

COMMUNITY DEVELOPMENT

PUBLIC PARTICIPATION GUIDE

DEVELOPMENT REVIEW BOARD

The Development Review Board is a seven member quasi-judicial body that oversees subdivisions, site plans, conditional use, appeals, variances, and all other Board reviewed applications. The purpose behind the development review process is to help achieve the community's vision through sensible and well - planned development. All DRB meetings are open to the public.



Essex Town Offices
81 Main Street, Essex Junction
6:30 PM | 1st Thursday of each month &
3rd Thursday of each month as needed



When you speak at a meeting, state your full name. If you plan to speak about a development proposal on the agenda, you will be sworn in at the beginning of the meeting. Those who speak on an application and provide their address, will receive a copy of the written decision.



essexvt.gov/drj



"When government officials, business leaders, and citizens come together to build communities that enrich people's lives, that's planning."
-American Planning Association

COMMONLY ASKED QUESTIONS

How can I learn about development applications and upcoming DRB meetings?

- Visit EssexVT.gov for meeting calendars, agendas and packet materials.
- Plans and narratives for individual applications can be viewed on the Town website once a hearing is scheduled (essexvt.gov/applications). Staff reports are available the Friday before a meeting in the Agenda Packet and on the Town website.
- Sign up for email notifications when agendas are published. (essexvt.gov/notifications)
- Seven Days Legal Notices (sevendaysvt.com and printed weekly) provide notice of Public Hearing 15 days in advance of a DRB meeting.
- The Town Offices (81 Main Street), Essex Free Library, and Essex Post Office have bulletin boards where agenda and notices are posted.
- Notice of Public Hearing (yellow signs) are displayed on properties that will be under review.
- Abutting property owners will receive a notice in the mail of an upcoming application.
- Front Porch Forum emails contain information about upcoming meetings.
- Contact Community Development at community-development@essex.org
- Talk to your neighbors!

When should I get involved with a specific application?

As soon as possible! Most Site Plan, Conditional Use, and Variances Reviews are reviewed in one meeting. Subdivision Reviews take place over at least two or three steps (Sketch Review, Preliminary Review, and Final Review). If the DRB finds that additional information is required to make a decision on an application, the application can be continued to a date certain.

When should I speak at a meeting?

If you wish to speak about a specific application, the DRB will open a public hearing when they reach that item on the agenda. You will be required to take an oath before speaking. Be ready to speak – once the public hearing is closed, the DRB will no longer accept comments.

What if I can't attend the meeting?

If you have comments that you want the DRB to consider, please submit them ahead of the meeting to: community-development@essex.org or 81 Main Street, Essex Jct., VT 05452

Town Meeting Television (CCTV) records DRB meetings. For information about CCTV broadcasts, visit www.cctv.org. All meetings are also uploaded to the Town's YouTube page: www.youtube.com/@essexvt

Is there a hybrid meeting option?

All DRB Meetings are hybrid.

Join Online: Zoom Meeting ID: 821 7131 4999

Passcode: 754119

Join by Phone (audio only): (888) 788-0099

What types of projects do NOT need to be reviewed by the DRB?

Minor projects, such as interior work on a home or the installation of a new shed or garage, do not go before the DRB. Most small projects still require a zoning permit, which is issued by the Zoning Administrator.

ADDITIONAL QUESTIONS?

The Community Development staff are here to help.

802-878-1343

81 Main Street, Essex Junction
essexvt.gov/comdev

Director: **Katherine Sonnick**

ksonnick@essex.org

Zoning Administrator: **Sharon Kelley**

skelley@essex.org

Town Planner: **Kent Johnson**

kjohnson@essex.org

Planning Technician: **Brittany McGregor**

bmcmgregor@essex.org

INTERESTED PERSONS

Interested persons are those persons who, under Vermont law, have the right to appeal an act or decision of the Development Review Board. For a full listing of interested persons, please view 24 V.S.A. § 4465.

As a member of the public, you will most likely fall into one of the two following categories, if you qualify as an interested person:

1. A person owning or occupying property in the immediate neighborhood of a property that is the subject of any decision or act, who can demonstrate a physical or environmental impact on the person's interest under the criteria reviewed, and who alleges that the decision or act, if confirmed, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality.
2. Any 20 persons who may be any combination of voters or real property owners within a municipality who, by signed petition, allege that any relief requested by a person under this title, if granted, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality.

Why is interested person status important?

Though many members of the public may be interested in a DRB application, only statutorily defined interested persons may appeal a decision. If an interested person fails to make a timely appeal, all interested persons are bound by the decision of the DRB.

Interested persons must participate in a hearing and provide their address to protect their appeal rights.

Only those interested persons who have participated in a DRB proceeding may appeal a decision rendered in that proceeding to the Environmental Court. Pursuant to State statute, participation consists of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

LEVELS OF SUBDIVISION REVIEW

Sketch Review:

The first level of a subdivision review, during which the applicant and Development Review Board explore options for the overall subdivision concept and layout, taking into consideration the characteristics of the site and the surrounding area.

Preliminary Review:

The second level of subdivision approval, during which the DRB determines whether the latest plan addresses issues raised at Sketch Review, and ensures that all survey information, water, wastewater, stormwater, road, pedestrian, and other public infrastructure improvements are complete. Most engineering details are completed during Preliminary Plan Review.

Final Review:

The last step of subdivision approval, during which the DRB reviews the Final Plan and Plat to ensure that all engineering, survey and other data are complete, and that the proposed subdivision complies with all appropriate regulations and standards. The vast majority of the technical and planning issues have been resolved by the completion of Final Review.

GLOSSARY

More details about these terms appear in the Zoning Regulations and the Subdivision Regulations.

CONCEPTUAL REVIEW

An informal meeting with the DRB in which an applicant can discuss ideas for a project and receive feedback prior to submitting an application.

CONDITIONAL USE REVIEW

Conditional Use Review is intended to ensure compliance with standards addressing the potential impacts of development. Typically, land uses are subject to review because of their scale, intensity and potential for off-site impacts.

DELIBERATIVE SESSION

A meeting held in private or public in which a quasi-judicial board, may meet to rule on an application. Decisions can be made in deliberative session as long as a written decision becomes public record.

MASTER PLAN

A master plan shows development plans for a project that is intended to be developed in phases and for which approval of only one phase is being requested. Master plans are also required when development is only proposed on a portion of a parcel, and the remaining land exceeds three times the minimum lot size for the zoning district in which the subdivision is located.

PLANNED UNIT DEVELOPMENT (PUD)

A project that received flexibility from the Zoning Regulations in order to encourage compact pedestrian oriented development or redevelopment, and promote a mix of residential uses or nonresidential uses. PUDs can exist for industrial (PUD-I), commercial (PUD-C), mixed use (PUD-MU), and residential (PUD-R) developments. PUDs that involve subdivision of land are reviewed as major subdivisions, which require three hearings. PUDs that do not involve a subdivision must go through conditional use review and site plan review.

SITE PLAN REVIEW

Site Plan Review involves new commercial developments, multi unit dwellings and significant changes to existing commercial sites. This review ensures the layout and design of development projects conform to the Town Plan and Zoning Regulations. The DRB considers natural features, access to and on the site, parking, landscaping, lighting, water and sewer, stormwater, and fire protection. Most Site Plan applications are resolved in one hearing.

SUBDIVISION REVIEW

The creation of any new lot in Essex needs approval from the DRB. Subdivisions are reviewed for conformance to the Town Plan and Zoning Regulations, traffic and pedestrian access, impacts on natural and historic resources, availability of water and sewer, stormwater control, and more. Subdivisions fall under one of four categories:

Simple Parcel: When a single lot is divided into two lots. Most applications are resolved in a single meeting.

Boundary Adjustment: When boundaries between two lots are shifted, but no new lot is created. Most applications are resolved in a single meeting.

Minor Subdivision: A subdivision that contains between three and five lots and does not require a new street or the extension of public water or sewer lines. Most applications require two meetings: Sketch Review and Final Review.

Major Subdivision: A subdivision that contains six or more lots and/or requires a new street or the extension of public water or sewer lines. Most applications are resolved in three hearings: Sketch Review, Preliminary Review, and Final Review. The earlier residents become involved in the process, the more likely they are to have an impact on the final outcome.

TOWN PLAN

The Town Plan serves as a vision and a guide for the future of Essex in the areas of growth, development, public services, and environmental protection.

VARIANCES

Variations from the Zoning Regulations can be granted in case of unnecessary hardship.

ZONING PERMIT

A permit required for most projects that involve new construction, additions or changes to existing buildings, or a change in type of use on a property.

