



**CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING AGENDA**

Online & 145 Maple St.
Essex Junction, VT 05452
Wednesday, October 30, 2024
6:30 PM

E-mail: admin@essexjunction.org

www.essexjunction.org

Phone: (802) 878-6944

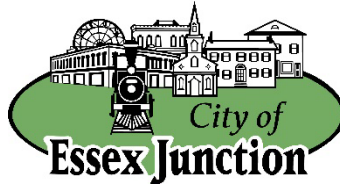
This meeting will be in-person in the Community Room of the Essex Police Department located at 145 Maple Street and available remotely. Options to watch or join the meeting remotely:

- **WATCH:** the meeting will be live streamed on [Town Meeting TV](#)
- **JOIN ONLINE:** [Join Zoom Meeting](#)
- **JOIN CALLING:** (toll free audio only): (888) 788-0099 | Meeting ID: 944 6429 7825; Passcode: 635787

1. **CALL TO ORDER** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
 - a. Comments from the Public
5. **BUSINESS ITEMS**
 - a. Rec Advisory Committee Interviews
 - b. Annual Presentation by the Tree Farm Management Group
 - c. Annual Essex Rescue Presentation
 - d. Department Head Brief to Council, Chelsea Mandigo, Water Quality Superintendent
 - e. Discussion and Consideration of Stormwater Related Ordinances – Amendments to Ordinance 19 (Stormwater Permit Transfer), New Ordinance 20 (Stormwater Management) and New Ordinance 21 (Stormwater Utility): Introduction and Warn Public Hearing
 - f. Discussion and Consideration of Amendments to Ordinance 8 Regulations of Motor Vehicles: Introduction and Warn Public Hearing
 - g. *Discussion and Consideration of an Executive Session to discuss a Contract
6. **CONSENT ITEMS**
 - a. Approve Meeting Minutes: October 9, 2024
 - b. Approve Main St. park Design Change in Scope
 - c. Capital Plan amendment for Pickup Truck for Water Department
7. **COUNCIL MEMBER COMMENTS & CITY MANAGER REPORT**
8. **READING FILE**
 - a. Check Warrant # 25047 10/18/24
 - b. Land Development Code Amendment Written Report – just information as the Planning Commission Public Hearing is 11/7/24
 - c. Stormwater Utility Bill Insert
 - d. CVE Sound Reports
 - e. Planning Commission Minutes 10/10/24
9. **EXECUTIVE SESSION**
 - a. An Executive Session may be needed to discuss a contract
10. **ADJOURN**

**CITY OF ESSEX JUNCTION CITY COUNCIL
MEETING AGENDA – October 30, 2024**

Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the President, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when specifically requested by the President. Regarding zoom participants, if individuals interrupt, they will be muted; and if they interrupt a second time they will be removed. This agenda is available in alternative formats upon request. Meetings of the City Council, like all programs and activities of the City of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the City Manager's office at 802-878-6944 TTY: 7-1-1 or (800) 253-0191.



Memo

To: Essex Junction City Council
From: Joanne Pfaff, Administrative Assistant
Meeting Date: October 30, 2024
Agenda Item: Committee Appointment

Issue: The City has seven (7) open positions on the newly created Recreation Advisory Committee (RAC).

Discussion: We have received 5 applications for the RAC so far. The following applicant is attending the meeting in person and is available for the City Council to interview:

- Cora Delucia (In-Person)

The remaining 4 applicants will be available to interview at the November 13, 2024, council meeting.

- Jeff Dube
- Pat Lynch
- Bridget Meyer
- Michael Thorne

Cost: None

Recommendation: It is recommended that the City Council wait until all interviews are conducted before decisions are made.

Recommended Motion: None

Attachments: Application for Cora Delucia

View results

Respondent

21

Anonymous

12:53

Time to complete

1. Full name *

Cora Delucia

2. Phone number *

[REDACTED]

3. Email *

[REDACTED]

4. Address *

[REDACTED]

5. I am interested in applying to join the *

(note: if you are interested in more than one, please complete a separate application for each committee):

- Bike/Walk Advisory Committee
- Capital Program Review Committee
- Chittenden Solid Waste District (CSWD)
- Development Review Board
- Governance Committee
- Green Mountain Transit Board of Commissioners Alternate
- Planning Commission
- Police Community Advisory Board
- Rec Advisory Committee
- Town Meeting TV
- Tree Advisory Committee
- Tree Farm Management Group

6. Have you previously or are you currently an appointed member to the committee you are wishing to be appointed to? *

- Yes
- No

New Committee Members

7. Why are you interested in joining this committee? *

I am interested in becoming a member of the recreational advisory committee because I value my time in the outdoors and would love to see increased access and opportunity for outdoor recreation in Essex Junction. I think improving awareness and access to youth and adult recreation clubs could help motivate myself and others to take advantage of the recreational spaces already available and create a stronger community.

8. What about your education, experiences, and background will help you be a contributing member to this committee? *

I am currently a high school teacher so I have a lot of experience working with and in communities. As a teacher I have built on my communication skills and often get to hear from a variety of people with different experiences and beliefs. My educational background is in environmental science; I received a bachelor's degree in environmental sciences in 2019. I also worked for two years as a trail crew leader as a part of an AmeriCorps position in Colorado. My education and previous work experience has familiarized me with the management and upkeep of outdoor spaces as well as the value and benefits that it can provide to a community.

9. What do you hope to accomplish during your term on this committee? *

I would hope to improve community awareness of preexisting amenities and opportunities, broaden the number of youth and adult programs that run throughout the year within the community, and improve connectivity and access to amenities and programs to ensure residents of Essex Jct. feel like outdoor recreation is accessible to them.

10. Is there anything else you would like to say about your interest and application? *

Thank you for reviewing my application, I really appreciate the city council for creating more opportunities to hear from community members. I hope to hear back from you about my application soon. Have a great day.

	Jan	Feb	Mar	Apr	May	Jun
INCOME						
Youth Club Field Rental	\$0.00	\$0.00	\$0.00	\$7,296.35	\$25,595.00	\$7,129.00
Adult League Field Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$6,408.00	\$11,088.00
Rugby/Other Field Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Tournaments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Field Sponsorships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interest Income	(\$414.96)	\$55.63	\$403.16	\$4.72	\$2.65	\$2.03
Other Income/Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL INCOME	(\$414.96)	\$55.63	\$403.16	\$7,301.07	\$32,005.65	\$18,219.03

EXPENSES						
Field Mowing	\$0.00	\$0.00	\$0.00	\$6,940.66	\$6,870.33	\$6,870.33
Field Lining (J-Crew)	\$0.00	\$0.00	\$0.00	\$2,375.60	\$3,934.28	\$3,616.04
Field Paint	\$0.00	\$0.00	\$0.00	\$1,224.94	\$1,907.17	\$1,248.47
Road Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Field Rehab	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Chemical Applications	\$0.00	\$0.00	\$0.00	\$3,037.15	\$3,037.15	\$3,037.15
Core Aeration	\$0.00	\$0.00	\$0.00	\$856.80	\$856.80	\$856.80
Core Dragging	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Irrigation Services	\$0.00	\$0.00	\$0.00	\$78.08	\$78.08	\$78.08
Hydrant Blowout	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Portolets	\$0.00	\$0.00	\$0.00	\$0.00	\$9,005.52	\$1,261.68
Trash Removal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Contract Services	\$0.00	\$0.00	\$0.00	\$1,500.00	\$1,500.00	\$1,500.00
Water & Electric	\$25.09	\$28.10	\$930.78	\$25.83	\$27.78	\$30.08
Postage	\$0.00	\$256.00	\$0.00	\$0.00	\$0.00	\$0.00
Fees and Charges	\$14.81	\$10.00	\$10.00	\$0.00	(\$72.00)	\$1,500.00
Equipment, Goals & Nets	\$0.00	\$0.00	\$0.00	\$955.18	\$21.18	\$192.01
Signage	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Equipment Rental & Repair	\$4,039.98	\$0.00	\$0.00	\$73.97	\$0.00	\$150.89
Insurance	\$0.00	\$0.00	\$0.00	\$0.00	\$1,053.50	\$0.00
Fed/State Taxes	\$7,965.05	\$0.00	(\$174.61)	\$100.00	\$0.00	\$0.00
Software Fee	\$1,544.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Expense	\$0.00	\$0.00	\$0.00	\$0.00	\$363.71	\$0.00
TOTAL EXPENSE	\$13,588.93	\$294.10	\$766.17	\$17,168.21	\$28,583.50	\$20,341.53

NET INCOME	(\$14,003.89)	(238.47)	(363.01)	(9,867.14)	3,422.15	(2,122.50)
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Tree Farm Operations Plan 2024 Actuals vs 2024 Budget

	Jul	Aug	Sep	Oct	Nov	Dec
INCOME						
Youth Club Field Rental	\$43,260.90	\$21,783.21	\$8,052.00	\$0.00	\$0.00	\$0.00
Adult League Field Rental	\$720.00	\$6,408.00	\$1,728.00	\$0.00	\$0.00	\$0.00
Rugby/Other Field Rental	\$2,988.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Tournaments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Field Sponsorships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interest Income	\$1.13	\$1.93	\$0.00	\$0.00	\$0.00	\$0.00
Other Income/Donations	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL INCOME	\$46,970.03	\$33,193.14	\$9,780.00	\$0.00	\$0.00	\$0.00

EXPENSES						
Field Mowing	\$6,870.33	\$6,896.59	\$6,870.33	\$0.00	\$0.00	\$0.00
Field Lining (J-Crew)	\$2,913.07	\$4,087.06	\$1,555.81	\$0.00	\$0.00	\$0.00
Field Paint	\$0.00	\$2,156.05	\$0.00	\$0.00	\$0.00	\$0.00
Road Maintenance	\$0.00	\$100.70	\$0.00	\$0.00	\$0.00	\$0.00
Field Rehab	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Chemical Applications	\$3,037.15	\$3,037.15	\$3,037.15	\$0.00	\$0.00	\$0.00
Core Aeration	\$856.80	\$856.80	\$856.80	\$0.00	\$0.00	\$0.00
Core Dragging	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Irrigation Services	\$78.08	\$78.08	\$78.08	\$0.00	\$0.00	\$0.00
Hydrant Blowout	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Portolets	\$3,647.22	\$3,649.99	\$0.00	\$0.00	\$0.00	\$0.00
Trash Removal	\$1,863.32	\$937.26	\$0.00	\$0.00	\$0.00	\$0.00
Contract Services	\$1,500.00	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$0.00
Water & Electric	\$1,132.80	\$34.56	\$26.85	\$0.00	\$0.00	\$0.00
Postage	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fees and Charges	\$1,510.00	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$0.00
Equipment, Goals & Nets	\$21.09	\$134.41	\$0.00	\$0.00	\$0.00	\$0.00
Signage	\$0.00	\$725.04	\$0.00	\$0.00	\$0.00	\$0.00
Equipment Rental & Repair	\$339.14	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Insurance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fed/State Taxes	\$102.59	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Software Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Expense	\$0.00	\$31.55	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL EXPENSE	\$23,871.59	\$25,725.24	\$15,425.02	\$0.00	\$0.00	\$0.00

NET INCOME	23,098.44	7,467.90	(5,645.02)	0.00	0.00	0.00
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	2024 Total	2023 actuals	2024 Forecast	Difference	Percent
INCOME					
Youth Club Field Rental	\$113,116.46	\$112,040.02	\$120,000.00	(\$6,883.54)	10243313.00%
Adult League Field Rental	\$26,352.00	\$30,375.14	\$34,000.00	(\$7,648.00)	3083400.00%
Rugby/Other Field Rental	\$2,988.00	\$3,084.00	\$3,300.00	\$4,980.00	504000.00%
Tournaments	\$0.00	\$16,134.00	\$28,000.00		
Field Sponsorships	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Interest Income	\$56.29	\$722.86	\$100.00	(\$43.71)	8937.00%
Other Income/Donations	\$5,000.00	\$6,000.00	\$0.00	\$5,000.00	100000.00%
TOTAL INCOME	\$147,512.75	\$168,356.02	\$185,400.00	(\$4,595.25)	-2.48%
EXPENSES					
Field Mowing	\$41,318.57	\$51,403.89	\$55,000.00	(\$13,681.43)	-24.88%
Field Lining (J-Crew)	\$18,481.86	\$23,382.45	\$18,500.00	(\$18.14)	-0.10%
Field Paint	\$6,536.63	\$2,733.35	\$8,000.00	(\$1,463.37)	-18.29%
Road Maintenance	\$100.70	\$6,815.42	\$6,000.00	(\$5,899.30)	-98.32%
Field Rehab	\$0.00	\$32,262.16	\$3,000.00	(\$3,000.00)	-100.00%
Chemical Applications	\$18,222.90	\$24,170.72	\$25,000.00	(\$6,777.10)	-27.11%
Core Aeration	\$5,140.80	\$5,737.28	\$6,900.00	(\$1,759.20)	-25.50%
Core Dragging	\$0.00	\$1,794.16	\$0.00	\$0.00	#DIV/0!
Irrigation Services	\$468.48	\$701.41	\$0.00	\$468.48	#DIV/0!
Hydrant Blowout	\$0.00	\$0.00	\$625.00	(\$625.00)	-100.00%
Portolets	\$17,564.41	\$12,570.00	\$9,500.00	\$8,064.41	84.89%
Trash Removal	\$2,800.58	\$2,427.58	\$2,500.00	\$300.58	12.02%
Contract Services	\$9,000.00	\$18,971.70	\$20,000.00	(\$11,000.00)	-55.00%
Water & Electric	\$2,261.87	\$4,120.10	\$4,500.00	(\$2,238.13)	-49.74%
Postage	\$256.00	\$248.00	\$250.00	\$6.00	2.40%
Fees and Charges	\$5,972.81	\$1,520.00	\$1,500.00	\$4,472.81	298.19%
Equipment, Goals & Nets	\$1,323.87	\$18,662.32	\$2,000.00	(\$676.13)	-33.81%
Signage	\$725.04	\$1,607.48	\$500.00	\$225.04	45.01%
Equipment Rental & Repair	\$4,603.98	\$1,246.18	\$6,000.00	(\$1,396.02)	-23.27%
Insurance	\$1,053.50	\$750.00	\$1,500.00	(\$446.50)	-29.77%
Fed/State Taxes	\$7,993.03	\$16,599.62	\$7,000.00	\$993.03	14.19%
Software Fee	\$1,544.00	\$2,008.71	\$1,550.00	(\$6.00)	-0.39%
Other Expense	\$395.26	\$570.56	\$500.00	(\$104.74)	-20.95%
TOTAL EXPENSE	\$145,764.29	\$230,303.09	\$180,325.00	(\$34,560.71)	-19.17%
NET INCOME	1,748.46	(61,947.07)	5,075.00	29,965.46	590.45%



ESSEX RESCUE, INC.

1 Educational Drive
Essex Junction, VT 05452
Phone (802) 878-4859

October 17, 2024

City Council
City of Essex Junction
2 Lincoln Street
Essex Junction, VT 05452

To the City of Essex Junction City Council,

With tremendous pride, Essex Rescue responds to requests for emergency medical services in the Essex Junction community. Around the clock, through all weather conditions, our clinicians - paid and volunteer alike - answer the call to help the sick and injured, delivering basic and advanced life support. Essex Rescue takes great care to ensure that the members of your community receive safe, efficient, and appropriate pre-hospital emergency medical services. Regular training and expert consultation with emergency medicine physicians at the University of Vermont Medical Center, ensures that when a request for emergency medical services is received, Essex Rescue stands ready to deliver this essential public health service.

Annually, our overall call volume is increasing faster than we can financially and logistically adapt. Increasing anywhere from 6% to 11% annually. In just the last four years our call volume has increased 30%. In 2023, Essex Rescue received 1,187 requests for service in the City of Essex Junction alone. There was a 16% increase in ambulance requests from 2022 to 2023.

It is our mission to remain your community's EMS transport provider as we have so proudly done for the past 52 years! The contributions made by your municipality are essential and directly influence our sustained operation. For the upcoming budget cycle, Essex Rescue will be asking for an increase in municipal contributions to account for two factors:

- 4% in response to the previous year's CPI, which is required to maintain payroll levels increased to keep pace with inflation
- 1.5% in response to the increasing call volume, which will be applied toward the additional staffing to increase the stability of additional ambulance availability

The total increase request for 2026 is 5.5%, for a per capita amount of \$19.56.

The United States Census Bureau reports that as of July 1, 2023, the City of Essex Junction has an estimated population of 10,817. For the fiscal year 2026, the calculated request from the City of Essex Junction is \$211,580.52.

We are actively working to identify a sustainable strategy which can be affordably implemented and will provide additional ambulance resources more reliably during peak call times. We have seen the benefit of staffing additional resources but remain challenged by the unreliability in volunteer and part-time staff schedules. We hope to meet with all five towns in the very near future to collaborate on this topic further.

Thank you,

Colleen M. Ballard, NRP
Executive Director
Essex Rescue, Inc.

Memo

To: City Council

From: Chelsea Mandigo, Water Quality Superintendent

Meeting Date: 10/30/2024

Agenda Item: Department Head Conversation

This is intended to be an opportunity for the Council to engage with the Department Head and to have a conversation that is not driven by a business item or budget need, but an honest look into their operations, staff, and services. The Department Head will begin with a few highlights from each of the three sections below before opening it up to a dialogue with the Trustees. The intention is for this conversation to be 10-15 minutes.

Six-Month Department Look Back (celebrations, accomplishments, mistakes, challenges, staff, volunteers, community members, partnerships, budgets, programs, initiatives, efforts, etc.)

- Wastewater
 - Accomplishments
 - Hired full-time administrative assistant shared with Public Works
 - Hired full-time operator who was our first participant in the wastewater intern program established in 2023
 - Three operators passed tests for their wastewater licenses
 - Celebration
 - No permit violations of any level
 - Challenge
 - Slower pace than normal for completing in-house projects due to the Chief Operator being on leave and new operators still learning processes
 - Starting to see more electronic failures of equipment now that we are 10 years out from the last upgrade
 - Digester issues including heating, secondary cover movement, high acids
 - Given 8 tours of the facility including Essex Middle School, Essex High School, Williston Selectboard, consultants, Green Mountain Water Environment Association, Efficiency VT
 - Continue to problem-solve as a team given the shift from a seasoned facility to a learning/teaching facility with retirements and staff turnover the past 3 years.
 - Pe-phlo project into next phase (mobile trailer).
- Stormwater
 - Challenge-keeping up with workload due to staffing reduction of 1.5 FTE to 0.5 FTE
 - Hired consultant to assist in developing stormwater utility
 - Two stormwater interns were hired to complete infrastructure inspections
 - Continued inventory condition of stormwater pipes using cc TV through CCRPC grant funding, creating a master plan for replacement.
 - Continue to serve as co-chair for MS4 Committee (education and outreach)
 - Completed a wetland restoration project at a stormwater outlet on Cascade St

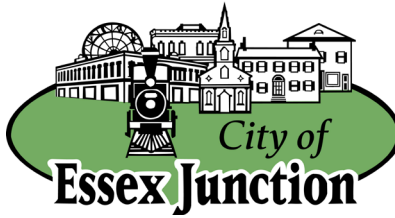
- Handful of unplanned stormwater infrastructure failures diverted funds and caused permit-related projects to be postponed
- Sanitation
 - Needed to replace larger and more expensive parts due to the age of the stations
 - West St pump #2 emergency replacement
 - Susie Wilson check valve and impeller
 - Cascade Mechanical Seal
 - High School Mechanical Seal
 - Applied for funding from the Clean Water State Revolving fund for the replacement of three pump stations
 - Drafted a Sewer Use Ordinance

Six-Month Department Look Ahead (celebrations, accomplishments, mistakes, challenges, staff, volunteers, community members, partnerships, budgets, programs, initiatives, efforts, etc.)

- Wastewater
 - Complete a 10-year evaluation of the facility-develop capital and upgrade project lists
 - Complete the Pe-phlo grant project including having another facility try the technology
 - Continue Wastewater Operator Internship- shortage of operators in VT and regionally.
 - Adopt a Tri-town high strength waste ordinance (already drafted)
 - Apply for Solids Waste Certification of the Land Application of Biosolids program
 - Three more operators to take tests for various levels of wastewater license
- Stormwater
 - Launch stormwater utility
 - Hire a full-time employee- will be 1.5 FTE in the department again
 - Work on grant-funded projects including MS4 Formula grant, Grant-in-aid, Better Roads
 - Continue to support the Lake Champlain Sea Grant Fellowship in investigating the potential for regionalization of stormwater permit-required programs.
- Sanitation
 - Adopt Sewer Use Ordinance
 - Draft and adopt a Sewer Allocation Policy
 - Work with Aldrich and Elliott to bring to final design the three pump station replacements
 - Work on identifying sources of infiltration and inflow in the collection system

Anything you think the Council should know

- Future of Biosolids Management- unknown due to the eventual issuance of PFAS limits in wastewater set by the Environmental Protection Agency. Looking at ways to handle dewatering more material. Takes us 3 months to dewater the amount of biosolids it takes only two weeks to land apply.
- Balance the desire to be part of the solution for the housing crisis in Vermont and the capacity of the wastewater facility
- One of a handful of facilities remaining that accepts septage and portable toilet waste from haulers



MEMORANDUM

TO: City Council

FROM: Chelsea Mandigo, Water Quality Superintendent

MEETING DATE: October 30, 2024

SUBJECT: Proposed Municipal Code Chapters for Stormwater Management and Utility Public Hearing

Issue: To warn a public hearing for the adoption of a credit manual and the addition of chapters to the Municipal Code for the regulation of stormwater management, regulation of stormwater utility, and amend Chapter 19 establishing permit transfer authority for expired and unpermitted discharges to impaired waterways.

Discussion: At the August 28, 2024, meeting I gave a presentation on the development of the stormwater utility for the City. As mentioned during the presentation part of the process of establishing a utility is the development of a stormwater ordinance and credit manual for Non-Single Family parcels. The ordinances and credit manual which have been drafted, and reviewed by legal, are ready for a public hearing and adoption. These documents include and are attached:

1. *New* Chapter 20 Regulation of Stormwater Management
2. *New* Chapter 21 Regulation of Stormwater Utility
3. *Amended* Chapter 19 Establishing Permit Transfer Authority for Expired and Unpermitted Discharges to Impaired Waterways
 - a. *Amendments* include 1) transition to the City 2) updated references 3) updated permit statuses
4. *New* Stormwater User Fee Credit Manual

A public hearing needs to be held and warned regarding the proposed additions and amendments to the Municipal Code, as well as the establishment of the stormwater user fee credit manual for the next City Council meeting on November 13, 2024. The adoption of the chapters and manual at the public hearing will formally establish the City of Essex Junction's Stormwater Utility.

Costs: N/A

Recommendation: It is recommended the City Council hold and warn a public hearing on November 13, 2024, to discuss the adoption of a credit manual, the addition and amendment of chapters to the Municipal Code for the regulation of stormwater management utility and permit transfer authority.

CITY OF ESSEX JUNCTION, VT**MUNICIPAL CODE****CHAPTER 19****ORDINANCE ESTABLISHING STORMWATER PERMIT TRANSFER AUTHORITY
FOR EXPIRED AND UNPERMITTED DISCHARGES TO IMPAIRED WATERWAYS****SECTION 1901. BACKGROUND**

- A. Adopted on July 22, 2014, as Chapter 19 in the City of Essex Junction Municipal Code, to establish and transfer responsibility for the State of Vermont issued Department of Environmental Conservation authorization to discharge permits under general stormwater permits and for unpermitted discharges to impaired waterways within the City of Essex Junction.
- B. The Vermont Agency of Natural Resources Department of Environmental Conservation (“DEC”) issues Authorization to Discharge Permits under General Permits for area or site-specific stormwater discharges to applicants, including municipalities, private parties, and shared stormwater systems involving both privately owned and publicly owned components.
- C. Valid stormwater system discharge permits have been issued by the DEC for projects in the non-impaired and impaired waterways within the City, and the City has accepted full responsibility for such permits when it involves public infrastructure.
- D. As of the adoption of Chapter 19 of the Municipal Code on July 22, 2014, valid stormwater system discharge permits have not been issued to expired stormwater permit holders in the impaired waterways due to the inability to legally authorize, under State law, renewal of the previously issued Authorization to Discharge Permits.
- E. Current responsibility for previously issued expired stormwater permits and valid stormwater system discharge permits in the impaired watersheds in the MS4 area varies widely. In some cases, there is a well-defined chain of responsibility from the “owner” of the original permit to the current permit holder. In other cases, permit responsibility is either poorly defined or non-existent notwithstanding that permit responsibility runs with the land. Some expired and valid (permit) discharges are defined in the original permit as directly to a stream or waterbody; in others, they are defined as being directed to or connected to a shared stormwater system.
- F. Pre-existing unpermitted stormwater discharges occur within the impaired and non-impaired waterways. These discharges were either never issued permits or the discharges occurred before DEC began issuing discharge permits. Pre-existing unpermitted stormwater discharges into impaired waterways shall obtain legal coverage under the MS4 general permit in the manner outlined in this Ordinance.
- G. The City of Essex Junction regulates stormwater discharges through its Municipal Code.

SECTION 1902. PURPOSE

- A. The City seeks to develop consistent policies and procedures for the determination of stormwater permit responsibility for both valid stormwater system discharge permits, and expired stormwater permits, and to establish minimum requirements for the transfer of expired and future new permit responsibility by and between the appropriate parties.
- B. The City's MS4 responsibility for the operation, repair, and maintenance of stormwater infrastructure extends only to public stormwater infrastructure and proportional shared responsibility on shared stormwater systems. The City may accept permit responsibility if determined by the appropriate legislative body to be in the City's best interest. Factors to be considered when determining whether acceptance of permit responsibility is in the City's "best interest" include, but are not limited to, whether improved water quality is not otherwise obtainable without additional City participation, potential cost savings to the City, or provision of land or easements for treatment or storage of stormwater for shared systems. The non-public contributing stormwater permittee shall be responsible for the operation, maintenance, repair, replacement, and upgrade of the non-public infrastructure unless the City determines that accepting some or all of this responsibility is in its best interests as defined above.

SECTION 1903. AUTHORITY

For purposes of this Ordinance, the "appropriate legislative body" for the City is the City Council.

SECTION 1904. DEFINITIONS

"Authorization to Discharge Permits" shall mean permits issued by the State of Vermont to discharge stormwater into receiving water bodies, which may or may not be valid permits at the time of adoption of this Ordinance.

"Best Management Practices" or "BMPs" shall mean any structural or non-structural site improvements recognized as the most effective and practical means to prevent and reduce stormwater volumes and flows to achieve water quality goals. BMPs include measures to prevent pollution and measures to mitigate pollution. BMPs include schedules of activities, prohibitions of practices, pollution prevention, education practices, natural resource protection, maintenance and operating procedures, management and treatment practices, and measures to control site runoff, spills, or leaks and reduce pollution.

"Expired stormwater permits" shall mean stormwater permits previously issued by the State of Vermont that are no longer current.

"Flow Restoration Plan(s)" shall mean a stream flow plan required by the State of Vermont designed to implement stormwater runoff controls producing runoff characteristics that return stream flows to compliant, stable flow conditions as required to meet the water-quality based Total Maximum Daily Load ("TMDL") requirements for a particular impaired waterway.

"Impaired waterways" means rivers, lakes, or streams that do not meet one or more water-quality standards, and therefore, are considered too polluted for their intended uses.

"Municipal Separate Storm Sewer System" and "MS4" shall mean a collection system or conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs,

gutters, ditches, manmade channels, or storm drains): (i) owned or operated by the City of Essex Junction or another designated MS4 entity that discharges to surface waters or groundwater; (ii) designed or used for collecting or conveying or discharging stormwater and groundwater entering the system; (iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR, Section 122.2.

“National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit” shall mean a permit issued by the Environmental Protection Agency or the State of Vermont under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

“Non-impaired waterways” shall mean rivers, lakes, or streams that currently meet the designated water-quality standards for the waterbody.

“Non-public contributing stormwater permittee” shall mean a current stormwater permit holder, including homeowner associations and any successors or assigns, of either a valid or expired stormwater permit that is not a public entity.

“Non-public stormwater infrastructure” shall mean stormwater infrastructure not owned, operated, or maintained by the City.

“Non- Structural BMPs” BMPs that use natural measures involving site characteristics to reduce the volume of stormwater or eliminate the source of the pollutant.

“Parcel” and “Property” shall mean any lot, subdivided piece of land, unit of land, any subset of land, land owned in common, or a condominium unit or condominium association in the City of Essex Junction that could legally be sold as a separate entity as of January first of the year the fee is based on, and has a separate parcel identification number, map identification number or is identified as a separate parcel. Included in this definition are all roadways owned by the City, the State, and the Federal Government.

“Private stormwater system owner” shall mean the non-public owner of a stormwater system, including homeowner associations and any successors or assigns, consisting of, but not limited to, culverts, pipes, catch basins, treatment ponds, treatment devices, and/or stormwater infiltration systems.

“Public stormwater infrastructure” shall mean stormwater infrastructure such as, but not limited to, sewers, drains, culverts, pipes, catch basins, treatment ponds, treatment devices, and/or stormwater infiltration systems, all of which are under City ownership or within City easements, and which infrastructure has been accepted by the City as a component of the City stormwater system.

“Residual Designation Authority (RDA)” shall mean the authority granted to the United States Environmental Protection Agency and delegated to the State of Vermont to issue a permit directly to a party or parties discharging stormwater to a waterbody that has a TMDL and where discharges are contributing to water quality violations.

“Shared stormwater system” shall mean a stormwater system such as, but not limited to, culverts, pipes, catch basins, treatment ponds, treatment devices, sewers, drains, and/or stormwater infiltration systems that consist of both public and non-public stormwater infrastructure.

“Stormwater” shall mean any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

"**Structural**" BMPs are devices engineered and constructed to provide treatment and temporary storage of stormwater runoff.

"**Undeveloped Property**" shall mean any property that exists in a natural state.

"**Unpermitted stormwater discharges**" means a system discharging stormwater to a stream or watercourse that has never been issued any type of authorization to discharge stormwater by either the City or the State of Vermont.

"**Valid stormwater system**" shall mean a system that has been issued a stormwater permit by the City or the State of Vermont that is current concerning the issuance and expiration dates of the permit.

SECTION 1905. NPDES PHASE 2 MS4 REQUIREMENT FOR EXPIRED AUTHORIZATION TO DISCHARGE PERMITS

- A. The Vermont Agency of Natural Resources (VANR) Authorization to Discharge Permit Number 7024-9014 issued to the City under NPDES MS4 General Permit 3-9014 requires the City to submit to the Secretary of VANR a plan for addressing expired stormwater permits discharging to the MS4 permittee's system, which was accomplished through the proposed adoption of this Ordinance.
- B. A compliance date of October 2015 is set within the Authorization to Discharge Permits for verification of the condition of all public and non-public stormwater infrastructure identified in and approved under each original expired permit that was met.
- C. On expired permits within the impaired waterways or with regard to discharges that have no permits in the impaired waterways, it is the intent of the VANR to either have these permits ultimately come under the umbrella of the City MS4 Permit or issue Residual Designation Authority (RDA) permits directly to each permittee or party responsible for the stormwater discharge not covered under the MS4 umbrella permit.

SECTION 1906. CLASSIFICATION OF STORMWATER SYSTEMS WITHIN THE CITY AS RELATES TO AUTHORIZATION TO DISCHARGE PERMITS

Due to the complexity and variety of existing permit "ownership" and types of permits, the City has classified all valid stormwater system discharge permits and all expired stormwater permits into one of the following four types for purposes of determining permit responsibility:

1. **Type 1 Stormwater System** consists of a system of stormwater infrastructure that is entirely on public land (public rights of way, municipally-owned property, or on public stormwater easements) and owned by the City, including residential subdivisions or groups of houses with no non-public stormwater infrastructure, such as privately-owned catch basins or privately-owned stormwater pipelines connected into stormwater systems on public land (excluding private underdrain systems). For purposes of this Ordinance, a "private underdrain system" is stormwater infrastructure serving individual private lots or buildings from the private lot or building to the point of interconnection with public stormwater infrastructure.

- a. Examples of Type 1 stormwater systems include:
 - I. Public buildings such as municipal offices, police stations, fire stations, municipal highway garage complexes, schools, or other educational facilities with no on-site stormwater infrastructure (other than underdrains connected with public stormwater infrastructure) that do not discharge directly into a stream, and/or similar facilities.
 - II. Residential subdivisions with valid or expired permits in the City. Those residential subdivisions presently identified by the City as meeting the Type 1 criterion are listed in Table 1 in the Appendix to this Ordinance. Table 1 may be revised by the City, acting through its Municipal Manager or their designee(s) as such additional systems are identified.
 - b. Type 1 stormwater systems do not include any private lot, residential subdivision, or groups of housing covered under an expired stormwater permit that has non-public stormwater infrastructure such as catch basins and pipelines (excluding private underdrain systems) connected to public stormwater infrastructure.
2. **Type 2 Stormwater System** consists of a system of stormwater infrastructure that is entirely contained on private property, discharges directly or indirectly to a stream or other recognized water body and is not directly connected by piping to a Type 1 or Type 3 stormwater system.
- a. Examples of Type 2 stormwater systems include:
 - I. Private residential, commercial, or industrial systems that retain all stormwater flows onsite as originally designed and have valid or expired permits for such discharge, and private residential, commercial, or industrial systems that discharge some or all of their stormwater flows to a stream or other recognized water body.
 - II. Select stormwater systems in the City. Those private residential, commercial, or industrial systems presently identified by the City as meeting the Type 2 criterion are listed in Table 1 in the Appendix to this Ordinance. Table 1 may be revised by the City, acting through its Municipal Manager or their designee(s) as such additional systems are identified.
3. **Type 3 Stormwater System** consists of a shared stormwater system covered under either valid and/or expired stormwater permits that combines stormwater flow from both public and non-public stormwater infrastructure before discharging stormwater directly or indirectly into a stream, swale, or other method of water conveyance to waters of the State.
- a. Examples of Type 3 stormwater systems include:
 - I. Non-public stormwater infrastructure systems that discharge directly to public stormwater infrastructure; public stormwater infrastructure systems that discharge to non-public stormwater infrastructure; public and non-public infrastructure systems that discharge to a common stormwater pond or open swale on public or private property or an outfall pipe leading to a stream, swale or other conveyance to a recognized water body; other systems that combine stormwater flow from both public and non-public stormwater infrastructure; prior valid stormwater

permits involving both public and non-public components covered under one issued permit with responsibility defined in the permit between public and non-public contributors to a stormwater system.

- II. Those combined public-private systems in the City presently identified by the City as meeting the Type 3 criterion are listed in Table 1 in the Appendix to this Ordinance. Table 1 may be revised by the City, acting through its Municipal Manager or their designee(s) as such additional systems are identified.

4. **Type 4 Stormwater System**

- a. Any other type of stormwater system not covered under Types 1 through 3.
- b. Unique stormwater systems with valid or expired stormwater permits not included in Types 1 through 3 have not been identified as of the date of adoption of this Ordinance. This category is reserved for such systems.
- c. Stormwater systems involving both City and Vermont Agency of Transportation (VTRANS) infrastructure.
- d. Those combined public-private systems in the City that are identified by the City as meeting the Type 4 criterion will be listed in Table 1 in the Appendix to this Ordinance created by the City, acting through its Municipal Manager. Table 1 may be revised by the City, acting through its Municipal Manager or their designee(s) as additional systems are identified.

SECTION 1907. METHODOLOGY FOR ESTABLISHMENT OF PERMIT RESPONSIBILITY FOR EACH TYPE OF STORMWATER SYSTEM

A. Type 1 Stormwater Systems

1. The City accepts responsibility for all valid Type 1 stormwater system permits in the non-impaired waterways, all expired Type 1 stormwater system permits in the impaired waterways, and all future Type 1 stormwater system permits. These permits are consolidated under the City's NPDES MS4 General Permit 3-9014.
2. The City accepts responsibility for the operation, maintenance, repair, replacement, and upgrade of all public stormwater infrastructure included in Type 1 stormwater systems, except for private underdrain systems and overland stormwater flow systems from private lands such as driveways, open swales, and vegetated land. Such private underdrain systems and overland flow systems shall remain the responsibility of the property owner.
3. Acceptance of stormwater permit responsibility by the City does not relieve individual property owner(s) or housing and/or homeowner association(s), or any successor(s) and assign(s), from compliance with other sections of the City's stormwater ordinance or State environmental regulations, including but not limited to sections dealing with illicit discharges, offsite discharge of sediment, site erosion, fertilizer application with respect to phosphorous and overall compliance with best stormwater management practices as defined in adopted regulations or ordinances.

B. Type 2 Stormwater Systems

1. The City shall have no responsibility for the operation, maintenance, repair, replacement, or upgrade of non-public stormwater infrastructure identified in a valid or expired stormwater permit, or non-public stormwater infrastructure added subsequent to the original version of a valid or expired permit, to meet an approved Flow Restoration Plan (FRP) unless it is determined by the appropriate legislative body, in its sole discretion, to be in the City's best interests, as defined in Section 602.B above, to accept some or all of this responsibility.
2. The City may accept MS4 permit responsibility for valid or expired Type 2 stormwater system permits if requested by the current private stormwater system owner provided the following conditions are satisfied:
 - a. The private stormwater system owner under an original valid or expired permit enters into a written agreement with the City, which includes, at a minimum, the requirements set forth in section 1907(B)(2)(b), below. A form of the Type 2 Stormwater System Agreement is provided in Appendix B of this Ordinance. If the private stormwater system owner has not entered into a written agreement with the City, the City will request the State to use its RDA to require permit compliance by the holder of the expired Type 2 stormwater permit.
 - b. The written agreement specified in section 1907(B)(2)(a) by and between the City and a private stormwater system owner shall, at a minimum, require the following:
 - i. All applicable permit fees, including initial fees and all future renewal fees, if any such fees are required, shall be paid by the Type 2 private stormwater system owner.
 - ii. The Type 2 private stormwater system owner shall allow the City to hire a professional engineer, at no cost to the City of the Type 2 stormwater permit, to inspect and certify that the Type 2 non-public stormwater infrastructure complies with the infrastructure requirements as contained in the expired permit. Alternatively, the current holder of the expired non-public stormwater permit may hire a professional engineer, acceptable to the City, to perform the necessary inspection and certification. Future inspections that occur after the initial certification inspection of Type 2 non-public stormwater infrastructure shall be conducted by the City at no charge to the private stormwater system owner.
 - iii. The Type 2 non-public contributing stormwater permittee shall correct any deficiencies noted as a result of the engineer's inspection at their own expense
 - iv. The Type 2 non-public contributing stormwater system permittee shall be responsible for permanent maintenance, repair, replacement, and upgrade, if necessary, of all elements covered under the Type 2 stormwater system permit. The City shall conduct annual system compliance inspections to verify the condition and maintenance of the

- Type 2 stormwater system and report findings, and the responsible party identified under the Type 2 stormwater system permit.
- v. The Type 2 non-public contributing stormwater system permittee shall sweep clean all paved private roadways or parking lots at least twice per year and clean out all private catch basins whenever the depth of deposited material exceeds 50% of the depth of the catch basin sump or enter into an agreement with the City to perform the services for a fee.
 - vi. The failure of the Type 2 non-public contributing stormwater system permittee to perform the required actions under b. iv. and v. shall be deemed a violation of this Ordinance and shall subject the non-public contributing stormwater system permittee to penalties under Chapter 20 of the Municipal Code. The City has the right but not the obligation to take the necessary actions to ensure that the required maintenance is performed and otherwise correct any violation of this Ordinance.
 - vii. The cost of required stormwater system upgrades to the Type 2 stormwater system to meet the City's adopted and State approved FRP shall be borne by the non-public contributing stormwater system permittee unless it is determined by the City to be in its best interests as defined in Section 1902.B above to participate in some or all of the system upgrade project or project costs.
3. Any prior written agreements entered into by the City and non-public contributing stormwater system permittees shall remain in full force with respect to cost sharing and operation, maintenance, repair, and replacement of existing stormwater infrastructure.
 - a. Permit responsibility and upgrades to meet the FRP are separate elements of stormwater responsibility not defined in previous agreements, and therefore, this Ordinance is the controlling document relative to permitting.
 - b. In the event of any conflict between pre-existing agreements and the ordinance, the pre-existing agreements shall control.
 4. Acceptance of partial stormwater permit responsibility by the City shall not relieve non-public contributing stormwater system permittees from compliance with all other elements of the stormwater ordinance or applicable State environmental regulations, including but not limited to sections dealing with illicit discharges, offsite discharge of sediment, site erosion, fertilizer application with respect to phosphorous and overall compliance with best stormwater management practices as defined in adopted regulations or ordinances.
- C. Type 3 Stormwater Systems
1. The City will not accept responsibility for operation, maintenance, repair, replacement, and upgrade to meet an approved FRP of non-public stormwater infrastructure identified in a valid or expired stormwater permit or non-public stormwater infrastructure added subsequent to the original version of the valid or expired permit, unless it is determined by the City Council, in its sole discretion, to be in the best interests of the City, as defined in Section 1902.B above, to accept some or all of this responsibility.
 2. The City will accept MS4 permit responsibility on a proportional basis by relative impervious area contributed within the permitted area of the shared stormwater system for

the valid or expired Type 3 stormwater system permit if requested by the non-public contributing stormwater system permittee and provided the following conditions are satisfied:

- a. The Type 3 non-public contributing stormwater permittee shall enter into a written agreement with the City, which includes, at a minimum, the requirements set forth in Section 1906(b)(i)-(vii) above. A form of the Type 3 Stormwater System Agreement is provided in Appendix C to this Ordinance. If the non-public contributing stormwater system permittee has not entered into a written agreement, the City will request the State to use its RDA to require permit compliance by the Type 3 non-public contributing stormwater system permittee.
 - b. If the Type 3 non-public contributing stormwater system permittee elects not to enter into a shared agreement with the City on MS4 permit responsibility, the City shall comply with the requirements pertaining to the public stormwater infrastructure and may request the State to use its RDA over that portion of the shared stormwater system not included within an agreement with the City.
 - c. All applicable permit fees, including initial fees and all future renewals, if such fees are required, shall be shared between the municipality and the non-public contributing stormwater permittee based on relative impervious area, unless the appropriate legislative body determines that it is in the City's best interests, as defined in Section 1902.B above, that such fees shall be paid either on a larger percentage than relative impervious area or in full by the City. If the City accepts permit responsibility, then the intent is to consolidate the permit under the municipal NPDES MS4 General Permit 3-9014.
3. Any prior written agreements entered into by the City and the Type 3 non-public contributing stormwater system permittee shall remain in full force with respect to cost sharing and operation, maintenance, repair, and replacement of existing stormwater infrastructure.
 - a. Permit responsibilities and upgrades to meet the FRP are separate elements of stormwater responsibility not defined in previous agreements and therefore this Ordinance is the controlling document relative to these issues.
 - b. In the event of any conflict between executed pre-existing agreements and this Ordinance, the pre-existing agreements shall control.
 4. Acceptance of MS4 Permit responsibility by the City does not relieve non-public contributing stormwater system permittees from compliance with other elements of the City's stormwater ordinance or State environmental regulations, including but not limited to sections dealing with illicit discharges, offsite discharge of sediment, site erosion, fertilizer application with respect to phosphorous and overall compliance with best stormwater management practices as defined in adopted regulations or ordinances.

D. Type 4 Stormwater Systems

1. Other stormwater systems with valid or expired stormwater permits that do not qualify as a Type 1, 2, or 3 stormwater system.
2. These systems shall be managed on a case-by-case basis, using the general procedures and methods as applicable from the three system types described herein.
3. Permits involving the City and VTRANS shall fall under this category. VTRANS is a separate MS4 permittee. Under a future adopted FRP for each impaired waterway, the City will negotiate an agreement with VTRANS on the level of shared responsibility and costs for meeting the TMDL requirement of each impaired waterway. In the event an agreement cannot be negotiated with VTRANS, the City will request VANR to use its RDA concerning those VTRANS direct or indirect discharges contributing stormwater flow to the impaired watersheds under the VTRANS MS4 permit.

SECTION 1908. PENALTY

Any person violating any of the provisions of Chapters 19-21 of the City of Essex Junction Municipal Code (“this Ordinance”) shall be subject to a civil penalty of Five Hundred Dollars (\$500) for each violation. Each day that any violation of any of the provisions of this Ordinance or a permit issued hereunder continues shall constitute a separate offense. The City may recover all attorney’s fees, court costs, and other expenses associated with the enforcement of this Ordinance including sampling and monitoring expenses.

APPENDIX A

Table 1: Expired and Valid Storm Water Permits in the City of Essex Junction as of the Date of Ordinance as amended 10/22/2024

Permit #	Project Name	Valid or Expired	Ordinance Type	Watershed
2-0855	Village Knoll-Woods End & Acorn	Valid	Type 1	Indian Brook
2-1103	Pleasant Street & East Street	Valid	Type 1	Indian Brook
1-1074	Countryside II Fairview Farms: Chestnut Lane	Valid	Type 2	Indian Brook
1-1074	Countryside II Fairview Farms: Spruce Lane	Valid	Type 2	Indian Brook
1-1074	Countryside II Fairview Farms: Walnut Lane	Valid	Type 2	Indian Brook
2-0835	Village Glen	Valid	Type 2	Indian Brook
1.1527.0111	Highland Village	Expired	Type 2	Sunderland Brook

1-0236	Brickyard	Valid	Type 2 & 3	Indian Brook
1-1074	Countryside II Fairview Farms: Locust Lane	Valid	Type 3	Indian Brook
2-0863	167 Pearl Street	Expired	TBD	Sunderland Brook

Appendix B

TYPE 2 STORMWATER SYSTEM AGREEMENT

This STORM WATER SYSTEM AGREEMENT (“Agreement”) is made this _____ day of _____ 20__ by and between the [City of Essex Junction], a Vermont municipal corporation with a principal place of business at [City address] [2 Lincoln Street], Essex Junction, Vermont 05452 (the [“City”]), and _____ with a principal place of business at _____ (“Permittee”). The City and Permittee are sometimes each referred to in this Agreement as a “Party” or collectively as the “Parties.”

WITNESSETH:

WHEREAS, the City has adopted Chapter 19 of the City of Essex Junction Municipal Code (“Chapter 19”) entitled Establishing Stormwater Permit Transfer Authority for Expired and Unpermitted Discharges to Impaired Waterways Regulation of; and

WHEREAS, the Storm Water Ordinance amendment identifies the requirements under Section 1907(B) necessary for the City to accept stormwater permit responsibility for a valid or expired Type 2 stormwater permit, as such type is defined in the Ordinance; and

WHEREAS, the Parties have identified that it is in their best interests to have the City accept stormwater permit responsibility by entering into this Agreement; and

WHEREAS, it is in the best interests of the Parties to work together to achieve State of Vermont stormwater permit compliance; and

WHEREAS, the Parties agree that the City has no responsibility for the operation, maintenance, repair, replacement, or upgrade of all non-public stormwater or stormwater-related infrastructure, or non-public stormwater infrastructure added to the original version of a valid or expired stormwater permit; and

WHEREAS, the City may in its sole discretion, if determined by the City Council to be in its best interests, to accept some or all of the operation, maintenance, repair, replacement, or upgrade of all non-public stormwater or stormwater-related infrastructure, at some future date;

NOW, THEREFORE, in consideration of the matters described above, and of the mutual benefits and obligations set forth in this Agreement, and on the express condition that all conditions precedent described below are satisfied, the Parties agree as follows:

SECTION ONE

[CITY] OBLIGATIONS

The City agrees to accept full or shared permit responsibility for valid or expired storm water system permits as follows and also shall:

1. Hire a professional engineer, at no cost to the City, to inspect and certify that the Type 2 stormwater system, including but not limited to catch basins, storm pipes, and treatment facilities, is in compliance with the infrastructure requirements as contained in the expired permit, unless such work is undertaken at no cost to the City by Permittee.
2. Conduct future inspections that occur after the initial certification inspection of Type 2 stormwater systems at no charge to the Permittee.
3. Conduct annual system compliance inspections to verify the condition and maintenance of the Type 2 stormwater system and report findings to the State and the Permittee.
4. Inspect and prepare an annual structural condition survey and extent of debris capture in all catch basins contributing to stormwater flow within the permitted area.
5. At the request of the Permittee, arrange for cleaning of non-public catch basins, and to bill such cleaning costs to the Permittee.
6. Make best efforts to minimize the impact on the Permittee's property and their business operations thereon in performing its obligations under this Agreement.

SECTION TWO

PERMITTEE OBLIGATIONS

Permittee shall:

1. Accept all responsibility for the operation, maintenance, repair, replacement, or upgrade of non-public stormwater infrastructure identified in a valid or expired stormwater permit, or non-public stormwater infrastructure added subsequent to the original version of a valid or expired permit, to meet an approved Flow Restoration Plan (FRP) unless it is determined by the City Council, in its sole discretion, to be in the City's best interests, as defined in Section 1902(B) above, to accept some or all of this responsibility.

2. To pay all applicable permit fees, including initial fees and all future renewal fees, if any such fees are required of the Type 2 stormwater system.
3. Hire a professional engineer, at no cost to the City, to inspect and certify that the Type 2 stormwater system, including but not limited to catch basins, storm pipes, and treatment facilities, is in compliance with the infrastructure requirements as contained in the expired permit, unless Permittee requests such work be performed by the City and the City agrees.
4. Correct any deficiencies identified in the engineer's stormwater system inspection at their own expense prior to the date for system certification.
5. Maintain, repair, replace, and upgrade as necessary all stormwater infrastructure covered under the Type 2 stormwater system permit.
6. Sweep clean all paved private roadways or parking lots at least twice per year and clean out all private catch basins whenever the depth of deposited material exceeds 50% of the depth of the catch basin sump, or enter into an agreement with the City to perform the services for a fee.
7. Bear all costs of required stormwater system upgrades (if needed) to the Type 2 stormwater system to meet the City's adopted and State approved FRP unless it is determined by the City to be in its best interests as defined in Section 1902(B) of the Chapter 19 to participate in some or all of the system upgrade project or project costs.
8. Comply with all other elements of the stormwater Ordinance or other applicable State environmental regulations, including but not limited to sections dealing with illicit discharges, offsite discharge of sediment, site erosion, fertilizer application with respect to phosphorous and overall compliance with best stormwater management practices as defined in adopted regulations or ordinances.
9. Perform any necessary structural repairs to any non-public stormwater infrastructure beyond the annual routine maintenance within at least six (6) months of discovery of such needed structural repair or, if not repaired within six months of discovery, reimburse the City for all its costs for such catch basin repair plus a ten percent (10%) surcharge for associated administrative expenses relating to such repair.
10. Indemnify, defend, and hold harmless the City and its officers, employees, agents, and representatives for and from any claims for liability and or damages arising out of the City's performance of the required annual operations and maintenance and required testing of the stormwater infrastructure, including all catch basins and pipes, that may occur on Permittee's property, except to the extent such claims (a) arise from the gross negligence or intentional misconduct of the City or its employees, agents or contractors.

SECTION THREE

MISCELLANEOUS

1. The City will notify the Permittee at such time as the FRP for the watershed in which the property lies is adopted as to any obligations of the Permittee to make on-site stormwater improvements as required under the FRP.

- 2. All payments required under this Agreement shall be due upon receipt of an invoice. Any payments not made within thirty (30) days of their due date shall accrue interest at a rate of one percent (1%) per month on the past due amount until paid in full.
- 3. The Parties covenant and agree that the conditions and obligations under this Agreement shall run with the land and shall accrue to the benefit of and be binding upon their respective successors and assigns as if they were parties to this Agreement. Any payments required under this Agreement not made when due shall constitute a lien on the property of the Party failing to make payment and shall be collectible in the same fashion as unpaid property taxes.
- 4. In the event a Party resorts to the judicial process to enforce another Party’s obligations hereunder, the prevailing Party shall be entitled to recover its reasonable attorneys’ fees.
- 5. This Agreement shall be interpreted consistent with and governed by the laws of the State of Vermont.
- 6. This Agreement consists of the entire understanding between the Parties relative to its subject matter, and may not be modified orally, but only by a written instrument signed by all Parties.

IN WITNESS WHEREOF, the Parties have caused their corporate seal to be affixed hereto and these premises to be signed in its name and on its behalf by its duly authorized agent as of the day and date first written above.

_____, VERMONT

 Witness BY: _____
 Duly Authorized Agent

 Witness BY: _____
 Duly Authorized Agent

STATE OF VERMONT)

) SS.

COUNTY OF CHITTENDEN)

At Essex Junction in said County this ____ day of _____, A.D., ____, personally

appeared _____ duly authorized officer of _____, and he acknowledged this instrument, by him sealed and subscribed to be his free act and deed and the free act and deed of the City of Essex Junction.

Before me,

Notary Public

My Commission Expires: _____

STATE OF VERMONT)

) SS.

COUNTY OF CHITTENDEN)

At Essex Junction in said County this ____ day of _____, A.D., ____, personally appeared _____ duly authorized officer of _____, and he/she acknowledged this instrument, by him/her sealed and subscribed to be his/her free act and deed and the free act and deed of _____.

Before me,

Notary Public

My Commission Expires: _____

Appendix C

TYPE 3 STORMWATER SYSTEM AGREEMENT

This STORM WATER SYSTEM AGREEMENT (“Agreement”) is made this ____ day of _____ 20__ by and between the [City of Essex Junction], a Vermont municipal corporation with a principal place of business at 2 Lincoln St Main Street, Essex Junction, Vermont 05452 (the [“City”]), and _____ with a principal place of business at _____ (“Permittee”). The City and Permittee are sometimes each referred to in this Agreement as a “Party” or collectively as the “Parties.” (*NOTE: May be multiple parties to sign*)

WITNESSETH:

WHEREAS, the City has adopted Chapter 19 of the City of Essex Junction Municipal Code (“Chapter 19”) entitled Establishing Stormwater Permit Transfer Authority for Expired and Unpermitted Discharges to Impaired Waterways; and

WHEREAS, Chapter 19 identifies the requirements in section 605(C) necessary for the City to accept shared or full stormwater permit responsibility for a valid or expired Type 3 stormwater permit, as such type is defined in the Ordinance; and

WHEREAS, Permittee (**NOTE: May be multiple parties**) has identified that it is in their best interests to have the City accept stormwater permit responsibility by entering into this Agreement; and

WHEREAS, it is in the best interests of the Parties to work together to achieve State of Vermont stormwater permit compliance; and

WHEREAS, the Parties agree that the City has no responsibility for the operation, maintenance, repair, replacement, or upgrade of all non-public stormwater or stormwater-related infrastructure, or non-public stormwater infrastructure added to the original version of a valid or expired stormwater permit and shared responsibility on stormwater systems consisting of both public and non-public infrastructure; and

WHEREAS, the City may in its sole discretion, if determined by the City Council to be in the City’s best interests, to accept some or all of the operation, maintenance, repair, replacement, or upgrade of all non-public stormwater or stormwater-related infrastructure, at some future date;

NOW, THEREFORE, in consideration of the matters described above, and of the mutual benefits and obligations set forth in this Agreement, and on the express condition that all conditions precedent described below are satisfied, the Parties agree as follows:

SECTION ONE.

CITY OBLIGATIONS

The City agrees to accept full or shared permit responsibility on a proportional basis by relative impervious area contributed by the public and non-public stormwater infrastructure within the permitted area for valid or expired stormwater system permits. The relative impervious area has been agreed as follows: City __%; Permittee __%. The City also shall:

1. Hire a professional engineer, at no cost to the Permittee, to inspect and certify that the Type 3 stormwater system, including but not limited to catch basins, storm pipes, and treatment facilities, is in compliance with the infrastructure requirements as contained in the expired permit, unless such work is undertaken at no cost to the City on non-public stormwater infrastructure by Permittee.
2. Conduct future inspections that occur after the initial certification inspection of Type 3 stormwater systems at no charge to the Permittee.
3. Conduct annual system compliance inspections to verify the condition and maintenance of the Type 3 stormwater system and report findings to the State and the Permittee.
4. Inspect and prepare a structural condition survey and extent of debris capture in all catch basins contributing to stormwater flow within the permitted area.
5. At the request of the Permittee, arrange for cleaning of non-public catch basins, and to bill such cleaning costs to the Permittee.
6. Make best efforts to minimize the impact on any Permittee's property and their business operations thereon in performing its obligations under this Agreement.

SECTION TWO
PERMITTEE OBLIGATIONS

Permittee (***NOTE: May be multiple parties***) shall:

7. Accept all responsibility for the operation, maintenance, repair, replacement, or upgrade of non-public stormwater infrastructure identified in a valid or expired stormwater permit, or non-public stormwater infrastructure added subsequent to the original version of a valid or expired permit, or their portion of a shared stormwater system to meet an approved Flow Restoration Plan (FRP) unless it is determined by the appropriate City Council, in its sole discretion, to be in the City's best interests, as defined in Section 602(B) of the Chapter 19 to accept some or all of this responsibility.
8. Pay their proportionate share of all applicable permit fees, including initial fees and all future renewal fees, if any such fees are required of the Type 3 stormwater system, and
9. Hire a professional engineer, at no cost to the City, to inspect and certify that the non-public or shared portion of Type 3 stormwater system, including but not limited to catch basins, storm pipes, and treatment facilities, is in compliance with the infrastructure requirements as contained in the expired permit, unless Permittee requests such work be performed by the City.
10. Correct any deficiencies on the non-public portion of the stormwater system identified by the engineer's stormwater system inspection at their own expense prior to the date for system certification.
11. Maintain, repair, replace, and upgrade as necessary all non-public stormwater infrastructure and share responsibility for portions of shared stormwater systems covered under the Type 3 stormwater system permit according to the percentages identified above.

12. Sweep clean all paved private roadways or parking lots at least twice per year and clean out all private catch basins whenever the depth of deposited material exceeds 50% of the depth of the catch basin sump on non-public private stormwater infrastructure or enter into an agreement with the City to perform such services for a fee.
13. Bear the cost of required stormwater system upgrades on non-public portions of the shared stormwater systems and to share in the costs of all shared elements of the stormwater system (if needed) to the Type 3 stormwater system to meet the City’s adopted and State approved FRP according to the percentages identified above unless it is determined by the City to be in its best interests as defined in Section 602(B) of Chapter 19 to participate in some or all of the system upgrade project or project costs.
14. Comply with all other elements of the stormwater Ordinance or other applicable State environmental regulations, including but not limited to sections dealing with illicit discharges, offsite discharge of sediment, site erosion, fertilizer application with respect to phosphorous and overall compliance with best stormwater management practices as defined in adopted regulations or ordinances.
15. Perform any necessary structural repairs to any non-public stormwater infrastructure beyond the annual routine maintenance within at least six (6) months of discovery of such needed structural repair or, if not repaired within six (months) of discovery, reimburse the City for all its costs for such catch basin repair plus a ten percent (10%) surcharge for associated administrative expenses relating to such repair; and share in such costs on shared elements of the stormwater system according to the percentages identified above.
16. To indemnify, defend, and hold harmless the City and its officers, employees, agents, and representatives for and from any claims for liability and or damages arising out of the City’s performance of the required annual operations and maintenance and required testing of the stormwater infrastructure, including all catch basins and pipes, that may occur on Permittee’s property, except to the extent such claims (a) arise from the gross negligence or intentional misconduct of the City or its employees, agents or contractors.

SECTION THREE

MISCELLANEOUS

17. The City will notify the Permittee at such time as the FRP for the watershed in which the property lies is adopted as to any obligations of the Permittee to make on-site stormwater improvements as required under the FRP.
18. All payments required under this Agreement shall be due upon receipt of an invoice. Any payments not made within thirty (30) days of their due date shall accrue interest at a rate of one percent (1%) per month on the past due amount until paid in full.
19. The Parties covenant and agree that the conditions and obligations under this Agreement shall run with the land and shall accrue to the benefit of and be binding upon their respective successors and assigns as if they were parties to this Agreement. Any payments required under this Agreement not made when due shall constitute a lien on the property of the Party failing to make payment and shall be collectible in the same fashion as unpaid property taxes.

- 20. In the event a Party resorts to the judicial process to enforce another Party’s obligations hereunder, the prevailing Party shall be entitled to recover its reasonable attorneys’ fees.
- 21. This Agreement shall be interpreted consistent with and governed by the laws of the State of Vermont.
- 22. This Agreement consists of the entire understanding between the Parties relative to its subject matter, and may not be modified orally, but only by a written instrument signed by all Parties.

IN WITNESS WHEREOF, the Parties have caused their corporate seal to be affixed hereto and these premises to be signed in its name and on its behalf by its duly authorized agent as of the day and date first written above.

CITY OF ESSEX JUNCTION, VERMONT

 Witness BY: _____
 Duly Authorized Agent

PERMITTEE

 Witness BY: _____
 Duly Authorized Agent

STATE OF VERMONT)
)
 COUNTY OF CHITTENDEN)

SS.

At Essex Junction in said County this ____ day of _____, A.D., ____, personally appeared _____ duly authorized officer of _____, and he acknowledged this instrument, by him sealed and subscribed to be his free act and deed and the free act and deed of the City of Essex Junction.

Before me,

Notary Public

My Commission Expires: _____

DRAFT

CITY OF ESSEX JUNCTION, VT**MUNICIPAL CODE****CHAPTER 20
REGULATION OF STORMWATER MANAGEMENT****SECTION 2001. PURPOSE:**

The purpose of this ordinance is to protect the public health, safety, and welfare of the City of Essex Junction through the regulation of stormwater discharges to the Municipal Separate Storm Sewer (hereafter "MS4") as required by federal and state law and surface water in the City.

This includes:

- a) Adverse effects of erosion and stormwater discharge from new development and redevelopment
- b) Illicit discharges
- c) Impacts from impervious surfaces
- d) Adverse impacts on water quality
- e) Flood risk reduction

SECTION 2002. INTENT:

The intent of this ordinance is to allow no increase in stormwater runoff because of land development activity.

SECTION 2003. APPLICATION:

Any discharge of stormwater from developed property in the City shall be subject to the provisions of this division.

Required Approvals:

- a) No owner of Developed Property in the City shall change or alter, or allow to be changed or altered, the discharge of stormwater from such property without first obtaining a permit or approval required under this or any other City Ordinance, state law, or federal law. As used herein, change or alter shall mean an act done that will result in a direct or indirect impact on the contribution of stormwater into the Public Stormwater System.
- b) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public storm drain or appurtenance thereof.

SECTION 2004. RELATION TO OTHER ORDINANCES

If the provisions of these regulations conflict with the provisions of another valid and enforceable Ordinance(s), the stricter provisions shall prevail.

SECTION 2005. ADMINISTRATION

Except where specifically noted in this Ordinance, the Water Quality Superintendent shall administer, implement, and enforce the provisions of this Ordinance. The powers and duties granted to and held by the Water Quality Superintendent in Chapters 19-21 of the City of Essex Junction Municipal Code may be delegated by the Water Quality Superintendent, at the Superintendent's discretion, to another qualified employee of the City of Essex Junction if the delegation is deemed appropriate and necessary by the Superintendent to achieve the intent and purpose of these Chapters.

SECTION 2006. DOCUMENTS REFERENCED

- 1) City of Essex Junction Land Development Code

SECTION 2007. DEFINITIONS

“Authorization to Discharge Permits” shall mean permits issued by the State of Vermont to discharge stormwater into receiving water bodies, which may or may not be valid permits at the time of adoption of this Ordinance.

“Best Management Practices” or “BMPs” shall mean any structural or non-structural site improvements recognized as the most effective and practical means to prevent and reduce stormwater volumes and flows to achieve water quality goals. BMPs include measures to prevent pollution and measures to mitigate pollution. BMPs include schedules of activities, prohibitions of practices, pollution prevention, education practices, natural resource protection, maintenance and operating procedures, management and treatment practices, and measures to control site runoff, spills, or leaks and reduce pollution.

“Construction” shall mean any clearing, grading, earthmoving, or excavating activity that results in land disturbance; the erection, placement, or assembly of any building or structure or additions thereto on any parcel; the moving and placement of any building, structure or materials onto any parcel.

“Department of Stormwater” shall mean the employees, contractors, or designees of the City of Essex Junction Water Quality Superintendent.

“Developed Property” shall mean any property that is altered from a natural state by construction, or installation of improvements such as buildings, structures, or other impervious surfaces.

“Illicit Connections” shall mean any drain or conveyance, whether on the surface or subsurface which allows an illegal discharge to enter the MS4, including but not limited to any conveyances that allow any non-stormwater discharge including sewage, process wastewater, laundry, and wash water to enter the MS4, and any connections to the MS4, from indoor drains, and sinks regardless of whether said drain or connection had been previously allowed, permitted or approved by an authorized state agency or by the City.

“Illicit Discharge” shall mean any direct or indirect non-stormwater discharge to the storm drain system.

“Impaired waterways” means rivers, lakes, or streams that do not meet one or more water-quality standards, and therefore, are considered too polluted for their intended uses.

“Municipal Separate Storm Sewer System” and “MS4” shall mean a collection system or conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains): (i) owned or operated by the City of Essex Junction or another designated MS4 entity that discharges to surface waters or groundwater; (ii) designed or used for collecting or conveying or discharging stormwater and groundwater entering the system; (iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR, Section 122.2.

“National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit” shall mean a permit issued by the Environmental Protection Agency or the State of Vermont under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

“Non-Stormwater Discharge” shall mean any discharge to the MS4 that is not composed entirely of stormwater.

“Parcel” and “Property” shall mean any lot, subdivided piece of land, unit of land, any subset of land, land owned in common, or a condominium unit or condominium association in the City of Essex Junction that could legally be sold as a separate entity as of January first of the year the fee is based on, and has a separate parcel identification number, map identification number or is identified as a separate parcel. Included in this definition are all roadways owned by the City, the State, and the Federal Government.

“Stormwater” shall mean any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

“Stormwater Runoff” shall mean flow on the surface of the ground, resulting from precipitation.

“Stormwater Treatment Practice (STP)” shall mean measures, either structural or non-structural, that are determined to be the most effective, practical means of preventing or reducing point source or non-point source stormwater pollution inputs to stormwater runoff and water bodies.

“Structural” BMPs are devices engineered and constructed to provide treatment and temporary storage of stormwater runoff.

“Unpermitted stormwater discharges” means a system discharging stormwater to a stream or watercourse that has never been issued any type of authorization to discharge stormwater by either the City or the State of Vermont.

“Water Quality Superintendent” shall mean the person who manages the stormwater and wastewater departments. Also referred to as the Superintendent in this document.

SECTION 2008. TECHNICAL REVIEW

In the event the Superintendent or Zoning Administrator finds, in the discharge of their duties under this Ordinance, that they require the assistance of qualified professionals in stormwater management, erosion control, engineering, or related fields to determine compliance with the provisions of this Ordinance, the Superintendent or Zoning Administrator, as applicable, may require an independent review of one or more aspects of a permit, plan or application, with the cost of the review to be paid by the applicant or permittee.

SECTION 2009. COMPLIANCE WITH EXISTING PERMITS

It shall be a violation of this Ordinance of any owner of Developed Property that is subject to any local, state, or federal permit requirements regarding the discharge of stormwater to fail to comply with such permit requirements.

SECTION 2010. WATERCOURSE PROTECTION

No person shall deposit or cause to be deposited in a watercourse or on the land impacted by runoff to the watercourse any trash, yard debris, or any other material that would pollute and adversely alter the natural flow of water through or can erode into the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. Natural riparian buffers and manmade watercourses established as part of a development and required by the City regulation shall be maintained.

SECTION 2011. PROHIBITION

- a) Under the authority set forth in 24 VSA Chapter 59 and 24 VSA § 2291 Subsection 14, it is hereby declared that it shall be a public nuisance for anyone to contribute pollutants, illegally connect, or illegally discharge into the Municipal Separate Storm Sewer System (MS4), or otherwise discharge non-stormwater discharges in violation of the requirements of this Ordinance.
- b) Illicit discharge-No person shall throw, deposit, or leave in or upon any premise, parcel, driveway, parking area, street, alley, sidewalk, stormwater systems or surface water in the City of Essex Junction, any object or material, including but not limited to refuse, rubbish, garbage, animal waste, litter, yard waste, or other abandoned objects, that may cause or contribute to pollution, or interfere with the operation, maintenance, and access to the MS4. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempt.
- c) Illicit connection- the construction, use, maintenance, or continued existence of illicit connections to the MS4 are prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- d) The prohibition in this section shall not apply to any non-stormwater discharges permitted under the NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the United States Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver or order and other applicable laws and regulations, and written approval must be granted for any discharge to the MS4 by the Water Quality Superintendent.
- e) The following discharges are exempt:
 - a. Water line flushing with De-chlorinated Water
 - b. Landscape irrigation

- c. Diverted stream flows
- d. Uncontaminated groundwater, either naturally rising or pumped
- e. Uncontaminated groundwater infiltration into stormwater drains
- f. Discharges from potable water sources
- g. Uncontaminated foundation drains
- h. Air conditioning condensate
- i. Irrigation water
- j. Springs
- k. Uncontaminated water from crawl space pumps
- l. Uncontaminated water from footing drains
- m. Lawn watering
- n. Individual residential car washing
- o. Flows from riparian habitats and wetlands
- p. De-chlorinated swimming pool discharges
- q. Street wash water
- r. Discharges or flows from firefighting activities occurring during emergencies not involving hazardous materials or oil.
- s. Dye testing if approved by the City Engineer.

SECTION 2012. NOTIFICATION OF SPILLS

Property owners or citizens responsible for facility operation and management who know or suspect the release of materials that may result in an illegal discharge to the stormwater system must immediately notify proper emergency response agencies. Release of non-hazardous materials shall be notified to the Water Quality Superintendent, Public Works Superintendent, or their designee.

SECTION 2013. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS BY USE OF BEST MANAGEMENT PRACTICES

Any person or entity owning, occupying, or having an interest in a property from which there has been an illicit discharge may be required to implement, at said person's or entity's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the MS4. Compliance with all terms and conditions of a valid NPDES permit authorizing discharge of stormwater associated with industrial activity to the extent practicable shall be deemed in compliance with the provisions of this Section.

SECTION 2014. POWER TO INSPECT

Duly authorized representatives of the City of Essex Junction shall be permitted to enter and inspect all properties subject to regulation under this Ordinance for the purposes of inspection, observation, measurement, sampling, and testing as often as needed to determine compliance. Authorized persons shall have the right to set up devices as necessary to conduct monitoring and or sampling of any regulated discharge from a property, Authorized persons may also examine and copy records of a property owner, agent, or manager that must be kept under the conditions of an NPDES permit to discharge stormwater.

SECTION 2015. OPERATION AND MAINTENANCE

All stormwater systems shall have a written, and approved, enforceable operation and maintenance agreement, duly recorded in the City land records with a copy sent to the Water Quality Superintendent, to ensure the system functions as designed. The maintenance agreement shall include a schedule for when and how often maintenance will occur and plans for annual inspections by a qualified individual to ensure proper performance of the facility between scheduled cleanouts. Where required, an annual report, which certifies the system has been inspected and maintained in accordance with submitted plans, must be submitted to the Water Quality Superintendent by September 1st of each year. City Staff may elect to audit some of the permits annually.

SECTION 2016. SUSPENSION

The City may, without notice, suspend MS4 discharge access to a person or entity when such suspension is necessary to stop an actual or threatened discharge that presents or may present danger to the environment, health, and welfare of the MS4.

SECTION 2017. ENFORCEMENT REMEDIES GENERALLY

An action, injunction, or other enforcement proceeding may be instituted in the Vermont Superior Court, Civil Division, by the City of Essex Junction to prevent, restrain, correct, or abate any violation or activity causing a violation or threatening to cause. The relief sought may include the right to enter onto private property to abate or correct the violation, to restrain any activity that would create further or future threatened violations, or to compel a person or persons to perform abatement or remediation of the violation; and to seek fines, penalties or damages for all costs, including reasonable attorney's fees, incurred by the City of Essex Junction in pursuing and obtaining such relief. In addition to any other remedies authorized in law or equity, the City of Essex Junction may seek an order specifically requiring:

- a) The elimination of illicit connections and/or non-stormwater discharges to the MS4;
- b) The discontinuance of practices, activities, or operations that lead to violations of this Ordinance;
- c) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property/parcel;
- d) The implementation of source control or treatment through the use of best management practices; the performance of monitoring, analysis, and reporting.

SECTION 2018. PENALTY

Any person violating any of the provisions of Chapters 19-21 of the City of Essex Junction Municipal Code ("this Ordinance") shall be subject to a civil penalty of Five Hundred Dollars (\$500) for each violation. Each day that any violation of any of the provisions of this Ordinance or a permit issued hereunder continues shall constitute a separate offense. The City may recover all attorney's fees, court costs, and other expenses associated with the enforcement of this Ordinance including sampling and monitoring expenses.

SECTION 2019. APPEALS TO CITY COUNCIL

Any interested person who believes that the staff has committed an error in making a decision or taking an action may appeal such act or decision to the City Council by filing a written Notice of Appeal with the City Clerk within 15 calendar days of the subject action or decision. The Notice of Appeal must identify the decision or action appealed from and identify the issues on appeal.

The Council shall conduct a duly warned Public Hearing. The Council shall take testimony and consider all relevant evidence before it and issue a written decision. A party aggrieved by a decision of the City Council may appeal the decision to the Vermont Superior Court, Civil Division, within 30 days of the date of the decision pursuant to Vermont Rule of Civil Procedure 75.

SECTION 2020. ULTIMATE RESPONSIBILITY

The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore, this Ordinance does not intend nor imply that compliance by any Person will ensure that there will be no contamination, pollution, or unauthorized discharge or discharge of pollutants.

SECTION 2021. SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, it shall not affect the validity or application of other provisions of this Ordinance.

CITY OF ESSEX JUNCTION, VT**MUNICIPAL CODE****CHAPTER 21****REGULATION OF STORMWATER UTILITY****SECTION 2101. PURPOSE**

- a) In November 2024, the City Council established the Essex Junction Stormwater Utility. The basic purpose of the utility is to administer the City's Stormwater Management Program, including stormwater infrastructure maintenance and repair, permitting, and capital improvements. The utility is a division of the City's Stormwater Department.
- b) The purpose of this Ordinance is to provide for the health, safety, and general welfare of the citizens of the City through the regulation of stormwater discharges to the stormwater system.
- c) The stormwater utility provides a stable and adequate source of revenue for the City's Stormwater Management Program which allocates the costs of stormwater services across every stormwater "user" in the City through a stormwater utility fee (or user fee). The impervious surface area on individual properties is the basis for the fee charged to property owners in the City. The stormwater fee that a property owner pays is directly proportional to the impervious surface found on the property.

SECTION 2102. ADMINISTRATION

Except where specifically noted in this Ordinance, the Water Quality Superintendent shall administer, implement, and enforce the provisions of this Ordinance. The powers and duties granted to and held by the Water Quality Superintendent in Chapters 19-21 of the City of Essex Junction Municipal Code may be delegated by the Water Quality Superintendent, at the Superintendent's discretion, to another qualified employee of the City of Essex Junction if the delegation is deemed appropriate and necessary by the Superintendent to achieve the intent and purpose of these Chapters.

SECTION 2103. DOCUMENTS REFERENCED

- a) City of Essex Junction Utility Billing Policy
- b) City of Essex Junction Stormwater Utility Credit Manual
- c) City of Essex Junction Land Development Code

SECTION 2104. DEFINITIONS

“Best Management Practices” or “BMPs” shall mean any structural or non-structural site improvements recognized as the most effective and practical means to prevent and reduce stormwater volumes and flows to achieve water quality goals. BMPs include measures to prevent pollution and measures to mitigate pollution. BMPs include schedules of activities, prohibitions of practices, pollution

prevention, education practices, natural resource protection, maintenance and operating procedures, management and treatment practices, and measures to control site runoff, spills, or leaks and reduce pollution.

“Credit” shall mean an annual reduction in a parcel’s normally calculated stormwater fee for certain qualifying activities that reduce the impact of increased stormwater runoff resulting from development, or provide an ongoing public benefit related to stormwater management. The annual reduction in fee is subject to continued compliance with the terms of this manual.

“Department of Stormwater” shall mean the employees, contractors, or designees of the City of Essex Junction Water Quality Superintendent.

“Developed Property” shall mean any property that is altered from a natural state by construction, or installation of improvements such as buildings, structures, or other impervious surfaces.

“Equivalent Residential Unit” (“ERU”) shall refer to the unit of measurement used to bill stormwater fees. It is equal to the square footage that represents the median of the area of impervious surface for all Single-Family Residential properties in the city.

“Exempt from stormwater fee” shall refer to 1) properties included within the limits of a railroad track right-of-way (property on which railroad stations, maintenance buildings, or other developed land used for railroad purposes is located shall not be exempt), 2) 1000 River St currently owned by GlobalFoundries, 3) properties that are required to develop and meet “Required Agricultural Practices” Sect.10V.S.A.§1264 and 4) those included within the limits of a public road right-of-way.

“Impervious area, surface, or cover” shall mean developed areas of land that prevent or significantly impede the infiltration of stormwater into the soil. Typical impervious surfaces include, but are not limited to roofs, sidewalks, walkways, driveways, parking lots, access extensions, alleys, and other paved, engineered, compacted, or gravel surfaces.

“Municipal Separate Storm Sewer System” and “MS4” shall mean a collection system or conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains): (i) owned or operated by the City of Essex Junction or another designated MS4 entity that discharges to surface waters or groundwater; (ii) designed or used for collecting or conveying or discharging stormwater and groundwater entering the system; (iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR, Section 122.2.

“Non-Single Family Residential” (“NSFR”) shall refer to all properties that are not Single Family Residential. This includes government properties, including those owned by the City of Essex Junction, the State of Vermont, and the federal government.

“Non- Structural BMPs” BMPs that use natural measures involving site characteristics to reduce the volume of stormwater or eliminate the source of the pollutant.

“Parcel” and “Property” shall mean any lot, subdivided piece of land or real property, unit of land, any subset of land, land owned in common, or a condominium unit or condominium association in the City of Essex Junction that could legally be sold as a separate entity as of January first of the year the fee is based on, and has a separate parcel identification number, map identification number or is identified as a separate parcel. Included in this definition are all roadways owned by the City, the State, and the Federal Government.

“Single Family Residential” (“SFR”) shall mean property comprised of the following property types as defined in the city’s Land Development code: Dwelling, Single-Family, Dwelling, Two-Family or Duplex, or Dwelling, Three-Family or Triplex.

“Stormwater” shall mean any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

“Stormwater Runoff” shall mean flow on the surface of the ground, resulting from precipitation.

“Stormwater Treatment Practice (STP)” shall mean measures, either structural or non-structural, that are determined to be the most effective, practical means of preventing or reducing point source or non-point source stormwater pollution inputs to stormwater runoff and water bodies.

“Structural BMPs” are devices engineered and constructed to provide treatment and temporary storage of stormwater runoff.

“Transportation Separate Storm Sewer System, or TS4” shall mean Vermont Agency of Transportation owned or controlled state highways, sidewalks, multi-use pedestrian paths, welcome centers, airports, gravel pits, mineral mining facilities, maintenance facilities, park & rides, truck weigh stations, and other impervious surfaces, and Vermont Agency of Transportation owned facilities leased to third parties, except for rail lines, rail yards, public transit facilities, and rail trails.”

“Undeveloped Property” shall mean any property that exists in a natural state.

“Water Quality Superintendent” shall mean the person who manages the stormwater and wastewater departments. Also referred to as the Superintendent in this document.

SECTION 2105. ESTABLISHMENT OF STORMWATER UTILITY AND USER FEES

- a) A user fee based on an equivalent residential unit (“ERU”) shall be imposed on every owner of non-exempt Developed Property within the City, including tax-exempt properties.
- b) The City Council shall have the authority to set and modify the user fee rates so that the total revenue generated by said charges, and any secondary sources of revenue, shall be sufficient to fund the City's Stormwater Program.
- c) The City Council shall establish by motion the annual rate for each ERU.
- d) Impervious areas in the City shall be re-evaluated periodically. The City Council shall, by motion, establish the square footage that constitutes one ERU on a periodic basis.
- e) Fees will be calculated in accordance with the property customer class: SFR or NSFR, as defined in Section 2104 above.

SECTION 2106. ASSIGNMENT OF ERUs

- a) Parcels containing less than 500 square feet of impervious area shall be assigned zero (0) ERU, regardless of customer class.
- b) Each SFR property is assigned one (1) ERU.
- c) Each NSFR property is assigned the number of ERUs equal to the measured impervious surface on the parcel divided by ERU value and rounded up to the nearest integer.
- d) Exempt properties shall include 1000 River Street, Essex Junction currently owned by GlobalFoundries, and property regulated under the Required Agricultural Practices for discharges of agricultural waste or agricultural nonpoint source pollution pursuant to 24 V.S.A § 4414(9) as amended.

SECTION 2107. CREDITS

- a) The City stormwater utility offers credits against the stormwater fee for stormwater service customers who undertake specific, approved actions that reduce the impact of stormwater runoff on the public stormwater system, or provide an ongoing public benefit related to stormwater management. A credit is an ongoing reduction in the fee.
- b) Stormwater fee credits are offered by the stormwater utility to NSFR properties. These are credits for approved stormwater treatment practices (“STPs”), educational credits, Transportation Separate Storm Sewer System (“TS4”) credits, and MS4 credits. Individual SFR properties are not eligible to receive credits. Credits will remain in effect as long as the STP is approved, maintained, and functioning as designed.
- c) To qualify for any of the user fee credits, the stormwater utility customer must submit a complete credit application form and submit it by mail or electronically by email to the Water Quality Superintendent. The application will be evaluated to determine the amount of credit that an individual parcel will be given, which shall be within the Water Quality Superintendent’s sole discretion. Eligibility for user fee credits is independent of the State Stormwater permitting process. Properties both with and without valid State Stormwater permits are equally eligible for user fee credits.
- d) Refer to the City’s Stormwater Utility Credit Manual for detailed definitions of each credit type, credit policies, and application approval process.

SECTION 2108. BILLING AND COLLECTIONS

- a) Stormwater user fees will be billed tri-annually and shall be reflected on the utility bills for each property owner, where applicable, or a separate Stormwater bill. The bill shall also state the ERUs allocated to each property.
- b) A Property owner may appeal an allocation of ERUs to the Water Quality Superintendent by submitting a written notice of appeal within fifteen (15) calendar days of the mailing date of the bill. The Water Quality Superintendent shall promptly communicate with the property owner and issue a decision on the allocation of ERUs. A property owner may appeal the Water Quality

Superintendent's determination regarding credit revocation in the same manner. The filing of an appeal shall not relieve a property owner of the obligation to pay the user fee when due.

- c) In the event any Stormwater user fee is not paid within thirty (30) days from the billing date, a late penalty charge will be added to the fee together with interest charges. The amount of the late penalty charge and the interest rate on the overdue accounts shall be the same as those applied to delinquent utilities. If such payment is not made, Stormwater user fees will be collected using the City's Delinquent Utility and Shut Off policy.
- d) Property owners have a right to appeal their bills if they believe that the fee is in error. The City's Stormwater bill appeal policies shall be up to the discretion of the City Manager and are outlined in the Billing Policy document.

SECTION 2107. ESTABLISHMENT OF ENTERPRISE FUND

- a) The user fees, as well as any secondary sources of revenue, shall be used to fund the City's efforts to manage Stormwater in the municipality and operate the City's system for Stormwater collection, conveyance, and treatment.
- b) Revenues from user fees will be placed into the Stormwater Enterprise Fund and may be retained and expended in the manner set forth herein.
- c) The City Council shall establish a dedicated Stormwater Enterprise Fund in the City budget and an accounting system to manage all funds collected for the purposes and obligations of the Stormwater program. All revenues and receipts of the Stormwater program shall be placed in the Stormwater Enterprise Fund, which shall be separate from all other funds. Fees will be set at a rate that covers the costs associated with Stormwater management, collection, conveyance, treatment, planning, staffing, engineering, maintenance and repair, public education, capital improvements, technical assistance, customer service, and other services approved by the City to implement the purposes of the Stormwater program as set forth herein. The City Council may consider both Stormwater quality and quantity management needs in determining whether to expend any funds in the Stormwater Enterprise Fund, and the use of the fund is limited to operating expenses, nonoperating expenses such as equipment, payment of principal and interest on debt obligations, capital improvement projects, reserve expenses, and other costs as deemed necessary by the City Council. Excess revenues may be placed into a reserve fund and may be retained and expended pursuant to the provisions of this Chapter.

SECTION 2018. PENALTY

Any person violating any of the provisions of Chapters 19-21 of the City of Essex Junction Municipal Code ("this Ordinance") shall be subject to a civil penalty of Five Hundred Dollars (\$500) for each violation. Each day that any violation of any of the provisions of this Ordinance or a permit issued hereunder continues shall constitute a separate offense. The City may recover all attorney's fees, court costs, and other expenses associated with the enforcement of this Ordinance including sampling and monitoring expenses.

SECTION 2019. APPEALS TO CITY COUNCIL

Any interested person who believes that the staff has committed an error in making a decision or taking an action may appeal such act or decision to the City Council by filing a written Notice of Appeal with the City Clerk within 15 calendar days of the subject action or decision. The Notice of Appeal must identify the decision or action appealed from and identify the issues on appeal.

The Council shall conduct a duly warned Public Hearing. The Council shall take testimony and consider all relevant evidence before it and issue a written decision. A party aggrieved by a decision of the City Council may appeal the decision to the Vermont Superior Court, Civil Division, within 30 days of the date of the decision pursuant to Vermont Rule of Civil Procedure 75.

DRAFT



Stormwater User Fee Credit Manual

November 13, 2024

1. INTRODUCTION AND PURPOSE

On November 13, 2024, the City Council for the City of Essex Junction established Chapter 21 Regulation of Stormwater Utility as part of the City's Municipal Code. The basic purpose of the utility is to administer the City's Stormwater management program, including stormwater infrastructure, maintenance and repair, permitting, and capital improvements.

The Utility provides a stable and adequate source of revenue for the City's stormwater management program that allocates the costs of stormwater services equitably across every stormwater "user" through a stormwater user fee. The area of impervious surfaces on a parcel is the basis of the fee charged to the parcel owner. Impervious surfaces are developed areas of land that prevent or significantly impede the infiltration of stormwater into the soil. Typical impervious surfaces include, but are not limited to roofs, sidewalks, walkways, private driveways, parking lots, access extensions, alleys, and other paved, engineered, compacted, or gravel surfaces. The stormwater fee that a parcel owner pays is directly proportional to the impervious area found on their parcel.

The Essex Junction Stormwater Utility offers credits against the stormwater fee for parcel owners who undertake specific, approved actions that reduce the impact of stormwater runoff into the public stormwater system, or provide an ongoing public benefit related to stormwater management. The credits will serve to equitably reduce the fee assessed to owners of such parcels. A credit is an annual reduction in fee subject to periodic recertification. This Stormwater User Fee Credit Manual ("Manual") details the policies and procedures for Stormwater Utility Credits.

Three different stormwater fee credits are offered by the Stormwater Utility to Non-Single-Family Residential Properties (NSFR). Individual Single-Family Residential Properties (SFR) are not eligible to receive credits. To qualify for the user fee credits, the Stormwater Utility Customer must fill out a credit application form and submit it to the Water Quality Superintendent with the applicable fee. The application will be evaluated to determine the amount of credit that an individual parcel will be given. Eligibility for user fee credits is independent of the State stormwater permitting process. Parcels both with and without valid State stormwater permits are equally eligible for user fee credits. These credits are discussed in the following pages.

2. DEFINITIONS

For more definitions refer to the City of Essex Junction Municipal Code Chapter 20 Regulation of Stormwater Management and Chapter 21 Regulation of Stormwater Utility.

Credit shall mean an annual reduction in a parcel's normally calculated stormwater fee for certain qualifying activities that reduce the impact of increased stormwater runoff resulting from development, or provide an ongoing public benefit related to stormwater management. The annual reduction in fee is subject to continued compliance with the terms of this manual.

Municipal Separate Storm Sewer System and MS4 shall mean a collection system or conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains): (i) owned or operated by the City of Essex Junction or another designated MS4 entity that discharges to surface waters or groundwater; (ii) designed or used for collecting or conveying or discharging stormwater and groundwater entering the system; (iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR, Section 122.2.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit shall mean a permit issued by the Environmental Protection Agency or the State of Vermont under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Parcel and Property shall mean any lot, subdivided piece of land, unit of land, any subset of land, land owned in common, or a condominium unit or condominium association in the City of Essex Junction that could legally be sold as a separate entity as of January first of the year the fee is based on, and has a separate parcel identification number, map identification number or is identified as a separate parcel. Included in this definition are all roadways owned by the City, the State, and the Federal Government.

Stormwater Runoff shall mean the flow of water on the surface of the ground, resulting from precipitation.

Stormwater Treatment Practice (STP) shall mean measures, either structural or non-structural, that are determined to be the most effective, practical means of preventing or reducing point source or non-point source stormwater pollution inputs to stormwater runoff and water bodies.

Transportation Separate Storm Sewer System, or TS4 shall mean Vermont Agency of Transportation owned or controlled state highways, sidewalks, multi-use pedestrian paths, welcome centers, airports, gravel pits, mineral mining facilities, maintenance facilities, park & rides, truck weigh stations, and other impervious surfaces, and Vermont Agency of

Transportation owned facilities leased to third parties, except for rail lines, rail yards, public transit facilities, and rail trails.”

Water Quality Superintendent shall mean the person who manages the stormwater and wastewater departments for the City of Essex Junction (“Superintendent”).

3. GENERAL CREDIT POLICIES

- a) Credit is given to eligible NSFR parcels as described in this Manual.
- b) Credits will remain in effect as long as the parcel is eligible as per the credit descriptions defined herein and remains in compliance with the requirements of this Manual.
- c) Multiple credits can be given to eligible parcels. The total credit to any given parcel cannot exceed 50% of the stormwater fee for that parcel except for the Vermont Agency of Transportation or MS4 entity, which will have a maximum credit allowance of 35%. At no time, will a parcel eligible for credits pay less than 1 equivalent residential unit (ERU).
- d) It is the responsibility of the parcel owner to apply for stormwater credits and provide the necessary information with the credit application. In addition, the parcel owner must successfully demonstrate compliance to continue to receive credit.
- e) The Department of Stormwater should be contacted with questions related to credits and credit applications. The Superintendent shall make all decisions involving approvals, denials, or revocations of stormwater credits.

4. CREDIT APPLICATION AND APPROVAL

A. Application Process

- a) Credit applications can be found in the Appendix of this Manual or on the City of Essex Junction’s website <https://www.essexjunction.org/departments/stormwater/stormwater-utility>.
- b) Credit applications must be completed in full and submitted to the Department of Stormwater. Electronic submissions by email are preferred; however, U.S. mail is also accepted. The contact information for submitting applications can be found on the credit application forms.
- c) Credit applications must include calculations and an associated narrative demonstrating the STPs meet the technical criteria, design requirements, and/or applicable restrictions set forth as specified in the Vermont Stormwater Management Manual (“VSMM”), as amended.

- d) All engineering calculations, drawings, and inspection reports required by the application must be prepared and stamped by a Vermont Licensed Professional Engineer.
- e) Credit applications for non-structural practices must include site plans or other engineering documents that demonstrate that the non-structural practice complies with the “*Minimum Criteria for Credit*” outlined in the VSMM, as amended.
- f) Credit applications for new construction may be submitted to the Department of Stormwater as part of the normal development plan review process. However, the credit will not be approved based on site plans alone. The credit application approval requires that the STP must first be constructed and working in proper operating conditions before application approval.
- g) A Right-of-Entry or easement, as applicable, must be granted to the City to perform periodic inspections. Right-of-entry is presumed granted via the applicant’s or parcel owner’s signature on the credit application.
- h) If all requirements and conditions of this section are met, the credit will be granted upon successful completion of the credit application process and favorable City site inspection.

B. Review of Credit Applications

- a) Review will take place within 30 days after a complete application is submitted.
- b) The applicant will be notified of the approval or denial of the credit application electronically.

5. APPLICATION OF CREDIT TO BILL

- 1. If credit applications are approved at least two months before an applicant’s next regularly scheduled bill issue date, the credit will be applied beginning with that next regularly scheduled bill.

Credits will not be applied retroactively, and the Stormwater Utility will not refund any portion of the Stormwater fees paid before the approval of the Applicant’s Credit application.

6. COMPLIANCE

- a) The Department of Stormwater will, at its discretion, undertake a periodic visual inspection of the BMPs being utilized to obtain a credit. The Superintendent may revoke credit at any time for non-compliance by providing thirty (30) days' written notice of a non-complying condition and intent to revoke the credit to the parcel. Non-complying conditions include the BMP facility not being functional or requiring unperformed maintenance. If the non-compliance is not cured by the parcel owner within 30 days, the Superintendent shall eliminate the credit. The parcel owner will then have to reapply for credit as outlined in this Manual.

- b) Properties or parcels that have been issued stormwater credits will be required to submit compliance statements every two (2) years from the date of credit issuance. The Superintendent may revoke credit for failure to submit this compliance statement by providing thirty (30) days written notice, notice being calculated from the date of the notice to the parcel owner. If the non-compliance is not cured within the thirty (30) day period, the Superintendent shall eliminate the credit. Before the credit is reinstated, the parcel owner will have to reapply for the credit as outlined in this Manual.

7. APPEALS

The Superintendent’s determination to grant, deny, or revoke user fee credits per this Manual may be appealed to the City Council. The party aggrieved shall deliver a Notice of Appeal to the City Clerk within 15 days of the date of the decision appealed from, providing a copy of the decision and stating the reasons for the appeal. The City Council shall hold a hearing to address the appeal. Any decision of the City Council may be appealed to the Vermont Superior Court, Civil Division, within 30 days of the date of the decision pursuant to Vermont Rule of Civil Procedure 75.

8. CREDIT CATEGORIES AND DESCRIPTIONS

A) Stormwater Treatment Practice (STP) Credit

- a) An STP Credit is available to NSFPs that design, construct, and maintain Stormwater Treatment Practices (STPs) that meet the treatment standards, sizing criteria, and/or non-structural criteria and restrictions contained in the (VSMM), as amended.
- b) The STP credit is a graduated credit that is based on the treatment standards that are implemented on an NSFR parcel. A parcel can implement one or more of the treatment standards, adding credit percentages up to 50% of the total Stormwater fee for that parcel. The total credit given to any parcel cannot exceed 50% of the Stormwater fee for that parcel. At no time will a parcel eligible for credits pay less than 1 equivalent residential unit (ERU).

Table 1 contains the available credit allocation for each treatment standard.

Table 1. STP Credit Percentages

Treatment Standard or Criteria	Credit Amount
Water Quality (WQ _v)	15%

Groundwater Recharge (Re _v)	15%
Channel Protection (CP _v)	15%
Overbank Flood (Q _{p10}) or Extreme Storm (Q _{p100})	10%
Non-structural Practices	10%

- c) Properties or parcels that qualify for waivers of the Groundwater Recharge, the Overbank Flood (Q_{p10}), or the Extreme Flood (Q_{p100}) treatment standards are not eligible for the STP credit for the treatment standard that has been waived. For those properties or parcels that implement controls for both Q_{p10} and Q_{p100} treatment standards, a maximum of 10% credit is available for flood control STPs.
- d) Runoff Reduction. The Runoff Reduction Framework as outlined in the VSMM may be used to wholly or partially meet the treatment credits. The methods for meeting each treatment standard through runoff reduction are described in the VSMM.
- e) An STP submitted for credit must treat the stormwater to the full extent of the treatment standard as specified in the VSMM.
- f) For an STP to receive credit it does not have to treat all the stormwater on a parcel. Credit can be prorated for STPs that treat a portion of the impervious area on a parcel as long as the STP meets the requirements of the VSMM. For example, if a parcel contains 4 acres of impervious surface and installs an STP that treats stormwater from 2 acres of impervious surface to the full extent of the Water Quality Volume standard as specified in the VSMM, then that site is eligible for 50% of the WQv Credit. The site would receive a 7.5% reduction (i.e. the WQv credit is worth a 15% credit, 50% x 15% = 7.5%) to its Stormwater fee.
- g) STPs utilized at State permitted redevelopment sites that are designed to treat 50% of the Water Quality Volume (WQv) are only eligible to receive 50% of the WQv credit amount (50% x 15% = 7.5%).
- h) An STP is only eligible to receive credit for the treatment standards for which it meets in the VSMM. If a pond is designed to meet all CP_v criteria, but does not meet all WQv criteria, only the CP_v Credit will be applied to the Stormwater treated.
- i) STPs that receive permit coverage through the City's MS4 Permit are eligible to receive credit as long as the applicant operates and maintains the STPs. Inspection and reporting conducted by City staff does not preclude these STPs from receiving credit.

- j) A homeowner's association common area may receive credit for eligible STPs that are operated and maintained by the homeowner's association. Credits issued to incorporated homeowner's associations for STPs will be applied only to that portion of the parcel served by the STP.
- k) An STP owned by an incorporated homeowner's association, but operated and maintained by the City is not eligible for credit.
- l) If non-structural practices as outlined in VSMM are employed on a site, allowing reductions in the required treatment volumes for water quality (WQ_v) and recharge (Re_v) credit is available. A maximum of 10% credit will only be applied to that portion of a parcel served by the non-structural practice These include:
 - Natural area conservation
 - Disconnect rooftop runoff and direct it to a pervious area that provides for infiltration and/or filtering
 - Disconnect non-rooftop runoff from impervious surface areas and direct to pervious areas that provide for infiltration and/or filtering
 - Stream buffers
 - Grass channels

Sufficient information must be supplied to the Superintendent to verify that STPs, as designed and constructed, meet the treatment standards and criteria and/or restrictions as specified within the VSMM. These include documents like hydroCAD and engineer drawings.

All STPs and non-structural practices must be operated and maintained in proper condition at all times to control stormwater runoff to the treatment standards and criteria specified within the VSMM, as amended. Failure of the applicant to meet these requirements will result in the discontinuance of the credit.

B) MS4 or TS4 Credit

- a) A credit is offered to entities that have a valid National Pollution Discharge Elimination System (NPDES) permit and are required by the State of Vermont to comply with General Permit 3-9014 or 3-9007, as amended. This credit known as the MS4/TS4 Credit is offered in recognition of the permit compliance activities performed by the MS4/TS4 permittee that may reduce impacts on non-point source stormwater runoff and/or provide an ongoing public benefit related to stormwater management.
- b) MS4/TS4 credit applicants must submit a credit application to receive the credit.
- c) The credit amount is 35% of the total stormwater fee assessed to the parcel. If the MS4/TS4 entity owns multiple parcels and therefore receives multiple bills, the 35% credit will be applied to every fee assessed to the MS4/TS4 entity.
- d) At no time will a parcel eligible for credits pay less than 1 equivalent residential unit (ERU).

C) Stormwater Education Credit

The Stormwater Education Credit is available to public and private schools that educate and inform their students about the importance of stormwater, local surface water, and groundwater resources and how they can be protected. The rationale behind this credit is that the information provided will translate into appreciation and stewardship of water resources and thereby reduce negative impacts on local streams, ponds, and lakes that can result from uninformed citizens. Approval on the sufficiency of the educational program to meet the requirements stated in the NPDES Phase II MS4 Permit 3-9014, IV.H.1a.5.d, is as follows: Develop elementary, middle school, or high school education curricula regarding local stormwater concerns based on new or existing material.

Approval of the credit application will result in a 20% credit of the assessed stormwater fee. The credit will be applied only to the school parcel(s) where the curriculum is taught. The total credit available to any parcel cannot exceed 50% of the stormwater fee for that parcel. At no time will a parcel eligible for credits pay less than 1 equivalent residential unit (ERU).

Schools that are interested in obtaining the Education Credit must submit a completed application form to the Department of Stormwater. The form will require a description of the educational program, a list of educational tools used, an estimated number of students that will/have received the education, the length of the educational program, and the schedule for providing refresher teacher training courses.

Appendix: Credit Application Forms

City of Essex Junction Stormwater Utility

Stormwater Treatment Practice (STP) Credit Application



1. Instructions

Credit applications for new construction may be submitted to the Water Quality Superintendent at any time during the construction process. However, the Credit will not be approved based on site plans alone. The Credit application requires that the STP must be constructed and working in proper operating condition. Credit applications for new developments can occur as part of the normal development plan review procedures. The completed Credit application should accompany the final plat for the site. A separate application form must be submitted for each property on which stormwater fee credit is being requested. Completed forms can be emailed to:

cmandigo@essexjunction.org or mailed to City of Essex Junction, Attn: Stormwater Department, 2 Lincoln Street, Essex Junction, VT 05452.

2. Certifications and Signatures

I hereby request that the Water Quality Superintendent review this application for stormwater user fee credit. I certify that I have the authority to make such a request and grant such authority for this property. I certify that the attached information is true and correct to the best of my knowledge and belief. I agree to provide corrected information to the City of Essex Junction should there be any change in the information provided herein. I understand that once credit is awarded it is my responsibility to inform the Water Quality Superintendent of any changes to the STP, drainage area, or property that might impact the credit awarded under this application.

By my signature below, I hereby grant Essex Junction staff the right to access the property for the purpose of monitoring and inspecting the stormwater treatment system. I understand that maintenance of the stormwater system is my responsibility and that if the stormwater system is not properly maintained the Water Quality Superintendent can eliminate any credit awarded as part of this application.

I understand that once credit is awarded as part of this application, I am responsible for sending biannual reports and copies of new or re-issued permits to the Water Quality Superintendent. Failure to provide this information could result in loss of the credit awarded as part of this application.

Authorized Representative

Signature:	<input type="text"/>	Date:	<input type="text"/>
Name:	<input type="text"/>	Title:	<input type="text"/>
Phone:	<input type="text"/>	Email:	<input type="text"/>

3. Property Information

Name of Business/Entity/Home Owners Association:

Property Owner Name: Phone Number:

Email Address:

Mailing Address:

Property Physical Address:

Parcel Identification Number:

Utility Billing Account Number:

4. Existing Stormwater System Information

State of Vermont Stormwater Permit Number (Most Recent):

Other State of Vermont Stormwater Permits Issued to the Property (list all):

Date of Most Recent Stormwater System Inspection:

Name of Person Performing the Most Recent Stormwater System Inspection:

5. Stormwater Treatment Practice Information

If applying for credit for multiple Stormwater Treatment Practices (STPs) the applicant must provide separate information for each STP.

This Worksheet is for STP Number of (total).

STP Drainage Area (Acres):

Impervious Area Draining to STP (Acres):

This STP is Applying for Credit in the Following Categories:

- Water Quality Volume (WQ_v)
- Groundwater Recharge (Re_v)
- Channel Protection (CP_v)
- Overbank Flood (Q_{p10}) or Extreme Storm (Q_{p100})
- Non-structural Practices

Provide the Following Information for the STP

- A written narrative describing the STP and its location.
- A map delineating the drainage area and impervious area flowing to the STP.
- A site plan and construction details for the STP.
- Calculations to support the STP design.
- Hydrologic model results that show existing and post improvement hydrographs for the WQ_v storm event, the CP_v storm event, and the 25-year storm event.
- Written Description of the Ongoing Maintenance Needs for the STP

Engineers Certification

I certify that the Stormwater Treatment Practice (STP) described above has been constructed in conformance with the information provided. The calculations, technical details, and information provided accurately reflect the condition of the STP. I further certify that I have conducted appropriate site visits and due diligence to ensure the accuracy of the information provided, that the STP is in an acceptable state of maintenance and repair, and that it is operating as designed.

Signature: Date:

Name: Title:

Company:

Address:

Phone:

Vermont Registration Number:

[Do not write below this line \(Utility Use Only\)](#)

Credit Approved (check one): Yes No

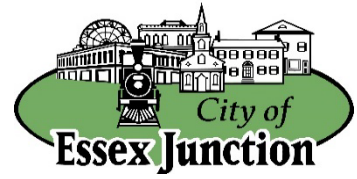
If No, provide a brief explanation for denial and what information is missing:

Date approved or denied: _____

Signature:
Name:
Phone:

Date:
Title:
Email:

**City of Essex Junction Stormwater Utility
MS4 or TS4 Credit Application**



Instructions:

1. Forms must be signed by the financially responsible person if an individual, or if not an individual, by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person.
2. Email the completed form to: cmandigo@essexjunction.org OR
3. Mail the completed form to:
 City of Essex Junction
 Attn: Stormwater Department
 2 Lincoln Street
 Essex Junction, VT 05452

Property Owner Name:	
Property Owner Mailing Address:	
Property Owner Contact Phone # and email:	
Authorized Contact (if different from property owner):	
Authorized Contact Mailing Address:	
Authorized Contact Phone # and email:	
Utility Account Number:	
Address of Parcel requesting credit:	
Name of Permitted MS4 or TS4 Entity:	
Date of Notice of Intent (include copy):	

Do not write below this line (Utility Use Only)

Credit Approved (check one): Yes No

If No, provide a brief explanation for the denial and what information is missing:

Date approved or denied: _____

Signature: _____

Name: _____

Phone: _____

Date: _____

Title: _____

Email: _____

Essex Junction Stormwater Utility Education Credit Application



1. Instructions

Schools that are interested in obtaining the Education Credit must submit a completed application form to the Water Quality Superintendent. A separate application form must be submitted for each property for which education credit is being requested. Forms must be signed by the authorized representative, such as an officer, director, partner, or registered agent with authority to execute instruments for the institution located on the property. Completed forms can be emailed to: cmandigo@essexjunction.org or mailed to: City of Essex Junction Attn: Stormwater Department, 2 Lincoln St, Essex Junction, VT 05452

2. Certifications and Signatures

I hereby request that the Water Quality Superintendent review this application for stormwater education fee credit. I certify that I have the authority to make such a request and grant such authority for this property. I certify that the attached information is true and correct to the best of my knowledge and belief. I agree to provide corrected information to the City of Essex Junction should there be any change in the information provided herein. I understand that once the credit is awarded, it is my responsibility to inform the Water Quality Superintendent of any changes that might impact the credit awarded under this application.

Authorized Representative

Signature:
Name:
Phone:

Date:
Title:
Email:

3. Property Information

Property Owner Name: Phone Number:

Email Address:

Mailing Address:

Property Physical Address:

Parcel Identification Number:

Existing Essex Junction Utility Billing Account Number:

4. Stormwater Education Curriculum Information

Attach a description of the stormwater education curriculum being taught at this property. Include grade level, number of students taught, number of instructors teaching the curriculum, teacher training requirements, educational tools used, length of the educational program, and any other pertinent information.

5. Participating Instructors

Include a list of instructors teaching the stormwater education curriculum:

Teacher Name	Grade Level
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
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<input type="text"/>	<input type="text"/>

Do not write below this line (Utility Use Only)

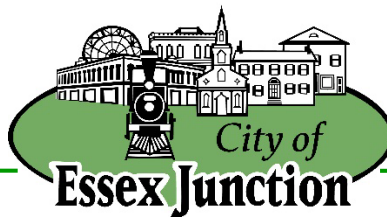
Credit Approved (check one): Yes No

If No, provide a brief explanation for denial and what information is missing:

Date approved or denied: _____

Signature:
Name:
Phone:

Date:
Title:
Email:



MEMORANDUM

To: City Council

From: Regina Mahony, City Manager

Meeting Date: October 30, 2024

Subject: Amendments to Municipal Ordinance 8: Motor Vehicle Regulations

Issue: The current Motor Vehicle Regulations ordinance is out of date and needs to be updated.

Discussion:

Lt. Paul Courtois of the Essex Police Department prepared the substantive updates. These were done, for the most part, to account for changes associated with the Crescent Connector and the change of traffic pattern at River Street and Park Street. The ordinance has also been reviewed by legal counsel and technical edits are also recommended based on that review. These proposed ordinance updates more accurately represent current conditions on our roadways.

A public hearing is required by City Charter before the ordinance can be approved.

Cost: None

Recommendation

It is recommended that the Council review the draft Motor Vehicle Regulation ordinance updates and identify areas they would like to amend and then either:

1. Direct staff to make edits to the draft ordinance; and
2. Set a public hearing for November 13th.

Recommended Motion

Should the Council decide to move forward with a public hearing, here is a recommended motion:

"I move that the City Council warn a public hearing on November 13, 2024 at 6:30pm to receive comment on changes to Essex Junction Municipal Ordinance Chapter 8: An Ordinance Relating to Motor Vehicle Regulations as presented, and with any edits as discussed."

Attachments:

Draft Chapter 8: An Ordinance Relating to Motor Vehicle Regulations with tracked changes and comments to identify the edits.

**CITY OF ESSEX JUNCTION, VT
MUNICIPAL CODE
CHAPTER 8
AN ORDINANCE RELATING TO MOTOR VEHICLE REGULATIONS**

ALL ORDINANCES CONTROLLING ITEMS OF STREET PARKING, STOP SIGNS, TRAFFIC LIGHTS, SPEED LIMITS, AND ETC. HAVE BEEN COMBINED UNDER THIS CHAPTER.

SECTION 801. PARKING:

There shall be no parking of motor vehicles, of any kind, within the public right-of-way on either side of the following named public streets and described areas:

Brickyard Road - from Main Street in an easterly direction for a distance of 225 feet to Sugartree Lane and from the east entrance of East Creek Condominiums to the east entrance of #60 Brickyard Road.

Crestview Road - from Main Street in a westerly direction for a distance of 100 feet.

Mill Street – its entire length.

Robinson Parkway – its entire length.

Hillcrest Road - from its intersection with Prospect Street for a distance of 90 feet in a southerly direction (1/28/03).

Iroquois Avenue - westward 60 feet from Park Street.

Lincoln Street - from the 5 corners to Lincoln Place.

Lincoln Terrace - its entire length.

Main Street - From Five Corners northeasterly for 100 feet; Southwesterly of the railroad tracks for a distance of 100 feet; northeasterly of the railroad tracks for a distance of 290 feet; 25 feet west of Pleasant Street to the City limits.

Memorial Way - its entire length.

Maple Street - its entire length.

Park Street- on the west side, from the Five Corners for 600 feet (after the driveway of 27 Park Street). On the east side of Park Street, from the Five Corners to the southerly railroad tracks. (adopted 4/10/90) (Amended Sept. 2024)

Park Terrace - its entire length.

Pearl Street - its entire length.

Prospect Street - westward 200 feet from Lincoln Street.

River Street - its entire length.

Rivendell Drive - within 200' of Maple Street.

South Summit Street - from Pearl to the railroad tracks.

Summit Street - north of Pearl on the west side and on the easterly side from the main entrance of Summit Street School to the driveway of #19 Summit Street. (amended 4/27/99).

SECTION 802:

There shall be no parking of motor vehicles, of any kind, within the public right-of-way on the side of the street so designated on the following streets:

Beech Street – on the west side of the street extending 20' on either side of the curb cut for Sweetwater Lane and the Countryside Pool.

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Church Street - on the east side, beginning at the church driveway and extending northerly to Main Street.

Church Street - on the west side from Main Street in a southerly direction for a distance of 100 feet.

Grove Street - on the westerly side between Central and Main Street.

Hiawatha Avenue - on the west side from Owaissa Ave. to Nahma, and on the east side from the north property line of 26 Hiawatha to the fire hydrant in front of Hiawatha School, between the hours of 7:30 - 8:30 a.m. and 2:30-3:30 p.m. when school is in session. The School Department has the authority to post this area as a no parking zone during evening assemblies. Residents of the west side of Hiawatha are exempt from this ordinance. (adopted Jan. 12, 1993, amended 8/28/07)

Lincoln Street - on the west side from the 5 corners to 210 feet north of Lincoln Terrace.

Lincoln Street - on the west side from Prospect Street to a point northerly for a distance of 125 feet.

Lincoln Street - on the west side for a distance of twenty-five feet north of the driveway at 44 Lincoln Street.

Maplewood Lane - on the westerly side of within 500 feet of its intersection with Maple Street.

Park Street - on the west side for a distance of 87 feet at the corner of Iroquois Avenue in front of 47 Park Street. (adopted 10/27/92)

Prospect Street - on the north side from Hillcrest to Lincoln Street. On the south side from the intersection of Summit Street to the westerly end of the property line for 36 Prospect Street, between the hours of 2PM and 3:30 PM Monday through Friday from August 15th through June 30th of the following year (Amended 1/28/03).

Railroad Street - on the east side.

School Street - north of Pearl Street on the east side, from Pearl Street in a northerly direction on the west side for a distance of 200 feet between the hours of 7-9 a.m. and 2:30 - 6 P.M., on the south side of Pearl Street on the east side from Pearl Street to Park Terrace and south of Pearl Street on the west side for a distance of 70 feet.

South Street - on the north side from West Street to Nahma Avenue.

SECTION 803. LIMITED TIME PARKING:

Central Street: There shall be a fifteen (15) minute parking limit between Lincoln Street and the railroad tracks (Amended 10/28/03).

Lincoln Place: There shall be a parking limit of 1 hour on both sides of Lincoln Place from 8:00 a.m. to 5:00 p.m. and a parking limit of 2 hours on both sides of Lincoln Place from 5:01 p.m. to 7:59 a.m. with the exception of 1 parking space at the curb cut on the north side behind 22 Railroad Avenue, and the 9 parking spaces on the North side east of Lincoln Street and the driveway between the Federal Building and 22 Railroad Avenue.

Main Street: There shall be a parking limit of one hour on both sides of Main Street from Pearl Street, northeast to the railroad tracks. In addition to the above 1-hour limit, the two parallel parking spaces located northeast of Memorial Way on Main Street shall be designated "No Parking Midnight to 9 A.M.". (amended 11/09/93 & 5/14/02)

Park Street: There shall be a one-hour parking limit on the westerly side between Iroquois Avenue and the driveway opening for 37 & 39 Park Street. (added 9/26/06)

Railroad Avenue: There shall be a parking limit of 1 hour on both sides of Railroad

Commented [RM1]: Removed limited parking in front of 34 Park St.

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Avenue from 8:00 a.m. to 5:00 p.m. and a parking limit of 2 hours on both sides of Railroad Avenue from 5:01 p.m. to 7:59 a.m. This ordinance shall apply to all sections of Railroad Avenue between Central Street and Main Street, with the following exceptions:

(1) There will be No Parking on the eastern side of Railroad Avenue from Central Street south for a distance of 140'; this area shall be for "Bus Parking Only", and.

(2) For that portion of Railroad Avenue located on the eastern side of Railroad Avenue which lies between the Railroad Station and a point which is 185' north of Main Street there shall be no parking restrictions.

(3) Commercial Exemption: Those businesses on Railroad Avenue which can demonstrate that the nature of their business requires that heavy items be moved from a business vehicle to the store throughout the day can apply to the Council for a maximum of one permit which would exempt them from the one-hour day time parking limit on Railroad Avenue. This permit would be good for one year and would be subject to revocation by the City Manager for cause.

Summit Street: There shall be a 15-minute parking limit on the easterly side from the Summit Street School's southerly driveway to the main entrance of Summit Street School during the hours of 7:30 a.m. to 4:30 p.m., Monday through Friday, from September 1 through June 15. (amended April 27, 1999)

SECTION 804. RESIDENT ONLY PARKING:

No person shall park any vehicle, except vehicles with a valid residential parking permit and clearly identifiable service or delivery vehicles, on any street designated as residential parking.

(a) Streets designated as residential parking at all times include:

1. Old Colchester Road (from North Street to the Town of Essex line)

(b) Streets designated as residential parking Monday through Friday, 7:00 AM to 3:00 PM, September 1st through July 1st include:

1. Drury Drive

2. Drury Drive Extension;

3. Upland Road;

4. Meadow Terrace;

5. Brookside Avenue;

6. Crestview Road;

7. Grove Street (between North Street and Central Street);

8. North Street.

(c) The City Clerk shall annually issue two residential parking permits for each Dwelling Unit on a designated street. A Dwelling Unit shall mean a dwelling structure, or portion thereof, designed, constructed or used as living quarters for ~~one family persons~~, and which includes facilities for food preparation, sleeping and sanitation.

(d) Residential parking permits shall be displayed on the left-hand side of the dashboard of any vehicle parked in ~~the~~ street ~~that requires a residential parking permit~~ during ~~the the~~ times ~~described above in Section 804 (a) and (b) period listed in subsection (a).~~

(e) Vehicles parked as permitted under this section shall be subject to all other parking requirements of the City of Essex Junction Municipal Code.

Section 804 adopted by Trustees October 13, 1998, amended 10/25/00, ~~and~~ 7/11/06 ~~and~~ [XX/XX/2024](#).

SECTION 810. OTHER PARKING RESTRICTIONS:

- (a) There shall be no parking at any time on any street within the 20 feet of an intersection with another street or designated crosswalk unless otherwise provided.
- (b) There shall be no parking at any time within 6 feet of any fire hydrant.
- (c) There shall be no parking at any time to block any portion of a public sidewalk.
- (d) There shall be no parking, on any public highway, in any manner, so that the parked vehicle would prevent the passage of fire trucks, rescue or other emergency vehicles.
- (e) There shall be no parking at any time within any public street wherein the driver's side of the vehicle is next to the property, sidewalk, curb, or road edge, except on one-way streets.
- (f) There shall be no parking, at any time, on any City Street blocking any designated driveway or part thereof.
- (g) No person shall park or leave unattended a vehicle of any type in any designated fire lane or bike lane.

SECTION 815. WINTER PARKING BAN:

No person shall ~~between the hours of 12 midnight and 7:00 a.m.~~ park or leave unattended a vehicle of any type on any street, road, or right-of-way in the City of Essex Junction ~~from during the period~~ December 1 through April 1. ~~1 of~~ ~~the next year between the hours of 12 midnight and 7:00 a.m.~~

SECTION 818. CITY PARKING LOTS:

The following regulations shall apply to parking lots operated by the City:

- (a) The City Council may, by resolution, designate not more than 50% of the parking spaces in any lot as "Reserved" and establish fees for the use of RESERVED parking spaces.
- (b) Any parking space designated as "Reserved" will be clearly marked and will be unavailable for public parking at all times. "Reserved" spaces shall not be sublet.
- (c) The City Council, or their design~~ate~~, may authorize the use of RESERVED parking spaces by specific individuals upon payment to the City of the established fee. Such individuals must display a parking permit issued by the City when using a RESERVED parking space.
- (d) No parking shall be permitted in City parking lots between the hours of Midnight and 6 a.m. The Council may exempt designated spaces from this limitation. (Adopted 10/12/93)

SECTION 820. TEMPORARY PARKING BAN:

No person shall park or leave unattended a vehicle of any type on any street, road, or right-of-way in the City of Essex Junction that has been closed for the purpose of cleaning, clearing, oiling, repairing, surfacing a street, ~~S~~special ~~E~~events, parades, or pruning or removing trees. The City Public Works, Essex Junction Fire, or Essex Police departments may close such a street to the parking of vehicles by causing signs to be posted thereon in conspicuous locations indicating the prohibition of parking thereon and the hours the parking ban is in effect. For the purposes of this Section, "~~S~~special ~~E~~events" shall include, but not be limited to, the

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Annual City Block party and the Five Corners Farmers Market.

SECTION 825. VIOLATION DEEMED NUISANCE – NOTICE, TOWING & CHARGES:

- (a) The parking or leaving any vehicle in violation of this Chapter is hereby declared to be a public nuisance.
- (b) ~~The fact that a vehicle which is illegally parked is registered in~~ In any matter, proceeding, notice, hearing or violation where proof of ownership of a vehicle is required under this Chapter, the name of the person, rental agency or company to whom the vehicle is registered ("Registrant") shall serve as ~~prima facie proof evidence~~ that such ~~person, rental agency or company~~ Registrant was in control of the automobile at the time of ~~the violation~~ such notice.
- (c) ~~It shall be sufficient notice of A~~ violation notice for a law enforcement officer to shall be issued by law enforcement in writing leave written notice on an official form securely ~~attached to~~ on the vehicle, ~~and~~ indicate the following: ~~ing~~ the specific nature of violation; the time of the violation; ~~the~~ and date of the violation; ~~the location of the violation;~~ and the registration number of the vehicle, and ~~such~~ other information ~~as seem~~ the issuing officer deems appropriate.
- (d) "Parking," ~~in this Chapter for these purposes, shall~~ means leaving a vehicle at rest with or without an operator in attendance unless otherwise provided.
- (e) The Public Works Department, or Fire Department of the City of Essex Junction, or any lawful police official within of the State of Vermont, are hereby authorized to remove and tow away, or have removed and towed away, by commercial towing service, any vehicle ~~illegally parked in any place where such parked vehicle violates~~ in violation of this Chapter, ~~creates or constitutes a public nuisance, or where such vehicle~~ creates or constitutes ~~causes~~ a traffic hazard, blocks the use of fire hydrants, obstructs or may obstruct the movement of emergency vehicles, or interferes with the free flow of traffic or has three or more unpaid violations. In addition to towing, a police officer may issue a ticket ~~in accordance with as described in sub-section (g) below.~~
- (f) A vehicle ~~so towed away to storage under the provisions of~~ for violation of this Chapter may be redeemed by ~~the its~~ owner of the vehicle upon ~~the~~ payment of all towing charges, fees, storage charges, or other expenses incurred in the moving of the vehicle, except that the charge of towing each vehicle shall not exceed an amount ~~as~~ established by the City Manager. The operator of the commercial towing service may hold such vehicle until such charges have been paid. In addition, any vehicle towed due to three or more outstanding violations shall be required to pay all fines prior to their vehicles being released ~~to them~~ by the commercial towing service.
- (g) Any person who violates ~~at the~~ provisions of this Chapter may be ticketed Twenty-Five Dollars per violation (\$25.00) ~~for such offense by any lawful police official, of the state of Vermont as listed below:~~ Twenty-five dollars per violation

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(h) ~~Under certain circumstances (i.e. in order to clear streets for special events) the City may choose to have a vehicle towed to a location other than a commercial storage facility and may elect to choose to bear the cost of such towing (i.e. to clear streets for special events).~~

~~(i) The provisions of this chapter are declared to be separable in that any provision declared to be invalid shall not affect the validity of the remaining provisions.~~

SECTION 830. ONE WAY STREETS:

It is hereby prohibited to operate a vehicle, motorcycle or other form of common conveyance in the following directions on the following streets or roads:

~~(a) Operation of any type of vehicle, motorcycle, or other form of common conveyance in an easterly direction on the road between Lincoln Street and Main Street in front of TD Bank shall be prohibited.;~~

~~(b) Operation of any type of vehicle, motorcycle, or other form of common conveyance in a southerly direction on Summit Street; is hereby prohibited.~~

~~(c) Operation of any type of vehicle, motorcycle, or other form of common conveyance in a westerly direction on Prospect Street between Lincoln and Summit Streets; is hereby prohibited.~~

~~(d) Operation of any type of vehicle, motorcycle, or other form of common conveyance in a northerly direction on School Street, north of Pearl Street between Pearl Street and Lincoln Terrace; is hereby prohibited.~~

~~(e) Operation of any type of vehicle, motorcycle, or other form of common conveyance in an easterly direction on Lincoln Place between Railroad Street and Lincoln Street; is hereby prohibited. (amended 3/14/06)~~

~~(f) Operation of any type of vehicle, motorcycle, or other form of common conveyance in an easterly direction on Park Terrace from School Street for 245 feet east; (adopted 4/10/90)~~

~~(g) Operation of any type of vehicle, motorcycle, or other form of common conveyance in a westerly direction on Mill Street is hereby prohibited. (adopted Nov. 24, 1993; and)~~

~~(h) Operation of any type of vehicle, motorcycle or other form of common conveyance in a southerly direction on Ivy Lane between Main Street and Central Street is hereby prohibited. (Adopted on Nov. 9, 1993, amended 6/24/03.)~~

On the streets of Essex Junction designated as one-way streets and, on those streets, where, by appropriate pavement or street markings, more than one lane of traffic is designated in the same direction, it shall become lawful to overtake, and pass said vehicle proceeding in the same direction on either side thereof. The operator of any such vehicle, upon any such street shall, before turning his vehicle from one traffic lane into another traffic lane, indicate by hand signal or directional light, his intentions so to do, and shall turn into the other lane only after using due care and caution to avoid accidents. When traffic lanes are so marked to indicate their use for a right turn only, left turn only, through traffic only, or a combination of the above of same, no person shall operate a vehicle except in the direction so indicated by such markings. ~~Proper notice on the streets as indicated above shall be accomplished so that the operator of any vehicle, motorcycle, or other form of common conveyance, may be aware of the provisions of this Ordinance.~~

Commented [RM2]: River Street has been removed

SECTION 835: BICYCLE PATH

No motorized vehicle of any type shall operate on any bicycle lane or path, trail or sidewalk or municipal open space, except for a vehicle entering or exiting a driveway (with the understanding that motorists shall yield to pedestrians or bicyclists using the bike path). (Amended 11/14/00, 10/23/01, 6/10/03, & ~~09/XX/XX/2024~~)

Commented [RM3]: Reference to specific roadways were removed

SECTION 840: PROHIBITED RIGHT-HAND TURNS

(a) No Vehicle of any type, motorcycle or other form of common conveyance shall make a right-hand turn at any time at the following locations:

(1) ~~T~~he stop bar at the Five Corners from Main Street onto Lincoln Street. (adopted June 22, 1993), ~~and:~~

(2) From River Street onto Stanton Drive.

(b) No Vehicle of any type, motorcycle or other form of common conveyance shall make a right hand turn at times when an illuminated sign indicating NO TURN ON RED is displayed to drivers at the following locations:

(1) ~~F~~rom Pearl Street onto Park Street (at the Five Corners Intersection);

(2) ~~F~~rom Park Street onto Maple Street (at the Five Corners Intersection);

(3) ~~F~~rom Maple Street onto Main Street (at the Five Corners Intersection);

(4) ~~F~~rom Lincoln Street onto Pearl Street (at the Five Corners Intersection);

(5) ~~From Railroad Street onto Park Street;~~

(6) ~~F~~rom South Summit Street onto Pearl Street, ~~and~~

(7) ~~F~~rom Pearl Street onto South Summit Street.

(Subsection b, 1-4 & 6-7 adopted 3/14/00, 5 adopted XX/XX/2024)

SECTION 841: PROHIBITED LEFT-HAND TURNS:

(a) No Vehicle of any type, motorcycle, or other form of common conveyance shall make a left-hand turn at any time at the following locations:

(1) ~~F~~rom the westbound lane of Pearl Street between the ~~A5-Five Corners@~~ (intersection of Routes 15, 2A & 117) and a point 155 feet westerly of the intersection of Pearl and Park Streets; ~~:-~~

(2) ~~F~~rom Main Street into the driveway between 4 and 10 Main Street. (adopted 4/10/90);

(3) ~~A~~at the Five Corners from Main Street onto Maple Street. (Adopted 4/10/90);

(4) ~~F~~rom the Park Street driveway of 1 Maple Street onto Park Street. (Adopted 12/9/97), ~~and~~

(5) ~~F~~rom Maple Street onto Park Street. adopted XX/XX/2024

SECTION 846: SPEED LIMITS

No vehicle of any type, motorcycle or other form of common conveyance shall be operated at a speed in excess of that listed below and posted on the streets named. The speed limit on the following streets shall be 25 mph with exceptions noted with an asterisk*:

ABNAKI AVENUE	BRIAR LANE	CASCADE STREET
ACORN CIRCLE	BRICKYARD ROAD	CASCADNAC AVENUE
ALGONQUIN AVENUE	BROOKS AVENUE	CENTRAL STREET
ARLINGTON STREET	BROOKSIDE AVENUE	CHEROKEE AVENUE
ASPEN DRIVE	BROWNELL DRIVE	CHERRY STREET
ATHENS DRIVE	CAMP STREET	CHURCH STREET
BEECH STREET	CASCADE COURT	CLEMS DRIVE

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CORDUROY ROAD	LINCOLN TERRACE	RIVER STREET ****
COUNTRYSIDE DRIVE	LOUBIER DRIVE	ROSEWOOD LANE
CREE AVENUE	MAIN STREET **	ROTUNDA AVENUE
CRESTVIEW ROAD	MANSFIELD AVENUE	SCHOOL STREET
CURTIS AVENUE	MAPLE STREET	SENECA AVENUE
DENSMORE DRIVE	MAPLEWOOD LANE	SILVERBOW TERR
DRURY DRIVE	MASON ROAD	SOUTH STREET
EAST STREET	MCGREGOR STREET	SOUTH HILL DRIVE
EAST WILLIAMS ST	MEADOW TERRACE	S. SUMMIT STREET
EDGEWOOD DRIVE	MILL STREET	SOUTHVIEW ROAD
EDUCATIONAL DRIVE	MOHAWK AVENUE	STANTON DRIVE
ELM STREET	MURRAY ROAD	SUGARTREE LANE
FAIRVIEW DRIVE	NAHMA AVENUE	SUMMIT STREET
GRANDVIEW AVENUE	NORTH STREET N.	SYCAMORE LANE
GRANT STREET	HILLCREST ROAD	TAFT STREET
GREENWOOD AVE	OAK STREET	TAMARACK DRIVE
GROVE STREET	OLD COLCHESTER	TYLER DRIVE
HAWTHORN CIRCLE	ONEIDA AVENUE	UPLAND ROAD
HAYDEN STREET	ONONDAGA AVENUE	VALE DRIVE
HIAWATHA AVENUE	ORCHARD TERRACE	VILLA DRIVE
HILLCREST ROAD	OWAISSA AVENUE	WARNER AVENUE
HUBBELLS FALLS DR	PARK AVENUE	WAVERLY STREET
HURON AVENUE	PARK STREET	WENONAH AVENUE
IROQUOIS AVENUE	PARK TERRACE	WEST STREET
JACKSON STREET	PEARL STREET ***	WEST STREET EXT.
JONES AVENUE	PINE COURT	W. HILLCREST ROAD
JUNIPER RIDGE RD	PLEASANT STREET	WILKINSON DRIVE
KILLORAN DRIVE	PROSPECT STREET	WILLEY'S COURT
KILN ROAD	RAILROAD AVENUE	WILLIAMS STREET
LAMOILLE STREET	RAILROAD STREET	WOODS END DRIVE
LINCOLN PLACE	REDWOOD TERRACE	WRISLEY STREET
LINCOLN STREET *	RIVENDELL DRIVE	

* Lincoln Street., from the five corners the limit shall be 25 mph, from North Street to the City limit, the limit shall be posted by the Vermont Agency of Transportation.

** Main Street, from the Five Corners to the Indian Brook, the limit shall be 25 mph, from Indian Brook to the City limits the limit shall be 30 mph. (amended April 14, 1998)

*** Pearl Street, from the Five Corners to 110 Pearl Street (Wendy's restaurant), the limit shall be 25 mph in both directions. In the westbound direction, from 110 Pearl St (Wendy's restaurant) to West Street Extension, the limit shall be 30 mph. From West Street Extension to Susie Wilson Road in the westbound direction, the limit shall be 45 mph. In the eastbound direction from Susie Wilson Road to approximately 300 feet west of West Street Extension, the limit shall be 45 mph. From approximately 300 feet west of West Street Extension to Warner Avenue in the eastbound direction, the limit shall be 35 mph. From Warner Avenue to 110 Pearl St (Wendy's restaurant) in the eastbound direction, the limit shall be 30 mph.

**** River Street, the limit shall be 35 mph.

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SECTION 847:

Emergency vehicles while in the performance of an emergency are exempt from the provisions of this Ordinance.

SECTION 848: STOP SIGNS

The operator of any vehicle, motorcycle, or other form of common conveyance shall come to a full stop before entering any intersection from any street, avenue, or road upon which there is a stop sign facing in his/her direction. The operator shall not proceed until the intersection is clear.

Stop signs shall be erected on the streets, avenues, and roads at intersections listed below:

- On Abnaki Avenue (on both sides) @ South Summit St.
- On Algonquin Avenue (on both sides) @ Iroquois Ave.
- On Aspen Drive @ Beech Street (both intersections)
- On Athens Drive @ Main St.
- On Beech Street (on both sides) @ Countryside Drive
- On Briar Lane (westerly intersection) @ Rosewood Lane
- On Brickyard Road @ Main St. and @ Corduroy Rd.
- On Brooks Avenue @ Villa Drive and @ Warner Ave.
- On Brownell Drive @ West St.
- On Camp Street @ Maple St.
- On Cascade Court @ Cascade St.
- On Cascade Street @ Park Street and
At Cascade Street On road from Wastewater Treatment Plant.
- On Central Street @ Lincoln Street and @ Educational Ctr Dr.
- On Central Street (on both sides) @ Grove Street
- On Cherokee Avenue (on both sides) @ South Summit St.
- On Cherry Street (on both sides) @ South Summit St.
- On Cherry Street @ the Merchants Bank Driveway
- On Church Street @ Main St. and @ East St.
- On Clems Drive @ West St.
- On Corduroy Road @ Beech St. and @ Briar Lane.
- On Countryside Drive @ Brickyard Rd and at the north intersection with Beech Street.
- On Crestview Road @ Drury Drive and @ Main St.
- On Curtis Avenue @ Pearl St.
- On Densmore Drive @ Main St. and @ Brickyard Rd.
- On Doon Way @ South St.
- On Drury Drive @ Educational Center Drive
- On East Street @ Maple St. and @ Pleasant St.
- On Educational Center access road @ Old Colchester Rd.; Main St.; Drury Dr; and Central St.
- On Elm Street @ Maple Street
- On Fairview Drive @ Main Street
- On Grant Street @ Maple St. and @ Jackson St.
- On Greenwood Avenue @ Cascade Ct.
- On Grove Street (on both sides) @ Central St.
- On Grove Street @ North St. and @ Main St.

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On Hawthorn Circle (both intersections) @ Fairview Drive
On Hayden Street @ West Street
On Hayden Street @ the southerly intersection of Wilkinson Dr
On Hiawatha Avenue @ West Street
On Hillcrest Road @ Pearl St. and @ Prospect St.
On Hubbell=s Falls Road @ Beech Street and @ Juniper Ridge Road
On Huron Avenue @ West Street and @ Mohawk Avenue
On Iroquois Avenue @ South Summit St.
On Jackson Street @ exit from public Works Complex
On Juniper Ridge Road @ Fairview Drive
On Killoran Drive @ West St.
On Kings Court @ Maple St.
On Lamoille Street @ East St.
On Lincoln Place @ Railroad Ave.
On Lincoln Terrace @ Lincoln St. and @ School St.
On Locust Lane @ Hubbell=s Falls Drive
On Main Street @ Ivy Lane Parking Lot.
On Mansfield Avenue @ Maple St. and @ Brickyard Rd.
On Maplewood Lane @ Maple St.
On MacGregor Street @ Jackson St.
On Meadow Terrace @ Drury Drive
On Mohawk Avenue @ South Summit St.
On Nahma Avenue @ South St.
On North Street @ Central St., Lincoln St., and Grove St.
On North Hillcrest Road @ Hillcrest Rd.
On Oak Street @ Maple St.
On Old Colchester Road @ North Street.
On Orchard Terrace @ South St.; @ Iroquois from either direction.
On Owaiassa Avenue @ Hiawatha Avenue
On Park Avenue @ Pleasant Street.
On Park Terrace @ Park St. and @ School St.
On Pleasant Street @ Main St. and @ Mansfield Ave.
On Prospect Street @ Lincoln St.
On Railroad Avenue @ Central St. and @ Main Street
At Railroad Avenue On the fire lane between 4 & 8 Railroad Ave.
On Railroad Street @ Main Street
On Redwood Terrace @ at Cascade Court
On Rivendell Drive @ Maple St. and @ Briar Lane
On Rosewood Lane (at the easterly end) @ Briar Lane and @ Mansfield Ave.
On School Street @ Pearl St. from either direction
On School Street @ Lincoln Terrace (to stop vehicles traveling
from the Holy Family church parking lot).
On Seneca Avenue (both sides) @ South Summit St.
On Silver Bow Terrace @ Park St.
On South Street (east and west bound) @ West St. and @ South St.
On South Hill Drive @ Southview Rd.& @ Redwood Terrace (both sides)

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On South Summit Street @ West Street.
On Southview Road @ South St. and @ Redwood Terrace
On Stanton Drive @ River St.
On Summit Street @ Prospect St.
On Sugartree Lane (both intersections) @ Brickyard Rd.
On Sycamore Lane (both intersections) @ Juniper Ridge Road
On Taft Street @ Main Street
On Tamarack Drive @ Beech Street (both intersections)
On Tyler Drive @ Wilkinson Drive (both intersections)
On Upland Road @ Drury Drive
On Vale Drive @ Brickyard Rd and @ Countryside Drive
On Warner Avenue @ Pearl St.
On Wenonah Avenue @ West Street
On West Street @ South Street and at the northerly intersection with West Street Ext. (to stop cars approaching from the dead-end section of West Street).
On West Street Extension @ West Street.
On West Hillcrest Road @ Pearl Street
On Wilkinson Drive @ South Street and @ the northerly intersection of Hayden Street
On Willeys Court @ Pearl Street.
On Williams Street @ Willeys Court
On Woods End Drive @ Rivendell Drive and @ Briar Lane
On Wrisley Court @ Wrisley Street
On Wrisley Street @ Jackson St.

SECTION 849: TRAFFIC LIGHTS

Any person operating any type of vehicle, motorcycle, or other form of common conveyance shall, when coming upon an intersection wherein there is installed traffic control lights, facing in their direction, adhere to said device as follows:

- (a) If the traffic light is a single light unit showing only amber or yellow or is a unit that is blinking only amber or yellow, proceed with caution through the intersection.
- (b) If the traffic light is a single light unit with the red-light blinking, stop, then proceed with caution through the intersection.
- (c) If the traffic light is showing green, proceed through the intersection.
- (d) If the traffic light is a multi-light device and is showing amber prior to entering the intersection, said individual shall cause such vehicle to stop. If the vehicle has already entered the intersection under an amber condition, said person and vehicle shall proceed with caution. If this traffic light is showing red, then said person shall cause said vehicle to come to a full stop until said device changes to green.

SECTION 850:

Permanent traffic control lights are authorized at the following intersections:

- (a) The intersection of Park and South Streets.
- (b) The intersection of Maple, Pearl, Park, Lincoln and Main Streets, commonly referred to as the Five Corners.
- (c) The intersection of Pearl and South Summit Streets.
- (d) On Pearl Street at the entrance to the shopping centers on either side.

City of Essex Junction, VT
Municipal Code

- (e) The intersection of West and Pearl Street.
- (f) The intersection of Pearl Street and Susie Wilson Road.
- (g) The intersection of Maple Street and Railroad Street.
- (h) The intersection of Main Street (Route 15), Crestview, and Brickyard Road.
- (i) On Maple Street at the intersection of Maple Street Extension and Robinson Parkway.
- (j) The intersection of Park Street and Railroad Street.
- (k) On Park Street at the intersection of Iroquois Avenue and Franklin Street.

Other traffic control devices of a mobile or portable nature may temporarily be utilized by the Police Department for emergency situations as they deem necessary.

SECTION 851:

Any person who violates the provisions of this ~~Ordinance Chapter~~ may receive a Vermont Civil Violation Complaint or be issued a municipal ticket for Twenty Five Dollars (\$25.00) or any other amount as authorized by or set forth in Title 23 of the Vermont Statutes Annotated (eited) for said ~~offense by any local lawful~~ police official or any other Vermont law enforcement agency authorized to enforce vehicular laws. Appeals, adjudication and payment of tickets shall be handled in to the Vermont ~~Traffic and Municipal Ordinance~~ Judicial Bureau.

SECTION 852: PROHIBITION OF TRUCKS

Motor trucks with a registered vehicle weight in excess of sixteen thousand pounds (16,000 lbs.) shall be prohibited from the following streets in the City:

Cherry Street _____	North Street
Crestview Road _____	Park Terrace
Curtis Avenue _____	School Street
Drury Drive _____	South Summit Street
Grove Street _____	South Street, from Park Street to West
Iroquois Avenue, from Park Street _____	Summit Street
to South Summit Street _____	West Street and West Street Extension
Lincoln Terrace	

This article shall not apply to motor trucks making deliveries to or from properties located on such streets or emergency vehicles. This exemption shall also apply to motor vehicles originating from properties located on such streets.

Note: Pursuant to the provisions of 23 V.S.A. Sec. 1042, this ordinance received approval from the Secretary of Transportation on June 13, 1990. (effective July 21, 1990)

SECTION 853. PROHIBITED PASSING:

On Main Street in an easterly direction beginning at Brickyard Road to 161 Main Street.

SECTION 855:

Each of the provisions of this Ordinance are severable and if any provision is held invalid for any reason, the remaining provisions shall not be affected but shall remain in full force and effect.



MEMORANDUM

To: Essex Junction City Council
From: Regina Mahony, City Manager
Meeting Date: October 30, 2024
Subject: Executive session for a contract

Issue: The issue is whether the City Council will enter executive session to discuss a contract.

Discussion: To have a complete and thorough discussion about this topic, an executive session may be necessary because the premature disclosure of the information may put the City Council and the City at a substantial disadvantage. Contracts can be a protected discussion.

Cost: N/A at this time

Recommendation:

If the City Council wishes to enter executive session, the following motions are recommended:

Motion #1

"I move that the City Council make the specific finding that premature disclosure of the contractual matters would place the city at a substantial disadvantage."

Motion #2

"I move that the City Council enter into executive session to discuss a contract, pursuant to 1 V.S.A. § 313(a)(1)(A) to include the City Council, City Manager and Mark Brislin, EJRP."

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**CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING
MINUTES OF MEETING
October 9, 2024**

COUNCILORS PRESENT: Raj Chawla, President; Amber Thibeault; Vice President; Tim Miller, Clerk;
Marcus Certa, Elaine Haney.

ADMINISTRATION: Regina Mahony, City Manager; Ron Hoague, Chief of Police.

OTHERS PRESENT: Annie Cooper, Drew Darrow, Brett Gaskill, Christina Hagestad, Resa.

1. **CALL TO ORDER**

City Council President Chawla called the meeting to order at 6:30 P.M.

2. **AGENDA ADDITIONS/CHANGES**

None.

3. **APPROVE AGENDA**

None needed.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda

Resa Mehren asked if a decision has been made about the most recent CVE noise ordinance requests, and City Council President Chawla replied that no decision has been made yet.

5. **BUSINESS ITEMS**

a. Discussion of Police Community Advisory Board Applicant

City Manager Mahony noted that the applicant isn't able to attend a City Council meeting for an interview, and that a potential alternative could be that several Councilors interview the applicant at another time and report back to the Council with a recommendation. Councilor Certa and Councilor Miller volunteered to participate in the interview with the applicant.

b. Presentation of the Police Community Advisory Board Brief to Council

Christina Hagestad presented to the City Council a briefing on the Police Community Advisory Board's activities and upcoming plans. She said that one area of focus is establishing a presence and outreach at City events independent of the Police Department, to gain trust and be seen as a separate body. She said that the PCAB is also working on producing more blog posts for the Board, as well as reviewing new and existing Police Department policies and providing feedback. She said the PCAB is also updating a survey that was fielded several years ago and field that survey again, around how the community feels about the Police Department. She noted that in terms of current needs, what the PCAB needs is more members, so she is excited that there is an applicant for a seat on the Board.

Chief Hoague spoke about the difficulty of making progress on the above items given the turnover experienced on the Board and the liaison to the Board at the Police Department departing. He said he is excited to field the survey that was last fielded in 2020, saying it will provide valuable feedback about what is and isn't working in terms of public safety in the community.

City Council President Chawla noted some social media activity around concerns in various neighborhoods in Essex Junction and wondered how a connection could be made between residents and the PCAB, in terms of voicing those concerns. Ms. Hagestad agreed, saying that she would like the PCAB to explore ways to potentially make those connections while remaining an independent and neutral body in the community. City Council President Chawla said that the Council can also try and help make those connections.

Councilor Certa asked if having more members on the PCAB will help solve engagement problems or whether there are other ways of addressing those issues. Ms. Hagestad replied that having more members will be a good first step. She said that seeing results of the survey could also help inform other potential solutions.

Chief Hoague spoke about how having the input of the PCAB on educational sessions hosted by the Essex Police Department has been extremely positive and valuable. He spoke about soliciting feedback from the PCAB for the Howard Center Street Outreach Team and several education sessions on use of force. He also spoke about the value of having PCAB members on the Police Department’s hiring and promotional boards.

The following public comments were received:

- Annie Cooper spoke about residents using social media to share their frustrations, which is part of the utility of social media. She said that voicing these frustrations doesn’t necessarily mean that residents should volunteer on committees. She also thanked Chief Hoague for his service.

c. *Discussion and Consideration of an Executive Session to discuss Personnel
See item #9a below.

d. **Discussion and Consideration of an Executive Session to discuss a Contract
See item #9b below.

6. **CONSENT ITEMS**

- Approve Meeting Minutes: September 25, 2024
- Approve FY25 General Capital Fund Plan Amendment for the Stormwater slip line project
- Approve Bid Award for Pipeline Rehabilitation

Councilor Haney made a motion, seconded by Councilor Thibeault, to approve the consent agenda as presented. The motion passed 5-0.

7. **COUNCILOR COMMENTS & CITY MANAGER REPORT:**

City Manager Mahony said the Bike Walk Advisory Committee is partnering with Local Motion to determine where the City has and needs bicycle parking. She also noted that they are trying to obtain more bike racks for the City. She thanked attendees at the Connect the Junction event this past week. She noted there will be a report and more action items coming out of that work soon. She expressed appreciation for the attendance at the Crescent Connector ribbon cutting ceremony. She noted a new parking lot and EV chargers and bicycle lockers at the Connector as well.

8. **READING FILE**

- Check Warrant #24057, 10/03-04/2024
- Regional Boards and Committee Minutes Memo
- Meeting Schedule for January through June of 2025
- FY2024 Key Control Document
- September Financial Reports
- New Crescent Connector Bicycle Locker Information
- Development Review Board Minutes 9/19/2024
- Bike Walk Advisory Committee Minutes 9/24/2024

9. **EXECUTIVE SESSION**

- *An Executive Session may be needed to discuss Personnel

Councilor Certa made a motion, seconded by Councilor Thibeault, that the City Council enter into executive session to discuss a personnel evaluation, pursuant to 1 V.S.A. § 313(a)(3) to include the City Council and the City Manager. The motion passed 5-0 at 7:30 P.M.

109
110 b. **An Executive Session may be needed to discuss a Contract
111

112 **Councilor Certa made a motion, seconded by Councilor Miller, that the City Council make the specific**
113 **finding that premature disclosure of the contractual matters would place the City at a substantial**
114 **disadvantage, and moved that the City Council enter into executive session to discuss a contract,**
115 **pursuant to 1 V.S.A. § 313(a)(1)(A) to include the City Council and the City Manager. The motion**
116 **passed 4-0 (Councilor Haney abstained and recused herself from this executive session due to**
117 **conflict of interest) at 7:30 P.M.**
118

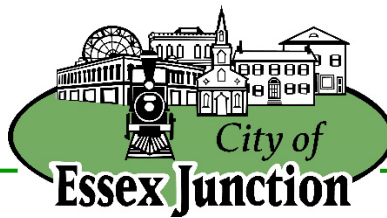
119 **City Council President Chawla made a motion, seconded by Councilor Thibeault, to exit executive**
120 **session. The motion passed 5-0 at 7:45 P.M.**
121

122 City Council President Chawla provided an update on the request from Champlain Valley Exposition for
123 additional sound waivers. He said that relating to the recent request for an additional 15 sound waivers, the
124 City conducted a public survey and found that residents felt that CVE's request should be accompanied by
125 a substantial increase in the contribution that CVE provides to the City. He said that as a result of this, the
126 City entered into negotiations with CVE and proposed a financial contribution of \$500,000, at which point
127 CVE decided that it can work within its existing 20 waivers as part of its current agreement, and no additional
128 decision is needed at this time. He said the City plans to review the sound agreement in the fall of 2026 in
129 preparation for the next sound agreement, as previously planned.
130

131 10. **ADJOURN**
132

133 **Councilor Thibeault made a motion, seconded by City Council President Chawla, to adjourn the**
134 **meeting. The motion passed 5-0 at 7:46 P.M.**
135

136 Respectfully Submitted,
137 Amy Coonradt



MEMORANDUM

To: City Council
From: Christopher Yuen, Community Development Director
Meeting Date: 10/30/2024
Subject: 1 Main Street Park Design Update

Issue

The proposed design for Main Street Park has been amended in response to previous Council direction to pursue a lower-cost option.

Discussion

During the May 8, 2024 City Council meeting, the Council directed Staff to pursue a lower-cost option for Main Street Park that reduces the municipal contribution while continuing to access state grant funds. The objectives for the lower-cost design are to:

- Provide shade using shade sails, which are removed for the winter months.
- Add some delineation from the surrounding areas with features such as upgraded planter boxes, paint and signage.
- Avoid costly and permanent features – as this area may evolve if Main St is pedestrianized in the future, as envisioned in the Design Five Corners plan.

An updated park design and budget (attached) is now available.

Notably, a new tree near Maple St, planted in subsurface silva cells is proposed, but is contingent on the results of a Vermont Urban and Community Forestry Program Community Tree Planting Grant (CTPG) application. This grant of up to \$75,000 will open for applications on January 10, 2025. It does not require a local match.

Upon approval, the next steps are to:

1. Submit the revised park plans and budget for review by the Downtown Transportation Fund Grant administrators and for approval by the Downtown Board if deemed necessary.
2. Apply for the CTPG grant in January
3. Begin construction in 2025

Cost

The budget for the revised design is \$240,000 (\$200,000 Downtown Transportation Fund grant + \$40,000 municipal contribution). This contribution is the minimum required local match requirement and can be met within the existing Economic Development Fund budget.

Recommendation

Staff recommends that the Council approve the amended park design.

Recommended Motion

“I move that Council approve the amended design for Main Street Park, as discussed.”

Attachments:

1. Amended park design plans and budget

Attachment 1: Current design plans and budget



1 Podiat Park Plan View
Scale: 1/8" = 1'-0"



4 Main St Perspective View
Scale: 1/8" = 1'-0"



5 Main St Perspective View
Scale: 1/8" = 1'-0"



2 Main St Perspective
Scale: 1/8" = 1'-0"



3 Main St Perspective - Mature Trees
Scale: 1/8" = 1'-0"



6 Firetrail Cafe Perspective view
Scale: 1/8" = 1'-0"

Current project budget approved for Vermont Downtown Transportation Fund Grant

Project Budget:

Item Description	Quantity	Unit Cost	Total Cost
General Conditions/Mobilizations	LS	\$45,000.00	\$45,000.00
Soil Remediation Assessment	LS	\$14,000.00	\$14,000.00
1750 SF Pine Hall Pavers (on aggregate)	1750 SF	\$31.43.00	\$55,002.50
520 SF WB Granite Pavers (on aggregate)	520 SF	\$100.00	\$52,000.00
Granite Curb and Steps	LS	\$8,500.00	\$8,500.00
Brick Pillars	12 EA	\$7,633.33	\$91,599.96
Fencing Allowance	175 LF	\$300.00	\$52,500.00
Bike Rack Allowance	1 EA	\$3,000.00	\$3,000.00
Tree Grate Allowance	2 EA	\$3,000.00	\$6,000.00
Lighting	LS	\$20,000.00	\$20,000.00
Planting and Soils (including Silva Cells)	LS	\$39,000.00	\$39,000.00
Plant Maintenance and Establishment	LS	\$6,000.00	\$6,000.00
Park Amenities (tables, benches, trash receptacles, etc.)	LS	\$25,000.00	\$25,000.00
Miscellaneous Expenses	LS	\$6,400.00	\$6,400.00
Project Design/Management Fees	LS	\$54,000.00	\$54,000.00
Total			\$478,002.46

Funding Sources:

Source	Amount
Downtown Transportation Fund	\$200,000.00
City of EJ Economic Development Fund	\$278,002.46
Total	\$478,002.46

Attachment 2: Examples of lower-cost “temporary” pocket parks, and examples of lower-cost shade structures



Figure 1: Example of temporary pocket park in Montreal QC- Espace Boyer. Asphalt surface was retained and enhanced with painted patterns.

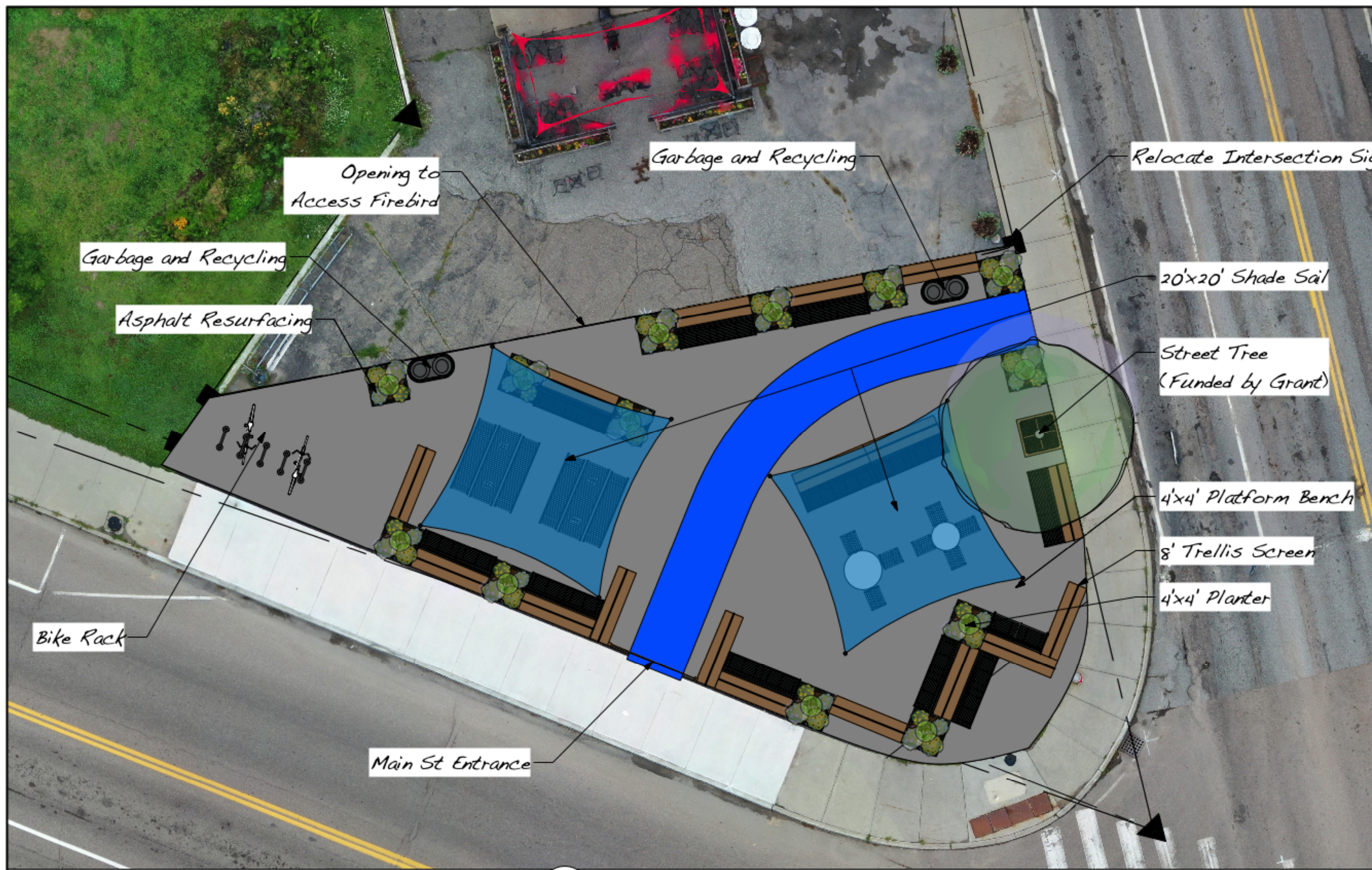
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Model 2
Side View

Two 3 point sails with
5 poles

New England
Shade Sails

Figure 2: Renderings of the shade sails which could likely be included within lower-cost design



1 Pocket Park Plan View
 Scale: 1/8" = 1'-0"



2 Five Corners Perspective
 Scale: 1/8" = 1'-0"



3 Main St. Perspective
 Scale: 1" = 10'-0"



4 Maple St. Perspective
 Scale: 1" = 10'-0"



5 Firebird Perspective
 Scale: 1" = 10'-0"

Designed by	David Burton
Drawn by	David
Checked by	David
Date	10/11/24
Revision	

GINKGO DESIGN, LLC
 PO BOX 358
 UNDERHILL, VT 05489



Project Title
One Main - City Park
 1 Main St.
 Essex Jct, VT 05452

Scale	Sheet Scale
Sheet No.	L-01
	of
	1

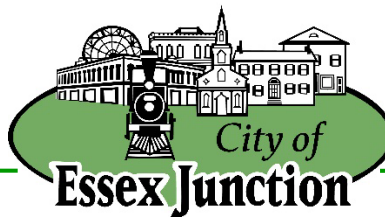
Conceptual Design

Main Street Park Budget 10.11.24

Qty	Description	Price	Extension
1	Soil Remediation	\$15,000.00	\$15,000.00
1	Paving sqft	\$20,000.00	\$20,000.00
1	Lighting	\$10,000.00	\$10,000.00
2	Shade Sail	\$12,600.00	\$25,200.00
10	Footings	\$1,000.00	\$10,000.00
5	Bike Rack	\$300.00	\$1,500.00
10	48"x48" Planters	\$3,000.00	\$30,000.00
15	Screens	\$3,500.00	\$52,500.00
12	Benches	\$1,500.00	\$18,000.00
2	Picnic Tables	\$3,000.00	\$6,000.00
2	Carousel Tables	\$2,000.00	\$4,000.00
1	Entry Sign	\$3,000.00	\$3,000.00
		Sub Total	\$195,200.00
	General Conditions 10%		\$19,520.00
	Project Management 10%		\$19,520.00
1	Design Fee	\$5,000.00	\$5,000.00
		Estimated Budget	\$239,240.00
		Budget	\$240,000.00
		Remaining	\$760.00

Notes:

This budget was drafted by David Burton, Ginkgo Design, and is associated with amended park plans submitted to the City on October 11, 2024. The tree near Maple Street is not included in the budget as it is contingent on the results of a Vermont Urban and Community Forestry Program Community Tree Planting Grant (CTPG) application, to be submitted in January 2025.



MEMORANDUM

To: City Council
From: Regina Mahony, City Manager
Meeting Date: October 30, 2024
Subject: Request for FY25 Water Fund Capital Amendment- Pickup Truck

Issue: Reallocate funds in the fiscal year 2025 capital water fund to accommodate the purchase of a pickup truck for the water department.

Discussion:

A pickup truck replacement in the water fund was originally budgeted for \$41,527 in FY23. The actual cost is going to be about \$75,000 and there is sufficient balance in the Water Fund Capital Reserve to cover the additional amount needed for this purchase.

The updated fund balance projection is included here for the Water Fund Capital Reserve which includes \$75,000 for the truck replacement.

Water Fund Capital Reserve Balance						
	FY25	FY26	FY27	FY28	FY29	
Beginning Fund Balance	854,659	463,928	746,670	1,098,333	801,947	
Planned Spending	(643,314)	(24,806)	(10,883)	(627,959)	(520,377)	
Debt Payments (previous FY35, Main St. water line FY53, lead service line FY32)	(257,418)	(252,452)	(247,454)	(328,427)	(323,374)	
Revenue Sources						
<i>Transfer In from Water Operating Budget</i>	510,000	560,000	610,000	660,000	710,000	
<i>Interest Earnings</i>						
<i>Vac Truck Rental</i>						
Total Revenues	510,000	560,000	610,000	660,000	710,000	
Ending Fund Balance	463,928	746,670	1,098,333	801,947	668,195	

Costs:

The request is to reallocate capital funds of approximately \$34,000 to accommodate the increased cost of the truck.

Recommendation:

It is recommended that the City Council amend the fiscal year 2025 Water Fund Capital plan to \$75,000 for the pickup truck purchase.

Attachments:

None

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
28470	10/11/24	Payroll Transfer PR-10/11/24	210-2-00-00-210.004 Retirement Payable	19665.89	53744	10/11/24
80130	10/11/24	Payroll Transfer PR-10/11/24	210-2-00-00-210.004 Retirement Payable	2764.80	53745	10/11/24
05290	09/18/24	MSP Supplies 455242625	210-5-30-12-610.000 General Supplies	150.34	53748	10/18/24
05290	10/09/24	MACHINE SCREW W NUT for t 552428351985	210-5-40-12-610.000 General Supplies	2.82	53748	10/18/24
28555	08/21/24	BUNGEE CORD FOR HOSEBED C X20113627101	210-5-25-10-430.000 R&M Vehicles & Equipment	144.20	53751	10/18/24
19815	09/29/24	BL Supplies OCT24 13MD4V9RT1R6	210-5-35-10-610.000 General Supplies	33.98	53752	10/18/24
19815	09/25/24	BL AProgram SEP24 19MMVM6KGPP7	210-5-35-10-840.201 Adult Programs	25.67	53752	10/18/24
19815	09/26/24	BL Supplies SEP24 1CLW96VP7KX6	210-5-35-10-610.000 General Supplies	65.38	53752	10/18/24
19815	10/15/24	Maint Supplies 1CY6MNYD3MQJ	210-5-30-12-610.000 General Supplies	5.20	53752	10/18/24
19815	09/28/24	BL JBooks SEP24 1FLKMKVKJCNX	210-5-35-10-640.202 Juvenile Collection	43.97	53752	10/18/24
19815	10/08/24	Maint Supplies 1GNKJRTR1MHG	210-5-30-12-610.000 General Supplies	24.99	53752	10/18/24
19815	09/29/24	BL Supplies OCT24 1HXM19RWP413	210-5-35-10-610.000 General Supplies	144.23	53752	10/18/24
19815	09/30/24	BL AReplCollctn OCT24 1JFND7TPXT79	210-5-90-00-640.201 Adult Collection replacem	52.79	53752	10/18/24
19815	10/04/24	BL ADVDs OCT24 1KRH3QH3V3MX	210-5-35-10-640.201 Adult Collection	110.02	53752	10/18/24
19815	10/08/24	BL AProgKit OCT24 1M6RT4KHWWFX	210-5-35-10-840.201 Adult Programs	30.03	53752	10/18/24
19815	10/14/24	BL ADvds OCT24 1X9JDCXK94N9	210-5-35-10-640.201 Adult Collection	19.96	53752	10/18/24
19815	10/10/24	Office CREDIT 1XPJFFDDCWVD	210-5-30-10-610.000 General Supplies	-63.99	53752	10/18/24
19815	10/06/24	BL AProgKit OCT24 1YG6TG3PD37J	210-5-35-10-840.201 Adult Programs	56.74	53752	10/18/24
80061	10/05/24	BL CProgMusic OCT24 0013	210-5-35-10-840.202 Childrens Programs	100.00	53756	10/18/24
07465	10/02/24	cleaning supplies for off 523705	210-5-40-12-610.000 General Supplies	24.97	53757	10/18/24
00530	09/04/24	BL FNDN Books SEP24 B6851365	210-5-35-10-610.000 General Supplies	4.04	53758	10/18/24
00530	09/04/24	BL FNDN Books SEP24 B6851365	210-5-90-00-991.000 Library Donation Expense	64.24	53758	10/18/24
00530	09/16/24	BL JBooks SEP24 B6857769	210-5-35-10-640.202 Juvenile Collection	595.54	53758	10/18/24
00530	09/16/24	BL JBooks SEP24 B6857769	210-5-35-10-610.000 General Supplies	51.51	53758	10/18/24
30360	10/01/24	BL PhoneInternet SEP24 BT 10012024	210-5-41-21-530.000 Communications	334.94	53759	10/18/24

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
07710	06/08/24	Machine Maintenance FY24	77838	210-5-30-12-330.000 Professional Services	29.75	53761	10/18/24
25765	10/07/24	MSP Sprinkler Service	13706	210-5-30-12-330.000 Professional Services	420.00	53762	10/18/24
V04609	10/01/24	BL ABooks OCT24	2120986	210-5-35-10-640.201 Adult Collection	100.68	53763	10/18/24
21120	09/15/24	Physicals	00069769-00	210-5-25-10-330.000 Professional Services	37.00	53764	10/18/24
23455	10/11/24	2 Linc electronics dispos	3559537	210-5-41-20-431.000 R&M Buildings & Grounds	79.20	53766	10/18/24
39475	10/03/24	Chrysanthemum 8" \$8.99 10	35084	210-5-40-12-571.000 Streetscape Maintenance	75.00	53767	10/18/24
17895	10/01/24	EJRP Cleaning Sept	15368	210-5-41-26-420.000 Cleaning Services	2818.00	53768	10/18/24
30100	10/15/24	COBRA HELPS Oct 2024	324338	210-5-10-10-330.000 Professional Services	44.20	53770	10/18/24
04940	10/03/24	Cable TV	Xfinity1024	210-5-25-10-530.000 Communications	21.43	53771	10/18/24
17025	09/30/24	Recording Secretary City	0188	210-5-11-10-330.000 Professtional Services	60.00	53772	10/18/24
17025	10/14/24	RecSecretary CC 10/09/24	0190	210-5-11-10-330.000 Professtional Services	48.00	53772	10/18/24
31545	10/09/24	Candy / Drinks	10092024	210-5-25-10-610.000 General Supplies	110.42	53773	10/18/24
31545	10/09/24	Candy / Drinks	10092024	210-5-25-10-613.000 Program Supplies	599.70	53773	10/18/24
25715	09/30/24	Engineer August 1- 31, 20	24801 093024	210-1-00-00-130.002 Exchange - Billable	1308.71	53775	10/18/24
25715	09/30/24	Comm Dev Proj August 1- 3	24810 093024	210-5-16-10-330.000 Professional Services	370.00	53775	10/18/24
80159	08/27/24	BL CPrograms SEP24	91024	210-5-35-10-840.202 Childrens Programs	75.00	53777	10/18/24
V0777	09/15/24	Sept Digital Ad 24	391327	210-5-10-10-540.000 Advertising	145.00	53780	10/18/24
V0777	09/30/24	Oct Ad 2024	392683	210-5-10-10-540.000 Advertising	615.00	53780	10/18/24
23955	10/02/24	Chain link fence and bars	32897	210-5-13-10-610.000 General Supplies	53.95	53781	10/18/24
34895	10/01/24	2 Lincoln Garbage Septemb	1822817	210-5-41-20-425.000 Trash Removal	320.90	53783	10/18/24
34895	10/01/24	EJRP Trash Removal Sept	1823754	210-5-41-26-425.000 Trash Removal	440.15	53783	10/18/24
20470	09/30/24	Sept Fuel	320718	210-5-25-10-626.000 Gasoline	299.32	53784	10/18/24
20470	09/30/24	Sept Fuel	320718	210-5-30-12-626.000 Gasoline	477.24	53784	10/18/24
20470	09/30/24	Sept Fuel	320718	210-5-40-12-626.000 Gasoline	1575.58	53784	10/18/24
07010	10/10/24	GMP Multi Solar 09/09/24-	101024D	210-5-41-22-622.000 Electricity	132.30	53786	10/18/24

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
07010	GREEN MOUNTAIN POWER CORP	10/10/24	GMP Multi Solar 09/09/24-101024D	210-5-41-20-622.000 Electricity	132.31	53786	10/18/24
07010	GREEN MOUNTAIN POWER CORP	10/10/24	GMP Multi Solar 09/09/24-101024D	210-5-41-23-622.000 Electricity	54.35	53786	10/18/24
07010	GREEN MOUNTAIN POWER CORP	10/10/24	GMP Multi Solar 09/09/24-101024D	210-5-40-12-622.000 Electricity	39.08	53786	10/18/24
07010	GREEN MOUNTAIN POWER CORP	10/10/24	GMP Multi Solar 09/09/24-101024D	210-5-40-12-622.000 Electricity	265.53	53786	10/18/24
07010	GREEN MOUNTAIN POWER CORP	10/10/24	GMP Multi Solar 09/09/24-101024D	210-5-41-21-622.000 Electricity	582.23	53786	10/18/24
V0976	GRENIER'S PEST CONTROL IN	09/26/24	MSP Yellow Jacket Nest 8743	210-5-30-12-330.000 Professional Services	200.00	53787	10/18/24
80046	HAGESTAD CHRISTINA	09/17/24	Stipend PCAB September 20 091724CHAGE	210-5-11-10-190.000 Board Member Payments	50.00	53789	10/18/24
21335	HOLY FAMILY / ST LAWRENCE	09/05/24	Senior Center July-Sept JulAugSep24	210-5-30-13-330.000 Professional Services	1300.00	53792	10/18/24
24250	IMPACT FIRE LLC	10/11/24	Fire Extinguisher Inspect 25034553	210-5-41-20-431.000 R&M Buildings & Grounds	162.95	53794	10/18/24
24250	IMPACT FIRE LLC	10/11/24	12+ UNITS ANNUAL FIRE EXT 25034555	210-5-41-21-431.000 R&M Buildings & Grounds	893.95	53794	10/18/24
33495	INGRAM LIBRARY SERVICES I	09/03/24	BL ABooks SEP24 83521517	210-5-35-10-640.201 Adult Collection	179.88	53795	10/18/24
33495	INGRAM LIBRARY SERVICES I	09/03/24	BL ABooks SEP24 83521517	210-5-35-10-610.000 General Supplies	10.30	53795	10/18/24
33495	INGRAM LIBRARY SERVICES I	09/27/24	BL ABooks SEP24 83965124	210-5-35-10-610.000 General Supplies	11.14	53795	10/18/24
33495	INGRAM LIBRARY SERVICES I	09/27/24	BL ABooks SEP24 83965124	210-5-35-10-640.201 Adult Collection	196.99	53795	10/18/24
33495	INGRAM LIBRARY SERVICES I	10/03/24	BL ABooks OCT24 84058965	210-5-35-10-640.201 Adult Collection	173.27	53795	10/18/24
33495	INGRAM LIBRARY SERVICES I	10/03/24	BL ABooks OCT24 84058965	210-5-35-10-610.000 General Supplies	10.10	53795	10/18/24
23980	INTERSTATE BATTERY OF VT	10/07/24	Park St Battery 190320101961	210-5-41-23-431.000 R&M Buildings & Grounds	36.00	53796	10/18/24
11710	INVEST EAP	10/01/24	EAP 10012024	210-5-25-10-290.000 Other Employee Benefits	216.00	53797	10/18/24
20365	KEY CHEVROLET BUICK GMC C	07/02/24	EJRP Trk Repair no sales 070224D	210-5-30-12-610.000 General Supplies	5314.05	53798	10/18/24
V10130	LOWE'S BUSINESS ACCOUNT	09/13/24	DELTA SPARROW CENTERSET S 70448	210-5-40-12-431.000 R&M Buildings & Grounds	113.05	53800	10/18/24
V10130	LOWE'S BUSINESS ACCOUNT	09/16/24	Floor Cleaner 82620	210-5-41-22-610.000 General Supplies	42.69	53800	10/18/24
V10130	LOWE'S BUSINESS ACCOUNT	09/12/24	Street markings 98660	210-5-40-12-572.000 Traffic Control	21.83	53800	10/18/24
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-30-10-210.000 Group Insurance	219.60	53801	10/18/24
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-30-12-210.000 Group Insurance	73.20	53801	10/18/24
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-10-10-210.000 Group Insurance	146.40	53801	10/18/24

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-13-10-210.000 Group Insurance	146.40	53801	10/18/24
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-12-10-210.000 Group Insurance	73.20	53801	10/18/24
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-40-12-210.000 Group Insurance	124.27	53801	10/18/24
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-16-10-210.000 Group Insurance	103.85	53801	10/18/24
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-40-13-210.000 Group Insurance	12.08	53801	10/18/24
27840	MADISON NATIONAL LIFE INS	10/17/24	Life Ins Nov 2024 1653096	210-5-35-10-210.000 Group Insurance	256.20	53801	10/18/24
26920	MAYVILLE DARBY	10/14/24	Minutes for October 10 PC 27	210-5-16-10-330.000 Professional Services	78.00	53802	10/18/24
80012	MECHLER THOMAS	10/11/24	BL CProg JUL-SEP24 MECH Q1 2024	210-5-35-10-840.202 Childrens Programs	250.00	53803	10/18/24
14585	MUNICIPAL EMERGENCY SERVI	09/25/24	SCBA Repair IN2124565	210-5-25-10-570.000 Other Purchased Services	900.45	53806	10/18/24
37605	NEW ENGLAND MUNICIPAL RES	09/25/24	tax billing assistance 55620	210-5-13-10-330.000 Professional Services	362.50	53807	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-30-10-210.000 Group Insurance	791.22	53809	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-30-12-210.000 Group Insurance	110.02	53809	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-16-10-210.000 Group Insurance	147.89	53809	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-12-10-210.000 Group Insurance	72.15	53809	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-40-12-210.000 Group Insurance	411.62	53809	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-40-13-210.000 Group Insurance	23.81	53809	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-13-10-210.000 Group Insurance	382.50	53809	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-35-10-210.000 Group Insurance	466.30	53809	10/18/24
24960	NORTHEAST DELTA DENTAL	10/17/24	Dental Nov 2024 101724 6197	210-5-10-10-210.000 Group Insurance	416.78	53809	10/18/24
19325	OPEN APPROACH INC	10/01/24	Connect Wise IT Services 24199	210-5-14-10-505.000 Tech. Subs, Licenses	50.00	53810	10/18/24
V10729	OVERDRIVE INC	09/24/24	BL ADigiBooks SEP24 01459DA24282	210-5-35-10-640.201 Adult Collection	522.09	53811	10/18/24
23420	P & P SEPTIC SERVICE INC.	10/01/24	Tractor Camera 631499	210-5-40-13-451.000 Summer Construction Servi	825.00	53812	10/18/24
23420	P & P SEPTIC SERVICE INC.	10/14/24	MSP Portolets October T632335	210-5-30-12-330.000 Professional Services	330.00	53812	10/18/24
24410	PRIORITY EXPRESS INC	09/30/24	BL Courier-8 stops SEP24 80272440	210-5-35-10-560.000 Postage	212.56	53816	10/18/24
05380	PURCHASE POWER	10/06/24	2 Lincoln Postage Septemb 4061100624	210-5-10-10-560.000 Postage	1009.75	53817	10/18/24

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
24325	09/26/24	RADIO NORTH GROUP INC radio supplies 24146541	210-5-30-10-530.000 Communications	111.00	53818	10/18/24
18010	10/02/24	REYNOLDS & SON, INC. Pant Repair 8-27-24 3445340	210-5-25-10-612.000 Uniforms	383.48	53822	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	210-5-40-12-622.000 Electricity	173.77	53826	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	210-5-41-26-622.000 Electricity	2872.64	53826	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	210-5-41-20-622.000 Electricity	558.12	53826	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	210-5-41-22-622.000 Electricity	558.12	53826	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	210-5-40-12-622.000 Electricity	236.43	53826	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	210-5-41-23-622.000 Electricity	366.76	53826	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	210-5-41-21-622.000 Electricity	1177.46	53826	10/18/24
09105	10/08/24	SECURE SHRED EJRP Shred October 470261	210-5-30-10-330.000 Professional Services	24.00	53829	10/18/24
09105	10/08/24	SECURE SHRED Shred Svcs 470267	210-5-12-10-610.000 General Supplies	24.00	53829	10/18/24
80123	09/25/24	SULLIVAN/ MICHAEL// CSWD Stipend September 20 092524MSulli	210-5-11-10-190.000 Board Member Payments	50.00	53832	10/18/24
23395	09/30/24	VILLAGE HARDWARE - WILLIS BD-BL Supplies SEP24 518969	210-5-35-10-610.000 General Supplies	61.96	53836	10/18/24
23395	10/02/24	VILLAGE HARDWARE - WILLIS Detergent 518976	210-5-40-12-610.000 General Supplies	36.08	53836	10/18/24
23395	10/03/24	VILLAGE HARDWARE - WILLIS GAL Simple Green 518982	210-5-40-12-610.000 General Supplies	13.29	53836	10/18/24
23395	10/09/24	VILLAGE HARDWARE - WILLIS Batteries 519004	210-5-40-12-610.000 General Supplies	24.67	53836	10/18/24
V10238	10/06/24	VT AIR TESTING SVC Noah Kahan Concert Invoic 612	210-1-00-00-130.000 Exchange - General	780.00	53837	10/18/24
29825	09/23/24	VT GAS SYSTEMS MSP VT Gas October 157875609232	210-5-41-26-621.000 Natural Gas/Heating	44.53	53838	10/18/24
29825	09/23/24	VT GAS SYSTEMS MSP VT Gas October 810044092324	210-5-41-26-621.000 Natural Gas/Heating	68.47	53839	10/18/24
41630	09/30/24	VT STATE TREASURER Marriage license fees to 20240930	210-2-00-00-215.003 Due to VT Marriage Lic	975.00	53841	10/18/24
07565	10/02/24	W B MASON CO INC 2 Lincoln Supplies 249562452	210-5-10-10-610.000 General Supplies	16.88	53842	10/18/24
07565	10/03/24	W B MASON CO INC Park St Tissues 249588227	210-5-30-12-610.000 General Supplies	34.18	53842	10/18/24
07565	10/04/24	W B MASON CO INC MSP Hand Soap 249624182	210-5-30-12-610.000 General Supplies	95.18	53842	10/18/24
07565	10/07/24	W B MASON CO INC Election Supplies October 249644867	210-5-12-10-820.000 Elections	33.99	53842	10/18/24
07565	10/07/24	W B MASON CO INC 2 Lincoln Toilet Paper 249649060	210-5-41-20-431.000 R&M Buildings & Grounds	69.99	53842	10/18/24

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
07565	10/07/24	Brownell Toilet Tissue 249649120	210-5-41-21-610.000 General Supplies	69.99	53842	10/18/24
07565	10/14/24	Park Street Maint Supplie 249797423	210-5-30-12-610.000 General Supplies	224.31	53842	10/18/24
17425	10/11/24	Payroll Transfer PR-10/11/24	210-2-00-00-210.004 Retirement Payable	150.00	E1011241	10/11/24
80158	10/11/24	Payroll Transfer PR-10/11/24	210-2-00-00-210.004 Retirement Payable	269.23	E1011242	10/11/24
V1160	10/11/24	Payroll Transfer PR-10/11/24	210-2-00-00-210.004 Retirement Payable	2944.15	E1011243	10/11/24
V1161	10/11/24	Payroll Transfer PR-10/11/24	210-2-00-00-210.004 Retirement Payable	6040.52	E1011244	10/11/24
V1165	10/11/24	Payroll Transfer PR-10/11/24	210-2-00-00-210.002 Federal Inc Tax W/H	43310.12	E1016241	10/11/24
V2413	10/11/24	Payroll Transfer PR-10/11/24	210-2-00-00-210.003 State Inc Tax W/H	5801.79	E1016242	10/11/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-30-10-210.000 Group Insurance	15354.73	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-30-12-210.000 Group Insurance	2518.49	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-2-00-00-210.006 Health Ins. Copay	2191.40	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-12-10-210.000 Group Insurance	1706.07	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-10-10-210.000 Group Insurance	7393.03	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-13-10-210.000 Group Insurance	812.42	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-40-12-210.000 Group Insurance	7823.62	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-35-10-210.000 Group Insurance	9830.25	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-40-13-210.000 Group Insurance	563.00	E1017241	10/17/24
40855	10/16/24	Health Oct 2024 101624 7728	210-5-16-10-210.000 Group Insurance	1624.84	E1017241	10/17/24
25715	10/14/24	Pocket Park survey 22815 101424	220-5-00-00-720.002 1 Main; Road Res-Q	270.00	53775	10/18/24
36240	10/09/24	Crescent Conn DK Invoice 1024017	230-5-16-10-890.824 Cres. Connector	11222.73	53776	10/18/24
22045	10/10/24	const permit 2 Lincoln Oc 2Lincoln	232-5-41-20-890.832 2 Lincoln Street Renovati	21920.00	53746	10/11/24
39425	10/11/24	2 Lincoln Renovation Sept 5512 21-1457	232-5-41-20-890.832 2 Lincoln Street Renovati	22775.29	53827	10/18/24
20365	08/09/24	EJRP Turck 252341	233-5-00-00-750.001 Maintenance Equipment	16348.00	53798	10/18/24
05290	10/04/24	HEADLGH-T-SILVERSTAR 2 E 5 552427851894	254-5-54-20-433.000 R&M Infrastructure	34.99	53748	10/18/24
23435	09/30/24	Water Sep 2024 093024	254-5-54-70-411.400 CWD Water Purchase - Glob	256677.95	53765	10/18/24

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
23435	09/30/24	Water Sep 2024 093024	254-5-54-20-411.000 CWD Water Purchase	917.75	53765	10/18/24
23435	09/30/24	Water Sep 2024 093024	254-5-54-20-411.000 CWD Water Purchase	52660.50	53765	10/18/24
23435	09/30/24	Water Sep 2024 093024	254-5-54-70-411.400 CWD Water Purchase - Glob	4473.30	53765	10/18/24
20470	09/30/24	Sept Fuel 320718	254-5-54-20-626.000 Gasoline	194.32	53784	10/18/24
V10130	09/18/24	water supplies 86666	254-5-54-20-610.000 General Supplies	103.02	53800	10/18/24
27840	10/17/24	Life Ins Nov 2024 1653096	254-5-54-20-210.000 Group Insurance	51.24	53801	10/18/24
03070	10/16/24	UB Postage Oct 2024 101624	254-5-54-20-560.000 Postage	607.07	53804	10/18/24
80059	10/02/24	Project 1461-001 ESSEX JU 17097	254-5-54-70-723.006 Service Line Inventoy	13385.16	53805	10/18/24
24960	10/17/24	Dental Nov 2024 101724 6197	254-5-54-20-210.000 Group Insurance	197.17	53809	10/18/24
38680	10/07/24	Training Oct 9, 2024 for 030282848	254-5-54-20-500.000 Training, Conf, Dues	84.00	53840	10/18/24
40855	10/16/24	Health Oct 2024 101624 7728	254-5-54-20-210.000 Group Insurance	3550.29	E1017241	10/17/24
V10609	09/30/24	Touch Panel 415082401175	255-5-55-30-435.000 COGEN	1810.06	53747	10/18/24
42625	10/01/24	Profess 09.01- 09 28.2024 82559	255-5-55-70-730.003 10 Year Engineer Evaluati	1434.00	53750	10/18/24
11375	10/01/24	Grit and Recycling pickup 3618763	255-5-55-30-421.000 Grit Disposal	1260.81	53760	10/18/24
17895	10/01/24	WW Facility Cleaning Sept 15367	255-5-55-30-431.000 R&M Buildings	378.70	53768	10/18/24
80097	09/27/24	Blower #3 VFD replacement 30383542	255-5-55-30-570.000 Other Purchased Services	21934.53	53774	10/18/24
V10347	10/02/24	PEST CONTROL MAINTENANCE 68783022	255-5-55-30-431.000 R&M Buildings	94.95	53778	10/18/24
06870	10/03/24	Essex Jct. WWTF TKN Only 507259	255-5-55-30-340.000 Technical Services	35.00	53779	10/18/24
06870	10/04/24	Sludge Holding Tank #2 507343	255-5-55-30-568.000 Biosolids Subcontractor	645.00	53779	10/18/24
06870	10/09/24	Essex Jct. WWTF TKN Only 507757	255-5-55-30-340.000 Technical Services	35.00	53779	10/18/24
06870	10/15/24	Essex Jct. WWTF BOD 5 Day 508381	255-5-55-30-340.000 Technical Services	70.00	53779	10/18/24
24785	10/15/24	EAR PLUGS and safety glas 9281361387	255-5-55-30-609.000 Safety Supplies	48.18	53785	10/18/24
09050	09/26/24	Door Kit assy & Buffer 14202291	255-5-55-30-618.000 Laboratory Supplies	126.52	53788	10/18/24
09050	09/26/24	Door Kit assy & Buffer 14202291	255-5-55-30-570.000 Other Purchased Services	202.53	53788	10/18/24
V1093	10/10/24	10_10_24 Sodium aluminate I29955	255-5-55-30-619.000 Chemicals	21632.18	53791	10/18/24

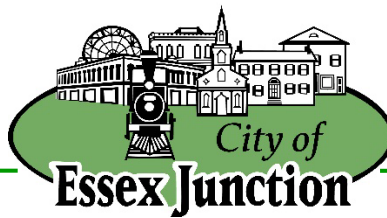
Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
24250	10/11/24	IMPACT FIRE LLC	12+ UNITS ANNUAL FIRE EXT	255-5-55-30-431.000	945.70	53794	10/18/24
			25034556	R&M Buildings			
41005	09/03/24	LARAMIE WATER RESOURCES L	Penn Valley Pump Swap. Mo	255-5-55-70-722.019	9044.15	53799	10/18/24
			1544	Waste Primary Sludge #2 U			
41005	09/13/24	LARAMIE WATER RESOURCES L	EQ Basin Blower #2; Insta	255-5-55-70-722.018	1895.00	53799	10/18/24
			1550	Flow EQ Blowers			
41005	10/08/24	LARAMIE WATER RESOURCES L	EQ blowers alignment and	255-5-55-70-722.018	1791.00	53799	10/18/24
			1574	Flow EQ Blowers			
V10130	09/05/24	LOWE'S BUSINESS ACCOUNT	Lumber project around pla	255-5-55-30-610.000	235.34	53800	10/18/24
			75238	General Supplies			
V10130	09/10/24	LOWE'S BUSINESS ACCOUNT	Lumber and safety glasses	255-5-55-30-609.000	14.19	53800	10/18/24
			92369	Safety Supplies			
V10130	09/10/24	LOWE'S BUSINESS ACCOUNT	Lumber and safety glasses	255-5-55-30-610.000	136.56	53800	10/18/24
			92369	General Supplies			
27840	10/17/24	MADISON NATIONAL LIFE INS	Life Ins Nov 2024	255-5-55-30-210.000	244.12	53801	10/18/24
			1653096	Group Insurance			
19455	10/09/24	NICHEM CO	ACTIVATED CARBON PELLET W	255-5-55-30-435.000	1753.64	53808	10/18/24
			32007	COGEN			
24960	10/17/24	NORTHEAST DELTA DENTAL	Dental Nov 2024	255-5-55-30-210.000	382.84	53809	10/18/24
			101724 6197	Group Insurance			
19325	10/01/24	OPEN APPROACH INC	Connect Wise IT Services	255-5-55-30-505.000	50.00	53810	10/18/24
			24199	Tech. Subs, Licenses			
80161	10/09/24	ROUND HILL FENCE & SECURI	Service Call on 9-17-24 t	255-5-55-30-431.000	641.66	53823	10/18/24
			19037	R&M Buildings			
29835	10/10/24	SHERWIN-WILLIAMS	3 Paint rollers	255-5-55-30-611.000	14.81	53830	10/18/24
			51366	Small Tools & Equipment			
29835	10/10/24	SHERWIN-WILLIAMS	3 Paint rollers	255-5-55-70-722.008	7.25	53830	10/18/24
			51366	Vt Phos Challenge PePhlo			
29835	10/07/24	SHERWIN-WILLIAMS	3 gallons of paint clear	255-5-55-70-722.008	59.67	53830	10/18/24
			80077	Vt Phos Challenge PePhlo			
V2093	10/07/24	SLACK CHEMICAL COMPANY IN	Bleach 15%- EXP 6/30/25 C	255-5-55-30-619.000	10257.01	53831	10/18/24
			477814	Chemicals			
04595	10/02/24	TMDE CALIBRATION LABS	On Site Calibration Date	255-5-55-30-340.000	1350.00	53833	10/18/24
			52070	Technical Services			
40855	10/16/24	CIGNA HEALTH AND LIFE INS	Health Oct 2024	255-5-55-30-210.000	6366.93	E1017241	10/17/24
			101624 7728	Group Insurance			
80079	09/06/24	GANNETT NEW ENGL LOCALIQ	Pipeline and Manhole Reha	256-5-56-70-722.001	485.52	53782	10/18/24
			0006681629	Manhole Rehab			
20470	09/30/24	GLOBAL MONTELLO ATT: FLEE	Sept Fuel	256-5-56-40-626.000	219.58	53784	10/18/24
			320718	Gasoline			
07010	10/10/24	GREEN MOUNTAIN POWER CORP	GMP Multi Solar 09/09/24-	256-5-56-40-434.001	74.30	53786	10/18/24
			101024D	Susie Wilson PS Costs			
07010	10/10/24	GREEN MOUNTAIN POWER CORP	GMP Multi Solar 09/09/24-	256-5-56-40-434.002	87.97	53786	10/18/24
			101024D	West Street PS Costs			
07010	10/10/24	GREEN MOUNTAIN POWER CORP	GMP Multi Solar 09/09/24-	256-5-56-40-622.000	116.79	53786	10/18/24
			101024D	Electricity			
27840	10/17/24	MADISON NATIONAL LIFE INS	Life Ins Nov 2024	256-5-56-40-210.000	80.52	53801	10/18/24
			1653096	Group Insurance			
03070	10/16/24	MINUTEMAN PRESS	UB Postage Oct 2024	256-5-56-40-560.000	1232.55	53804	10/18/24
			101624	Postage			

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
24960	10/17/24	NORTHEAST DELTA DENTAL Dental Nov 2024 101724 6197	256-5-56-40-210.000 Group Insurance	177.99	53809	10/18/24
11555	10/01/24	RUSSELL RESOURCES INC West ST Pump #2 emergency 246178	256-5-56-70-722.009 West St PS Emergency Repa	24668.61	53824	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	256-5-56-40-622.000 Electricity	739.80	53826	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	256-5-56-40-434.001 Susie Wilson PS Costs	521.15	53826	10/18/24
17505	10/14/24	SAND HILL SOLAR LLC KSI I Sand Hill Solar 09/09/24- 270101424	256-5-56-40-434.002 West Street PS Costs	664.23	53826	10/18/24
40855	10/16/24	CIGNA HEALTH AND LIFE INS Health Oct 2024 101624 7728	256-5-56-40-210.000 Group Insurance	2331.64	E1017241	10/17/24
05290	10/03/24	ADVANCE AUTO PARTS Pool Closing 455242775	259-5-30-11-431.000 R&M Buildings & Grounds	75.48	53748	10/18/24
07305	09/30/24	AIRGAS USA LLC Pool Chemicals 5510838230	259-5-30-11-431.000 R&M Buildings & Grounds	207.00	53749	10/18/24
19815	10/02/24	AMAZON CAPITAL SERVICES RK MSP Supplies 136RNXPOGMVN	259-5-30-15-610.000 General Supplies	141.19	53752	10/18/24
19815	10/15/24	AMAZON CAPITAL SERVICES RK Summit Supplies 14D4WHTF3MKG	259-5-30-15-610.000 General Supplies	9.99	53752	10/18/24
19815	10/05/24	AMAZON CAPITAL SERVICES Preschool Supplies 16GR4PL9649J	259-5-30-16-610.000 General Supplies	14.98	53752	10/18/24
19815	10/07/24	AMAZON CAPITAL SERVICES RK MSP Aspire Supplies 1DJYR7XCN6Q6	259-5-30-15-610.000 General Supplies	105.60	53752	10/18/24
19815	10/15/24	AMAZON CAPITAL SERVICES RK Supplies 1F1LC4CD17ND	259-5-30-15-610.000 General Supplies	19.40	53752	10/18/24
19815	10/09/24	AMAZON CAPITAL SERVICES RK Westford Supplies 1F46WLPXNT3M	259-5-30-15-610.000 General Supplies	67.06	53752	10/18/24
19815	10/03/24	AMAZON CAPITAL SERVICES RK Westford Supplies 1FXP3VXJMF9X	259-5-30-15-610.000 General Supplies	68.64	53752	10/18/24
19815	10/08/24	AMAZON CAPITAL SERVICES RK EES Supplies 1GPNLJQK1KFX	259-5-30-15-610.000 General Supplies	62.98	53752	10/18/24
19815	10/10/24	AMAZON CAPITAL SERVICES RK FMS Supplies 1JMDWR9L36CV	259-5-30-15-610.000 General Supplies	120.19	53752	10/18/24
19815	10/01/24	AMAZON CAPITAL SERVICES Preschool Supplies 1K9JQFHX39XX	259-5-30-16-610.000 General Supplies	18.04	53752	10/18/24
19815	10/06/24	AMAZON CAPITAL SERVICES RK EES Supplies 1L1KVCXTDQ6T	259-5-30-15-610.000 General Supplies	320.80	53752	10/18/24
19815	10/15/24	AMAZON CAPITAL SERVICES Halloween Event Supplies 1NMJFN6DPJ3Y	259-5-30-14-610.000 General Supplies	39.96	53752	10/18/24
19815	10/01/24	AMAZON CAPITAL SERVICES RK Westford Supplies 1PMDWW4C3FKD	259-5-30-15-610.000 General Supplies	16.82	53752	10/18/24
19815	10/12/24	AMAZON CAPITAL SERVICES RK Summit Supplies 1QY7CM3JTYNP	259-5-30-15-610.000 General Supplies	344.79	53752	10/18/24
19815	10/15/24	AMAZON CAPITAL SERVICES RK Fleming Supplies 1TPRWP1C4LD4	259-5-30-15-610.000 General Supplies	73.72	53752	10/18/24
19815	10/15/24	AMAZON CAPITAL SERVICES RK MSP Aspire Supplies 1VMTH16D3Q11	259-5-30-15-610.000 General Supplies	4.83	53752	10/18/24
19815	10/02/24	AMAZON CAPITAL SERVICES RK FMS Supplies 1VT19YVGFMKT	259-5-30-15-610.000 General Supplies	109.47	53752	10/18/24

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
19815	10/01/24	AMAZON CAPITAL SERVICES Behavior Support Supplies	259-5-30-15-610.000	19.98	53752	10/18/24
		1X9PJN1636TK	General Supplies			
19815	10/08/24	AMAZON CAPITAL SERVICES RK MSP EES Supplies	259-5-30-15-610.000	19.89	53752	10/18/24
		1YF19JH93OR6	General Supplies			
19815	10/01/24	AMAZON CAPITAL SERVICES RK Westford Supplies	259-5-30-15-610.000	29.99	53752	10/18/24
		1YFHLTTN3JFM	General Supplies			
25595	10/09/24	AMERICAN RED CROSS RK CPR Training	259-5-30-15-330.000	380.00	53755	10/18/24
		22729757	Professional Services			
17895	10/01/24	CLEAN NEST EJRP Cleaning Sept	259-5-30-16-420.000	2818.00	53768	10/18/24
		15368	Cleaning Services			
25120	10/03/24	CLICKTIME.COM EJRP Timesheets Sept	259-5-30-10-505.000	856.00	53769	10/18/24
		438053	Tech. Subs, Licenses			
20470	09/30/24	GLOBAL MONTELLO ATT: FLEE Sept Fuel	259-5-30-15-626.000	86.36	53784	10/18/24
		320718	Gasoline			
80025	10/15/24	HARMAN, VENESSA RK Refund-Harman \$410	259-4-30-15-020.313	410.00	53790	10/18/24
		196650	Childcare - AS			
80025	05/13/24	HOOD, ANDREW Summer Camp Refund-Hood \$	259-4-30-17-020.313	445.00	53793	10/18/24
		185377	Childcare - DC			
20365	08/09/24	KEY CHEVROLET BUICK GMC C EJRP Turck	259-5-30-12-330.000	33122.00	53798	10/18/24
		252341	Professional Services			
27840	10/17/24	MADISON NATIONAL LIFE INS Life Ins Nov 2024	259-5-30-15-210.000	475.29	53801	10/18/24
		1653096	Group Insurance			
27840	10/17/24	MADISON NATIONAL LIFE INS Life Ins Nov 2024	259-5-30-16-210.000	255.18	53801	10/18/24
		1653096	Group Insurance			
24960	10/17/24	NORTHEAST DELTA DENTAL Dental Nov 2024	259-5-30-16-210.000	484.46	53809	10/18/24
		101724 6197	Group Insurance			
24960	10/17/24	NORTHEAST DELTA DENTAL Dental Nov 2024	259-5-30-15-210.000	299.37	53809	10/18/24
		101724 6197	Group Insurance			
19325	09/30/24	OPEN APPROACH INC RecKids Laptop Imaging	259-5-30-15-330.000	270.00	53810	10/18/24
		24227	Professional Services			
19325	09/30/24	OPEN APPROACH INC RecKids Laptop Imaging	259-5-30-15-330.000	135.00	53810	10/18/24
		24228	Professional Services			
29425	10/02/24	PERFORMANCE FOOD SERVICE RK Westford Snack	259-5-30-15-610.000	85.65	53813	10/18/24
		254171	General Supplies			
29425	10/07/24	PERFORMANCE FOOD SERVICE RK FMS Snack	259-5-30-15-610.000	172.12	53813	10/18/24
		257326	General Supplies			
29425	10/08/24	PERFORMANCE FOOD SERVICE RK Sum/Hia K Snack	259-5-30-15-610.000	80.67	53813	10/18/24
		258793	General Supplies			
29425	10/08/24	PERFORMANCE FOOD SERVICE RK Snack	259-5-30-15-610.000	42.22	53813	10/18/24
		258930	General Supplies			
29425	10/08/24	PERFORMANCE FOOD SERVICE RK Fleming Snack	259-5-30-15-610.000	208.93	53813	10/18/24
		258931	General Supplies			
29425	10/15/24	PERFORMANCE FOOD SERVICE RK Westford Snack	259-5-30-15-610.000	188.76	53813	10/18/24
		260405	General Supplies			
29425	10/14/24	PERFORMANCE FOOD SERVICE RK FMS Snack	259-5-30-15-610.000	199.54	53813	10/18/24
		260981	General Supplies			
29425	10/16/24	PERFORMANCE FOOD SERVICE RK FMS Snack	259-5-30-15-610.000	32.18	53813	10/18/24
		260983	General Supplies			
29425	10/15/24	PERFORMANCE FOOD SERVICE RK Aspire K Snack	259-5-30-15-610.000	208.56	53813	10/18/24
		262673	General Supplies			

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
29425	PERFORMANCE FOOD SERVICE	10/15/24	RK Sum/Hia MSP Snack 262690	259-5-30-15-610.000 General Supplies	249.66	53813	10/18/24
29425	PERFORMANCE FOOD SERVICE	10/15/24	RK Hiawatha Snack 262975	259-5-30-15-610.000 General Supplies	196.11	53813	10/18/24
29425	PERFORMANCE FOOD SERVICE	10/16/24	RK EES Snack 263551	259-5-30-15-610.000 General Supplies	288.57	53813	10/18/24
80071	PLUM THERAPY LLC KATRINA	10/14/24	Clinical Supervision Sept 101424D	259-5-30-15-330.000 Professional Services	300.00	53815	10/18/24
80099	RAGALS EMILY	04/09/24	EJRP Staff CPR 4/4 040924D	259-5-30-15-330.000 Professional Services	14.00	53819	10/18/24
20620	RASCO LAURA	10/10/24	Playgroup September 101024D	259-5-30-14-330.000 Professional Services	240.00	53820	10/18/24
80073	READ, GEOFFREY	10/03/24	RecTrac Integration Servi 100324D	259-5-30-15-330.000 Professional Services	300.00	53821	10/18/24
V10199	SAMMEL GROUP SIGN COMPANY	10/09/24	EJRP Truck Graphics 1217	259-5-30-12-330.000 Professional Services	300.00	53825	10/18/24
10435	SCREENMYLOGO.COM	10/03/24	Fall Running Series Shirt 21059	259-5-30-14-610.000 General Supplies	640.00	53828	10/18/24
26445	TUDOR CHRISTOPHER L	10/07/24	Pickleball Clinics Sept 356	259-5-30-14-330.000 Professional Services	525.00	53834	10/18/24
25315	VESPA'S PIZZA PASTA & DEL	10/03/24	RK Staff Training 10/3 100324D	259-5-30-15-610.000 General Supplies	232.56	53835	10/18/24
07565	W B MASON CO INC	10/02/24	RK Supplies 249562117	259-5-30-15-610.000 General Supplies	84.44	53842	10/18/24
40855	CIGNA HEALTH AND LIFE INS	10/16/24	Health Oct 2024 101624 7728	259-5-30-15-210.000 Group Insurance	8124.20	E1017241	10/17/24
40855	CIGNA HEALTH AND LIFE INS	10/16/24	Health Oct 2024 101624 7728	259-5-30-16-210.000 Group Insurance	8936.64	E1017241	10/17/24
Report Total					755998.32		
					=====		

To the Treasurer of City of Essex Junction, We Hereby certify
that there is due to the several persons whose names are
listed hereon the sum against each name and that there
are good and sufficient vouchers supporting the payments
aggregating \$ ***755,998.32
Let this be your order for the payments of these amounts.



MEMORANDUM

To: City Council
From: Christopher Yuen, Community Development Director
Meeting Date: 10/30/2024
Subject: Land Development Code Amendments

Issue

The Planning Commission will be holding a public hearing on a proposed set of amendments to the Land Development Code on November 7, 2024, at 6:30pm

Discussion

Since early 2024, the Planning Commission has been preparing a set of amendments to the Land Development Code (LDC). The amendments are intended to be mostly technical fixes, and minor adjustments to ease the permitting process for middle housing. This is distinct from the larger Connect the Junction Transit Oriented Development master plan process currently underway, which will eventually lead to a Comprehensive Plan update and further LDC amendments.

Some notable proposals include:

- A new set of sign regulations adapted from the City of Burlington that meet current requirements for content neutrality,
- The simplification of the permitting requirements for triplexes and fourplexes,
- The clarification and adjustment of certain site layout and dimensional standards to allow and encourage the replication of historic development patterns for small-scale multi-unit residential developments. For example, front setback requirements and special design standards in certain districts have been adjusted to encourage the placement of parking at the side or rear of triplexes and four-plexes.
- Allowing up to two principal buildings on most residential zoning districts, to offer flexibility for multiple smaller structures, instead of a single, larger structure. Building size and placement would continue to be regulated by lot coverage limits, height limits, and minimum setback requirements.
- Removal of certain stormwater regulations from the LDC which fall within the scope of a future City Stormwater Ordinance.
- Adding a 50-foot minimum setback requirement for outdoor cannabis cultivations, as enabled by Act 166 of 2024 (H.612), starting on January 1, 2025.

A full summary of the amendments as proposed is attached. See the “Essex Junction planning Commission Reporting Form for Land Development Code Amendments” as approved by the Planning Commission on October 10, 2024.

The draft LDC amendment text is available on the City’s website [here](#), or at <https://www.essexjunction.org/boards/planning-commission>.

Note that the Planning Commission may still make additional changes to the amendments after the public hearing. The Planning Commission will officially submit a recommended version of the LDC amendments to the City Council once the additional changes are incorporated.

Cost

This item is for information only.

Recommendation

This item is for information only.

Attachments:

- Summary Report for Proposed Land Development Code Amendments - November 7, 2024
- [Proposed Land Development Code Amendments Text - November 7, 2024](https://www.essexjunction.org/boards/planning-commission) – available online at <https://www.essexjunction.org/boards/planning-commission>.

Essex Junction Planning Commission Reporting Form for Land Development Code Amendments

The following report was approved by the Planning Commission on October 10, 2024.

This report is in accordance with 24 V.S.A. §4441(c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments..... The report shall provide(:)

(A) brief explanation of the proposed bylaw, amendment, or repeal andinclude a statement of purpose as required for notice under §4444 of this title,

Overall purpose of the proposed Land Development Code (LDC) amendments:

1. Replacement and reorganization of sign regulations to be content-neutral, based on 2015 and 2022 Supreme Court caselaw specifying that local governments may only regulate signage based on content neutral criteria such as size, materials, lighting, moving parts, and portability. The text and formatting of the amended sign regulations have been adapted from the zoning text of a nearby municipality (Burlington VT), with specific regulations adjusted based on local context.
2. Adjustment of density limits in residential and Residential-office districts to meet the requirements of the Vermont HOME Act of 2023 (Act 47) and to help meet statewide housing production goals.
3. Adjustment of site layout and dimensional standards to allow and encourage the replication of historic development patterns for duplexes, triplexes, and four-plexes.
4. Removal of certain stormwater regulations from the LDC which fall within the scope of a future City Stormwater Ordinance.
5. Addition of standards for the year-round operation of food carts in areas where similar uses are currently permitted.
6. Adjustment of language and grammar throughout the document to improve consistency and for demographic and cultural inclusivity.
7. Incorporation of recent State Statute changes.
8. Correction of technical inconsistencies, clarification and adjustment of certain design standards and review procedures.

(A)nd shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:*

The proposed amendments conform with the goals and policies of the City’s Comprehensive Plan by enabling increased housing stock, encouraging economic development, and reducing

environmental impact as called for in the Comprehensive Plan. This is achieved through various technical requirements and procedural adjustments in the zoning bylaw.

2. *Is compatible with the proposed future land uses and densities of the municipal plan:*

The proposed amendments are compatible with the proposed future land uses and densities of the municipal plan, except where superseded by new requirements of state statute.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.”*

The proposed amendments do not carry out any specific proposals for planned community facilities and it would not impact any plans for community facilities.

General amendments throughout the LDC include:

- Zoning district acronyms have been standardized for consistency.
- References to “Use Table”, “Table of Uses” and “Use Chart” have been standardized to “Use Chart”.
- References to “Church” have been changed to “Place of Worship” for more cultural inclusivity.

Chapter 2: Definitions

Specific amendments in this chapter include:

- Removed most sign definitions which were integrated within Sign Standards in Section 714. [Section 201.G]
- Clarified the definition of “Temporary Structure” [Section 201.C]
- Definition of “Family” has been modified to remove limits on unrelated persons living together. This change is intended to enable a diverse spectrum of living arrangements outside of the traditional nuclear family. Since the passage of H.687 (Act 181 of 2024), by the State Legislature, 24 V.S.A. § 4412 now prohibits municipalities from prohibiting unrelated occupants from residing in the same dwelling unit. [Section 201.C]
- Definition of “impervious surface” “Illicit connection” and “illicit discharge” have been changed or removed to align with the City’s future storm water ordinance. [Section 201.C and Section 201.H]
- Definition of “lot coverage” has been clarified to include swimming pools and decks, while excluding stormwater permeable driveways (Section 201.C)

Chapter 5: Development Review Procedures

Specific amendments in this chapter include:

- Limitations on municipal powers to regulate certain uses such as Schools, Hospitals, and Emergency Shelters have been clarified in accordance with 24 V.S.A. § 4413. [Section 502.C]
- Clarified how development applications that do not fall under a defined category in the Use Chart [Section 622] are to be reviewed. [Sections 502.B - 502.D]

- Extended the option for administrative review of single-family dwellings and duplexes to developments with up to four housing units within one lot to reduce barriers for small-scale development. (Section 502.F)
- Added a requirement for the submission of floor plans for the developments except for applications only involving a single-family dwelling. (Sections 502.A and 502.F)
- Moved approval procedure for sign permits to Section 714 for clarity. [Section 502.H]

Chapter 6: Zoning Districts Regulations

General amendments in this section include:

- Grammar corrections and minor formatting changes.

Specific amendments in this chapter include:

- Corner lots in all districts are deemed to have two front yards (one on each street), two side yards, and no rear yards. (Section 600.C)
- Increased the number of permissible principal buildings on each lot in the MF1, MF2, R-O, R1, R2 districts from 1 to 2, to allow for the flexibility for building multiple smaller structures, instead of a single, larger structure. Building size and placement would continue to be regulated by lot coverage limits, height limits, and minimum setback requirements. [Sections 601.B, 602.B, 618.B and 619.B]
- Clarified minimum and maximum front yard setback requirements in the MF1, MF2, MF3, VC, R-O, PA, R1, and R2 Districts. [Sections 601.C.1, 602.C.1, 603.C.1, 604.C, 609.C.1, 613.C.1, 618.C.1, and 619.C.A]
- Reduced minimum front yard setback requirements to 15 feet in the MF1, MF3, R-O, and MCU districts. This is intended to more closely matches historic development patterns and would allow for more predictable development outcomes while encouraging duplexes, triplexes, and fourplexes to place parking at the side or rear the house. [Sections 601, 603, 603.C.1, 609.C.1, and 615.C.1]
- The Multi-Family-3 (MF-3) zoning district's density limits have been raised to 4 units per lot to meet the requirements of the HOME Act (Act 47) of 2023. This was a technical oversight in the 2023 LDC amendments. [Section 603.D]
- Simplified the structure of density limits for the Multi-Family 3 (MF3) and Residential Office (RO) districts by removing incremental lot-size requirements for additional units within the same structure. [Sections 603.B and 609.B]
 - These districts serve as transition zones between the denser, mixed-use districts near the City Center and the smaller-scale residential neighborhood districts. Ever since the 2023 HOME Act- related zoning changes allowing up to four (4) total units per lot, the MF3 and RO districts' density caps have been lower than the R1 and R2 Residential districts.
 - There is no planning justification for this unusual density pattern, and thus MF3 and RO districts were adjusted to match surrounding districts' density limits.
- Reinstated rear setback minimum for Residential Office (RO) district that was erroneously removed from the from the LDC in 2011. [Section 609.C]

- Added Parking spaces as a use subject to the 15-foot minimum rear setback requirement in the R1 District instead of the 25-foot general rear setback requirement. This is to match the 15-foot minimum rear setback requirement currently in effect for accessory structures, including detached garages. [Section 619.C3]
- For the R1 and R2 Districts, clarified design standard by replacing the requirement for “traditional detached frontage style home” with a requirement that at least one dwelling unit must have a primary pedestrian entrance facing the street. [Sections 618.H.1 and 619.H.1]
- For residential lots with up to four dwelling units, clarified design standard by adjusting regulations on maximum curb cut, driveway, and parking widths. This change is intended to better accommodate small-scale development while maintaining a pedestrian-friendly environment and minimizing visual impact. [Sections 618.H.2, 619.H.2 and 705.B]
- Added subsection clarifying review process for Uses not Specified in Use Chart outlined in Sections 502.B and 502.C [Section 622.E]
- Added Day Care and Family Care homes and facilities as permitted and conditional uses in the Planned Agriculture (PA) and Highway-Arterial (HA) districts to support existing and future residential development in these districts. [Section 622]
- Added “Aerodrome” as a prohibited use in all zoning districts. Aerodrome includes airstrips and aircraft landing pads (Section 622)

Chapter 7: General Development Standards

General amendments in this chapter include:

- Grammar corrections and minor formatting changes.

Specific amendments in this chapter include:

- Added standards for the review and approval of the year-round siting of food trucks on private properties in zoning districts where “eating and drinking establishment” is a permitted use [Sections 201.C; 502.F; and 727]
- Added language to allow for tandem parking spaces assigned to individual households to allow for more spatially efficient parking lot layouts. [Section 703.K.15]
- Moved regulations regarding holiday lights, and lighting directed at sign surfaces from the Sign Standards Section to the Lighting Section, for clarity and consistency. [Section 704.B and Section 704.E.3]
- Adjusted lighting regulations to allow for use of string lights within certain hours. [Section 704.B.10]
- Adjusted lighting regulations to extend the exemption for the requirement for a zoning permit prior to the installation and replacement of lighting fixtures on single family homes and duplexes, to cover housing developments with five or fewer housing units. [Section 704.C]
- Adjusted technical specifications for lighting on residential and commercial properties. (Sections 704.B, and 704.F)
- Added parking within two feet of the side property line as a set-back exception, as long as they are screened from view from the adjacent property with a fence or hedges. [Section 706.C.1]
- Consolidated regulations on the placement of flagpoles and the display of flags to Section 714 Sign Standards chapter. [Section 706.C.6.d]

- Added a 50-foot minimum setback requirement for outdoor cannabis cultivations, as enabled by Act 166 of 2024 (H.612), starting on January 1, 2025. [Section 726]
- To align with the City's future storm water ordinance, a reference to the Town of Essex's Storm Water Ordinance was removed. Requirements to minimize erosion and control sediment from construction sites have been added [Section 713]
- Section 714's Sign standards have been fully replaced and reorganized to be content-neutral, based on 2015 and 2022 supreme court caselaw specifying that local governments may only regulate signage based on content neutral criteria such as size, materials, lighting, moving parts, and portability. The text and formatting of the amended sign regulations have been adapted from the zoning text of a nearby municipality (Burlington VT), with specific regulations adjusted based on local context. [Section 714]
 - Added new permit requirements for neon Window Signs. [714.L]
 - On large lots where a second freestanding sign is permitted, the allowable size for this second sign has been increased from 20 to 30 sq ft to offer a viable pathway to compliance for businesses that currently rely on the permanent display of temporary signs for visibility. [Section 714.L]
 - Wall Signs within 50' of the nearest public road have been increased to be capped at 80 sq ft. This was a compromise to ensure that signs located at auto-oriented commercial developments can be sufficiently viewed from the road while ensuring that future, human-scale redevelopment with shorter setbacks can limit signs to more reasonable sizes. [Section 714.L]
 - Added flexibility for the placement of sandwich board -either within 15' of the front door of a business or within 15' from a vehicular or pedestrian entrance to the property on which the business is located. This change is intended to extend the applicability of the regulation to more types of business properties. Sandwich Boards would still be required to be removed outside of business hours. [Section 714.L]
 - Allowed for the use of Marquee Signs in more zoning districts with the added requirement that Marquee Signs located within the Design Review Overlay District (DRO) go through approval by the Development Review Board [Sections 714.L and 714.M]
 - Created a table listing permissible sign types by zoning district [Section 714.M.2]
- Modified the language of Planned Unit Development (PUD) open space requirements to allow for balconies in multi-story, multi-unit buildings in lieu of traditional private yard space. [Section 723]
- Added Electric Supply Equipment to the list of structures exempt from setback requirements [Section 706.C.9]

Chapter 8: Nonconformities

Specific amendments in this chapter include:

- Removed Sections 804 and 805 on Non-Conforming Signs, now located in Sign Standards.

Zoning Map

A correction to the zoning map has been made to restore zoning changes made in 2004, which were

removed from subsequent versions of the zoning map from 2005 onwards due to an administrative error. The following zoning changes from 2004 have been restored:

1. From Residential/Office (R-O) to Mixed Commercial Use (MCU) at 47 and 48 Park Street.
2. From Multi-Family 3 (MF3) to Residential-2 (R2) for all the properties along Oak Street.
3. From Residential/Office (R-O) to Residential-2 (R2) on the property at 43 Pearl Street
4. From Multi-Family-1 (MF1) to Multi-Family-2 (MF2) at the Green Meadows and Amber Lantern Apartments off Thasha Lane (later renamed called Autumn Pond)
5. From Multi-Family-1 (MF1) to Multi-Family-2 (MF2) at 61-69 Maple Street, the Mapleton Apartments
6. From Residential/Office (R-O) to Residential-2 (R2) on the east side of Park Street between Silver Bow Terrace and River Street.

Appendix A: Public Works Details

Public Works Details have been amended.



**IN JANUARY 2025, WE WILL BE LAUNCHING A STORMWATER UTILITY.
THE FIRST BILL WILL BE SENT TO RESIDENTS IN FEBRUARY 2025.**

STORM WATER UTILITY

What is Stormwater and why do we need a Stormwater Utility

- Stormwater is the water that flows off of impervious surfaces, such as roads, driveways, and rooftops, carrying sediment and surface pollutants into our streams and Lake Champlain.
- The Essex Junction Stormwater Utility is in response to State-mandated permitting, which requires the City to manage and decrease the amount of stormwater runoff entering local waterways and Lake Champlain.
- A stormwater utility creates a fair, equitable, and stable source of funding for stormwater management that is paid by all properties, including tax-exempt.

How would the Stormwater Utility be structured?

- The utility fee would apply to taxable and tax-exempt properties and be dedicated to funding essential stormwater infrastructure and administrative costs.
- It would be structured similarly to water or sewer fees and based on a property's impervious surface (rooftops, paved driveways, etc, shown in blue in the photo.).
- It would also be part of the utility bill sent tri-annually for sewer and water use.



How is the utility fee calculated?

- The Equivalent Residential Unit (ERU) has been established as the standard unit of charge.
- For single-family homes, duplexes, and triplexes, the charge will be 1 ERU.
- Non-single-family residential property fees will be calculated based on their measured impervious area.

Annual Fee = # ERUs x ERU Rate

**The annual ERU rate is estimated to be
\$75-80 for 2025.**

What happens next, and where do I get more information?

- The City anticipates presenting a Stormwater Utility ordinance at an upcoming City Council meeting in November.
- For updates on the stormwater utility, visit the stormwater utility page at www.essexjunction.org/departments/stormwater.
- Contact Chelsea Mandigo, Water Quality Superintendent, at chelsea@essexjunction.org.



September 11, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Changes in Latitude– Jimmy Buffet Tribute Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreen to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Changes in Latitude Concert event held in the Grandstand at the CVE facility on August 27, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The concert was a nearly one and half hour music event with the monitoring covering the entire timeframe. The music began at approximately 7:00 pm on the Grandstand stage and concluded at approximately 8:30 pm.

The weather for the Tuesday night show was fair skies with temperatures in the high to mid-70's and winds out of the south up to 10 mph. Sound monitoring along both the eastern and western boundaries began at approximately 7:00 pm and the sound monitoring concluded after the show by 8:30 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	71.4	71.3
Max Sound Level (dBA)	75.8	75.9
Time Above Max Level (min)	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

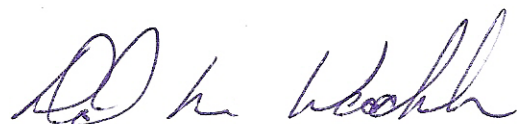
Table 2: West Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	62.8	59.9
Max Sound Level (dBA)	72.4	68.8
Time Above Max Level (min)	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Changes in Latitude Concert event held on August 27, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

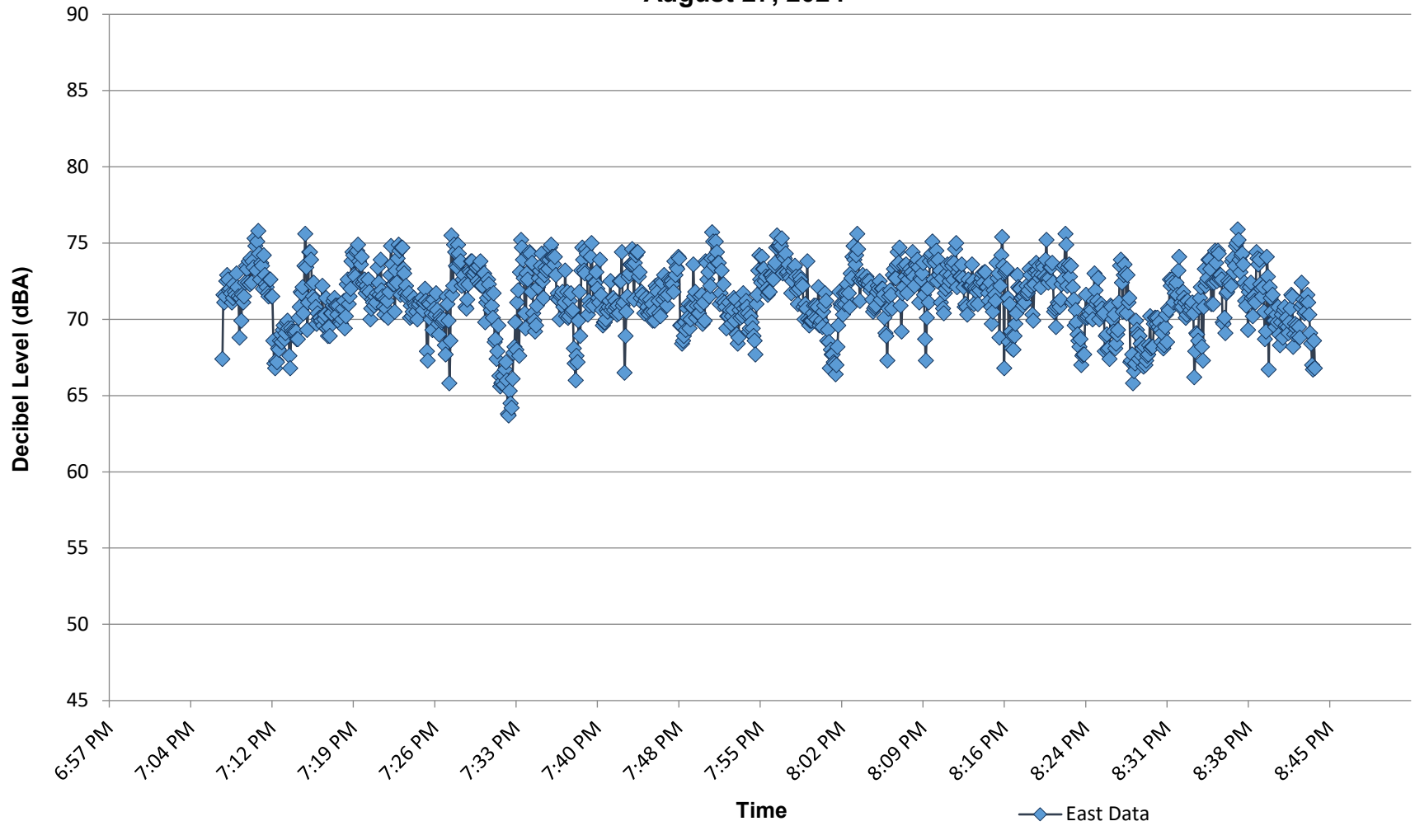
Best regards,



Principal

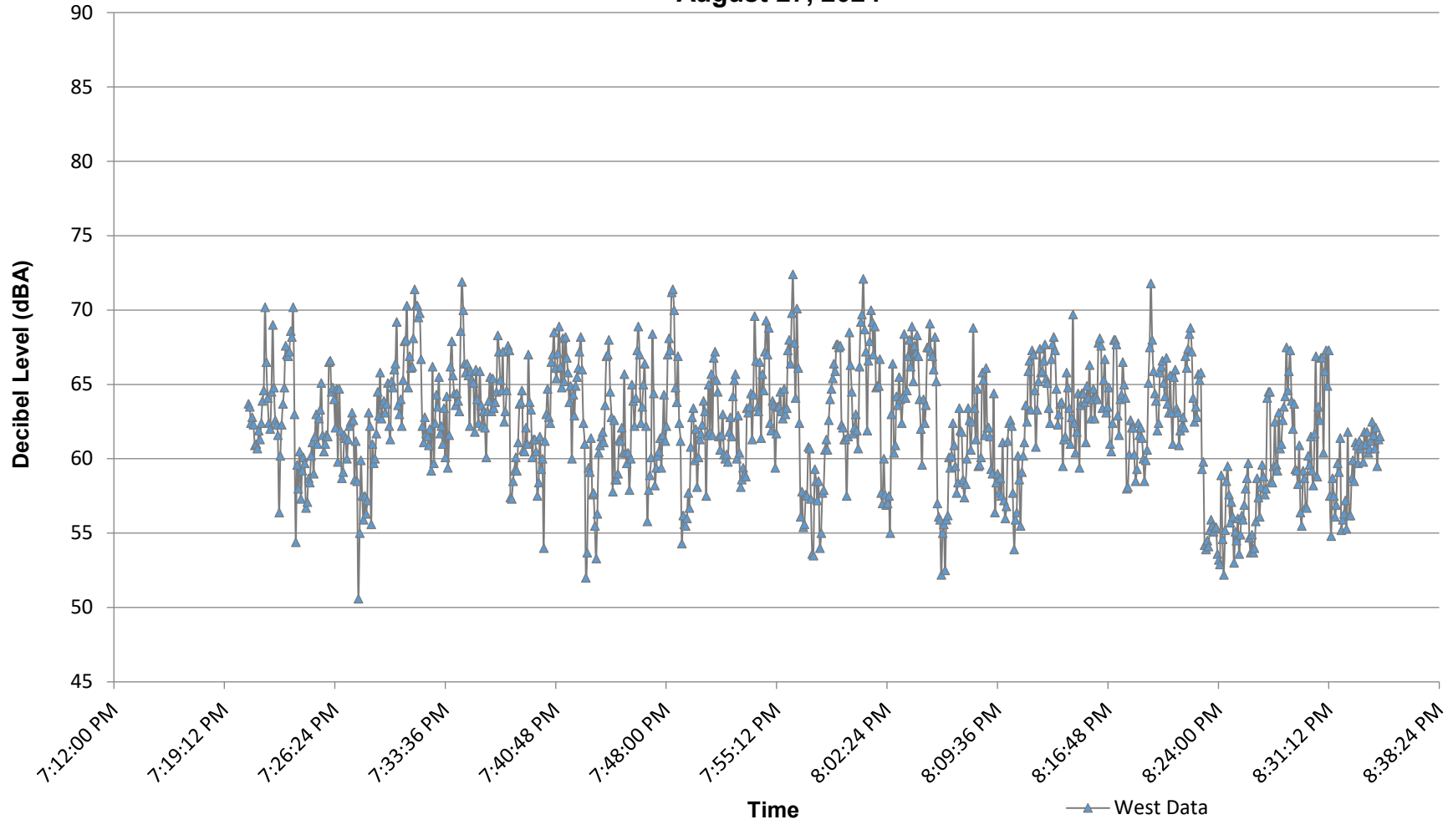
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**Champlain Valley Exposition
 Changes in Latitude - Jimmy Buffet Tribute Concert - East Boundary Noise Monitoring
 August 27, 2024**



	Hour 1	Hour 2
Hourly Avg	71.4	71.3
Max Levels	75.8	75.9
Exceeding Limit (min)	0.0	0.0

**Champlain Valley Exposition
Changes in Latitude - Jimmy Buffet Tribute Concert - West Boundary Noise Monitoring
August 27, 2024**



	Hour 1	Hour 2
Hourly Avg	62.8	59.9
Max Levels	72.4	68.8
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0



September 21, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Cole Swindell Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreen to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Cole Swindell Concert event held in the Grandstand at the CVE facility on August 30, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The concert was a nearly one and half hour music event with the monitoring covering the entire timeframe. The music began at approximately 7:00 pm on the Grandstand stage and concluded at approximately 9:30 pm.

The weather for the Friday night show was cloudy skies with temperatures in the mid-60's and winds out of the south up to 10 mph. Sound monitoring along both the eastern and western boundaries began at approximately 7:00 pm and the sound monitoring concluded after the show at approximately 9:30 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	71.1	71.1	70.7
Max Sound Level (dBA)	75.2	84.3	75.2
Time Above Max Level (min)	0.0	0.1	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

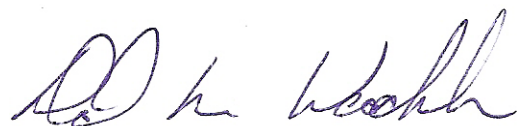
Table 2: West Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	65.3	68.0	64.5
Max Sound Level (dBA)	75.4	75.7	78.6
Time Above Max Level (min)	0.0	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Cole Swindell Concert event held on August 30, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

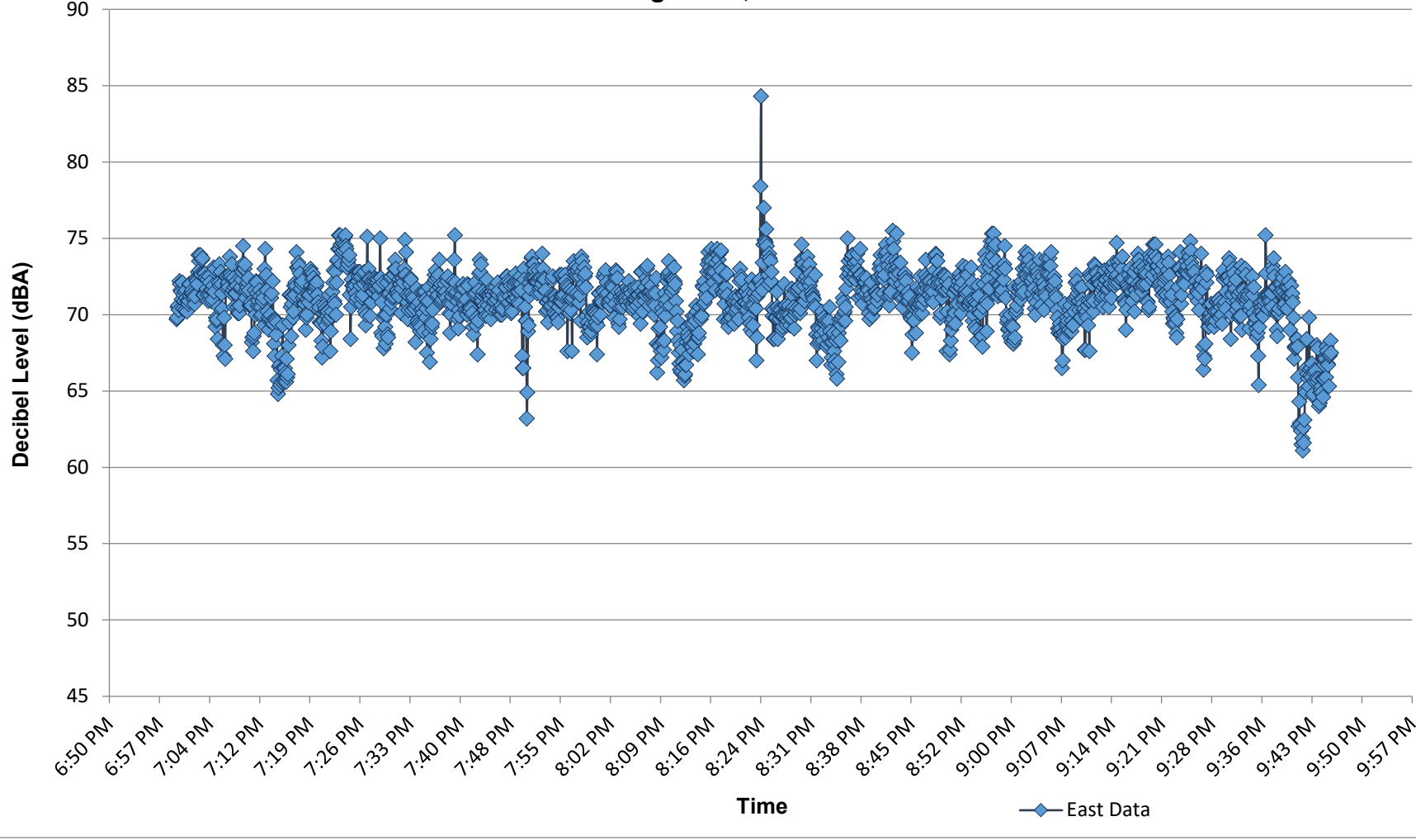
Best regards,



Principal

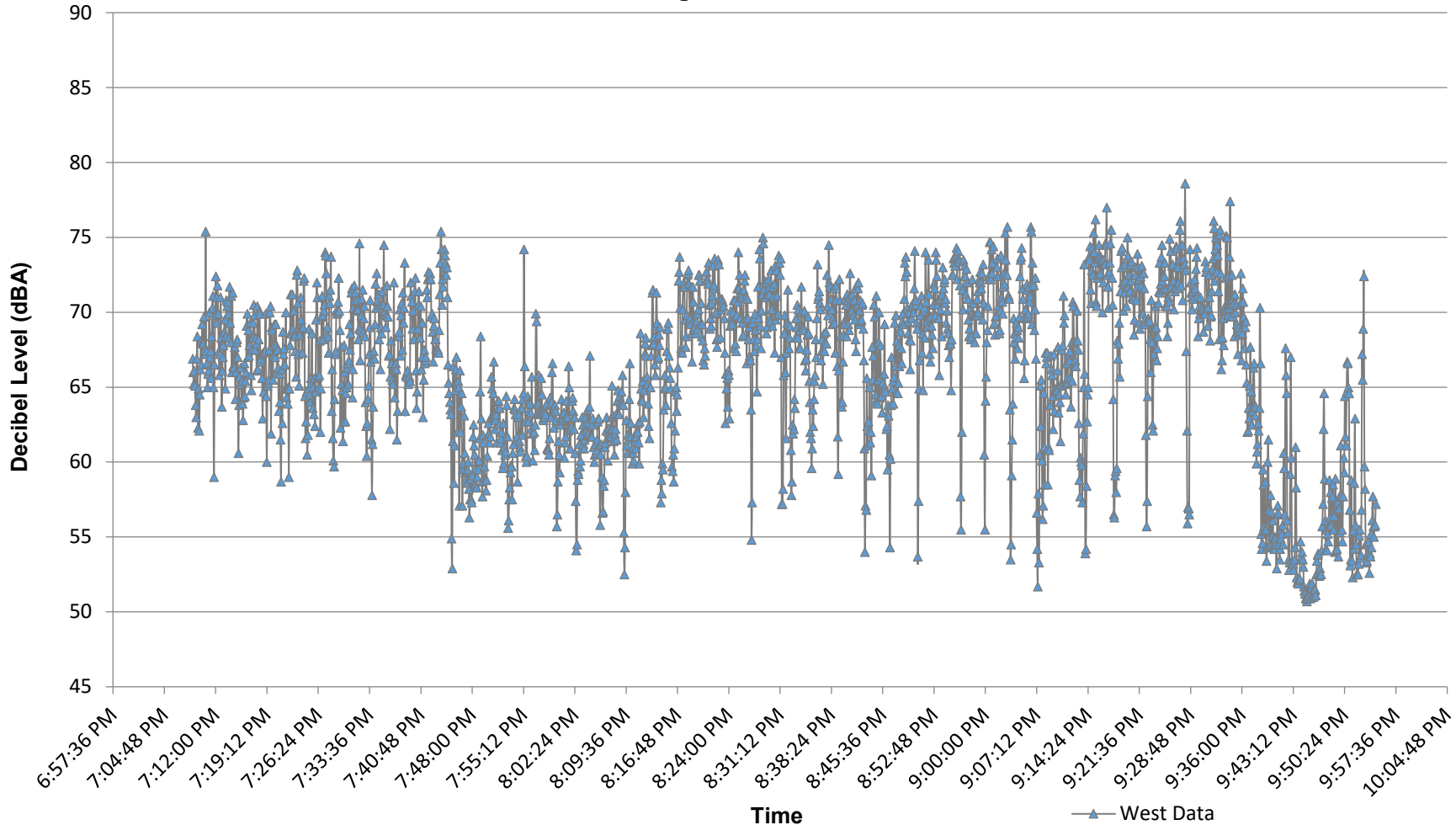
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**Champlain Valley Exposition
 Cole Swindell Concert - East Boundary Noise Monitoring
 August 30, 2024**



	Hour 1	Hour 2	Hour 3
Hourly Avg	71.1	71.1	70.7
Max Levels	75.2	84.3	75.2
Exceeding Limit (min)	0.0	0.1	0.0

Champlain Valley Exposition Cole Swindell Concert - West Boundary Noise Monitoring August 30, 2024



	Hour 1	Hour 2	Hour 3
Hourly Avg	65.3	68.0	64.5
Max Levels	75.4	75.7	78.6
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0	0.0



July 22, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Counting Crows Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreen to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Counting Crows Concert event held in the Midway area at the CVE facility on July 16, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 200 feet south of the Green Gate along the fence line, behind the Midway stage. The west boundary meter was located along the fence-line behind the Blue-Ribbon Pavilion building with direct-line of sight to the concert stage. The concert was approximately a 1.5-hour event with the music beginning at approximately 9:45 pm on the Midway stage, which was oriented to the western property line. Both SLMs began collecting sound data prior to the beginning of the show until its conclusion.

The weather for the Tuesday night show was cloudy skies with a short period of light rain towards the end of the show. The winds were out of the west up to 7 mph and temperatures in the low 70's throughout the event. Sound monitoring along both the eastern and western boundaries began at approximately 9:00 pm and the sound monitoring concluded after the show ended at 11 pm. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	66.6	66.1	57.1
Max Sound Level (dBA)	74.1	74.9	59.9
Time Above Max Level (min)	0.0	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

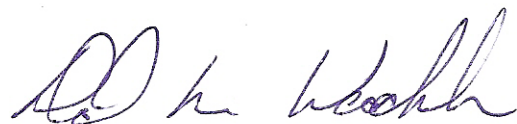
Table 2: West Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	62.0	62.2
Max Sound Level (dBA)	72.9	91.1
Time Above Max Level (min)	0.0	0.1

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit. There was one 5-second data point that recorded a 91.1 dBA sound level, although other data points around this one elevated reading were at or below 75 dBA without exception.

The sound level data is presented in attached charts for the SLMs used during the Counting Crows Concert event held on July 16, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

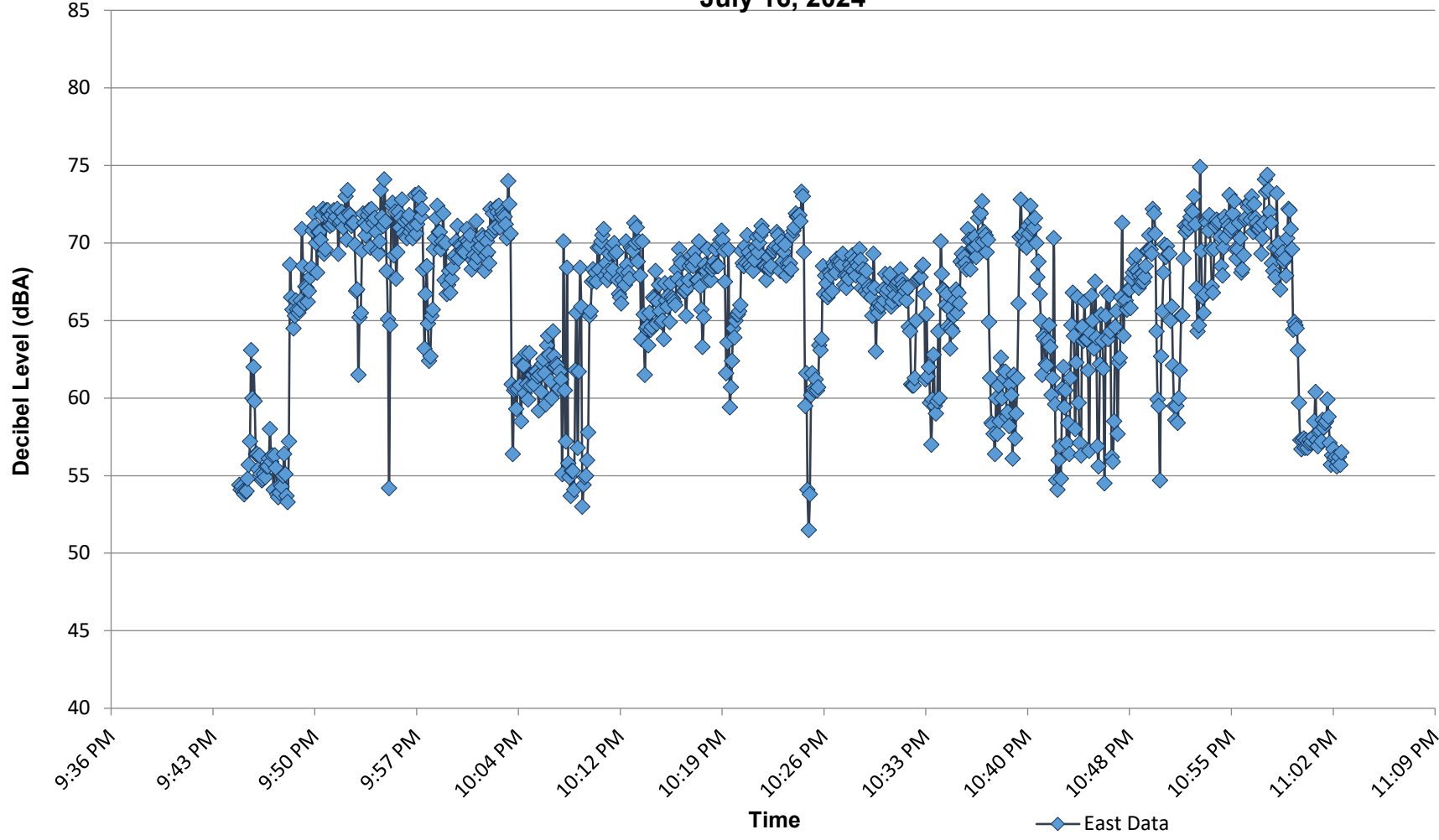
Best regards,



Principal

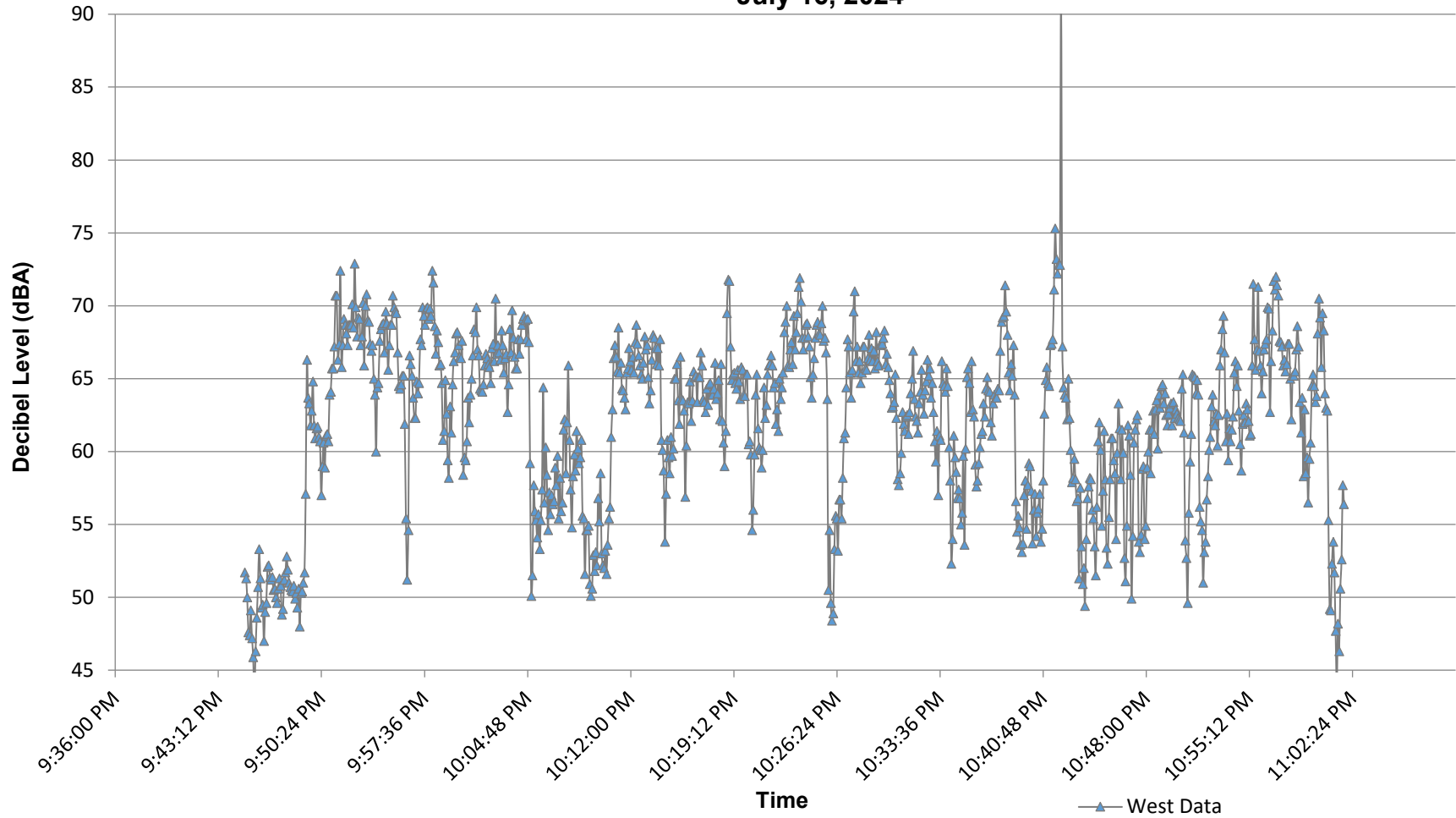
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**Champlain Valley Exposition
 Counting Crows Concert - East Boundary Sound Monitoring
 July 16, 2024**



	Hour 1	Hour 2	Hour 3
Hourly Avg	66.6	66.1	57.1
Max Levels	74.1	74.9	59.9
Exceeding Limit (min)	0.0	0.0	0.0

**Champlain Valley Exposition
Counting Crows Concert - West Boundary Sound Monitoring
July 16, 2024**



	Hour 1	Hour 2
Hourly Avg	62.0	62.2
Max Levels	72.9	91.1
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.1



September 14, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Demolition Derby

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreens to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Demolition Derby event held on the Grandstand infield at the CVE facility on August 29, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The Demolition Derby was a 2-hour plus event with sound monitoring covering the entire timeframe. The event began at 7:00 pm in the Grandstand infield and concluded at approximately 9:30 pm.

The weather for the Thursday night derby was fair skies with temperatures in the 70's and winds out of the east, northeast up to 5 mph. Sound monitoring along both the eastern and western boundaries began at approximately 6:45 pm and the sound monitoring concluded after the derby event at approximately 9:30 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	71.5	71.9	72.0
Max Sound Level (dBA)	80.0	79.3	82.3
Time Above Max Level (min)	0.0	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

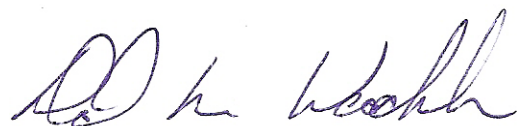
Table 2: West Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	65.6	67.7	64.4
Max Sound Level (dBA)	78.1	76.3	80.1
Time Above Max Level (min)	0.0	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Demolition Derby event held on August 29, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

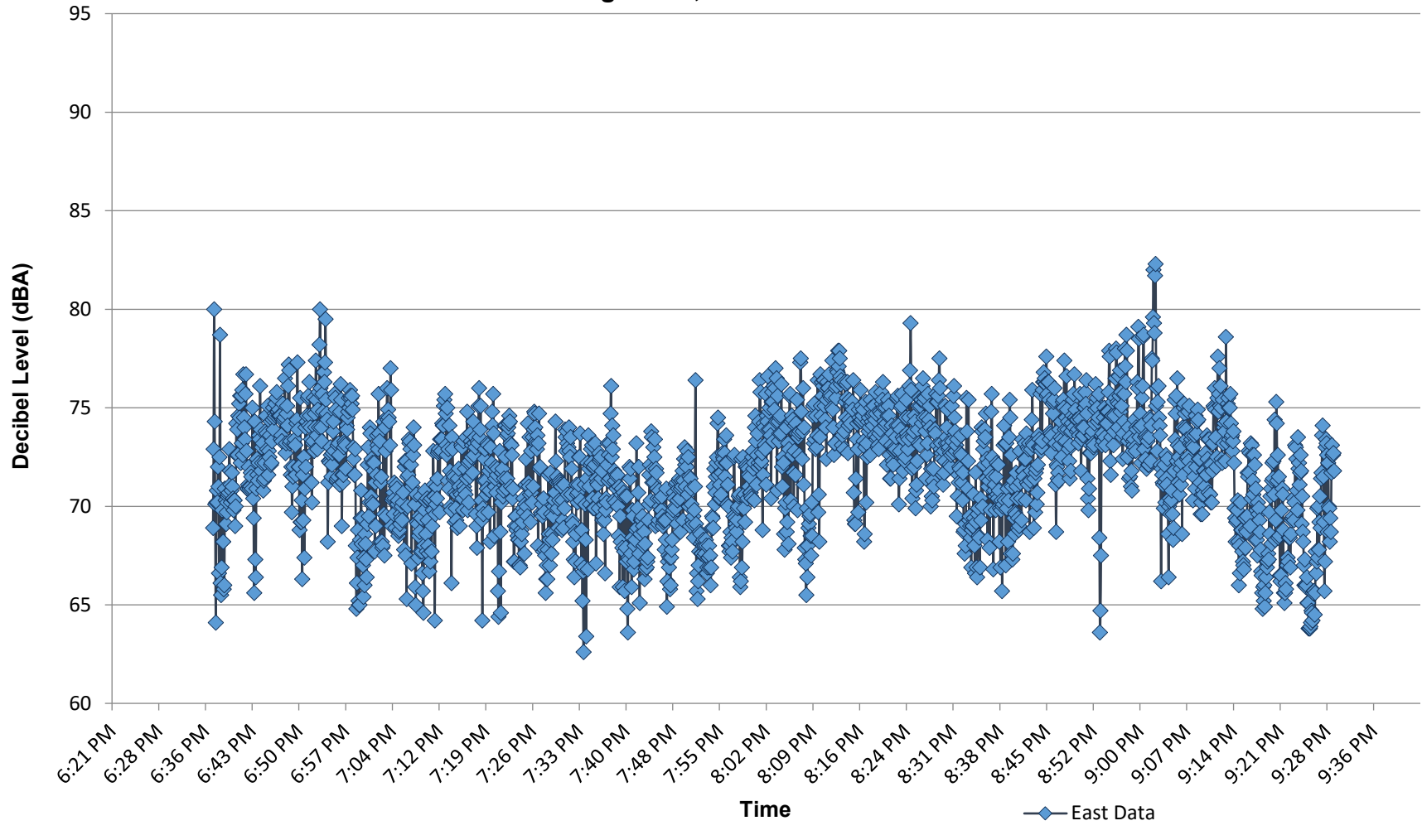
Best regards,



Principal

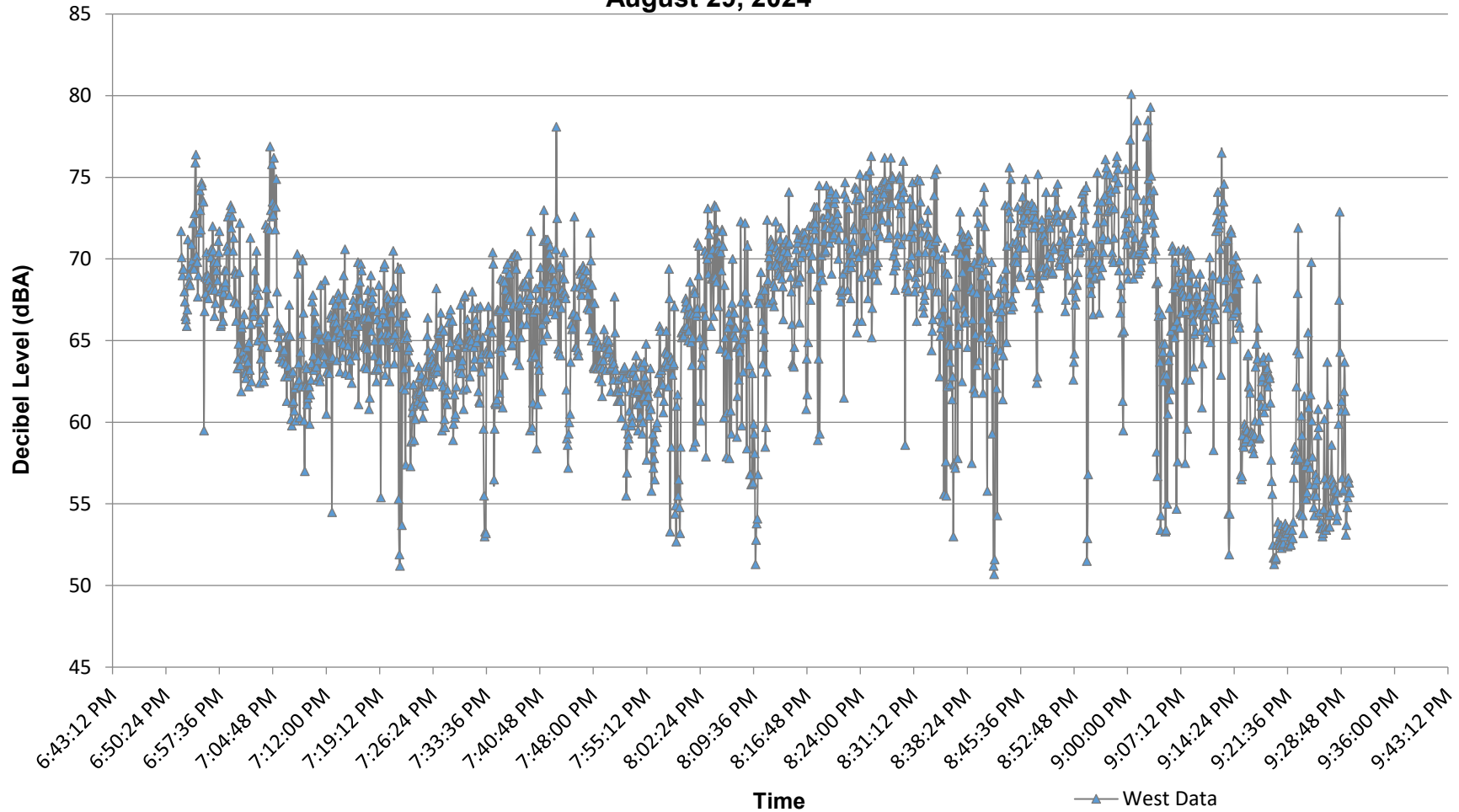
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Champlain Valley Exposition Demolition Derby - East Boundary Noise Monitoring August 29, 2024



	Hour 1	Hour 2	Hour 3
Hourly Avg	71.5	71.9	72.0
Max Levels	80.0	79.3	82.3
Exceeding Limit (min)	0.0	0.0	0.0

**Champlain Valley Exposition
Demolition Derby - West Boundary Monitoring
August 29, 2024**



	Hour 1	Hour 2	Hour 3
Hourly Avg	65.6	67.7	64.4
Max Levels	78.1	76.3	80.1
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0	0.0



September 13, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Figure 8 Race

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreen to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Figure 8 Race event held in the Grandstand infield at the CVE facility on August 28, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The Figure 8 Race was a 2-hour racing event with the monitoring covering the entire timeframe. The racing began at 7:00 pm in the Grandstand infield and concluded at approximately 9:00 pm.

The weather for the Wednesday night race was fair skies with temperatures approximately 70 °F and winds out of the south, southeast up to 3 mph. Sound monitoring along both the eastern and western boundaries began at approximately 7:00 pm and the sound monitoring concluded after the races at approximately 9:00 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	72.5	73.3
Max Sound Level (dBA)	78.3	79.9
Time Above Max Level (min)	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

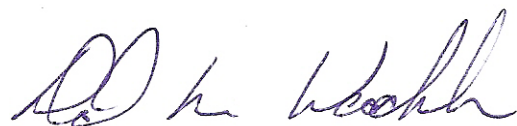
Table 2: West Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	61.5	62.0
Max Sound Level (dBA)	73.4	70.5
Time Above Max Level (min)	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Figure 8 Race event held on August 28, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

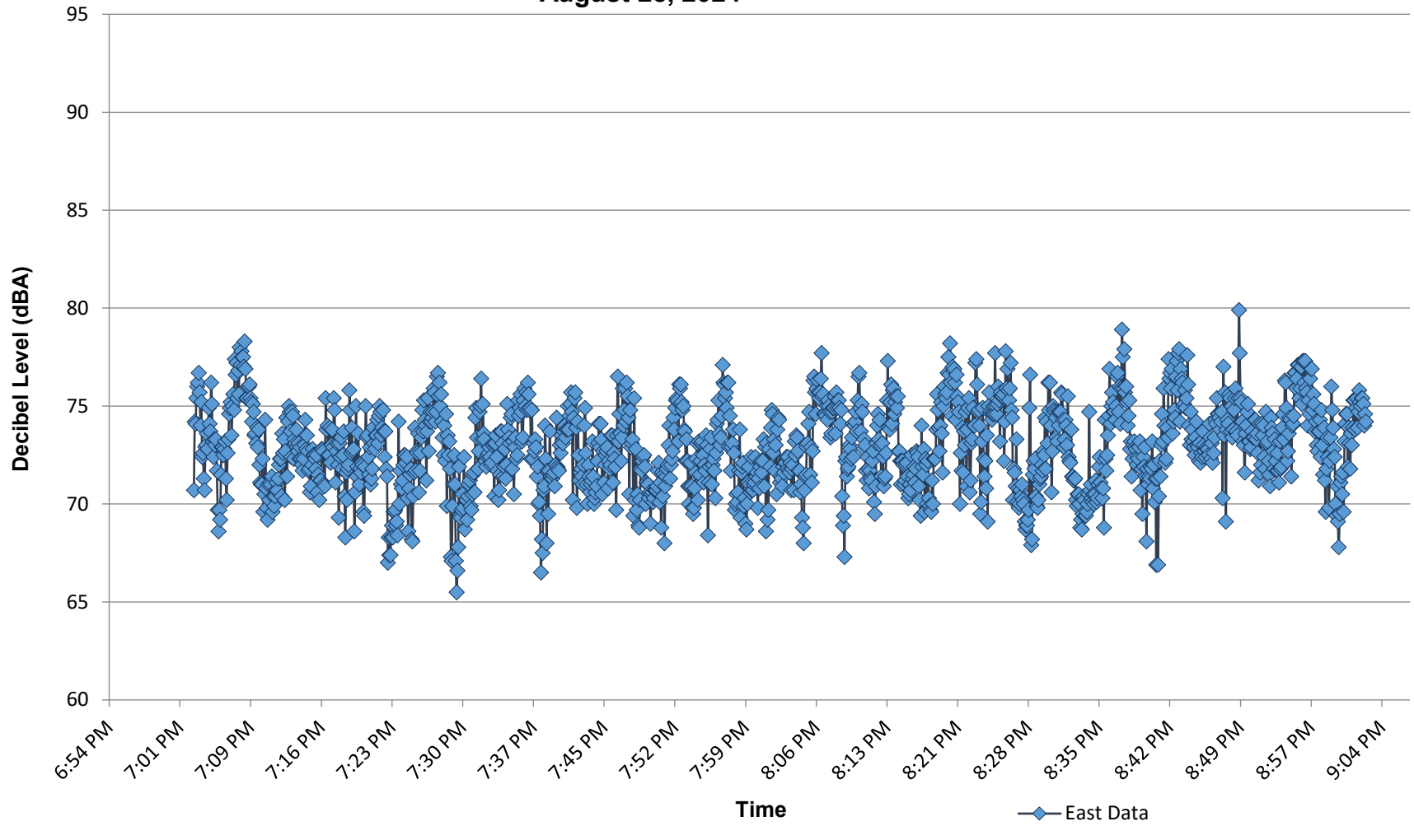
Best regards,



Principal

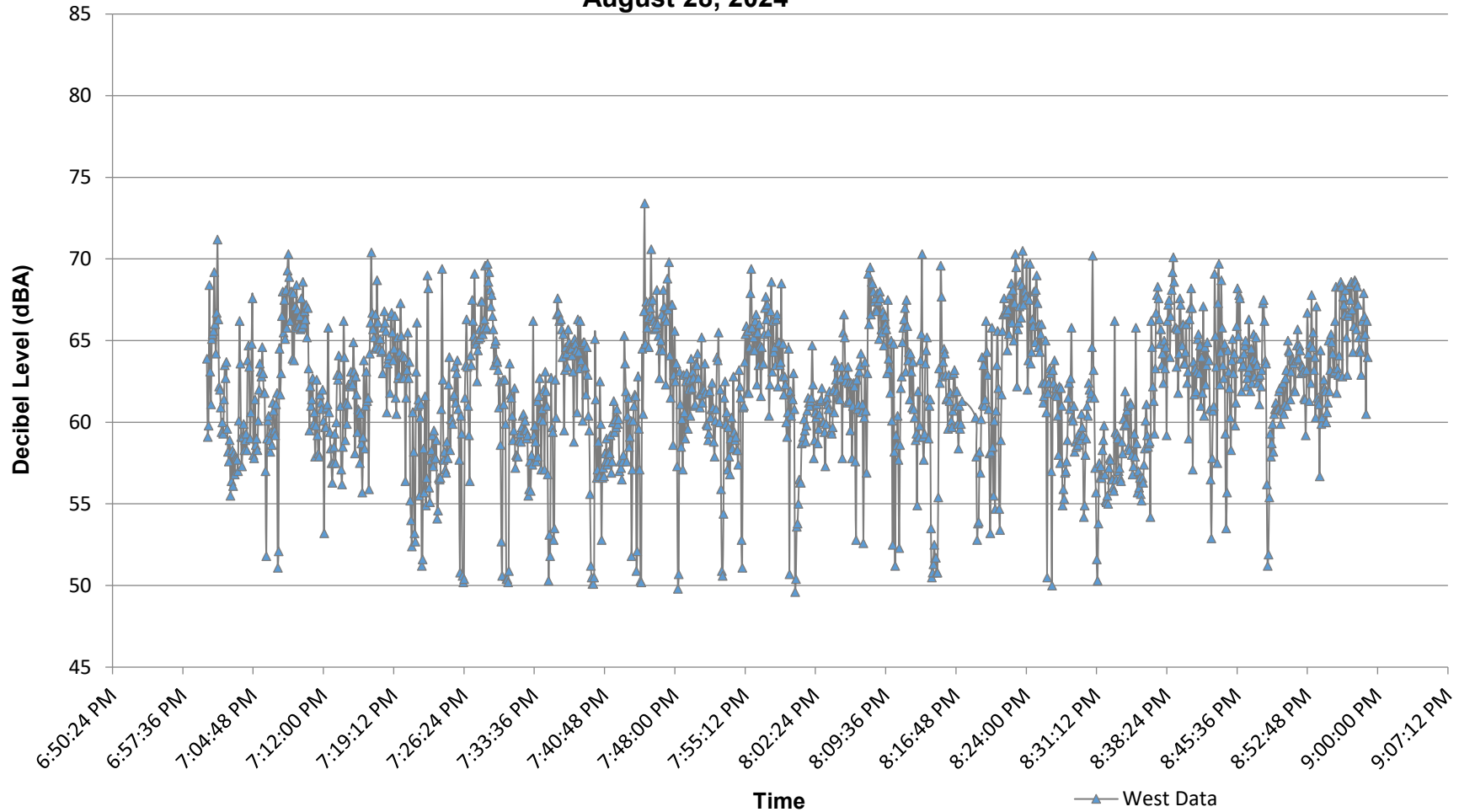
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**Champlain Valley Exposition
Figure 8 Race - East Boundary Noise Monitoring
August 28, 2024**



	Hour 1	Hour 2
Hourly Avg	72.5	73.3
Max Levels	78.3	79.9
Exceeding Limit (min)	0.0	0.0

**Champlain Valley Exposition
Figure 8 Race - West Boundary Monitoring
August 28, 2024**



	Hour 1	Hour 2
Hourly Avg	61.5	62.0
Max Levels	73.4	70.5
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0



September 2, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Flo Rida Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreens to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Flo Rida Concert event held in the Grandstand at the CVE facility on August 23, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The concert was a three-plus hour music event with the monitoring covering the entire timeframe. The music began at approximately 7:00 pm on the Grandstand stage and concluded at approximately 10:15 pm.

The weather for the Friday night show was fair skies with temperatures ranging from the mid 70's, dropping to the mid 60's and light winds out of the south up to 3 mph. Sound monitoring along both the eastern and western boundaries began at approximately 7:00 pm and the sound monitoring concluded after the show by 10:30 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2	Hour 3	Hour 4
Hourly Average (dBA)	73.0	73.6	73.4	72.8
Max Sound Level (dBA)	82.3	78.4	78.2	78.6
Time Above Max Level (min)	0.0	0.0	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

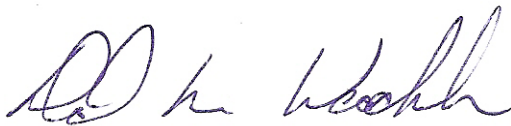
Table 2: West Property Line Data

	Hour 1	Hour 2	Hour 3	Hour 4
Hourly Average (dBA)	60.1	71.0	68.7	66.6
Max Sound Level (dBA)	74.5	79.4	78.4	74.6
Time Above Max Level (min)	0.0	0.0	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Flo Rida Concert event held on August 23, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

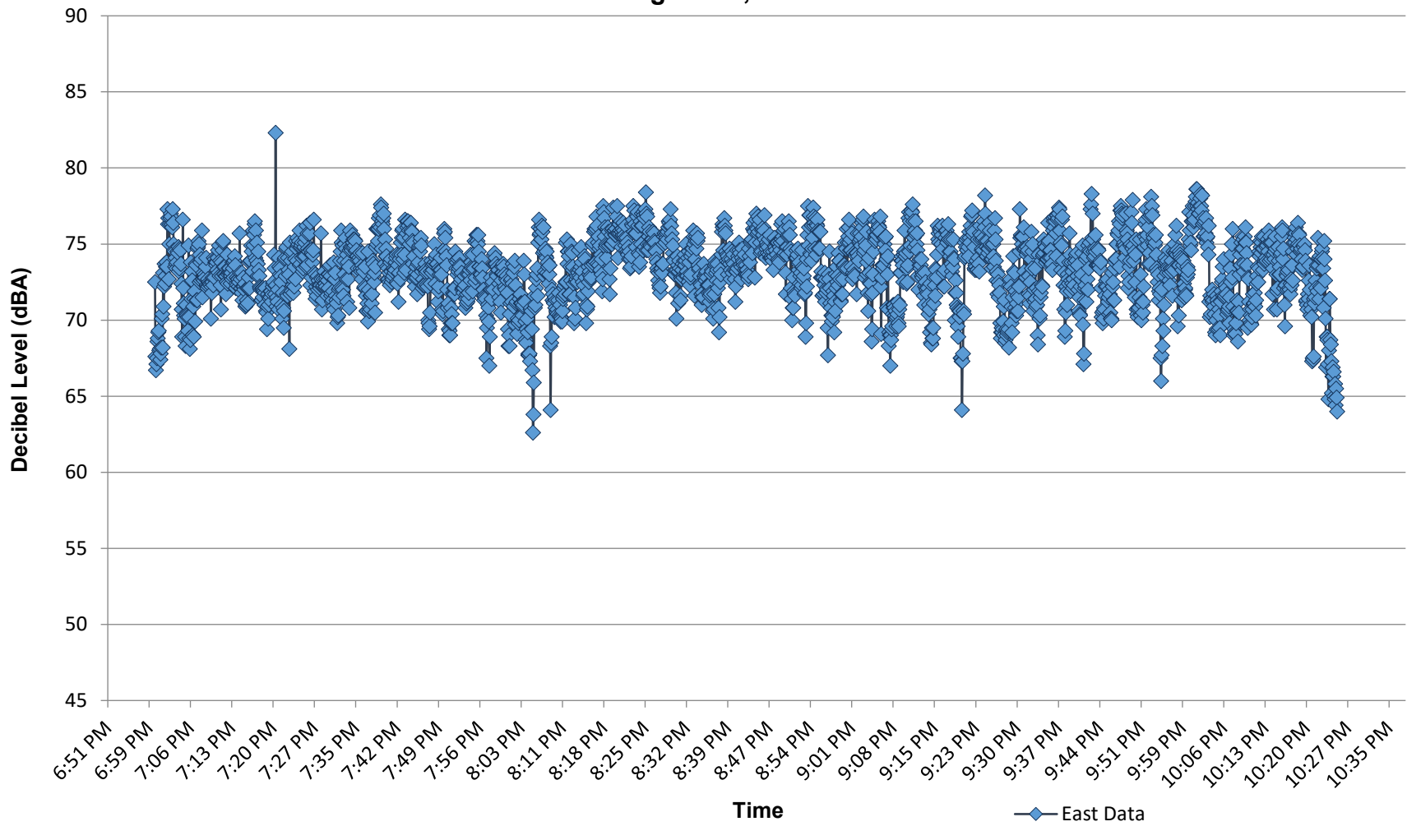
Best regards,



Principal

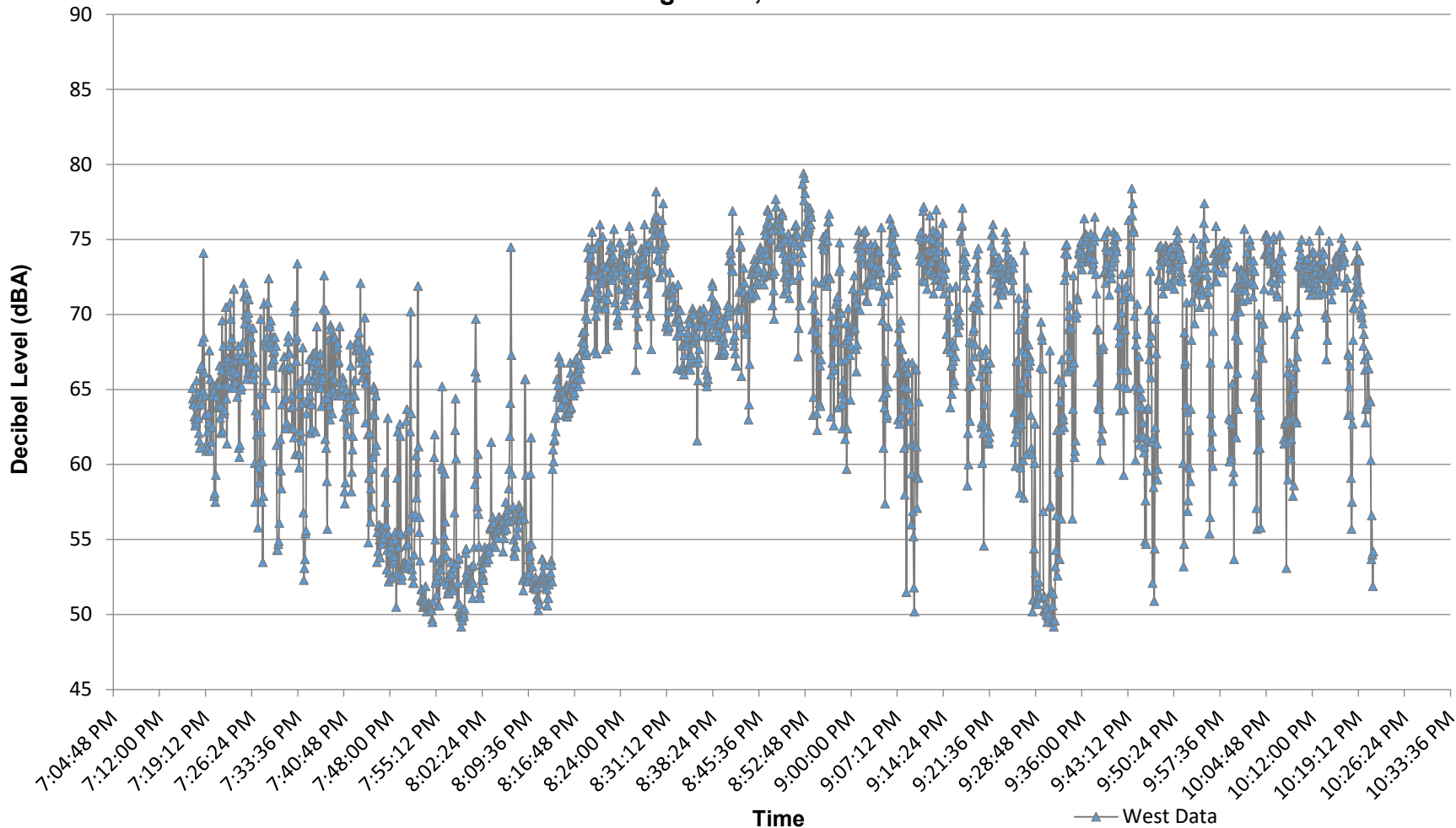
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**Champlain Valley Exposition
Flo Rida Concert - East Boundary Monitoring
August 23, 2024**



	Hour 1	Hour 2	Hour 3	Hour 4
Hourly Avg	73.0	73.6	73.4	72.8
Max Levels	82.3	78.4	78.3	78.6
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0	0.0	0.0

Champlain Valley Exposition Flo Rida Concert - West Boundary Monitoring August 23, 2024



	Hour 1	Hour 2	Hour 3	Hour 4
Hourly Avg	60.1	71.0	68.7	66.6
Max Levels	74.5	79.4	78.4	74.6
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0	0.0	0.0



September 2, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Gin Blossoms Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreens to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Gin Blossoms Concert event held in the Grandstand at the CVE facility on August 24, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The concert was a three-plus hour music event with the monitoring covering the entire timeframe. The music began at approximately 7:00 pm on the Grandstand stage and concluded at approximately 10:30 pm.

The weather for the Saturday night show was partly cloudy to fair skies with temperatures ranging from the mid 70's, dropping to the high 60's and light winds out of the south and east up to 3 mph. Sound monitoring along both the eastern and western boundaries began at approximately 7:00 pm and the sound monitoring concluded after the show by 10:30 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2	Hour 3	Hour 4
Hourly Average (dBA)	71.6	72.2	71.1	71.4
Max Sound Level (dBA)	78.3	77.1	77.1	77.7
Time Above Max Level (min)	0.0	0.0	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

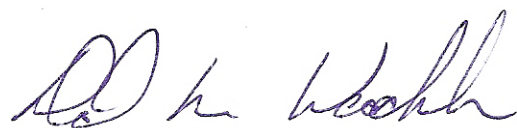
Table 2: West Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	63.9	68.7	66.7
Max Sound Level (dBA)	80.3	76.3	79.2
Time Above Max Level (min)	0.0	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Gin Blossoms Concert event held on August 24, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

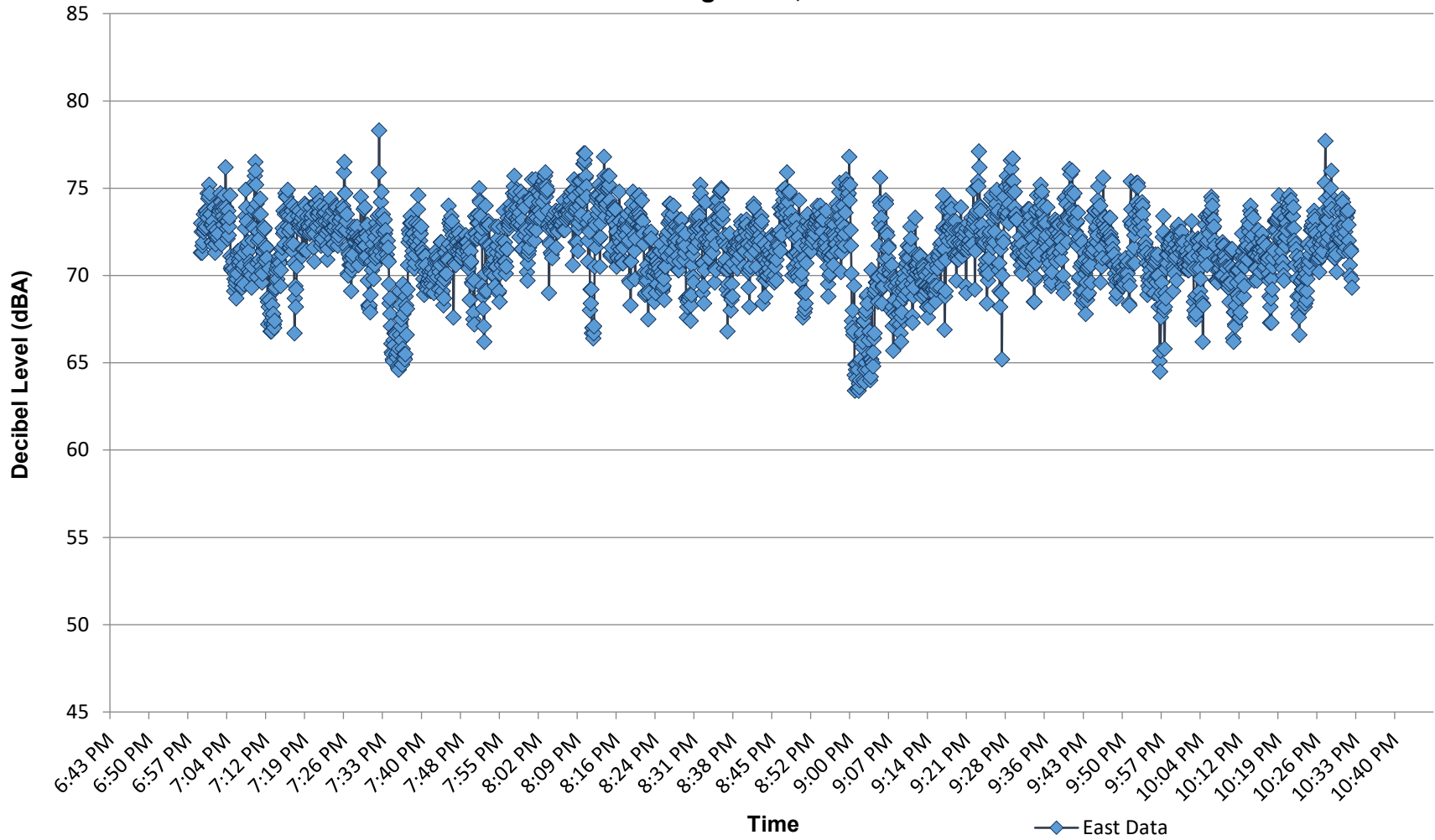
Best regards,



Principal

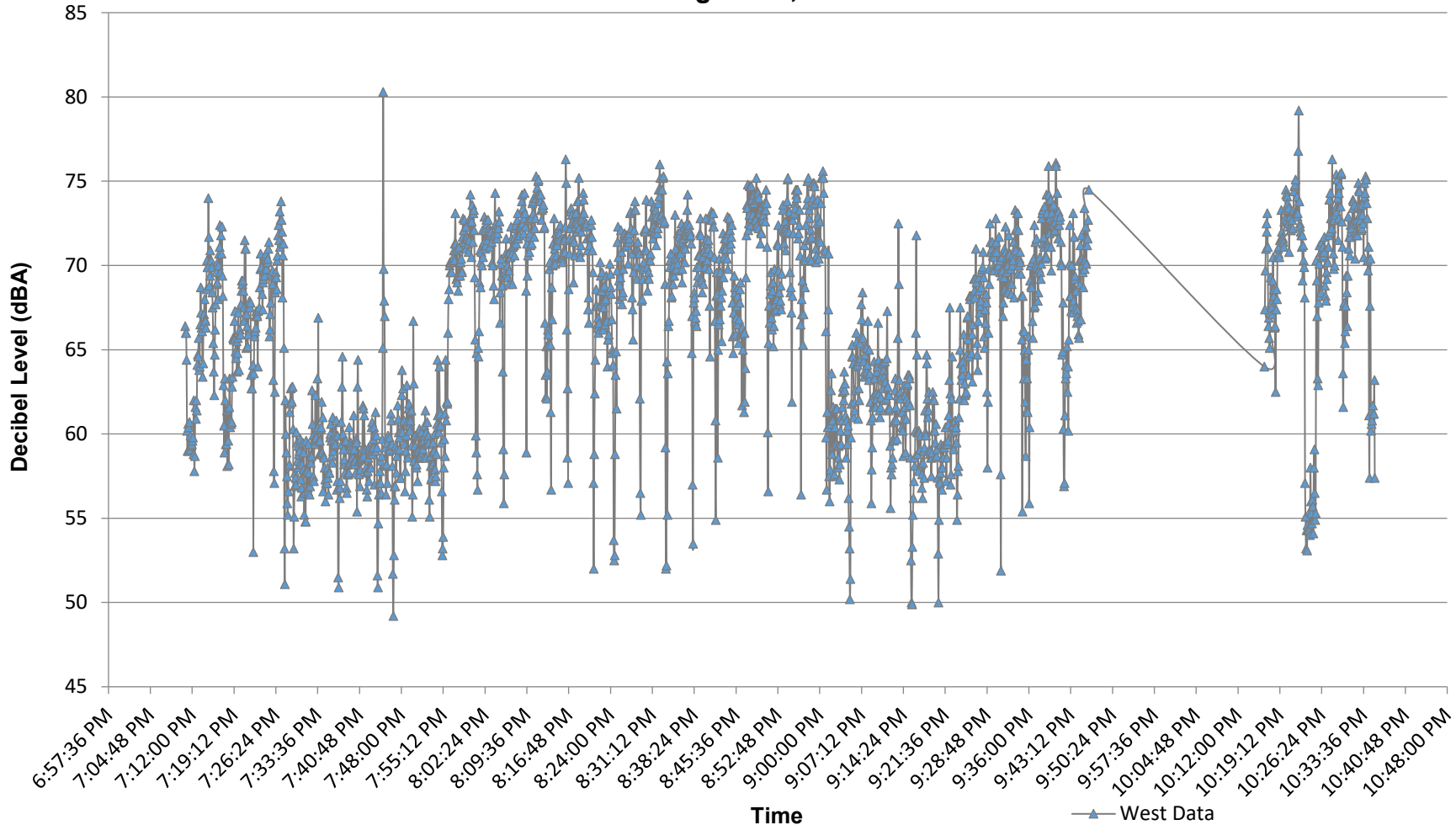
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**Champlain Valley Exposition
Gin Blossoms Concert - East Boundary Monitoring
August 24, 2024**



	Hour 1	Hour 2	Hour 3	Hour 4
Hourly Avg	71.6	72.2	71.1	71.4
Max Levels	78.3	77.0	77.1	77.7
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0	0.0	0.0

**Champlain Valley Exposition
Gin Blossoms Concert - West Boundary Monitoring
August 24, 2024**



	Hour 1	Hour 2	Hour 3
Hourly Avg	63.9	68.7	66.7
Max Levels	80.3	76.3	79.2
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0	0.0



October 1, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Noah Kahan Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreen to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Noah Kahan Concert event held in the Midway area at the CVE facility on September 19, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 200 feet south of the Green Gate along the fence line, behind the Midway stage. The west boundary meter was located along the fence-line behind the Blue-Ribbon Pavilion building with direct-line of sight to the concert stage. The concert was approximately a 3-hour event with the music beginning at approximately 8:00 pm on the Midway stage, which was oriented to the western property line. Both SLMs began collecting sound data prior to the beginning of the show until its conclusion.

The weather for the Thursday night show was cloudy skies with light winds out of the north up to 3 mph and temperatures in the mid to low 70's throughout the event. Sound monitoring along both the eastern and western boundaries began at approximately 8:00 pm and the sound monitoring concluded after the show ended at 11 pm. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	65.6	61.7	66.8
Max Sound Level (dBA)	77.3	78.4	77.7
Time Above Max Level (min)	0.0	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

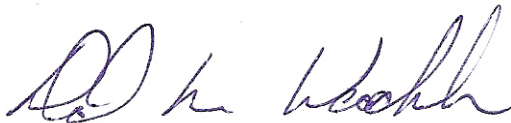
Table 2: West Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	61.0	66.0	68.0
Max Sound Level (dBA)	71.8	83.8	79.2
Time Above Max Level (min)	0.0	0.1	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA hourly average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit.

The sound level data is presented in attached charts for the SLMs used during the Noah Kahan Concert event held on September 19, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

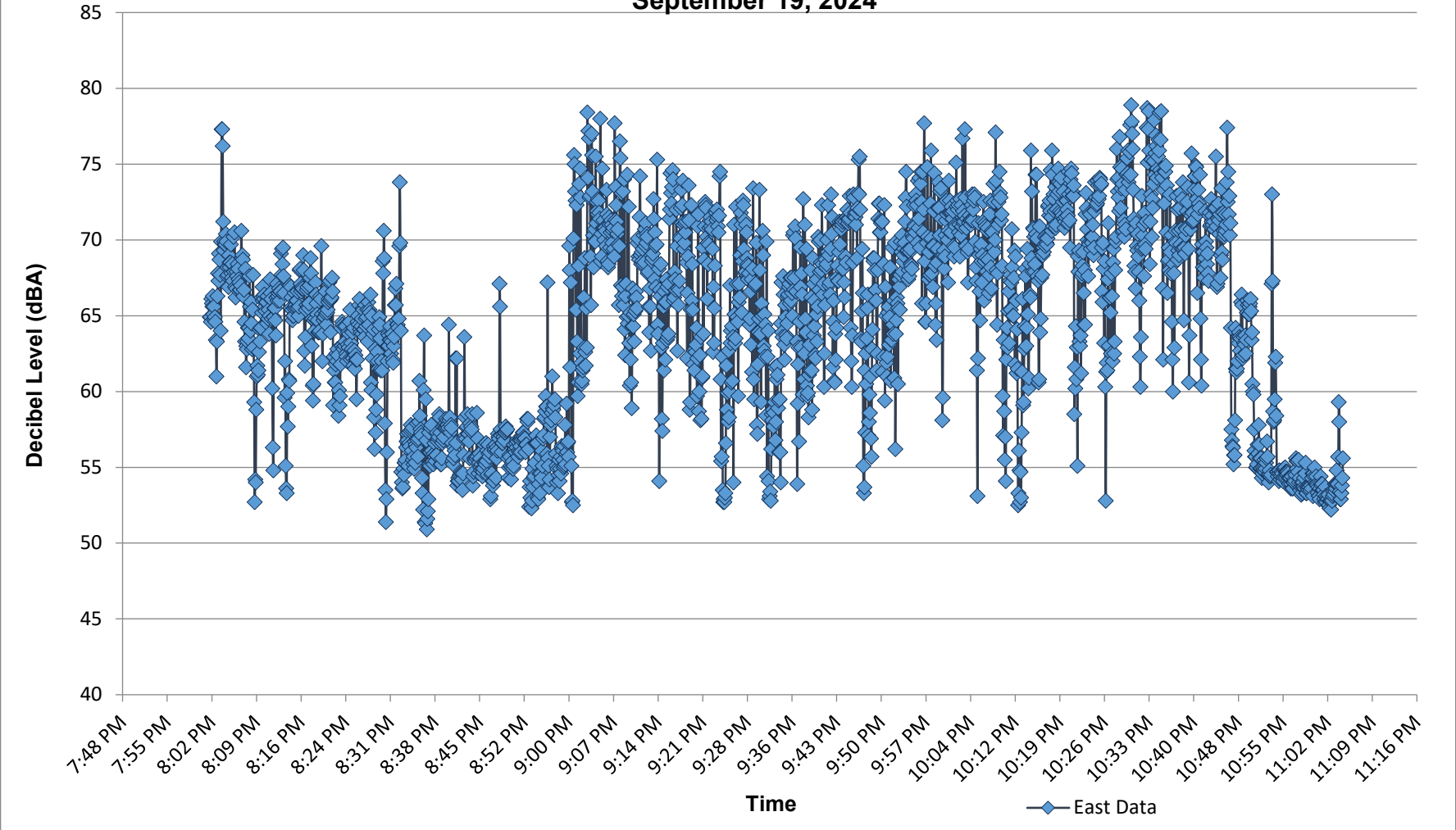
Best regards,



Principal

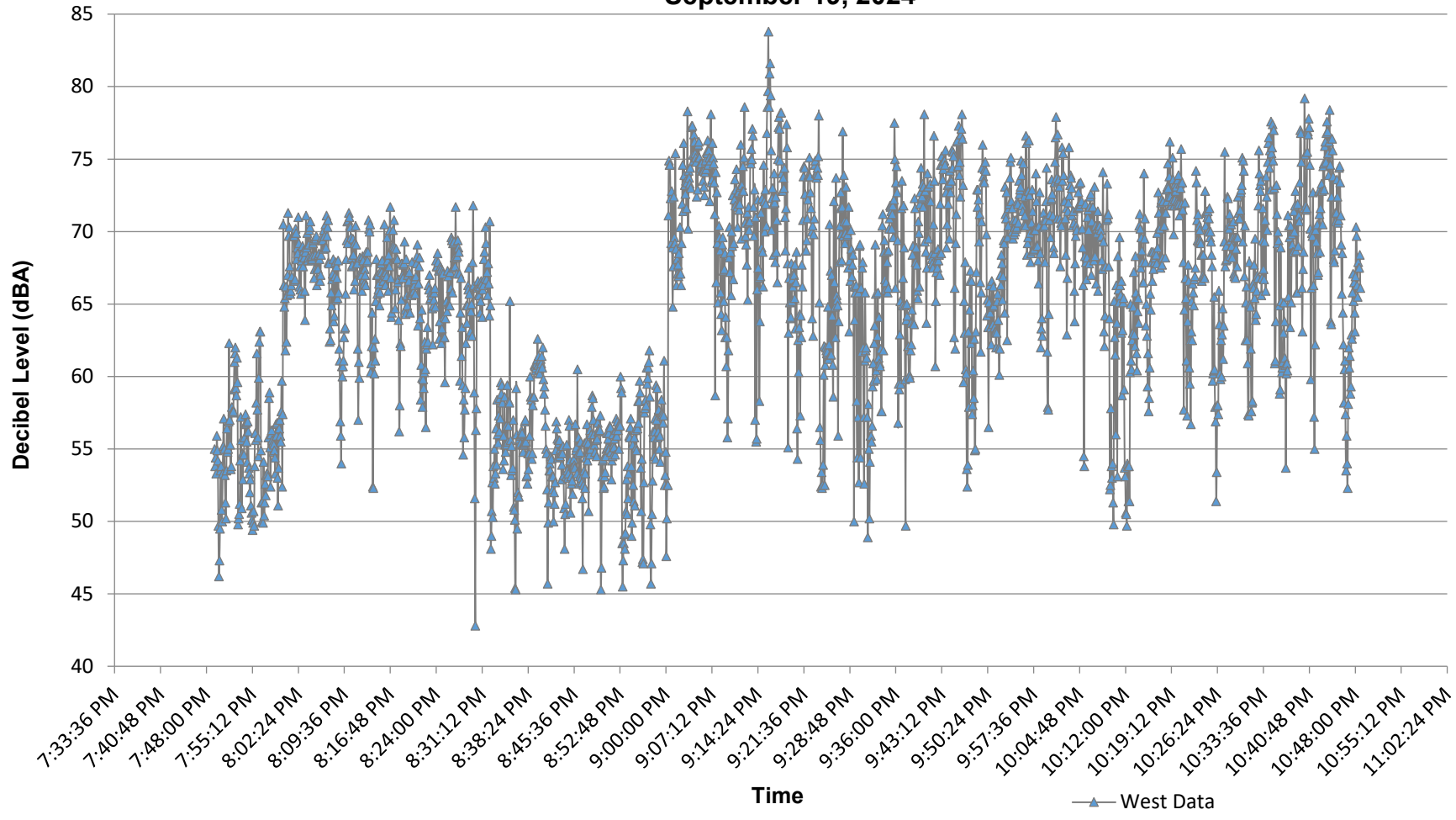
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**Champlain Valley Exposition
Noah Kahan Concert - East Boundary Sound Monitoring
September 19, 2024**



	Hour 1	Hour 2	Hour 3
Hourly Avg	65.6	61.7	66.8
Max Levels	77.3	78.4	77.7
Exceeding Limit (min)	0.0	0.0	0.0

**Champlain Valley Exposition
Noah Kahan Concert - West Boundary Sound Monitoring
September 19, 2024**



	Hour 1	Hour 2	Hour 3
Hourly Avg	61.0	66.0	68.0
Max Levels	71.8	83.8	79.2
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.1	0.0



September 24, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Pentatonix Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreens to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Pentatonix Concert event held in the Grandstand at the CVE facility on September 1, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The concert was a nearly one and half hour music event with the monitoring covering the entire timeframe. The music began at approximately 7:30 pm on the Grandstand stage and concluded at approximately 9:30 pm.

The weather for the Saturday night show was initially cloudy skies and ended in light rain with temperatures in the mid 60's and winds out of the south up to 8 mph. Sound monitoring along both the eastern and western boundaries began at approximately 7:30 pm and the sound monitoring concluded after the show at approximately 9:30 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	69.2	71.2
Max Sound Level (dBA)	76.2	77.4
Time Above Max Level (min)	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

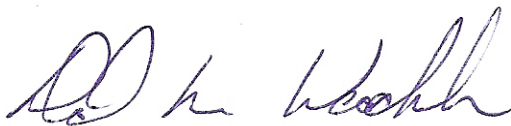
Table 2: West Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	64.0	63.1
Max Sound Level (dBA)	79.6	76.0
Time Above Max Level (min)	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Pentatonix Concert event held on September 1, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

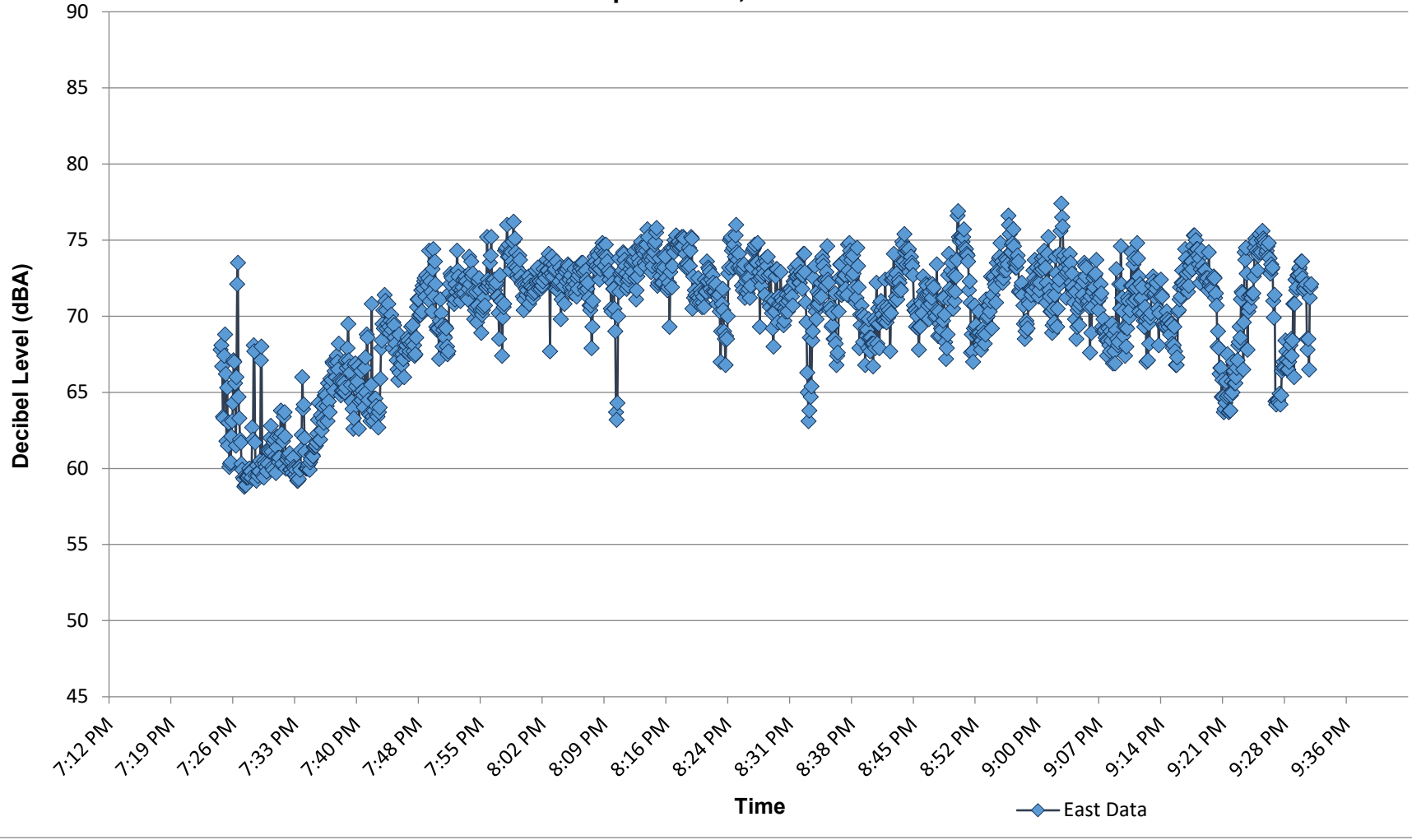
Best regards,



Principal

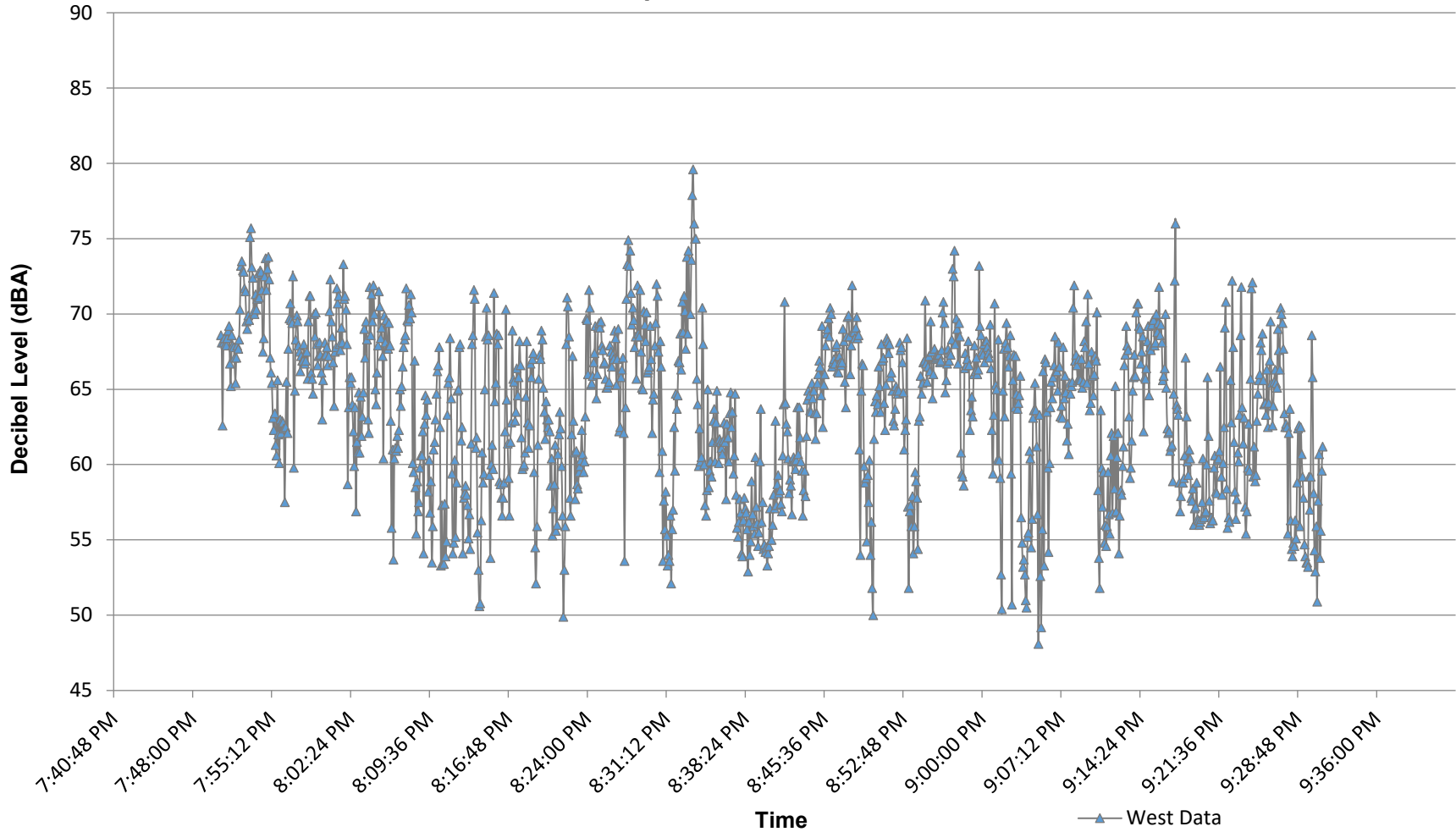
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**Champlain Valley Exposition
 Pentatonix Concert - East Boundary Noise Monitoring
 September 1, 2024**



	Hour 1	Hour 2
Hourly Avg	69.2	71.2
Max Levels	76.2	77.4
Exceeding Limit (min)	0.0	0.0

Champlain Valley Exposition Pentatonix Concert - West Boundary Noise Monitoring September 1, 2024



	Hour 1	Hour 2
Hourly Avg	64.0	63.1
Max Levels	79.6	76.0
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0



September 23, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Roots & Boots Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreens to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Roots & Boots Concert event held in the Grandstand at the CVE facility on August 31, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The concert was a nearly one and half hour music event with the monitoring covering the entire timeframe. The music began at approximately 7:00 pm on the Grandstand stage and concluded at approximately 9:15 pm.

The weather for the Saturday night show was cloudy skies with temperatures in the low 70's and calm winds. Sound monitoring along both the eastern and western boundaries began at approximately 7:00 pm and the sound monitoring concluded after the show at approximately 9:15 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	70.4	72.3	69.5
Max Sound Level (dBA)	76.7	77.6	76.0
Time Above Max Level (min)	0.0	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

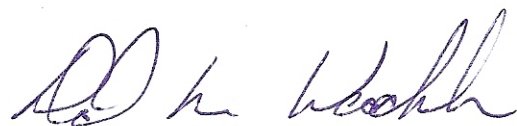
Table 2: West Property Line Data

	Hour 1	Hour 2	Hour 3
Hourly Average (dBA)	65.3	68.0	64.5
Max Sound Level (dBA)	75.4	75.7	78.6
Time Above Max Level (min)	0.0	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Roots & Boots Concert event held on August 31, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

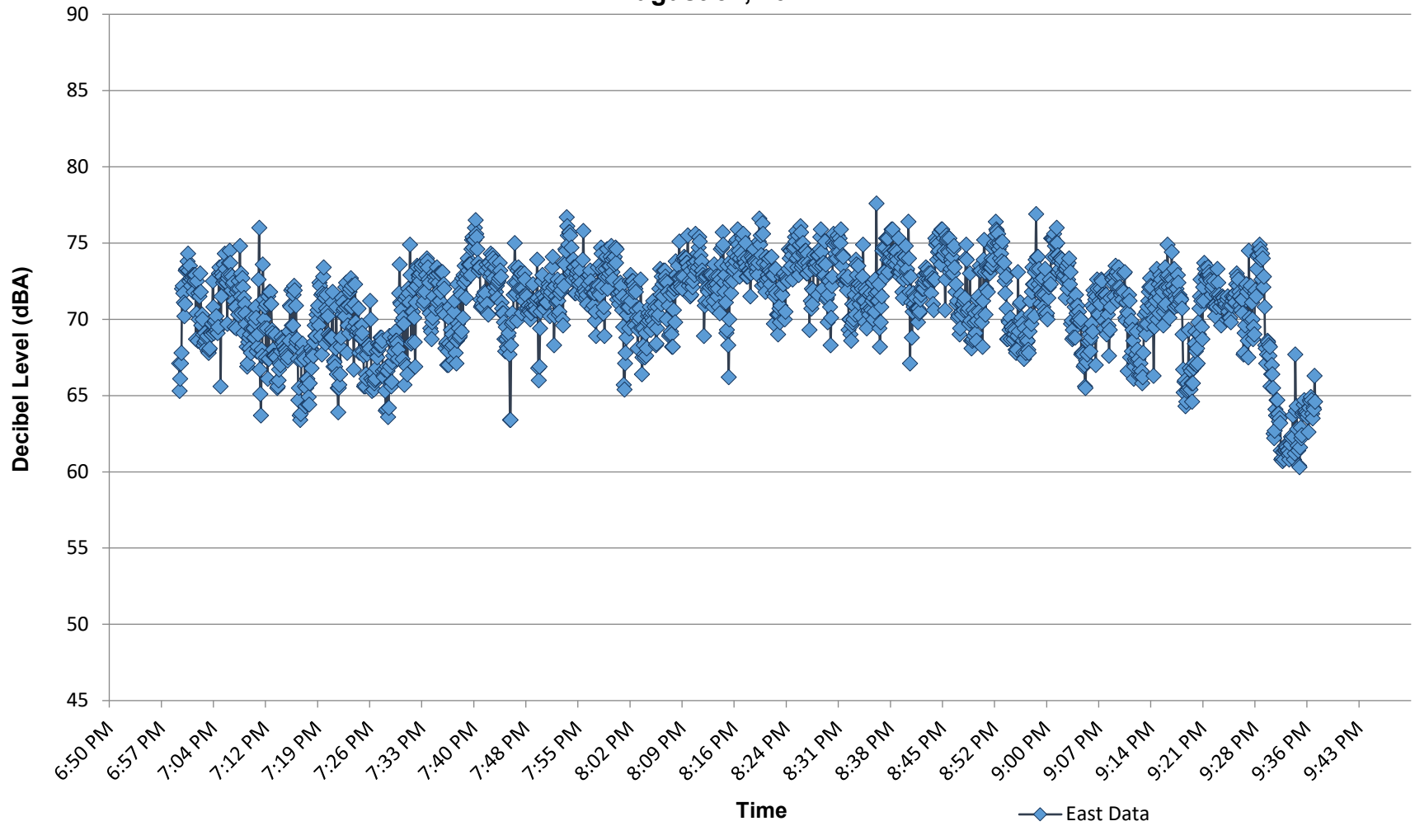
Best regards,



Principal

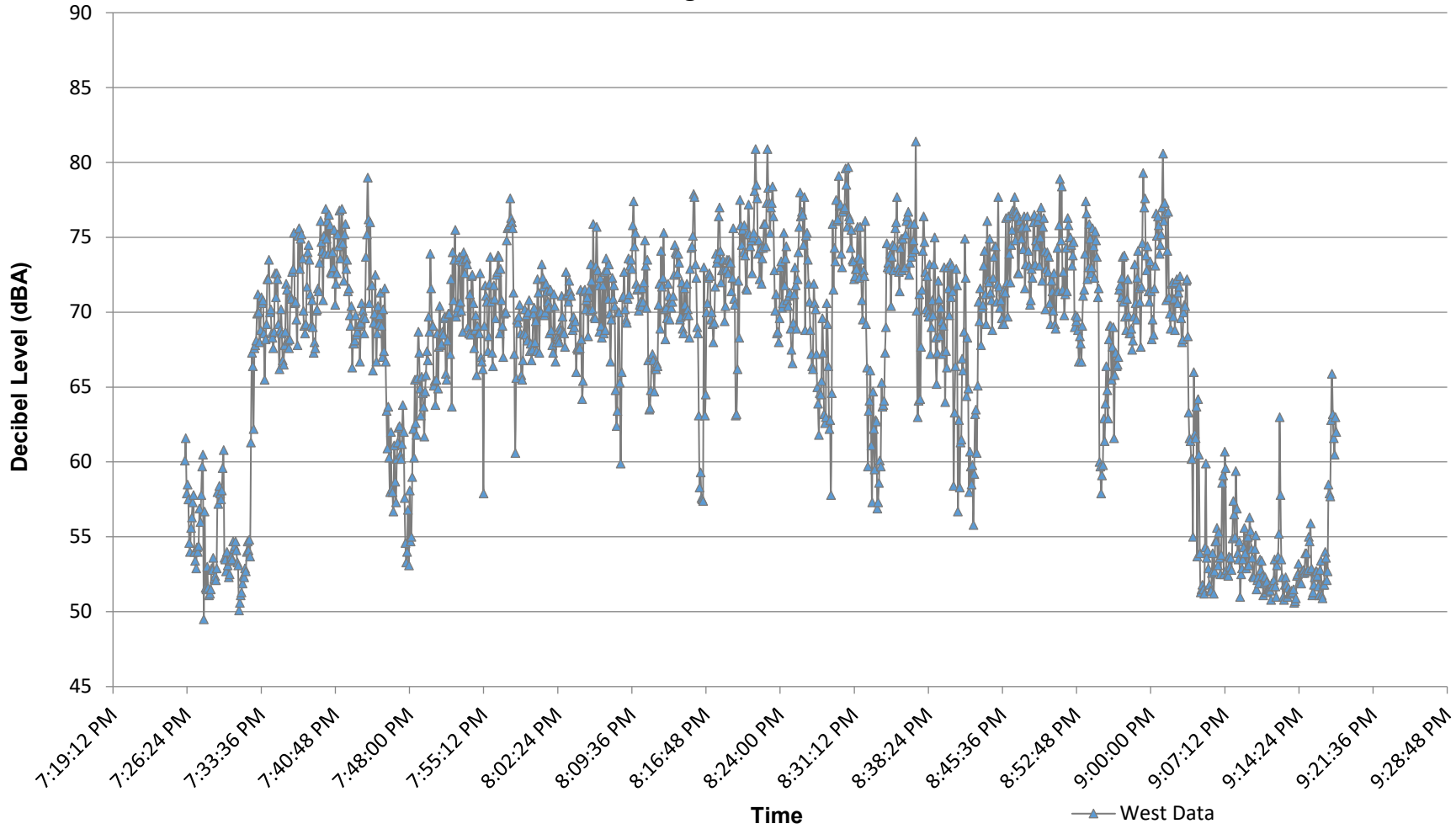
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**Champlain Valley Exposition
 Roots & Boots Concert - East Boundary Noise Monitoring
 August 31, 2024**



	Hour 1	Hour 2	Hour 3
Hourly Avg	70.4	72.3	69.5
Max Levels	76.7	77.6	76.0
Exceeding Limit (min)	0.0	0.0	0.0

**Champlain Valley Exposition
 Roots & Boots Concert - West Boundary Noise Monitoring
 August 31, 2024**



	Hour 1	Hour 2
Hourly Avg	68.3	66.2
Max Levels	80.9	81.4
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0



September 10, 2024

Christopher Yuen
Community Development Director
City of Essex Junction
2 Lincoln Street
Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Trevor Contois – Beatles Tribute Concert

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer concert and fair season. Sound monitoring was performed using two Quest Technologies Sound Pro DL Type II integrating/logging sound level meters (SLM) setup to collect broadband sound level readings. The two SLMs used for the monitoring were configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. Both meter's microphones were fitted with a windscreens to minimize wind disturbance. Each meter was calibrated to a 114 decibel (dB) tone prior to the monitoring event and the calibration was checked following the sound monitoring event.

Two SLMs were deployed for the Trevor Contois Concert event held in the Grandstand at the CVE facility on August 26, 2024. Both the east and west fence-line boundaries were monitored for sound levels. The east boundary meter was located approximately 50 feet south of the Green Gate along the fence line, adjacent to the Midway fair rides. The second SLM, identified as the West Meter, was placed along the western property boundary on the berm along Weston Way in direct line of sight of the Grandstand sound system tower. The concert was a nearly two hour music event with the monitoring covering the entire timeframe. The music began at approximately 7:00 pm on the Grandstand stage and concluded at approximately 8:50 pm.

The weather for the Monday night show was fair skies with temperatures in the mid 70's and calm winds. Sound monitoring along both the eastern and western boundaries began at approximately 7:00 pm and the sound monitoring concluded after the show by 8:50 pm along both boundaries. Both meters monitored the sound levels continuously throughout the event from the beginning of the concert to its conclusion. The sound monitoring data is presented for both meters in the attached charts and a summary of the monitoring data is provided below.

The maximum allowable hourly average sound level is established at 78 dBA with the maximum 5-minute average sound level set at 83 dBA. The table below presents the SLM east property line hourly average sound data, the maximum measured sound level, and the time duration of sound levels above maximum allowable sound level in minutes.

Table 1: East Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	69.7	69.5
Max Sound Level (dBA)	74.5	74.4
Time Above Max Level (min)	0.0	0.0

The data presented above indicates the hourly average sound limits were not exceeded at any time during the concert event. The maximum sound level was not exceeded along the east property boundary throughout the event. The maximum sound limit is defined as a sustained maximum five-minute average in the established sound criteria limits (83 dBA).

The west property line sound monitoring data is presented below in the same manner as the east property line data above.

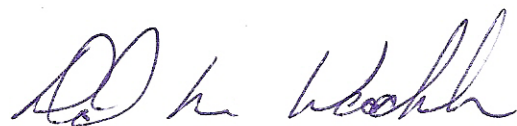
Table 2: West Property Line Data

	Hour 1	Hour 2
Hourly Average (dBA)	62.3	63.4
Max Sound Level (dBA)	75.9	72.6
Time Above Max Level (min)	0.0	0.0

The data listed above indicates the west side property line sound levels were all below the 78 dBA average limit during the concert monitoring event. The maximum sound levels were also maintained below the 83 dBA limit without exception.

The sound level data is presented in attached charts for the SLMs used during the Trevor Contois Concert event held on August 26, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Noise Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

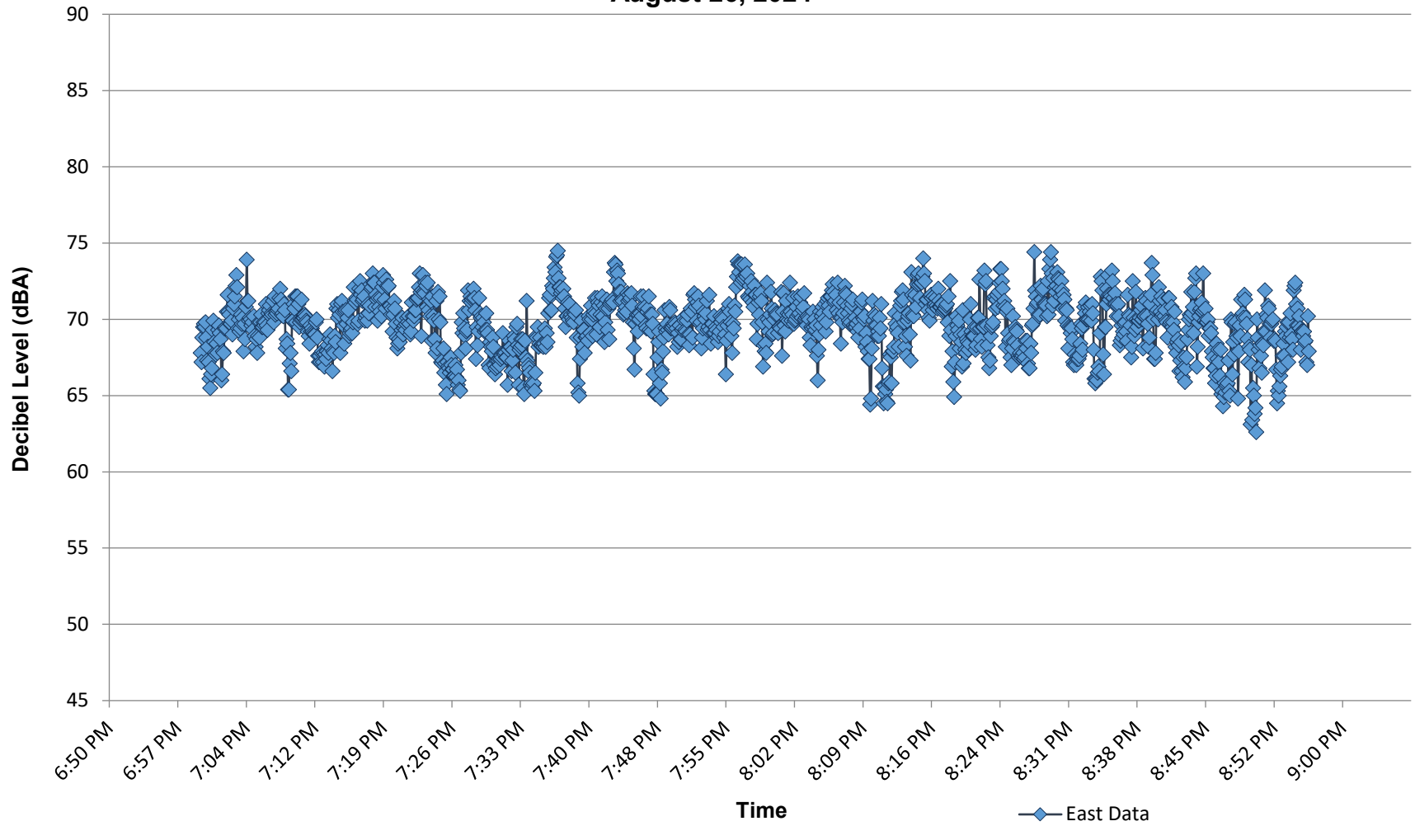
Best regards,



Principal

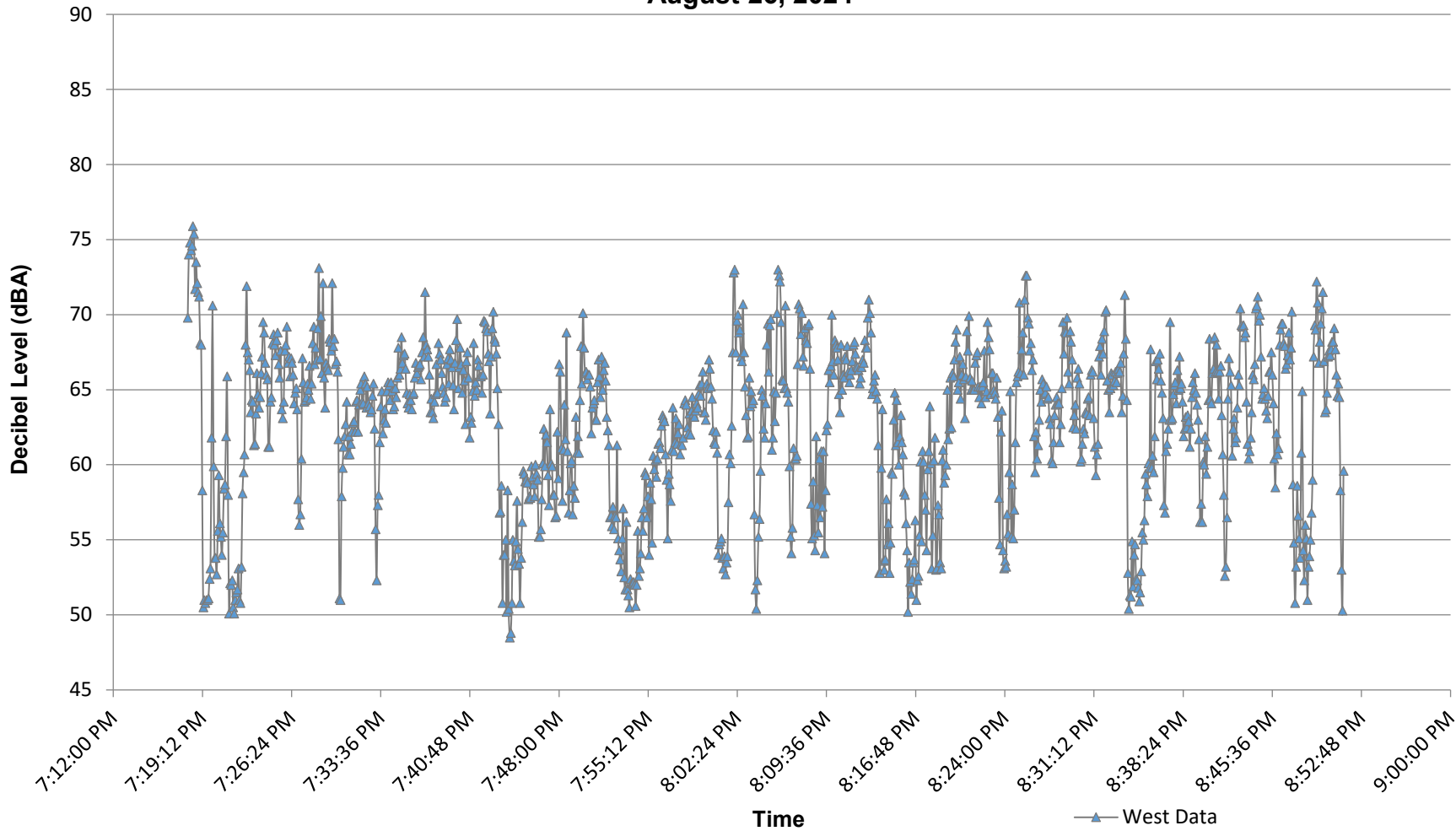
C:\Vermont Air Testing Services\Projects\Champlain Valley Exposition\2024\Trevor Contois Concert 2024.docx

**Champlain Valley Exposition
Trevor Contois Band - Beatles Tribute Concert - East Boundary Noise Monitoring
August 26, 2024**



	Hour 1	Hour 2
Hourly Avg	69.7	69.5
Max Levels	74.5	74.4
Exceeding Limit (min)	0.0	0.0

**Champlain Valley Exposition
Trevor Contois Band - Beatles Tribute Concert - West Boundary Noise Monitoring
August 26, 2024**



	Hour 1	Hour 2
Hourly Avg	62.3	63.4
Max Levels	75.9	72.6
> 83 dBA (sustained time > 83 dB, in minutes)	0.0	0.0



August 12, 2024

Christopher Yuen
 Community Development Director
 City of Essex Junction
 2 Lincoln Street
 Essex Junction, Vermont 05452

RE: Environmental Sound Monitoring – Wolfsgart 2024

Dear Mr. Yuen;

Vermont Air Testing Services (VATS) was retained by the City of Essex Junction to perform perimeter environmental sound monitoring at the Champlain Valley Exposition (CVE) for selected outdoor events held at the facility throughout the 2024 summer outdoor event season. Sound monitoring was performed using Quest Technologies Sound Pro DL Type II integrating/logging sound level meter (SLM) setup to collect broadband sound level readings. The SLM used for the monitoring was configured to log average sound pressure levels every 5 seconds in the broadband or A-weighted scale. The SLM microphone was fitted with a windscreen to minimize wind disturbance. The SLM was calibrated to a 114 decibel (dB) tone prior to and following the sound monitoring event.

One SLM was deployed overnight for each the Wolfsgart event held at the CVE starting on the evening of July 25th through the morning July 28th with three nights of overnight monitoring. A single SLM was used to monitor each night of the event and the SLM was placed along the eastern boundary fence line approximately 50 feet south of the Green Gate entrance. The Wolfsgart event was an overnight camping event with activities held throughout the evening primarily in the parking and RV camping areas at the fairgrounds. The weather for the event started with cloudy skies changing over to fair skies with winds out of the northwest up to 10 mph changing over to winds out of the east up to 5 mph. The skies remained fair throughout the remainder of the event. The temperatures ranged from the low 80's to the mid 60's. There was a period of light rain during the overnight at approximately 2 am on July 27th. Sound monitoring began at approximately 7:00 pm each evening and concluded the following morning at 7:00 am. The sound monitoring data is presented in the attached charts and a summary of the monitoring data is provided below.

The maximum hourly average sound level from 7 pm to midnight, which correlates to Hours 1 through 5, was 78 dBA with the maximum 5-minute average sound level defined at 83 dBA. Hour 6 maximum hourly decibel level was 55dBA with a 5-minute maximum of 65 dBA. Hours 7 through 12, 1 am to 7 am, were limited to a 50 dBA hourly average with 60 dBA. The table below presents the Thursday night SLM property line hourly average sound data, the maximum sound levels and the time duration of sound levels above maximum allowable sound level in minutes.

	Hour											
	1	2	3	4	5	6	7	8	9	10	11	12
Hourly Average (dBA)	55.3	51.3	50.8	51.1	47.3	43.9	43.5	43.8	43.8	44.4	45.8	46.7
Max Sound Level (dBA)	74.3	59.1	58.0	59.8	58.7	55.4	47.8	45.8	47.6	52.9	59.3	63.8
Time Above Max Level (min)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4

The data presented above indicates the hourly average sound limits were not exceeded at any time during the monitoring event. The maximum sound level was exceeded along the east property boundary during Hour 12, the 6 am to 7 am time. The maximum sound limit was exceeded for 0.4 minutes or approximately 25 seconds. The sound level did not violate the sound agreement as the maximum sound level in the agreement is defined as a sustained maximum five-minute average in the established sound criteria limits.

The Friday night monitoring data is presented in the following table:

	Hour											
	1	2	3	4	5	6	7	8	9	10	11	12
Hourly Average (dBA)	49.9	50.8	49.8	48.9	48.2	46.0	44.0	43.1	43.3	42.4	42.7	43.2
Max Sound Level (dBA)	56.9	61.0	58.8	56.0	57.5	57.1	52.1	47.4	61.2	50.5	53.5	56.7
Time Above Max Level (min)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.0	0.0

Again, the data presented above indicates the hourly average sound limits were not exceeded at any time during the monitoring event. The maximum sound level was exceeded along the east property boundary during Hour 9, the 3 am to 4 am time. The maximum sound limit was exceeded for 0.3 minutes or approximately 20 seconds. The sound level did not violate the sound agreement as the maximum sound level in the agreement is defined as a sustained maximum five-minute average in the established sound criteria limits.

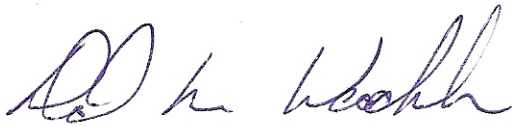
The Saturday night monitoring data is presented in the following table:

	Hour											
	1	2	3	4	5	6	7	8	9	10	11	12
Hourly Average (dBA)	50.4	49.6	54.9	52.6	48.5	46.4	43.2	41.9	41.5	41.5	42.6	41.8
Max Sound Level (dBA)	68.0	62.6	69.8	67.1	75.2	55.0	54.1	46.2	46.9	45.0	52.2	52.9
Time Above Max Level (min)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

As with the other overnight data, the sound level data presented above indicates the hourly average sound limits were not exceeded at any time during the monitoring event. The maximum sound level was also not exceeded per the definition of Max Sound Level along the east property boundary throughout the Saturday night into Sunday morning event.

The sound level data is presented in attached charts for the SLM used during the Wolfsgart monitoring event held on July 25th through July 28th, 2024. The sound levels measured throughout the event did not exceed the established sound level criteria without exception. The established sound level criteria used for monitoring outdoor events held at the Champlain Valley Exposition are defined in the Sound Indemnification Agreement between the Champlain Valley Exposition and the City of Essex Junction.

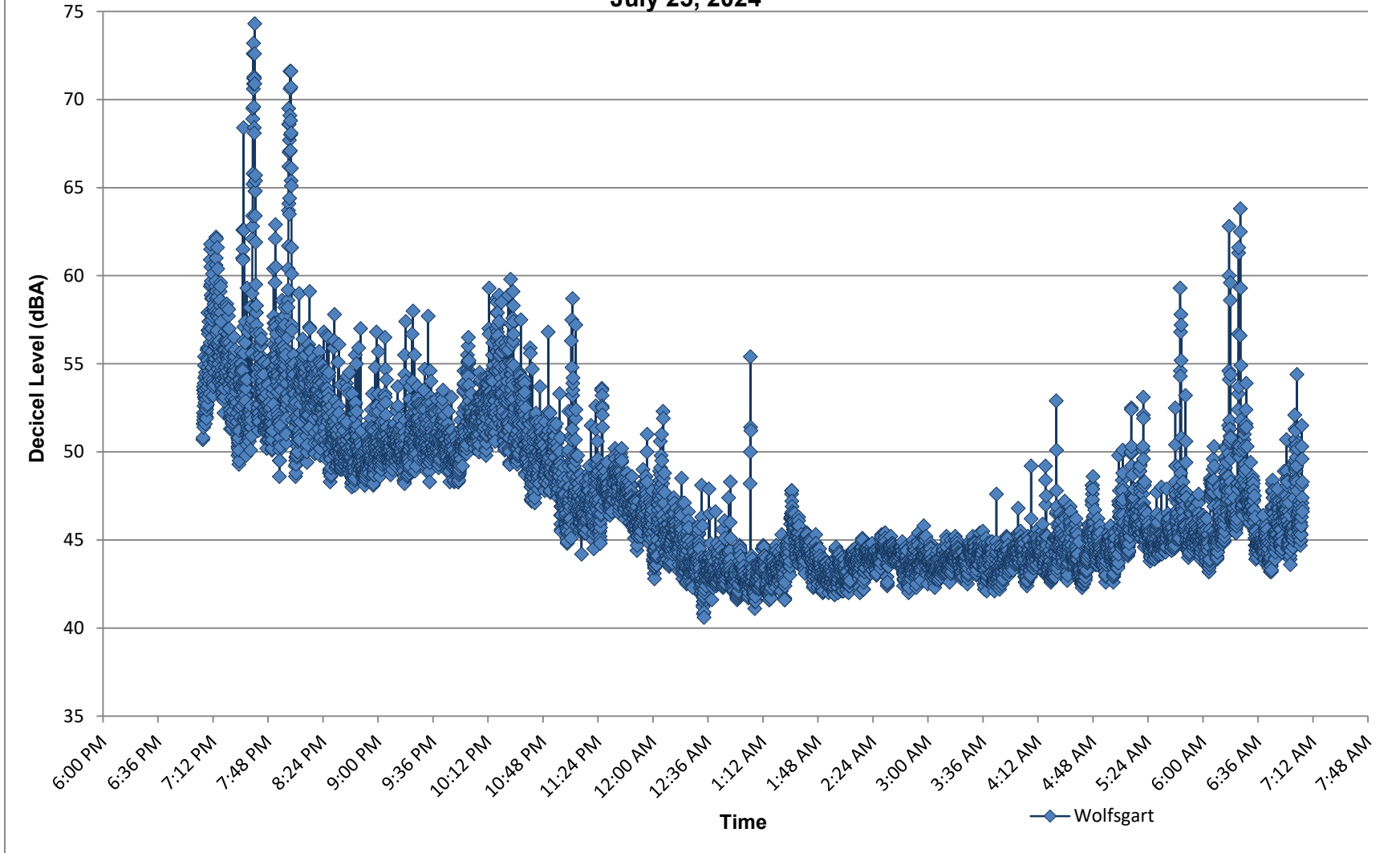
Best regards,

A handwritten signature in black ink, appearing to read "Dave", written in a cursive style.

Principal

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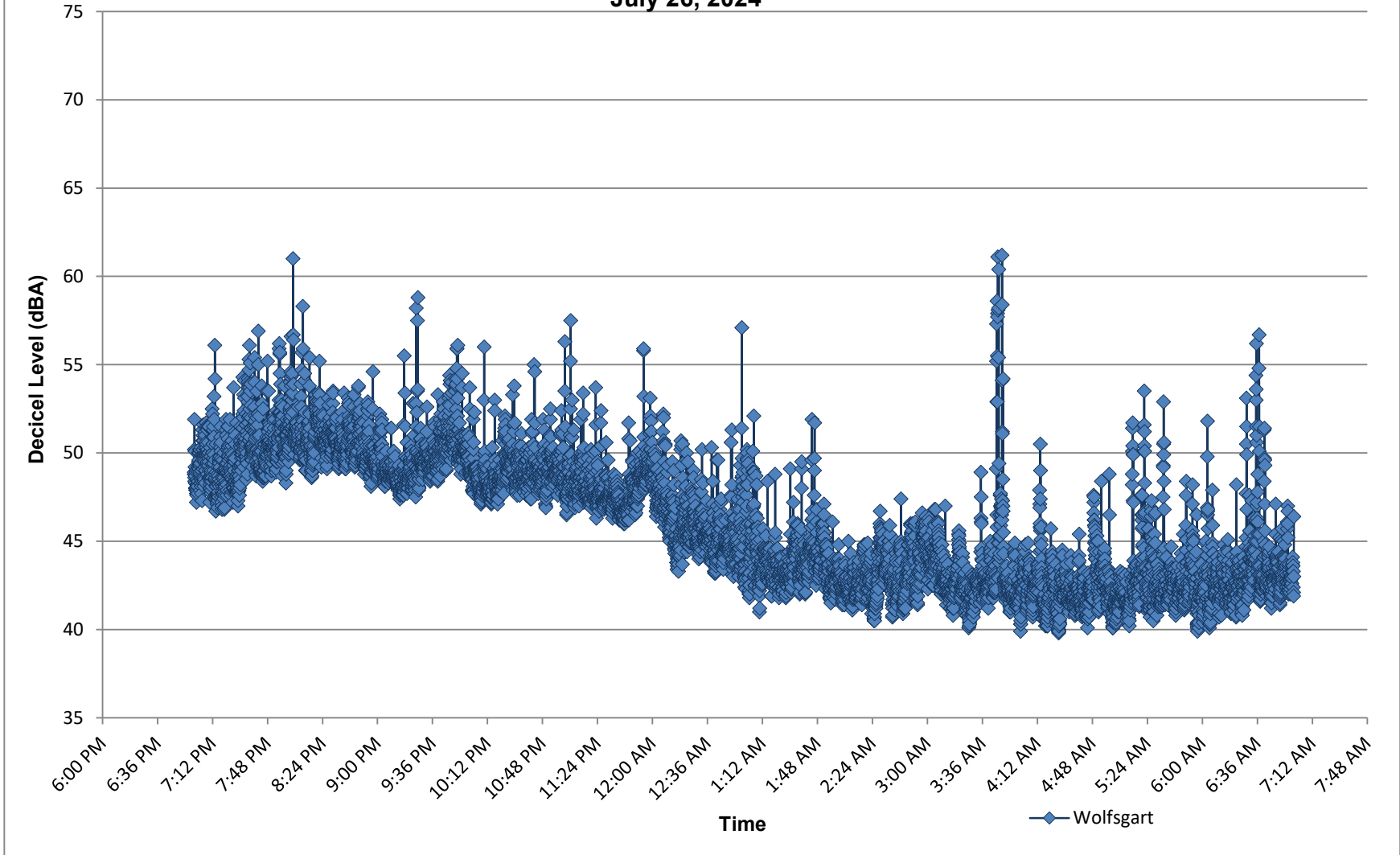
**Champlain Valley Exposition
 Wolfsgart - East Boundary Noise Monitoring
 July 25, 2024**



	Hour 1	Hour 2	Hour 3	Hour 4	Hour 5	Hour 6	Hour 7	Hour 8	Hour 9	Hour 10	Hour 11	Hour 12
Hourly Avg	55.3	51.3	50.8	51.1	47.3	43.9	43.5	43.8	43.8	44.4	45.8	46.7
Max Levels	74.3	59.1	58.0	59.8	58.7	55.4	47.8	45.8	47.6	52.9	59.3	63.8
Exceeding Limit (min)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4

	Hour 1 to Hour 5	Hour 6	Hour 7 to Hour 12	Hour 1 to Hour 5: 7 pm to 12 am
Max Hourly Averages:	78 dBA	55 dBA	50 dBA	Hour 6: 12 am to 1 am
Max Levels (5 min average):	83 dBA	65 dBA	60 dBA	Hour 7 to Hour 12: 1 am to 7 am

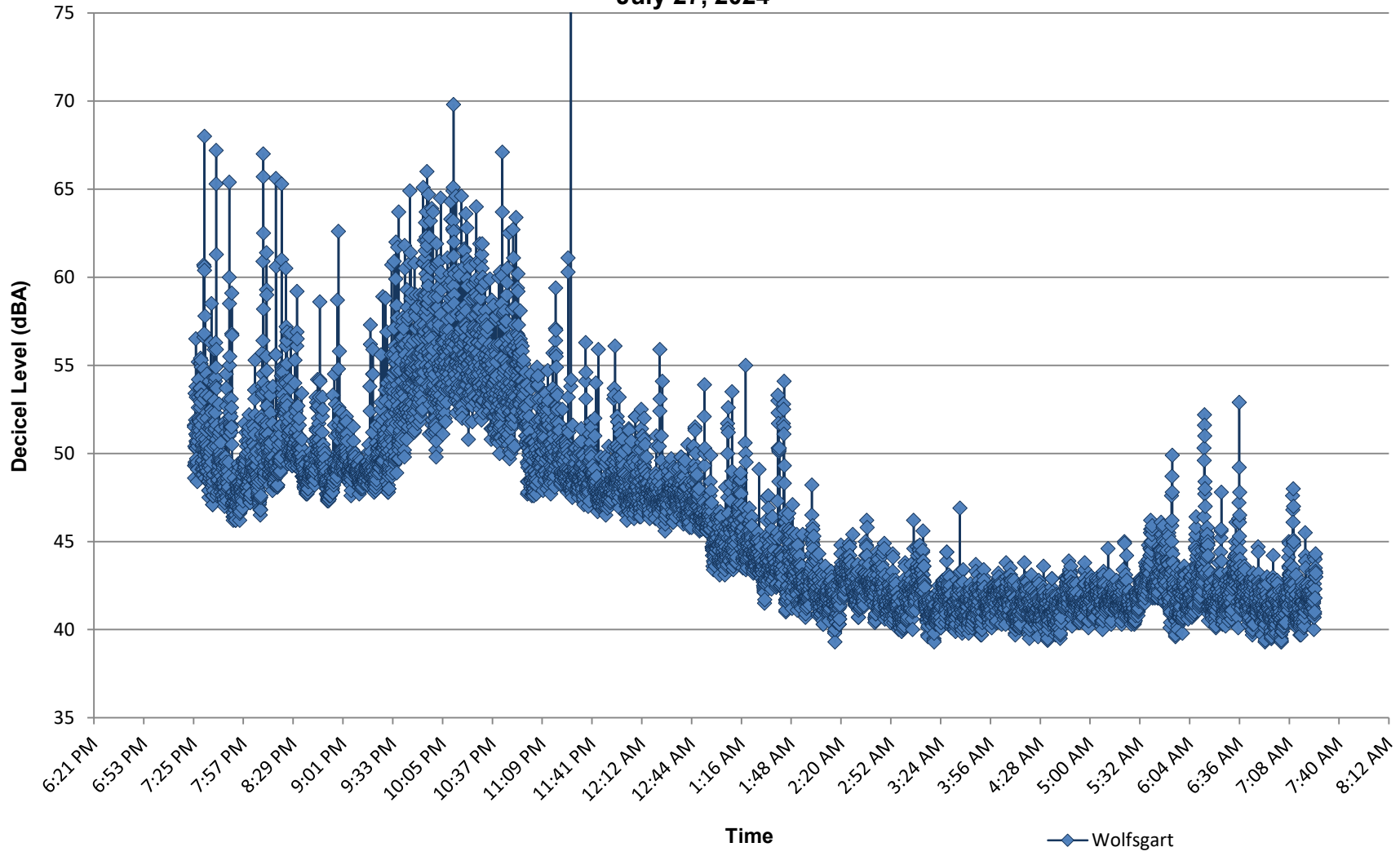
**Champlain Valley Exposition
 Wolfsgart - East Boundary Noise Monitoring
 July 26, 2024**



	Hour 1	Hour 2	Hour 3	Hour 4	Hour 5	Hour 6	Hour 7	Hour 8	Hour 9	Hour 10	Hour 11	Hour 12
Hourly Avg	49.9	50.8	49.8	48.9	48.2	46.0	44.0	43.1	43.3	42.4	42.7	43.2
Max Levels	56.9	61.0	58.8	56.0	57.5	57.1	52.1	47.4	61.2	50.5	53.5	56.7
Exceeding Limit (min)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.0	0.0

	Hour 1 to Hour 5	Hour 6	Hour 7 to Hour 12	Hour 1 to Hour 5: 7 pm to 12 am
Max Hourly Averages:	78 dBA	55 dBA	50 dBA	Hour 6: 12 am to 1 am
Max Levels (5 min average):	83 dBA	65 dBA	60 dBA	Hour 7 to Hour 12: 1 am to 7 am

**Champlain Valley Exposition
 Wolfsgart - East Boundary Noise Monitoring
 July 27, 2024**



	Hour 1	Hour 2	Hour 3	Hour 4	Hour 5	Hour 6	Hour 7	Hour 8	Hour 9	Hour 10	Hour 11	Hour 12
Hourly Avg	50.4	49.6	54.9	52.6	48.5	46.4	43.2	41.9	41.5	41.5	42.6	41.8
Max Levels	68.0	62.6	69.8	67.1	75.2	55.0	54.1	46.2	46.9	45.0	52.2	52.9
Exceeding Limit (min)	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Max Hourly Averages:	Hour 1 to Hour 5	Hour 6	Hour 7 to Hour 12	Hour 1 to Hour 5: 7 pm to 12 am
Max Levels (5 min average):	83 dBA	65 dBA	60 dBA	Hour 6: 12 am to 1 am
				Hour 7 to Hour 12: 1 am to 7 am

**CITY OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
OCTOBER 10, 2024
DRAFT**

MEMBERS PRESENT: Diane Clemens, Chair; Scott McCormick, Vice-Chair; Elena Juodisius; Elijah Massey, Kirstie Paschall

ADMINISTRATION: Chris Yuen, Community Development Director

OTHERS PRESENT: Adam & Eva Slocum

1. CALL TO ORDER

Ms. Clemens called the meeting to order at 6:33 PM.

2. AGENDA ADDITIONS/CHANGES

Mr. Yuen requested that Item 5b, “Land Development Code Amendments” be heard before Item 5a, “Connect the Junction Transit Oriented Development Master Plan Update.” All agreed.

3. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

None.

4. MINUTES

a. September 5, 2024

MOTION by DIANE CLEMENS, seconded by ELIJAH MASSEY, to approve the minutes of September 5, 2024, with changes. Motion passed 5-0.

-Ms. Clemens requested that the word “no” be changed to “not” in the second sentence of the first paragraph in Item 5c.

5. BUSINESS ITEMS

a. Land Development Code Amendments

Ms. Yuen said that the PC has been working on including the “low hanging fruit” to eliminate barriers to developing additional housing. He described potential changes to parking regulations. The current LDC states that parking in the R1 or R2 districts shall not take up more than 30% or 20 feet of the linear frontage of the lot, whichever is less. With the current LDC regulations, every unit needs at least one parking space. Thus, it is not possible to park enough cars to meet current housing needs with three or fourplexes. To mitigate this, Mr. Yuen has proposed separating the lot into three separate areas, each with different parking requirements. These are listed as areas A, B and C. As a test case, he brought up an image of a potential fourplex conversion in the R2 district belonging to the Slocum family. Mr. Slocum said that he has an existing duplex that he would like to convert to a fourplex. He said that the 30% requirement is preventing him from adding additional units to the property. Parking in the back would not be viable.

Mr. Yuen said that this particular property could make a strong case for a variance to the side setback. There is no way to access the back spots with the current width requirements. Mr. Yuen suggested having some type of waiver available to access parking. Mr. Yuen asked the PC if they felt that adding more housing was justified for including more parking that is visible from the road. Ms. Clemens said that it is

important for the regulations to have the flexibility needed to allow quadplexes. Mr. Yuen said that the proposal is to have standards associated with the number of units (up to four units), and to allow for a wider curb cut for more units. Ms. Juodisius said that she does not have an issue with vehicles driving across or parking on the grass. Mr. Slocum said that many families have two cars, and that tandem parking would be preferable to limiting the number of spaces. The location of sidewalks restricting the amount of parking was discussed. In cases where there is no sidewalk, it would make sense to treat areas A and B the same and allow up to 40% of the width of the lot to be allocated to the driveway and/or parking. This would not be allowable for a single-family home. Mr. Yuen will include these changes into the draft.

Mr. Yuen detailed potential changes to the LDC:

- The site plan requirements can be quite arduous for small landowners. Properties with under five units are proposed to be exempt.
- There is an added provision for the Bianchi provision. This states that if the municipality does not enforce a violation for fifteen years it is not enforceable. This is not the same as an existing non-conformity. The violation would not be considered a legal property, however no enforcement can come against it.
- Some type of non-conforming temporary signs need to be removed within ninety days.
- Provisions are added for residential garages, in properties up to quadplexes. This will not allow a very large garage with a smaller house.
- The definition of impervious surface for stormwater purposes was clarified. Permeable driveways will not count towards lot coverage.
- Uses which are not on the use chart will be treated like those to which they are substantially similar. If no use is substantially similar, they will be treated as a conditional use. Aerodromes are an excluded use.
- Technical updates were made to lighting regulations. No zoning permit would be required to install lighting for up to a four-plex.
- A “single housekeeping unit” was better defined.
- Additional language was added to the section on food trucks. These would be treated as a permanent, rather than temporary use. Food trucks are permitted wherever eating and drinking establishments are allowed, and no full site plan approval is needed. If there are two or more food trucks on a single lot bathrooms must be made available.
- Due to sewer regulations, a floor plan will be required for any new property besides a single family dwelling.

SCOTT MCCORMICK made a motion, seconded by ELIJAH MASSEY, to move that the Planning Commission warn the Land Development Code Amendments as amended, for public hearing on November 7, 2024. Motion passed 5-0.

SCOTT MCCORMICK made a motion, seconded by ELIJAH MASSEY, to move that the Planning Commission approve the Summary Report as amended. Motion passed 5-0.

a. Connect the Junction Transit Oriented Development Master Plan Update

Mr. Yuen said that the design charette was last weekend, garnering quite a bit of media attention. The consultant will be presenting their findings and ways to further refine the major ideas at a future meeting.

6. MEMBERS UPDATES

Ms. Clemens said that she and Mr. Yuen attended a county housing discussion, which was very informative. There is a statewide housing conference on November 14th. On March 31st, the Vermont League of Cities and Towns is holding a zoning conference. The PC will be presenting to the City Council on December 11 regarding general updates and the LDC. Mr. McCormick suggested that future planning for the PC should be discussed at the next meeting. He said that the state Climate Action Plan is nearing it's final draft, and that there will be a series of stakeholder engagement meetings coming up.

7. STAFF UPDATES

None.

8. ADJOURN

MOTION by SCOTT MCCORMICK, seconded by ELIJAH MASSEY, to adjourn the meeting at 8:52 PM. Motion passed 5-0.

Respectfully submitted,
Darby Mayville