

**CITY OF ESSEX JUNCTION  
PLANNING COMMISSION  
PUBLIC HEARING  
MINUTES OF MEETING  
June 6, 2024  
APPROVED February 1, 2024**

**MEMBERS PRESENT:** Phil Batalion, Chair; Patrick Scheld, Vice Chair; Diane Clemens, Scott McCormick.

**ADMINISTRATION:** Michael Giguere, City Planner; Chris Yuen, Community Development Director.

**OTHERS PRESENT:** Shawn Handy, Lexi.

**1. CALL TO ORDER**

Phil Batalion called the meeting to order at 6:32 PM.

**2. AGENDA ADDITIONS/CHANGES**

Commissioner McCormick requested adding a Commissioner update topic around the Climate Action Plan.

Director Yuen requested adding a sub-topic for the Land Development Code amendments related to the Vermont Homes For All Initiative.

**3. PUBLIC TO BE HEARD**

a. Comments from Public on Items Not on Agenda  
None.

**4. MINUTES**

a. April 4, 2024

**MOTION by SCOTT McCORMICK, SECOND by DIANE CLEMENS to approve the minutes of April 4, 2024 as presented. VOTING: unanimous (4-0); motion carries.**

**5. BUSINESS ITEMS**

a. Welcome for new City Planner Michael Giguere

City Planner Giguere introduced himself and provided a summary of his background and expertise.

b. Land Development Code amendments, including discussion on following topics:

i. Change previously discussed in April

ii. Approval of Temporary Uses – Food Trucks and Trailers

Director Yuen noted that there was a proposed amendment to allow for year-round operation of food trucks and trailers, saying that consecutive reviews would be allowed by staff if there were no issues. He said that it may be worth considering regulation on sound nuisance, given that there was one complaint regarding a food truck's generator noise.

Commissioner Batalion asked whether there is a noise ordinance, and Director Yuen replied that there is and that sound can be regulated, but that enforcement has been the issue around this topic in the past.

Commissioner Batalion said that he would be comfortable adding language around noise, or a requirement that generators be plugged in to minimize noise. Director Yuen said he would take this back and draft proposed language.

iii. Tandem Parking Spaces

Director Yuen noted that this was discussed in April and that there had been a question around length. He said that he researched what other municipalities in Chittenden County have for regulations and that 34 feet was a common length.

iv. Planned Unit Development open space requirements

Director Yuen said that this relates to allowing balconies in lieu of yard space, noting that he put wording into the amendments to allow for this.

v. Miscellaneous technical changes for technical consistency and cultural inclusivity

Director Yuen spoke briefly about the technical changes made within the LDC amendments. Planning Commissioners spoke about the technical change related to the definition of “Family.”

vi. Day Care/Family Care Facilities in residential and mixed-use districts

Director Yuen also noted that Day Care and Family Care Homes are not allowed uses in the Agricultural districts, but noted that there is quite a bit of residential development in those districts and said that there isn't a good policy reason to bar those as uses in those districts, so he made changes to allow these as uses. He also noted that Day Care Facilities were not allowed in the Highway Arterial district and he also made a change to allow those as uses in that district.

vii. Uses not specified in the use-table

Director Yuen said that the proposed amendments would codify that similar uses (that aren't specified in the use table) be treated the same as the specified uses they are similar to. He also said that if a use is not specified and isn't similar to a specified use, the path would be to look at conditional uses, which would be reviewed and approved by the Development Review Board (DRB).

viii. Other changes for consistency with State Statute

Director Yuen spoke about other changes for consistency with Vermont law. He said that one is the MF-3 zone, which allows for 3 units per lot, which isn't compliant with the HOME Act, which allows for 4 units per lot in residential districts. He said that this change would make the MF-3 zone similar to the R-2 district. He noted a new reference to statute regarding limits to municipal powers to regulate certain uses, such as emergency shelters.

ix. Multiple Residential Buildings per Lot

Director Yuen spoke about a change related to allowing multiple buildings per lot. He said that if four units are allowed in one larger structure, four should also be allowed for two smaller structures on the same lot (consistent maximum of four units per lot), for the R-1 and R-2 districts. Commissioner Batalion said he is supportive of this but would like City Council discussion and buy-in prior to proceeding with this amendment, since this change has the potential to change the landscape of the City.

x. Consistency of Density Limits between R1, R2, MF3, and R-O Districts

Director Yuen said that the MF3 and R-O districts are transition zones between the R-1 and R-2 districts and the City center. He said that they previously allowed for higher densities than the residential districts but aren't as high as the Village Center district. He said that however, now that four-plexes are allowed in residential districts through the HOME Act, the densities in the MF3 and R-O districts are lower than the residential districts. He said that there is no planning justification for this unusual density pattern, if these areas are to continue serving as transition zones. Commissioners agreed that it does not make sense for them to be less dense than the residential districts.

xi. Vermont Homes for All Initiative

Director Yuen said that the City applied to participate in the state's Homes for All Toolkit, which is for small-scale homebuilders, investors, and community leaders. He said that it also includes example housing typologies that come with pre-approvable plans. He said that because the City doesn't have a building code, it relies on its zoning to prevent unwanted housing typologies from being built. He encouraged Planning Commissioners to review the toolkit. Commissioner Scheld echoed this, speaking about how this toolkit helps making homebuilding and development more accessible.

Director Yuen asked whether now is an appropriate time for staff to review dimensional requirements in the lower-density neighborhoods (R1, R2, MF3) to see if they are following best practices to encourage missing infill housing. He noted that the TOD study will examine the main corridors, but that there is no separate initiative planned to look at the other neighborhoods. He said that this would entail looking at setbacks and lot coverage limits. Commissioners discussed this, and Director Yuen said that he will look into this and report back.

Commissioner Clemens asked that the chart related to Section 622 be oriented for better readability in the document.

c. Chittenden County Regional Planning Commission board member position

Director Yuen noted that a board position on the CCRPC is opening up and invited Planning Commissioners to apply, if interested.

d. Reschedule July and October meetings

Commissioners discussed rescheduling, and decided to reschedule the July meeting to July 3, 2024 and will address the October meeting at a later date.

## **6. COMMISSIONER UPDATES**

a. Vision & Strategic Planning

Director Yuen that there is also a survey that is open to all department heads and commission and board members, in order to obtain feedback to help with prioritization. He encouraged Commissioners to fill out the survey.

Commissioner Batalion said that this is his last meeting and will not be reapplying for another term.

Commissioner Scheld said that he is moving to the Town of Essex and is unsure if he will be eligible for serving on the City's Planning Commission, or will have enough time to dedicate to serving, but he will continue to explore options.

b. Climate Action Plan

Commissioner McCormick said that the state's initial Climate Action Plan was approved in 2021 and that it needs to be updated by July 1, 2025. He said that subcommittees are working diligently to come up with amendments and conducting a gap analysis of what needs to be addressed in the next version of the action plan. He said that many of the items being discussed are items that the Planning Commission has also discussed, including affordable housing, land use changes, building codes, and weatherization programs. Director Yuen suggested having a dedicated item at the next meeting to update the Commission on progress on the next Climate Action Plan and solicit feedback.

**7. STAFF UPDATES**

Director Yuen said that the Transit Oriented Development (TOD) study has kicked off and the proposed timeline includes a four-day design workshop for the public at the end of the summer and anticipates the entire project wrapping up within the next year. He said that they are considering forming a steering committee for this project.

**8. ADJOURNMENT**

**MOTION by SCOTT McCORMICK, SECOND by DIANE CLEMENS, to adjourn the meeting.  
VOTING: unanimous (4-0); motion carries.**

The meeting was adjourned at 8:24 P.M.

*RScty: AACoonradt*