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3 **Selectboard Meeting**  
4 **July 7, 2016 at 7:00 p.m.**  
5 **Jericho Town Hall, 67 Vermont Route 15**  
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7 **Members present:** Catherine McMains (Acting Chair), Wayne Howe

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9 **Others present:** Todd Odit (Town Administrator), Jason Cheney, Adam Popkin, Susan Bresee, Tate Brannan, Robin  
10 Bartlett, Linda Lewis Nadeau, Linda Porter, Colleen Korniak, Donald Foote, Burton Rawson, Barb Adams, Chuck  
11 Lacy, Jim Carroll, Glenn Martin, Ellie Martin, David Villeneuve, Randy Clark  
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13 The public hearing was called to order by Ms. McMains at 7:00 p.m.  
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15 **1. Public Hearing – Proposed Zoning Amendments.**

16 Mr. Lacy asked why the accepted or appropriate size of many buildings has been reduced from 3,000 feet to  
17 2,000 feet. Mr. Howe asked if Katherine can respond to that question. Ms. McMains said the Planning  
18 Commission has been working on these for a long time. Ms. Sonnick stated there are two different changes to  
19 square footage: 1) the overall size of buildings from 60,000 down to 12,000 square foot footprint; and 2) within  
20 the use chart, I think is what Mr. Lacy refers to, the 3,000 to 2,000. She said the idea is, it is not changing the  
21 allowable size, it is just when it enters into conditional use review. She stated that is really the difference. Ms.  
22 Sonnick said this falls back to why it was changed to 12,000 square feet and it was the desire to have smaller  
23 buildings in Town, fitting into the existing character of the buildings.  
24

25 Mr. Lacy asked why is that; why are smaller buildings better. Ms. McMains stated my take on the change from  
26 the 60,000, particularly for the commercial, is that the Selectboard got involved. She said it made sense in  
27 reading it myself because right now it is a one size fits all, except the Riverside area, and because the Commercial  
28 District hasn't been changed since the '80s. She said it made sense to let something happen because the  
29 Selectboard had changed some wording to keep the strip development from happening. Ms. McMains said this  
30 allows that something could happen, but at the same time, if you put a 60,000 square foot structure in there  
31 now while everybody is talking about the Commercial District. She said it could change the whole dynamics of  
32 what we were trying to do with public input, meetings with the public, the consultant, and the Planning  
33 Commission, and eventually the Selectboard. She stated why not see what happens because if the Commercial  
34 District becomes something like Riverside, where it has its own rules in terms of size, as things play out with the  
35 consultant. Ms. McMains said rather than having something happen in the interim, it made sense to have  
36 smaller; the Corners and the Center at 12,000 made a lot of sense. Mr. Odit clarified that it is lowering the  
37 threshold for conditional use review from 3,000 to 2,000. Ms. McMains said I was just talking about the 12,000  
38 from 60,000. Mr. Odit stated it is not limiting the size.  
39

40 Mr. Lacy said what the Town is doing is saying we are going to exercise a control over what you do over smaller  
41 properties than previously; we are going to increase your costs of developing that lot by making you go through a  
42 review process. He said my question is what is the objection of a 3,000 square foot building versus a 2,000  
43 square foot building; why are we reducing it from 3,000 to 2,000. He said there just aren't that many businesses  
44 that are practical at 2,000. Mr. Lacy said what effectively you are saying is that we want to exercise a high degree  
45 of control over anybody who wants to build a commercial structure down to 2,000 square feet. He stated my  
46 question is why are we moving from 3,000 to 2,000. Mr. Odit asked if he has a suggested square footage. Mr.  
47 Lacy said you are making a change and I am asking why. Mr. Odit stated I am saying to help the Board inform the  
48 process; if that is not the right one, do you have a suggestion.  
49

50 Mr. Lacy responded I would leave it the same unless somebody had a clear reason why they want to exercise a  
51 lot of control over somebody building a 2,100 square foot commercial building, or 2,900 square foot building.  
52 He said we are saying there is a problem here; we are making a change; and that there is a problem between  
53 2,000 and 3,000 square foot buildings. He stated I would like to know what that problem is. Mr. Lacy said if  
54 there is not a problem, then why are we making a change. He stated this is a major change throughout the  
55 document and I want to know why. Ms. McMains responded that is why the Planning Commission has had a lot  
56 of meetings and public input; now the Selectboard is having a public hearing to continue getting input before we  
57 actually make a decision.

58  
59 Mr. Lacy said I would like to hear the reason why. Mr. Howe said I don't want to explain that all away, but I do  
60 recall when we were on the Planning Commission and some of these different uses had different thresholds if  
61 you will and a number of years ago many of those were brought into a 3,000 square foot compliance. He said  
62 some of this had to do with some of the concerns about a possible restaurant out in the Flats, or something. He  
63 said I don't know what precipitated the whole thing, but there was some effort at that time to make the  
64 threshold consistent across different uses. Mr. Howe stated that mark was 3,000 square feet; at that point it was  
65 merely for convenience to make for consistency. He said I don't have an explanation Chuck; I am just clarifying  
66 that maybe you picked 2,000 because it seemed to be a little more representative of the input. He said I don't  
67 know; I don't want to put words in the Planning Commission's mouths.

68  
69 Mr. Carroll stated to just put an overview on this from the perspective of zoning and zoning regulations, in my  
70 world, both as a landowner in Jericho and as a citizen and a person in the community, when we make changes to  
71 zoning regulations, these are far-reaching things. He stated this change that has just been discussed has a  
72 profound effect on the Town of Jericho; I asked the same question at the Planning Commission that Chuck asked  
73 and I was told the purpose of the meeting was to gather feedback, not to answer questions. He said I am going  
74 to take a shot at this from a global perspective; this was presented at the meeting that I attended as a technical  
75 correction and making greater congruity with the new Town Plan. Mr. Carroll said I find some of these subjects  
76 that we are talking about because maybe there wasn't enough discussion, or certainly the ramifications  
77 projected. He said I will take advantage of my friend in front of me; they have a business in Jericho with 14,000  
78 square foot footprint. He stated I would like to suggest that having the fair market value of Clark's Truck Center,  
79 by making it pre-existing non-conforming is very significant; therefore, that is just to hit the 12,000 square foot  
80 issue.

81  
82 Mr. Carroll said I want to nail another issue, elderly; I am getting closer all the time. He said the Town Plan says  
83 age in place. He discussed an elderly home in Colchester, including the square footage, saying God bless  
84 somebody if they come to Jericho to build one of those buildings. He stated I don't see anything; I don't see  
85 Target or Walmart coming to Jericho. Mr. Carroll said I know a lot of people are upset about Dollar General, but  
86 the bottom line is we cannot prevent any individual company because we don't like that company from coming  
87 to Jericho. He said we do not want to depreciate the Grand List. He stated I, for one, don't want to see my  
88 friends and neighbors in battle in the DRB meetings, or in court, fighting over what I would say is incongruities.

89  
90 Mr. Carroll said I have studied over the past two years Jericho's mistakes; when we end up in court, either as a  
91 Town, as a landowner, or as an anti-development person, something went wrong in the process. He stated in our  
92 process in Jericho, we don't have enough dialogue. He said in every meeting I have gone to, I have been told you  
93 only have two minutes, or you only have three minutes; that is the result of this 2005 Rules of Practice and Ethics  
94 Manual, reading an excerpt from the manual about limiting discussion. Mr. Carroll stated when an applicant has  
95 an hour and a half to present their case; it also says in here, fair and equal; three minutes is not fair and equal.  
96 He said I have sat through these meetings that ended up in court, that I know was avoidable if people talked  
97 about it. He said to push through zoning changes, and Chuck is hitting on a second point, conditional use.

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99 Mr. Carroll said as a person who develops real estate, conditional use and the presence of objections is the same  
100 as not permitted at all. He stated you are not going to win if it is conditional use if you go to court. He said not  
101 only was there no support for 2,000 square feet, there is no support for 3,000 square feet. Mr. Carroll said we  
102 really need to think through and extrapolate when we make changes to the ordinance. He said if we are against  
103 something, we need to have the integrity to stand up and say this is what we don't want to have happen. He  
104 stated you can't just go through every single zone in Jericho and say you can only have a 12,000 square foot  
105 building. Mr. Carroll said as far as I am concerned, as a taxpayer in Jericho, this is DOA because there isn't  
106 enough backup for that. He said a 30% reduction in conditional use, there is no backup for that. He stated  
107 elderly, which I think really should be in here, is being removed. He said elderly should be put into the table of  
108 definitions because it is not defined. Ms. McMains stated that is part of the changes, there is a definition for  
109 senior. Mr. Carroll said it is being removed; I said elderly. He stated elderly and seniors are two totally different  
110 things. He said elderly density, for example, because we are going from 50% bonuses to 25% bonuses and we  
111 are eliminating bonuses for elderly. He said our Town Plan says to support age in place. Ms. McMains stated  
112 there are other people who have comments, so I need to move on.

113  
114 Mr. Lacy said we are going to a series of hearings where people say we would like your input, but we are not  
115 going to answer your questions. He stated I would like to know what that hearing is. He said the question is why  
116 are we reducing from 3,000 to 2,000 square feet; what I am hearing from you is that we are looking for input.  
117 Mr. Lacy said I don't know what my input is because I don't know why you are doing it. Mr. Odit clarified this is a  
118 proposal from the Planning Commission. Ms. McMains said we don't make those decisions. Mr. Howe added it  
119 is the Planning Commission who has made those recommendations to us. Mr. Lacy said at the Planning  
120 Commission meeting we were told we want your input and we are not giving you any answers. He asked what is  
121 a citizen to do to find out the reason. Mr. Odit said the Selectboard will take your input and may need to meet  
122 with the Planning Commission. Mr. Howe said that is a very legitimate question; I am still trying to figure out the  
123 propriety of my own comments during the hearing, but many of the concerns that both you and Jim have raised  
124 were also foremost in my mind the last couple of days.

125  
126 Mr. Lacy stated my understanding is that the combination of the 12,000 square feet and also the outdoor  
127 commercial space, are two strikes against Clark's. He said we are saying we don't want Clark's; Clark's is a  
128 problem in our Town; we do not want another Clark's Truck Center. Ms. McMains said I do not think that is what  
129 they are saying. Mr. Lacy stated that is what it says. Ms. McMains said these are changes to help us move along;  
130 right now everybody is in the middle. She stated there is a huge study going on with the Commercial District, so  
131 the point is to wait and see. She said you have public input, the meetings, the consultant; why not wait to see  
132 what the whole process comes out to be. She said it may go to 25,000, it may go to 17,000, it might go to  
133 30,000, depending on what everyone finally comes to consensus on in the Commercial District. Ms. McMains  
134 said that is the only one I am talking about is the Commercial District. She said I can see putting a limitation on it  
135 because there was concern at the Selectboard level to slow the process down and let this whole thing come  
136 through to fruition. She stated this is the first time we have ever spent money on a consultant for the  
137 Commercial District since the '80s.

138  
139 Ms. McMains said I was on the DRB, it was always from the '80s and things haven't really been adjusted much,  
140 aside from little tweaks here and there. She said it may end up being its own kind of thing. She stated I think we  
141 should let that play out. Ms. McMains said I know that this puts a crimp on the Clark's right now, but it doesn't  
142 mean they cannot be changed. Mr. Howe stated a point of clarification, wouldn't the net result of the comments  
143 heard at today's meeting then be taken as information by the Planning Commission, who then might ultimately  
144 decide to amend some of those possible suggestions, depending on the continuing input that they receive, and  
145 then what ultimately might be approved by voters would reflect the comments, perhaps in part from tonight.

146  
147 Mr. Lacy said I have the conundrum of never being able to hear what the reason is. He said I have heard a reason  
148 here. He said I guess my input now is that maybe we should put an expiration date on these changes; if what we

149 are saying is that they are temporary, then let's say there is an expiration date. Mr. Lacy said because what we  
150 are doing is setting up a posture where someone has to argue, there is going to be a debate about whether to  
151 increase from 12,000; you are really kind of stealing a march on the future discussion by putting something in  
152 that would then need to be changed. He said so if what you are saying is that we just want to hold things and  
153 finish some stuff, then let's make this a really temporary and say they expire. Ms. McMains said that was my  
154 thinking anyway. Mr. Howe agreed, saying that would seem appropriate.

155  
156 Ms. Martin stated we have been going through this for many, many years; many studies that have cost a lot of  
157 money. She said I keep asking people where the money came from and it is grants or tax dollars. Ms. McMains  
158 stated this is the first real study for the Commercial District. Ms. Martin said what I want to know, that is of great  
159 concern to me, is if you would tell me what is motivating you to do this at this time when you are really not  
160 prepared. She said you are putting our property on hold, in essence. She stated with this zoning ordinance,  
161 anybody who wants to build something in this area is going to look at this zoning ordinance and get lost, go  
162 someplace else; that is what they are going to do and that is the intention, to put this property on hold.

163  
164 Ms. Martin asked are you going to put my taxes on hold along with that. She asked why; why are you pushing  
165 this so fast and what is the motivation. Ms. McMains responded there is a process; the Planning Commission has  
166 been working on this because there has been a new Town Plan. She said these are the zoning regulations that  
167 come out of the new Town Plan. She said they have had their hearings and the process says it comes to the  
168 Selectboard; the Selectboard has a public hearing where we are taking input and then in the regular meeting the  
169 Selectboard will discuss it and decide what the process will be going forward, noting some possible avenues. Ms.  
170 Martin stated we understand the process, I asked what is the motivation to push it through now; you are clearly  
171 not ready to do anything but put the property on hold. She said that is what you are doing; that is what this plan  
172 does. She said we know zoning regulations well enough; we are real estate people; we know the towns around  
173 us; we know what is happening here.

174  
175 Ms. Martin asked what is motivating you, other than Dollar General and the people who objected to it; what is  
176 motivating you. Ms. McMains responded we are just waiting for the various studies. Ms. Martin stated you are  
177 putting us on hold; why pass anything now. Ms. McMains said because the Planning Commission has passed this  
178 onto us; that is why we are here. Ms. Martin clarified it is the Planning Commission's responsibility. Ms.  
179 McMains agreed it is their responsibility. Mr. Howe agreed, saying this is the work that they have come up with  
180 to recommend to the Selectboard, who then takes public testimony, and then hopefully the ultimate  
181 recommendation is more reflective of the community's expectations on this matter. Ms. Martin said we are  
182 hearing two different things; the Planning Commission is telling us one thing and you are telling us another. Ms.  
183 McMains said not necessarily, it is all reflective.

184  
185 Mr. Villeneuve stated I would like to start out by saying that I went to the Planning Commission, I have been to  
186 all of their meetings regarding this subject. He said I say here that no changes, in my opinion, should be made to  
187 that affects the Commercial District at this time. He discussed the amount of conversation in a meeting that  
188 resulted in the change in square footage, saying that isn't thinking something through. Mr. Villeneuve stated it  
189 just isn't right. He said the same thing with parking, you can't have any parking in the front. He said you are  
190 going to do all of these changes, but you have a study in place that you are working on and I have no problem  
191 with the changes they come up with and work through the process, not just come out and pick a few numbers  
192 and do this where they don't know what they are doing. He said they definitely don't know what they are doing  
193 when they drop something from 50,000 to 8,000. Mr. Villeneuve said we complain about it and say I guess we  
194 aren't comfortable, so they add 50% more; they change these things. He said we have got a process in place to  
195 study the Commercial District; when you get it studied and the recommendations are in, change them. He said I  
196 am against any change at this time that affects the way it is.

197

198 Mr. Villeneuve said we have another thing; I don't go along with any timeframe that it is dropped. He said why  
199 does it have to be added, it doesn't. He said you can go to interim zoning, you can do whatever you want, but I  
200 have never seen a law that got in that didn't get erased and it took three times as long as it did to put it in there.  
201 He stated I don't think anybody in this room would disagree with that. Mr. Villeneuve said the things that they  
202 are looking at here, the Town Plan, I have raised a lot of questions for this Commercial District. He said I was on  
203 the Planning Commission once; I said what about infrastructure, what about roads in this area, what about the  
204 size of the Commercial District. He stated it has been 60 years that they never finished up the size of each of the  
205 districts and working on those basic things. Mr. Villeneuve said they haven't even done this and the  
206 infrastructure for the Commercial District or anything; they are always trying to change a few regulations of how  
207 a building looks, or size, when you should have a Master Plan about these districts that you don't have in place  
208 now. He said I think the Planning Commission has come to that conclusion, because I met with the Chair of the  
209 Commission and I have met with the Town Planner and so forth, and we need that Master Plan before you do  
210 anything. He stated then, when you come back to infrastructure, you visit these little picayune regulations and  
211 argue about the shape of a building or how it is going to set.

212  
213 Mr. Villeneuve stated what has the Town's Selectboard, if they are in charge, or the Planning Commission ever  
214 done for infrastructure in this Town as a plan. He said they finally got gas up in that area and the gas companies  
215 come in, do the work on their own, and they choose the places they want to go. He said I can tell you that from  
216 Clark's Truck Center, they finally put it to there because it was a big use and it was cost-worthy. Mr. Villeneuve  
217 said to get that gas line extended from Clark's Truck Center to the bridge and to do my house and every single  
218 house, seven of us including Super Sounds, they wanted \$20,000 more for us to kick in to get it built and that is  
219 on the main highway. He said I am just using infrastructure for example; electricity, three-phase power, water.  
220 He stated you have a commercial zone up there and you are arguing about the size and things of stuff, but  
221 nothing is ever done about any of that stuff.

222  
223 Mr. Lacy said my input is looking for where we have the conversation where we learn about why these changes  
224 are proposed. He said one in here is talking about in the village centers, the orientation needs to fit traditional  
225 patterns and needs to be compatible with the historic, village character. He asked does this mean that houses  
226 need to be rectangular and perpendicular to the road in the historic district. Ms. McMains asked what section  
227 was he talking about. Mr. Lacy responded Section 3.2.7, it says the orientation of new buildings should  
228 encourage walkability and reflect traditional patterns. He said then Jericho Center, at one point it talks about  
229 that buildings need to be compatible with the historic village character. He asked if this means that the Town is  
230 going to determine the shape of the building and the orientation to the road and to the other buildings. Ms.  
231 McMains responded no, it is just character. Mr. Lacy clarified I can build a triangular building orientated to the  
232 sun. Mr. Howe stated I would expect that the comments from everybody here tonight would be put into some  
233 sort of a spreadsheet and then, as has been the practice in past Planning Commissions, maybe it is not the  
234 present practice, each of those comments had some kind of response from the Planning Commission or some  
235 other body, rather than back and forth about justifying.

236  
237 Mr. Lacy said what I would like to do is to make sure we have a Town Plan that reflects the imagination and  
238 ingenuity of the current residents of Jericho and that we not burden the current generation and all future  
239 generations to building buildings somewhat identical to the buildings that are already here. He said one of the  
240 tests for me when I read these Town Plans is whether we would permit the Round Church to be built and I  
241 wonder. He said in Jericho, I believe Jericho would probably say no. Mr. Lacy stated when I read this that says it  
242 needs to fit in and it needs to be oriented properly to our current aesthetic; we are kind of saying we don't want  
243 that imagination here in Jericho and I just want to be sure these are more environmental. He said regulations  
244 that have a legitimate environmental basis and that we are not manicuring ourselves for the benefit of people in  
245 cars. He said if I want to build a house that is oriented towards the sun in Jericho Center, I would like to be able  
246 to do that.

247 Mr. Lacy stated I want some assurance that I can do that and the Planning Commission is not going to say that is  
248 dopey and it doesn't fit in with the historic character; because I believe the historical character has a lot more to  
249 do with ingenuity and imagination than with conformity with whatever was built on my street 100 years ago. He  
250 said the other thing is that there is this incredible bias towards people in cars; we are manicuring our Town for  
251 the benefit of people in cars. He stated we are saying that people in cars don't want to see parked cars. Mr. Lacy  
252 said it is really hard to run a restaurant if people can't see whether people are actually eating there; you can't  
253 build a restaurant and hide the cars in back and expect the restaurant to succeed. He said we have seen that  
254 here in Jericho; if we want a restaurant people need to be able to see there are people there. He said what we  
255 are saying is that people who are driving in cars, who are visible to lots of people, there are lots of cars on the  
256 road visible to other people, but we don't want those people in cars to have to look at cars that are parked in  
257 front of a restaurant; that just seems silly to me. He said we are willing to sacrifice the viability of these  
258 businesses for that visual benefit and I don't think that makes sense.

259  
260 Ms. McMains asked if there was anyone else who would like to speak who has not already had a chance. Mr.  
261 Clark, from Clark's Truck Center, stated I have a lot of respect for the Planning Commission and what they are  
262 doing. He said from the little bit that I have been able to take the time to read through the document that you  
263 are dealing with, it is a huge document. He said I understand its need for updating, as any documents do need to  
264 be updated on a regular basis and that is a mammoth task to take on and to try to be fair to all respects to the  
265 community; I do feel that and I know that is not an easy task. Mr. Clark said I attended the workshop that was  
266 held in the Commercial District; I had heard about some changes that were coming while I was at the workshop,  
267 so I attended the public hearing that was done at the Planning Commission and voiced a couple of concerns that  
268 I had had enough time to research through there. He said when I read the minutes of the meeting to see what  
269 was going on, I didn't feel that the minutes stated what I had really said, so I thought I should write a letter to  
270 make sure that my concerns are written, which I did and I copied to the Selectboard.

271  
272 Mr. Clark stated I would like to take some of those excerpts from the letter, so it is on the record and the public  
273 knows about them:

274 "Clark's Truck Center is in its 89<sup>th</sup> year of continuous business operation in the Town of Jericho and 2016  
275 marks our 77<sup>th</sup> year as a dealer for International Trucks (one of the oldest dealers in the country). We  
276 moved to our current location at the intersections of Route 15, Browns Trace, and Orr Road in 1986 when  
277 we constructed a modern 18,000 square foot dealership. We currently have 33 employees at this  
278 location and another 25 employees at our Plattsburgh, New York dealership, a location we purchased in  
279 2013. According to a report of vehicle sales for 2015, published by the State of Vermont, our Jericho  
280 dealership is the #2 in sales volume for new heavy duty trucks and #2 in sales volume for used heavy  
281 duty trucks. This is no small task for a heavy duty truck dealer located in Jericho and it is worth noting  
282 the #1 volume dealer for both new and used is located in southern Vermont, about 20 miles from the  
283 Massachusetts border. There are a couple of points that I raised, basically in Section 3.2.6, which talked  
284 about green space and landscaping to screen parking from Route 15. Being in the business of selling new  
285 and used motor vehicles, in addition to advertising these vehicles on our website, printed fliers, printed  
286 publications, and other major sales websites, we still rely heavily on being able to display our motor  
287 vehicles for sale on our property and visible from all road fronts. We do not object to having green space  
288 or landscaping that promotes an aesthetically pleasing view. We feel that our property is well-kept and  
289 landscaped to provide the positive image for our company and community. We are often complimented  
290 by customers and others in our industry as to how well our dealership is presented. Section 5.9.2, which  
291 talked about the size of the buildings that we have talked or heard more about, I am also personally  
292 confused as to what is driving the need of this change in the building. My understanding is that this  
293 would make our facility, our current facility, considered existing non-conforming and that any changes  
294 would be almost impossible. Our current facility is 18,000 square feet and we have been working with  
295 an architect for over a year and have plans to add 1,600 square feet of additional office/retail space and  
296 8,000 square feet of service space. We were very concerned that we may not be able to continue to

297 grow our business in a Town that my grandfather was born in, the yellow house next to Jolley, and  
298 started his company in. When we moved to our current location, we had 15 employees; today we have  
299 33. With the addition, we could be looking to increase the number of employees by as many as 10% to  
300 20%. Those are the big effects and any of these are not as a personal gain for myself, individually, but I  
301 have to look out for the well-being of my employees and their families and the changes that could affect  
302 our business; that can be up to the 58 people we employ, but then when you take in their families, that  
303 amounts to a lot of people that our company helps keep a career orientated in. There is a point that I  
304 know development is thought of and I heard a comment about it at the meeting, dealing with increased  
305 commercial development could increase our taxes from fire, highway, water, and utilities. This probably  
306 is true that that would happen. We need to look at what our tax bill is really comprised of and if we look  
307 at it, which was very easy for me, but it used to be in the ID district when I had two different bills I could  
308 see that; but the school is what the major portion of this is and with commercial development, your  
309 school demand does not increase. Fire, highway if they had to have another truck to plow another road,  
310 or another person to plow; yes, it looks like a big number, but that doesn't affect our tax rate drastically  
311 in those growths."

312  
313 Ms. McMains stated we certainly appreciate your concerns and it really isn't to target any one particular person.  
314 She said that is a significant change and clearly we are hearing that tonight. She said I would encourage  
315 everyone who has concerns about the Commercial District to keep working with the Planning Commission and  
316 going to those meetings with the consultant to make them heard and to figure out a way to encourage this  
317 process along; that is going to be the important thing. Mr. Clark said speaking of that, I know some of the  
318 members of the Planning Commission are here tonight. He asked about getting notified of the meetings in a way  
319 that the Selectboard agendas are sent out. Ms. McMains and Mr. Odit said people just have to sign up on the  
320 website for information related to the various Boards and committees.

321  
322 Ms. Martin stated how do you expect him to put his plans on hold while you do this interim thing. Ms. McMains  
323 said we are talking about this whole process; I can't answer that right now. She asked if there is anybody else  
324 who has not had a chance to speak. Mr. Martin said a couple of items that nobody has suggested, yet that I think  
325 are kind of an anomaly or whatever, something the Planning Commission ought to think about:

- 326 1) The Town Plan and Zoning Regulations wax poetic about preserving the rural nature of Jericho. I would just  
327 like to point out that you are presently in the process of building sidewalks from Jericho Center to the high  
328 school I guess and there are maybe one or two houses there. You are spending I don't know how much  
329 money studying building a path or trail from here to Riverside. I used to work in urban planning for vTrans  
330 and I know building sidewalks is not considered part of a rural promotion. It seems to me like the Town is  
331 violating their own Town Plan.
- 332 2) You may, eventually if you force it, come to regret it. You talk about screening, you want to screen all of  
333 these lots, you want to screen off so you can't see what is going on, you want to screen along Route 15. I  
334 don't know how many of you were around when we put in Kriste Lane in Jericho East, but when we built that  
335 back in the '80s we had a gorgeous view of Mount Mansfield. We put in a lot of trees and a lot of plantings  
336 and today you don't have much of a view there. Let me tell you, if you put in all the plantings and screenings  
337 you want, you are going to lose your Mount Mansfield view that you so treasure on Route 15 because the  
338 trees are going to grow up and block it. Part of why you have that view is because you have all of these  
339 meadows that have not been allowed to grow up the brush and trees and stuff, so you still have that view  
340 retained.

341  
342 Mr. Martin stated my recommendation to you would be that you should not adopt these regulations. He said  
343 you ought to leave them the way they are and wait for the study to be done and make your changes then; that is  
344 my recommendation. The Selectboard members thanked Mr. Martin for his comments.  
345

346 Mr. Carroll, speaking as a member and a spokesperson for the Trails Committee, stated the following:  
347 "If in fact we are going forward, which may be for certain reasons prudent, with technical corrections  
348 and making something more cohesive with the Town Plan. The Trails Committee discovered to its  
349 chagrin when it was trying to re-build and improve the parking lot out on Route 117 for the Town's now  
350 easement that was donated to it to enhance and allow safer access and egress to the trail that we would  
351 like to see along the river. We ended up needing a variance for multiple things and we discovered that  
352 the thing that everybody is talking about being included to enhance the life quality and the healthiness  
353 of Jericho, which is not using automobiles and getting out and walking. We have all seen the  
354 tremendous success, except for poop bags, at the Mills River. On a positive basis, I think if we are going  
355 to move forward with rapid deployment, we need to make trails, sidewalks, and all of the support  
356 services for those facilities permitted in all zones. Make it as liberal to be implemented as possible  
357 because we are out there talking to the citizenry, trying to encourage them to donate easements and  
358 property to the Town, to the Land Trust, so that people do not have to get into their cars and drive to  
359 Joe's; or get into their cars to come to the Town Meeting; or advocating for and encouraging sidewalks,  
360 bike paths, trails. Any type of interconnectivity that gets our children, their parents, and anybody else  
361 out of the car and out there enjoying the beautiful environment.

362  
363 The Trails Committee, if we are going forward with technical corrections, would like to make sure that  
364 what we think are incongruities, and possible flat out errors, all the way through our regulations, which  
365 in effect make doing what it is we say that we want. I shouldn't have to be getting a variance, trapped  
366 between the Winooski River and Route 117, for an existing parking lot to be able to make the access to  
367 the parking lot safe. To make control, so that it doesn't create an adverse effect on the adjacent property  
368 owners, that we don't go from having something that is a modest problem, to something being a  
369 significant problem. Since the Town participated in this I don't want to belabor this, but it is literally two  
370 years and we are still struggling to try to take something that is already there and to turn it into a  
371 valuable asset for the Town over a mile long walk along the river. I will tell you, between the Agency of  
372 Natural Resources, the Army Corps of Engineers, and Jericho, we are talking about how do I prove that  
373 someone walking on the ground does not create a hydraulic obstacle that is going to increase the flood  
374 risk to the river. We are just dumping tons of time, money, and effort into doing something that we  
375 automatically here let people walk on the land just because we want to connect it to a parking lot  
376 because it is not safe to walk across Route 117. The Jericho Trails Committee just wants to be known as  
377 advocating wellness, integrated with the educational process in Jericho, to reduce the exposure and  
378 dependency on drugs. If we can get the kids out to walk and exercise, cross-country ski, ride a bike, and  
379 enjoy the views, get out with nature; maybe they will stop finding the need to inject heroine into their  
380 bodies a little less attractive.

381  
382 On a positive basis, I find it incredible that with all the debate, all the discussion, we have left the Rivers'  
383 property out of these proposed technical corrections. That property is a pivotal center for Jericho, it is  
384 on the side of the river. We need easements across it to connect the school, so that the school can walk  
385 to the Center, so the girls on the cross country team do not have to rage war with vehicles out on the  
386 main roads; that is why we want all of this connectivity. Almost 40 years ago when I came to Jericho we  
387 were looking forward to being able to walk from the Center to Joe's; I doubt it will happen within 50  
388 years of when I am gone and I think in this thing, if we are moving forward, the Rivers' property needs to  
389 be spoken to. Don't put our time and energy into the Ethan Allen Firing Range; just put the most  
390 restrictive regulations you can on it because none of them matter; it is the federal government and we  
391 have no say. Let's put some time and energy, if we want to spend time and energy on these things and I  
392 think we do, into wellness, into reducing drug dependency, into creating interconnectivity, into making  
393 our views accessible.

394

395 I heard people at the Planning meeting, they are all concerned about the beautiful meadow across from  
396 David Villeneuve's house. What better place than to put a solid waste treatment thing in the ground that  
397 you can't see; we don't have any sewer in Jericho Center and it is not a good thing to dump it in the  
398 rivers, so we could be building infrastructure like David talked about and Glenn commented on, that are  
399 positive, creative things that make this a better town. When I was appointed to the Trails Committee, I  
400 talked to you about the five towns in Michigan that have decided they want to be the five healthiest  
401 towns, [fivehealthytowns.org](http://fivehealthytowns.org). They are working on talking about this; the public ordinance people, the  
402 recreational people, the educational people, they are all working together with a private foundation to  
403 make those towns the healthiest, best towns possible. Guess what is happening to their Grand List;  
404 property values, unlike Jericho, are going up. People want to live there because the more people get out  
405 of their cars and the more they walk around and the more they walk the dogs, the less burglaries we  
406 have; the less adverse conditions. If we are going to move forward with technical corrections, and I think  
407 we should, let's base them on the fundamental objectives that are uniform and consistent with what the  
408 citizenry want. Almost 70% of the people voted for traffic calming and for the Rivers' property. Let's take  
409 advantage of all of this time, energy, positive people, and let's get something good done. "

411 The Selectboard members thanked Mr. Carroll. Mr. Lacy stated there is a lot of good stuff in here, I was pleased  
412 to see that the accessory apartment is kind of defined. He asked is there a requirement that the owner live in it;  
413 if you build an accessory apartment, are you prohibited from renting your house and the accessory apartment.  
414 Ms. Sonnick stated you have to live in one or the other. Mr. Lacy asked why is that. Ms. Sonnick said she thinks  
415 that is coming from State statute. Ms. McMains said you could live in the accessory apartment and rent out the  
416 other one. Mr. Lacy agreed, saying what if you were taking a sabbatical or something and you were going leaving  
417 for a year or two, you would have to leave the house empty. Ms. McMains responded I don't know what State  
418 statute would do because you are not abdicating your permanent residence, you still own the home. Mr. Lacy  
419 said somebody is going to own it; the question is, do you have to live in one of the two structures; does the  
420 owner have to be occupying one of the two structures, or can you rent them both out. Mr. Howe said I don't  
421 know the answer to that, but that would seem to be an impediment to affordable housing, if you had to live in  
422 the building that you had an affordable unit in. Ms. McMains clarified you could live in the affordable unit and  
423 rent out the other unit, that is allowed. She said he is asking about both and we don't know the answer, but it is  
424 in State statute.

426 Mr. Lacy stated is there nothing in the proposed regulations here that goes beyond State statute, in terms of  
427 residency. Ms. McMains said no. Ms. Martin said State statutes on that issue is already thrown out the door  
428 because people die, like mother-in-law's die off and the kid has the apartment leftover and what do they do with  
429 it, they rent it is what they do. Ms. McMains said we cannot put something in regulations that goes against the  
430 State statutes. Ms. Martin responded State statute is wrong too and somebody might address it. Ms. McMains  
431 said we can't deal with that right now.

433 Mr. Bartlett stated something that this gentleman just said regarding that we all get out of our cars, we should  
434 sell our automobiles. He said why would we need a parking lot down on Route 117 if we are going to be walking  
435 down there; what do you need a parking lot for. He asked does that make any sense. Mr. Bartlett stated I have  
436 no intention of walking from Browns Trace down to this meeting, or anywhere else around Town; it makes no  
437 sense to me. He said make up your mind, do you want cars parked down there, or do you want people parked  
438 down there. Ms. McMains said we understand there are limitations.

440 Mr. Villeneuve said one thing that I forgot to bring up in this parking, changing it just to no front yard parking.  
441 He said when you look at a place like Clark's Truck Center, you have got Orr Road and Route 15, so what is the  
442 front yard parking. He asked how is worked out, there is nothing in the statutes and the zoning regulations that I  
443 see that address that. Mr. Villeneuve discussed another example, asking what is the front yard. He said I think  
444 there is a problem when you say that the parking can't be in front of the building or whatever; you have to have

445 leeway and I presented something to the Planning Commission that I would like the Selectboard to hear. He said  
446 it come out of Seth Jenson and myself; Seth put it in the Town of Westford and they came up with a plan that has  
447 leeway in it. He explained a point system where you would gain points for something that looked good and  
448 something that wasn't good you would lose points. Mr. Villeneuve stated that is the kind of thing that should be  
449 used. He said with the grocery store, I spend a third of my time working with the statutes and everything that  
450 goes along with building this grocery store. He said we wanted to put a septic system in the Green for the  
451 grocery store.

452  
453 Mr. Villeneuve said the system was approved because the grocery store needs a septic system and we put it in  
454 the Green that we are going to build and the road connects from Dickenson Street to Route 15. He stated there  
455 was more leeway there, as far as septic capacity, so we were going to go and put a second system in to take care  
456 of other buildings to be built in the future. He said the capacity we had left was more than what we used even in  
457 the grocery store and we shouldn't lose it because that is a key function that you need. Mr. Villeneuve stated we  
458 put this together and everything has to go to Act 250 because of the regulations; we go to Act 250 and tell them  
459 we want to build a septic system. He said you know what they tell us, we can't build it; why can't we build it, if  
460 we build it now we are not going to have to tear up the Town Green again and we will use it for whatever  
461 buildings we put together. He said we have 3,500 gallons, we might put one building that requires 1,000, we will  
462 pump it to there and when we build another building we will pump it to there and use up the capacity.

463  
464 Mr. Villeneuve said they told us we couldn't build it because we don't have the buildings designated for it. He  
465 said it is like they are going to dig under Route 15 for the culvert; why don't you put two when you know you are  
466 going to have to do it down the road. He stated I have to go to lawyers to get an opinion and my lawyer said  
467 geez I think it is right, but I am not an expert; so then I go to some experts and pay another fee and they tell me  
468 we can win. Mr. Villeneuve said they call Act 250 and Act 250 still says no, they give us case law and talk for  
469 hours and run up thousands of dollars of bills, and in the end they say we can build it and we can win, but it is  
470 going to cost \$10,000 to \$15,000 to put it in there now and it will take three years through the court; or just wait  
471 and tear the Green up again and don't spend anything. He stated these regulations that we muck with don't get  
472 any easier. Ms. McMains said we don't have anything to do with septic systems.

473  
474 Mr. Villeneuve said I know, I am just telling you that these regulations impact us in the same way, is what I am  
475 trying to say here. He said it is very crucial to not change something haphazardly like the square footage. He  
476 said instead of saying parking isn't right, you don't have any solution with it; instead the Town Planner is going  
477 back and looking to assess things and making some pluses and minuses, you can build much better. Mr.  
478 Villeneuve said you have septic on a site, you have water on a site because you don't have municipal water in the  
479 Town; that has been going on for 20 years in the Commercial District up there, but you changed the Town  
480 regulations X amount of times and you have never addressed the infrastructure. He stated the Town is negligent  
481 in my mind, whether it is the Selectboard or the Planning Commission, or both, or everybody; that is what I  
482 wanted to interject again. The Selectboard members thanked Mr. Villeneuve for his comments.

483  
484 Mr. Rawson said I live up on Cilley Hill, I have been farming there for over 50 years. He stated I am very  
485 disappointed you did away with the open land contract; it helped keep the Town rural and saved a lot of money  
486 on education taxes because you didn't have 100 houses up there. Ms. McMains responded that we can address  
487 your question under public to be heard; asked him to wait a little bit. Mr. Rawson said perhaps you could  
488 approve something like that in your Town Plan. He said a lot of these older people have farmed all their lives and  
489 kept the land open for you and saved a lot of money. Ms. McMains said we understand, we really do, but there  
490 were some issues. Mr. Rawson stated we have to sign up with the State; who wants to do business with the  
491 State with all their regulations. He said Vermont has the worst economic growth of any state in the United  
492 States. Ms. McMains said we need to get through the public hearing, then we will discuss it under public  
493 comment. She asked if there are any other zoning questions that we have not already covered.

494 Ms. Martin stated with our experience with development, the developer really does try to do its best to make  
495 sure that things are good for the neighborhood and the community. She said we only developed Jericho East, we  
496 put in fire hydrants, which the Fire Department didn't think much of; we put in walking trails, which are all  
497 grown up now, they are just not used; it is just not what people want. She said you might start thinking, what do  
498 the people want that live in these areas and work in these areas. Ms. Martin said we are concerned, I have a big  
499 concern that you are more concerned about the people outside of our commercial area, rather than those of us  
500 who own the property in the commercial area; the ones who are paying the taxes on it. She said I have this little  
501 thing from the [jerichovt.gov](http://jerichovt.gov), Commercial District Development Standards Project; this concerns me a whole lot.  
502 She stated the project will also determine what uses should be permitted for future development of this corridor,  
503 as there are concerns that commercial development may not be appropriate here. Ms. Martin asked is that  
504 really something that you are taking up; it looks that way when you look at your plans because they really put a  
505 stop on any further development or improvement. She said you wouldn't be able to add to your property right  
506 now with these. Ms. McMains stated that is why the study is there. Ms. Martin asked why is the zoning  
507 ordinance changing before you got the study done; that is what we are objecting to. Ms. McMains said we hear  
508 that concern. She asked if there are any other questions that have not been discussed already.  
509

510 Mr. Carroll said specifically, I am asking that you put elderly back in, define it, and go to the bonus tables and  
511 eliminate the 50% reduction in all the bonuses; seriously consider increasing all of them because none of our  
512 zones are set up based upon resource based planning. He stated certain areas in Town that have got water,  
513 might have gas, might have good access and egress, and they have zoning that doesn't allow effective and  
514 efficient development. He said the only way today for us to ameliorate the bad zone locations is by having  
515 bonuses for doing that which everyone says we want them to do: energy efficiency, affordability. Mr. Carroll said  
516 we are going 100% backwards on all the bonuses; we are cutting them from 50% to 15% and 25%. He stated  
517 specifically, put elderly back in and give it at least a 200% bonus because an elderly housing project is typically  
518 one room, with large common rooms. He said the impact of an elderly project, compared to a senior project  
519 with three kids living with somebody that is 55 years of age, is less.  
520

521 Mr. Carroll said there is some opportunity here to do some good work and I would like to suggest the Planning  
522 Commission open this up before the next hearing to a working session where we can try to have some  
523 constructive input, so that we can all come onto the same page and say some of these changes are important,  
524 some of them need to go through, and some of them need to go back for additional work. He said if we stifle  
525 energy efficient, affordable, senior, and elderly housing in Jericho for any time limit, it has a real significant effect  
526 and I don't think that we want to put interim zoning in that cancels any of those activities or limits them. He said  
527 they are hard enough to do and we are at interest rates where some of this stuff could actually happen. Mr.  
528 Carroll said rather than throw the whole thing out, I would suggest a real get down and dirty, everybody put a  
529 real positive attitude on and let's see what we can get through because I would like to see the Rivers' property  
530 get dealt with in the Town regulations. He said I would like to see accessibility dealt with; I would like to see the  
531 bonuses encouraged; and if we just fight with one another and don't get anything done, then nothing gets done.  
532 He said it is not working right now. The Selectboard members thanked Mr. Carroll for his comments.  
533

534 Mr. Brannan asked whether as the development regulations were talked about and this whole development of  
535 the Commercial District was talked about, did the Planning Commission discuss types of development they  
536 would like to see there; did that impact the sizes of the buildings and the choices. Ms. McMains responded that  
537 is what is being discussed now, with public input. She noted there is a survey and there will be more meetings  
538 with the consultant that will be publicly notified. She said if you have suggestions, this is what the whole  
539 community based ideas are for. Mr. Howe stated Tate, as you may be aware of, the Table of Uses really defines  
540 those preferences. He said if you read through them, in total they end up demonstrating what those preferences  
541 are. He said this is a review of what those preferences are, the thresholds for those preferences. Ms. McMains  
542 explained the survey is specifically for the Commercial District. She said if you haven't taken it, everyone is  
543 encouraged to do so and to attend the meetings because the Town Plan that these new regulations are based on

544 had a town-wide survey that had a significant number of people who responded. She said this is where a lot of  
545 this information comes from and this is what the community would like to see. Ms. McMains said if you feel that  
546 your community isn't represented, then you need to respond to these surveys as well. She asked if there were  
547 any other comments that have not been addressed.

548  
549 Ms. Martin stated we are dependent, landowners within that commercial area, on people like Randy who wants  
550 to develop his property and anybody else, any business that comes in there; we are dependent on them wanting  
551 to come in there. She said we can't just say we want so-and-so and they are going to come and be successful.  
552 She said we have to be dependent on what the public at large wants and what the buyer wants. Ms. McMains  
553 agreed, saying that is why we want the public input. Ms. Martin stated I would like you to take notice that we  
554 have done well over there. She said when you go over there, as we did and over forty people met, I don't think  
555 you were there. The Selectboard members said they were there. Ms. Martin said the presentation that they  
556 paid for, we have all the same photos that we have done by going around the country and saying this is what we  
557 would like our property to look like and this is what business people do. She said we do a good job of taking care  
558 of the property; you don't have to tell us how.

559  
560 Ms. McMains stated nobody is trying to criticize anyone in this process. Ms. Martin said it feels that way. Ms.  
561 McMains said it is not meant to do that; it is meant to move forward. Ms. Martin said you can't move forward  
562 with a plan that prohibits moving forward. Ms. McMains said we hear you and we will take that under  
563 advisement. Mr. Howe stated I appreciated both your and Glenn's perspective; I have known of you for a very  
564 long time and our paths have crossed a couple of times. He said I found it very interesting and informative Ellie,  
565 that as we walked around that property that you presented your and Glenn's perspective on things. He said I see  
566 it as immensely challenging as somebody who moved into Town shortly after North and South Main Street were  
567 created. Mr. Howe said it was a different time; it was a different expectation. He said I think in some ways,  
568 landowners over in that area, if I may be so bold as to say this, have really had a rough ride with the rules  
569 changing constantly and expectations in Town changing; a very tough environment to get something going in. He  
570 said I will say Ellie and Glenn, I was listening to what you were saying when we were walking through the  
571 development over there and realized it is immensely challenging to get something going when the Town's  
572 sensibility about the Commercial District seems to be in a constant state of change; I am just recognizing that.

573  
574 Ms. McMains agreed, it is changing. Ms. Martin said thank you for that; it has not been an easy road. She stated  
575 I came to this meeting tonight saying to my kids that I am going to another Town meeting tonight, they are  
576 spending your inheritance on me again. She said that is how we feel; we have been in and out of court, which  
577 we have always won. She said I hate to see you put the Town in that position again, where people are going to  
578 be ending up in Environmental Court. Ms. McMains said that is the whole point of having much more  
579 community input. Ms. Martin said you are the one who sets the standards that puts us there. Ms. McMains  
580 stated the standards have not yet been set, that is why we have public hearings. Mr. Cheney said before you  
581 close the hearing, can you speak to how is it you expect to receive feedback from the Planning Commission.  
582 Mr. Odit responded that we can do that once we get to that item on the agenda. Ms. McMains agreed, saying it  
583 is all part of this circular process. She closed the public hearing on the proposed zoning regulations and called to  
584 order the regular Selectboard meeting.

585  
586 **2. Public Comment.**  
587 Mr. Rawson stated as far as appraisals have gone, I think they have gone up substantially with this reappraisal, up  
588 over 50%; at the same time, we got hit with this that you are doing away with the Town's local land contract. He  
589 said I think they should reinstate it, noting I know people who have kept the land open for years and there are  
590 only a couple of active dairy farms left in Jericho and in Underhill. Ms. McMains said what had happened is that  
591 there were some issues with the land contracts, so it was structured to all end together to allow new thinking to  
592 go into that. She said for those who could go into Current Use, perhaps that would be better. She said the Town  
593 is going to look at it because we understand there is a problem.

594 Mr. Odit said Sandra and I have already talked and there are a few people we would like to come to with a  
595 proposal. He discussed how the door was left open when the program ended to continuing with a new program.  
596 He explained the rationale for the change and suggested that he and Sandra meet with a few folks to discuss the  
597 matter and come back to the Selectboard with some ideas. Ms. McMains said the ones I knew were most  
598 effective were active farmers or had protections for wildlife. Mr. Rawson discussed how the reappraisal affected  
599 him. Ms. McMains stated you will need to meet with Todd and Sandra to discuss the matter, then it will come  
600 back to the Selectboard.

601  
602 Mr. Brannan, member of the Jericho Recreation Committee, said as the committee has been putting together the  
603 website for Jericho and all of the recreational opportunities in the Town, we looked at nearby towns to see what  
604 they offer. He noted that some of them are able to offer discount tickets to area attractions, noting some  
605 examples. He said they looked into it further and found it is through their membership with Vermont Recreation  
606 and Parks Association, noting some of the additional benefits of membership. Ms. McMains asked what is  
607 involved in signing up. Mr. Brannan responded there is \$150 membership fee. He, Mr. Odit, and the Selectboard  
608 members discussed how ticket sales would work. Mr. Odit said the money is available for membership, but the  
609 details would need to be worked out. Ms. Martin stated I am all for this, I just love it; however, I must say this  
610 sounds more urban than rural; it is like the sidewalks. The Selectboard members discussed the matter further.  
611

### 612 **3. Trails Committee Interview – Adam Popkin.**

613 Mr. Popkin discussed his interest in volunteering with the Trails Committee, including his work experience and his  
614 interests. He and the Selectboard members discussed the matter further. Mr. Howe discussed the  
615 interconnectivity around Town and the vision for the future. The Selectboard thanked Mr. Popkin for his interest.  
616

### 617 **4. Jericho Center Library Funding Request.**

618 Ms. Korniak introduced herself, noting she is the Town Librarian. She said she is here with Barb Adams and Linda  
619 Porter of the Board of Trustees to request funding to hire a Professional Development Consultant to help the  
620 organization steer the Library expansion project. She stated in the Fiscal Year 2017 (FY17) budget there is  
621 \$31,500 set aside for the Jericho Library expansion and we were hoping we might be able to access up to  
622 \$15,000 for various pieces surrounding hiring the consultant, moving forward with the public outreach and  
623 education, and materials to inform and survey the community. Ms. Korniak said the expansion and restoration  
624 project requires becoming ADA (Americans with Disabilities Act) compliant. She discussed the need for a  
625 consultant to assist with the project.  
626

627 Mr. Howe clarified the role of the consultant. Ms. Korniak said the hope is to bring this to a bond vote, but we  
628 really need community education about the structural concerns with the building. She and the Selectboard  
629 members discussed the matter further, including potential grant funding. Ms. McMains asked if they know what  
630 types of skills they are looking for in the consultant. Ms. Korniak stated they do, noting their efforts to date and  
631 people whom they have met with. She said she did apply for a grant for this role, but they were one out of 70  
632 applications and they did not get selected. Mr. Howe stated I realize the iconic importance of the Library in the  
633 Town Center. He said it sort of begs the question, in the quest of putting this proposal together, it begs the  
634 question about the role of that Library and the Library in the Flats. He said ultimately, prior to a proposal coming  
635 before taxpayers, that conversation has to happen once again. Ms. Korniak agreed, saying that is part of the  
636 survey strategy. She and the Selectboard members discussed the matter further, including the importance of  
637 community outreach surrounding this matter.  
638

639 Ms. McMains asked whether an RFP (Request for Proposal) is needed for this. Mr. Odit responded yes, or at least  
640 some detailed scopes of work with prices. He noted the importance of detailing clear deliverables. He discussed  
641 how it could be approached. The Selectboard members, Mr. Odit, and the Library representatives discussed the  
642 matter further, including the number of proposals needed.  
643

644 Mr. Lacy encouraged that the look be beyond the other Library, to other towns and other municipal spaces. He  
645 said at one point there was an idea that there was a need for meeting space in the Center, when we have a lot of  
646 meeting space at the Community Center, noting the current uses for the space now. He discussed the need to  
647 look at all of the available space and the needs. Mr. Lacy also discussed the current use of the Community  
648 Center and how that could be used as a Town asset. Mr. Odit discussed some of the background, noting the  
649 building needs some repairs and the question is whether the Town wants to invest money in that building. Mr.  
650 Lacy asked about the need for libraries. Ms. McMains responded the base question is the building itself because  
651 it is historic. Mr. Howe clarified the first question is about the building. Ms. McMains agreed, saying the building  
652 has some serious issues; then you trigger everything else because it is a public building. Those present discussed  
653 the matter further.

654  
655 Mr. Foote stated it seemed to me there were two specific questions: 1) the question they are going to survey  
656 about the community support for Library services and other programs that are happening there in Jericho Center  
657 and the big picture, which makes sense; and 2) the more important question is you have this Town owned  
658 property that is an iconic structure in an iconic Village Center. He said putting aside its current use and current  
659 level of activity, which is quite extensive by people who live in that area, there is that question of the Town's  
660 responsibility with that structure. He said obviously there is a dollar sign attached to that; are you looking for  
661 this group to address that question. Mr. Howe noted I was speaking that moment as a taxpayer who lives in  
662 Jericho Corners and I would want to know what is the utility of that building and the programming going on in  
663 that building before I dip into my pockets and spend more money. He discussed what needs to be considered for  
664 others in Town.

665  
666 Mr. Foote stated I recognize that question, I think it is a good question to ask. He asked if it is the responsibility  
667 of the Library Board to address the repair and maintenance of the structure itself, of this Town owned property;  
668 or is it the Town's responsibility. He said there is limited staff and volunteers who are doing the best they can.  
669 Mr. Odit gave additional background on the building renovations. He said the Selectboard agreed we would like  
670 to help, but we can't do the whole thing, so it was then turned over to the Library to raise some money. Those  
671 present discussed the matter further, including the various possible approaches and the importance of the  
672 building as a Town asset.

673  
674 Mr. Carroll stated it needs to be written into the scope with the consultant three or four priority things, one of  
675 which is let's make this property that we all appreciate and respect fully functional and legal and what is that  
676 going to cost. He said if we spend too much time, we are going to kill off the volunteer energy and drive away  
677 the staff. He said this is a very high-functioning facility that produces a lot of positive effects in the children of  
678 Jericho and it is a fabric of the community that is attracting people. Mr. Carroll discussed the important role the  
679 Library and building are playing in the community. He encouraged everyone to work on trying to create positive  
680 energy around the good things that we already have that have attracted the people to be there, discussing the  
681 turnaround in the Community Center a few years ago. He said I think the Library has that same type of persona  
682 and the Selectboard should trust the Board to spend \$15,000 efficiently to help answer some of these questions  
683 and let people know what they are doing is good because it is investing in our children.

684  
685 On a **motion** by Mr. Howe, seconded by Ms. McMains, **the Selectboard authorized the Jericho Center Library to**  
686 **obtain at least two names of consultants who can assist in organizing and overseeing this projects, including**  
687 **the scope of services and the Library's recommendation.** The motion passed 2-0.

688  
689 Ms. Korniak and Mr. Odit discussed the timing for the next meeting. Ms. Adams noted they also have a  
690 candidate for the vacancy on the Board as well. Ms. McMains said that would be added to a future agenda.

691  
692 **5. Pet Parade Street Closure Request.**

693 Mr. Odit stated they did not need to be here and they are not going to close the road.

694 **6. Discuss Proposed Zoning Amendments.**

695 Mr. Odit suggested a good approach would be for Katherine, Susan, and Jason to bring the public comments back  
696 to the Planning Commission and have the Planning Commission prepare a response for the Selectboard noting  
697 the rationale, since that is a lot of what the questions were about. He said hopefully they could provide that for  
698 the next meeting and then you can discuss what you want to do. Mr. Howe asked about the most appropriate  
699 time for our individual concerns. Mr. Odit responded you can bring those up now, but as far as the response  
700 from the public comments that will come from the Planning Commission.

701  
702 Mr. Cheney and Mr. Howe discussed how the comments should be approached by the Planning Commission,  
703 including an example of how it has been approached previously. They discussed the matter further, including the  
704 logistics of ensuring all of the comments are received by the Planning Commission. Ms. McMains said I think the  
705 accessory apartments was really nicely done, noting the question about sabbaticals was a unique situation. Mr.  
706 Cheney said when it is a State statute we drop the matter. Mr. Lacy said State statute doesn't speak to residency,  
707 I just looked it up; it doesn't say you have to live there. Mr. Howe stated the Planning Commission's response  
708 would address that. Ms. Bresee asked if that was a change or if that was the way it was before. Ms. Sonnack  
709 stated that was the way it was before. Ms. Bresee discussed the possible rationale for the residency requirement  
710 in the regulations, noting that was not changed at this time.

711  
712 Mr. Howe said my concerns were things that Chuck or Jim spoke about earlier, the notion about the indoor or  
713 outdoor space, how that was aggregated to what was permitted for total square footage. He expressed concern  
714 that some of the language seemed a little bit contradictory or unclear. He questioned the rationale for lowering  
715 of the threshold from 3,000 to 2,000, noting the history of when. Mr. Howe stated I feel like it is kind of  
716 squeezing some of the oxygen out of things that could happen there; we are squeezing the oxygen out of it to  
717 buy some time until we figure out a better plan. He said I would be really interested in what the thinking was  
718 behind going from three to two (thousand square feet).

719  
720 Mr. Cheney said I think we need to go through our notes on that one, but since you are asking the question  
721 directly, I think we can point to one business in particular was developed as conditional use as part of a primary  
722 residence and that business has since usurped the primary residence. He said it is not necessarily a bad  
723 business, I think it is fine, but there are questions would that be permitted to be built standalone and the answer  
724 would be no; it takes a little bit more scrutiny. He said with that in mind, lowering that threshold gives us a little  
725 more time to better look at what might be happening in a business in a district and how that impacts because  
726 concerns have been made about travel and certainly there have been accidents in front of that business due to  
727 the nature of the flow of traffic.

728  
729 Mr. Howe clarified you don't take that threshold as if it is bigger than that we don't like it as much; if it is below  
730 that then we do. Ms. Bresee responded no because that is just conditional use. She said most DRB hearings that  
731 I have been to, they are just conditional use review; most of them get approved. She said it is not that it is trying  
732 to prevent them, it is just trying to make sure that site plans are carefully considered; just to make the threshold  
733 for conditional use review lower. Ms. Bresee discussed the efforts that went into the proposed revisions,  
734 including a survey, workshops, questionnaires, etc. She stated the vast majority of the input is pretty clear that  
735 the residents really want development to be carefully managed; not prevented, just intentional. Those present  
736 discussed the matter further.

737  
738 Mr. Howe asked about the four-fifths reduction of the total square feet, from 60,000 to 12,000. He expressed  
739 surprise, saying I am not necessarily opposed to it, although it seems monumental to me. He compared the  
740 change to the move to ¼ acre zoning in the Corners. Mr. Howe asked about the rationale for that change. Mr.  
741 Cheney responded again, going back to that survey, people want smaller buildings. He said Riverside has its own  
742 set of regulations, so 12,000 for the bounds of the Town is a big cut no doubt. He said we have an alternate plan  
743 being developed for the Commercial District; the expectation is that when that ultimate plan is developed there

744 will be allowances for greater size footprints. He discussed the rationale for using the word footprint. Mr.  
745 Cheney said we are not trying to be overly restrictive; we have a stop-gap mentality in that we don't want  
746 something to blindside us that we are not prepared for while we develop the language that is geared for the  
747 Commercial District.

748  
749 Ms. McMains said it is interesting you talk about footprint as opposed to square footage and that may be a key  
750 delineation for people right now. Ms. Bresee agreed, saying it is a complete difference. She and the Selectboard  
751 members discussed examples. Ms. Bresee also discussed the sizes of buildings in Town, noting the input from  
752 the survey and the overall response that people want to see more smaller buildings. Mr. Howe stated I  
753 appreciate all of the hard work behind this. He asked whether these regulations preclude the possibility of a  
754 substantial building that would house seniors or affordable housing. He noted some examples asking again if  
755 these regulations preclude that from happening anywhere in Town. Mr. Howe stated we have spent so many  
756 years talking about affordable housing and senior housing; when I read this statement here that in all zoning  
757 districts, no single structure shall exceed 12,000 square foot footprint. He said I don't know enough about the  
758 math, but does that then preclude the possibility that we get lucky enough that a developer wants to put one of  
759 these in to house 40 seniors in.

760  
761 Ms. Bresee responded it would ultimately restrict it to 36,000, if it were three stories because it would have a  
762 12,000 square foot footprint. She said second of all, if that kind of structure is in Riverside, which is where the  
763 Town really wants it to be, there is no limitation because these limitations don't apply to Riverside. She also  
764 discussed how a senior community could be done using a PUD (Planned Unit Development) and density bonuses.  
765 Ms. Bresee discussed the feedback the Planning Commission heard about the types of development people  
766 would like to see and the types that would seem to fit the vision.

767  
768 Mr. Howe said I am not disagreeing that is what many people in Town are expecting; it is maddening that we are  
769 closing ourselves off to those opportunities. Ms. Bresee discussed what can be done under the Form-based  
770 Code Zoning and the rationale. She said the Planning Commission looked at many other towns and most of them  
771 have much lower limits, but they have district specific size limits. She said that is where we think we will  
772 probably create more opportunities in the Commercial District; might not be gigantic sizes. Ms. Bresee said size  
773 is a very effective, straightforward, easy to use tool. She discussed existing buildings that would still be allowed.  
774 Ms. McMains said I was wondering if you were going to consider district specific sizes. Those present discussed  
775 the matter further.

776  
777 Mr. Martin asked if Clark's could do their addition under these regulations. Ms. Bresee said you would have to  
778 look at all the non-conforming and how you can add space; they could certainly go up. Mr. Martin stated you  
779 want to add all the outdoor space to his square footage; he has how many thousand square feet of vehicle  
780 display. Ms. Bresee said Jason is talking to key businesses; we totally get the need for expansion. Mr. Howe  
781 asked for a specific example of how these changes in regulations support the expansion of opportunities in the  
782 Commercial District. Ms. Bresee responded they somewhat create a more even playing field with a smaller  
783 business who can't afford to put up a 20,000 square foot business, but they can afford to put up an 8,000 square  
784 foot building or a two-story, 20,000 square foot building. She and Mr. Howe discussed the matter further,  
785 including examples.

786  
787 Mr. Carroll stated you can't base where the Town is going on a location that has no infrastructure and you don't  
788 have the infrastructure to support in the Center over there that is being discussed. He discussed the  
789 requirements for large buildings and other examples. Mr. Lacy said Jericho businesses don't compete with each  
790 other, they compete with businesses in Essex, so the idea that we are leveling the playing field is not. The  
791 Selectboard members thanked the Planning Commission members for their hard work.

792

793 **Approve Jericho Corners Village Center Designation Application.**  
794 On a **motion** by Mr. Howe, seconded by Ms. McMains, **the Selectboard approved applying for a renewal of the**  
795 **Village Center designation for the Jericho Corners village area.** The motion passed 2-0.  
796

797 **7. Approve Quit Claim Deed to vTrans for Route 15/Browns Trace Signal Project.**

798 Mr. Odit said the Selectboard had already seen the map and everything, but they sent new deeds. He noted they  
799 sent us a check for \$500. He stated this is just for a small piece of land associated with the traffic light project on  
800 Browns Trace Road.

801  
802 On a **motion** by Mr. Howe, seconded by Ms. McMains, **the Selectboard approved the Quit Claim Deed to the**  
803 **Agency of Transportation and authorized the Town Administrator to sign it.** The motion passed 2-0.  
804

805 **8. Approve Budgeted Fund Balance Transfer to General Fund.**

806 Mr. Odit said in the past couple of years we have essentially budgeted a deficit; we have budgeted some fund  
807 balances revenue. He stated we didn't have to use it in previous years, but this year we need to due to a  
808 combination of expenses, noting there will be a few more bills, accruals, and adjustments. He said right now,  
809 prior to making this transfer, we are about \$50,000 over, with expenses exceeding revenue. Mr. Odit said we are  
810 still under budget because we haven't transferred the fund budget. He noted the overall undesignated fund  
811 balance is about \$770,000. He recommended making the transfer. The Selectboard members and Mr. Odit  
812 discussed the matter further.

813  
814 On a **motion** by Mr. Howe, seconded by Ms. McMains, **the Selectboard approved the budgeted transfer of**  
815 **\$103,480 from undesignated fund balance to the FY16 income.** The motion passed 2-0.  
816

817 **9. Approve Second Class Liquor License – Jericho Market, LLC.**

818 On a **motion** by Mr. Howe, seconded by Ms. McMains, **the Selectboard approved the First and Second Class**  
819 **Liquor License for Jericho Market, LLC.** The motion passed 2-0.  
820

821 **10. Approve Minutes of 6/14/2016.**

822 On a **motion** by Mr. Howe, seconded by Ms. McMains, **the Selectboard approved minutes from 6/14/2016 as**  
823 **written.** The motion passed 2-0.  
824

825 **11. Other Business.**

826 The Selectboard members discussed the annual meeting for the RPC (Regional Planning Commission).  
827

828 **12. Approve Warrants of 6/22/16 and 6/24/16.**

829 The Selectboard members present signed the warrants.  
830

831 On a **motion** by Mr. Howe, seconded by Ms. McMains, **the Selectboard adjourned at 9:21 p.m.** The motion  
832 passed 2-0.  
833

834 Respectfully Submitted,  
835 Amy Richardson