen explained that Essex Junction is a small municipality and said that there is currently no software or database in place to manage code violations. He asked if Tolemi works with smaller municipalities that do not have fully digitized records. Mr. Maconi said that data can be data as rudimentary as a spreadsheet with addresses and a list of violations from the Planning department. Mr. Batalion asked who would host the data, Mr. Maconi said that it is cloud-based. Unlimited staff training would also be available. Mr. Scheld asked what the smallest cities are that Tolemi works with. Mr. Maconi said that they do not currently work with any Vermont communities and said that they do work with communities as small as 600-700 hundred people. He said that different sized cities use the software differently. Mr. Yuen asked if communities keep properties on the provisional status for a long time, as they gain the staff capacity to inspect. Mr. Maconi said that this is fairly typical and made some suggestions on how to select the properties to inspect first. Mr. Massey asked how many employees would be needed to run the rental registry program, Mr. Maconi said that it depends on the number and condition of the rentals. He also recommended multi-track enforcement, as this is best for a smaller community. Ms. Clemens asked if this system could tell if a landlord is in arrears in other communities. Mr. Maconi said that it would be possible if it was within the county. Mr. Massey asked if the software could be used to identify short-term rentals, Mr. Maconi said that it cannot currently tell the difference between long-term rentals and short-term rentals but it may be possible in the future with detailed analysis of water-meter data. Mr. Yuen asked if commercial properties can be included as well, Mr. Maconi answered affirmatively.

Mr. Yuen said that the full quote for Tolemi is $27,000 per year. This could be reduced if Essex Junction decides to only use the Building Blocks program, which is a map-based application that connects and updates data held in different systems and formats across departments & agencies. Ms. Clemens expressed concern that based on the terms of the quotation, Essex Junction would lose all access to the data should they leave the vendor. Mr. Massey said that it is important to ensure that Essex Junction owns the data. He also said that the software choice seems like a staff decision, and asked what the role of the Planning Commission is in this process. Mr. Yuen said that this was intended to further explain the capabilities of such software to the PC to aid in the development of the ordinance. The PC discussed other software options, and what the best option would be for Essex Junction. Mr. Massey expressed a desire to learn more about the Building Blocks program, as it would help to understand the existing housing stock. Ms. Clemens encouraged the PC to think about what they wanted to accomplish, and how to get landlords on board.

• **Review first draft of Ordinance**
Mr. Yuen brought up the first draft of the Ordinance and went through all comments, which are as follows:

- Mr. McCormick suggested that the purpose and objective of the registry be clearly stated in the beginning. Mr. Massey suggested that "life and safety" be included as the priority.
- Ms. Clemens suggested that the role of the Health Officer be added to the definitions.
- The verbiage for the inspection schedule were discussed, and the public information process for such.
- Mr. Massey asked if a rental inspection would be triggered should a zoning permit requiring a Certificate of Occupancy be required, Mr. Yuen recommended that this not be the case. The PC discussed the cases in which this would be necessary, and the possibility of having this done at the discretion of the inspector.
- Multi-track inspections were discussed, and the ability to implement such. All properties will first have provisional status, and once a successful inspection occurs future inspections can occur less frequently. Ms. Clemens said that it is important to set rules to ensure that everyone is treated fairly.
- Mr. Yuen said that Winooski has verbiage in their code stating that inspections can occur should an emergency danger to health or safety be present. The PC discussed this and the definition for such.
- Mr. Yuen asked the PC when the fees should be determined and suggested using the fees set by Winooski as a starting point. Ms. Clemens suggested that the PC have a discussion with the City Council on this issue. Mr. Yuen noted that the fee schedule will be separate from the ordinance and can be finalized later than the ordinance.

• Discuss potential inclusion of commercial rental properties
The PC discussed the idea of creating a commercial property rental inspection program as a later phase of this project. Mr. Yuen said that, even if registration is free, there would need to be a benefit or consequence that would get landlords to register. Access to data and real-time alerts as benefits was also discussed.

• Discuss potential inclusion of Short-Term Rentals
 Mr. Yuen and the PC discussed how other communities regulate short-term rentals. Mr. Yuen said that including them on the rental registry could also be used as a way for the City to capture revenue from short-term rentals or discourage such use if desired. The PC agreed that regulation of Short-Term rentals should be a separate discussion, and that to start, the program should treat short-term rentals and long-term rentals the same way.

• Getting feedback from Council
Mr. Yuen suggested getting feedback from the Council in October. He will present an updated version of this document at the next Planning Commission meeting.

• Next steps
Noted above.

b. Housing Commission double appointment
The City Housing has separated from the Town Housing Commission, and the City Council has passed a charter which includes seven members, and a quorum of four. Mr. Yuen asked if any PC members would be interested in serving on the Housing Commission, and there was some discussion on the ability of the PC members to serve on other commissions. Mr. Yuen will check the charter to determine

if this is the case. Mr. Yuen said that the Council intends to determine the priorities for both of these commissions in the next few months. Ms. Clemens suggested that the Council consider setting the committee size at five, to facilitate holding meetings easily. She also suggested that both Commissions have joint meetings in the future.

c. Village center renewal / expansion
Mr. Yuen said that he will be completing the renewal for the Village Center Designation. The state has asked if Essex Junction is interested in expanding the designation. He showed the PC a map showing potential future bounds of the Center, and asked if anyone knew how it was developed. After further discussion, it was determined that the expansion of VC district designation would not work but that these properties could possibly be a part of the Neighborhood Designation. Mr. Yuen will renew the Village Center designation and will have future conversations on the Neighborhood Designation with the PC.

d. Global Foundries Solar installation
Mr. Yuen said that Global Foundries is planning to install numerous solar arrays in the parking lot. They are willing to present the project to the Planning Commission if desired. Ms. Clemens brought up the Global Foundries Master Plan, and if it needed to be updated. She asked if this project would impact the water measurements that are being monitored throughout the property. Mr. Yuen said that he would pass the question along. The next meeting will be held on September 14, and Global Foundries staff will present this project at this time.

6. READING FILE
a. Nothing this month

7. MEMBERS UPDATES
Mr. McCormick said that the Capital Program Review Committee recently met and will meet again in September or October. The Local Options Tax (LOT) was discussed, as was its impact on the Capital and General Fund budget. The total estimated LOT income for Essex Junction is $750,000 per year.   Mr. McCormick said that the LOT could possibly be put towards the housing and rental registry. Mr. McCormick will mention this idea at the next Capital Program Review Committee. He also said that a sidewalk condition map will be posted on the City website shortly.

8. STAFF UPDATES
Mr. Yuen said that the Vermont Agency of Transportation has purchased access to big data, which municipalities can access. It can answer a variety of queries to gain transportation information. The City will be hiring Jennifer Marble as the new Planner. She will be moving to Vermont from Texas and starting the position in September.

9. ADJOURN
MOTION by ELIJAH MASSEY, SECOND by PATRICK SCHELD, to adjourn the meeting at 9:10 PM. Motion passed 5-0.

Respectfully submitted,
Darby Mayville