

HOUSING COMMISSION

TOWN OF ESSEX HOUSING COMMISSION MEETING MINUTES Wednesday, December 1, 2021

Housing Commission (HC): Katie Ballard, Chair; Mia Watson, Clerk; Michelle Teegarden; Mark Redmond; Emily Taylor; Alison Levy

Administration and Staff: Owiso Makuku, Essex Community Development Director; Robin Pierce, Essex Junction Community Development Director; Darren Schibler, Town Planner.

1. CALL TO ORDER AND AGENDA ADDITIONS / CHANGES

Ballard called the meeting to order at 3:03 PM. There were no proposed changes to the agenda.

2. PUBLIC TO BE HEARD

There were no members of the public present.

3. BUSINESS ITEMS

a. Approval of minutes

No one moved to make changes to the meeting minutes from November 17, 2021.

Levy made a motion, seconded by Redmond to approve the minutes from November 17, 2021. The motion passed 6-0.

b. Update on Planning Committee Meeting on November 18, 2021

Ballard attended the Planning Committee meeting to present the Housing Commission letter not in support of the current proposed development project in the Essex Center. Ballard's perception was that the applicant didn't feel prepared for the letter and going forward want to know when discussions like this will be on our Commission's agenda.

Makuku apologized on behalf of Community Development as it didn't occur to her to coordinate this agenda item so the applicant could attend and participate in the conversation. Ballard acknowledges this as part of the Housing Commission's development and going forward would like to see the commission include other parties in intentional conversations around major action items in the community.

Ballard's second item to report on was that the Commission's statement wasn't received as positively as intended as the letter regurgitated much of what has already been presented to the Developer already, and the Housing Commission letter didn't contain a stronger stance. Ballard mentioned the Planning Committee was aware the Inclusionary Zoning workgroup would be attending a meeting on December 9. Ballard is looking to see that the Housing Commission has statements

36 that are more impactful on future work and looks to fellow Commissioners for
37 feedback.

38 Watson thought the Housing Commission's letter was appropriate for what the
39 Commission was trying to communicate. Watson wonders if there needs to be
40 policies put forth within the Housing Commission to differentiate how the
41 Commission's support can be geared toward a variety of projects.

42 Levy asked if other committees have an agenda item for other commissions to report
43 out and if not, can that be added so in the future we have space at their meetings to
44 provide updates.

45 Ballard says others do not have this as a standing agenda item but we could request
46 that we have space in their meetings when we have agenda items to present and
47 discuss in terms of updates. Ballard says this can go both ways and other
48 committees are welcome to attend the Housing Commission meetings to present
49 agenda items or seek guidance for upcoming projects. Regular communication
50 going forward is going to be a goal of the Chair.

51 Ballard's final item to report on is the quality of housing in the community as it was
52 discussed at the Planning Committee. Residents shared insight into their quality of
53 housing level that does not align with the Housing Commission's standards and
54 values. Ballard would like to incorporate structural criteria moving forward of what
55 the Commission can respond to in terms of reports of substandard housing and how
56 the Commission can respond. Public Outreach is going to be a piece of this. The
57 Housing Commission can also seek guidance from other committees about what
58 health codes are in place, how they're enforced, and who enforces them. Current
59 recommendation is to change the focus of the third workgroup (Housing Survey) to a
60 housing quality and outreach focus group; not to drop work that's already been done
61 but to change primary focus to outreach and how we can respond. Ballard looking to
62 Teegarden.

63 Teegarden states that outreach to landlords has become a large piece of the
64 Housing Survey group so this sounds like a good place to start. Ballard will move
65 from the Housing Trust Fund group to be a larger part of the current Housing Survey
66 group. Levy will remain in the Housing Trust Fund workgroup.

67 Ballard reached out to tenants who attended the Planning Committee meeting and
68 invited them to a housing commission meeting to provide insight into their current
69 rental circumstances are, what barriers they're facing, and how we can support
70 them.

71 Levy noted the "See-Click-Fix" app as a current resource in the community where
72 residents can document issues they are seeing in their homes or community and
73 submit them to the Town for follow up.

Ballard says the Housing Commission will be thoughtful for the meeting space to be inclusive for the public, and a virtual space and physical space for those who can't access virtual meetings will be offered. Makuku notes that offering the space to the larger community could allow for other municipal departments to attend as well, like code enforcement. Schibler offers that the Fire Department from the Town and the Junction can participate in the conversation. Ballard confirms that the Housing Commission will work towards having these items on the upcoming agenda and inviting appropriate individuals to participate. Ballard will work with staff to invite other agencies (Code, Fire, etc.).

Schibler asks if the Housing Commission should have updates on any development project coming to the town, or would the Commission only want to discuss more complex development proposals. Ballard asks to clarify what that expectation would mean for additional staff and commissioner work/time. Schibler can send information on any project that includes more than 10 units, and anything including affordable housing, to the Housing Commission. Ballard confirmed with Pierce that the Junction could be equally communicative.

c. Commissioner Profile: Emily Taylor

Emily Taylor joined the Housing Commission on October 6, 2021. Previously, she attended Saint Michael's College where she studied psychology. In her senior year internship, she worked at the Burlington Housing Authority (BHA) which sparked her continued interest in affordable housing and stability for those who may be at risk of homelessness. After working at the BHA, she became an advocate at Chittenden Community Action through CVOEO working to advocate for households experiencing homelessness to obtain adequate and permanent affordable housing. She now provides direct service to residents of the Champlain Housing Trust and views her role on the Housing Commission as one to represent the voices of the population in Essex who might struggle to have a voice or representation in the community.

d. Work Group Updates

i. Housing Trust Fund – Ballard and Smith are working to meet and know that work to move the group forward is needed.

ii. Inclusionary Zoning (IZ) –Watson and Redmond met with Ned Daly from the Town Planning Commission and Town staff to discuss certain features of IZ that guide early discussions around planning. Watson and Redmond are trying to discern how much engagement exists around IZ. Watson and Redmond have decided that they almost certainly will explore the following items as proposed IZ ordinance policy:

- Inclusionary zoning as a feature of homeownership in addition to rental properties; zoning ordinances will need to apply to all town and village areas. Burlington is city-wide; SOBU has it in a specific area but looking to expand.

- 113 • All IZ units should be perpetually affordable, which has ample precedence.
114 Watson and Redmond are continuing to explore the following items as possible IZ
115 ordinance policy but further research is needed:
- 116 • Developments with 10+ units is the most common threshold for IZ. This could
117 present issues with homeownership housing so Watson and Redmond will do
118 more research on how to incorporate more IZ without unnecessary burden.
 - 119 • 10-20% of total units in a development would be designated IZ according to
120 precedence but overall capacity in the Village and Junction could be less. IZ
121 could skew that so Watson and Redmond will look to modify percentage.
 - 122 • IZ would be 80-100% AMI for homeownership and 50-100%AMI for rental
123 properties. Developers can be affected depending on AMI used for for-sale units
124 – might need to look at going to 120% AMI for homeownership.
 - 125 • Developer incentives might include density bonuses but Watson and Redmond
126 need to discern what incentives can be used/effective. Should Developers be
127 allowed to donate land or have some exclusion option in lieu of IZ? Watson feels
128 this could be a dangerous direction to go in, need to confront whether or not it's
129 acceptable to offer this option.
 - 130 • Watson and Redmond will approach planning commissions and then developers
131 later with a rough outline of the policy to get feedback. Redmond adds that there
132 is a variety of ways to approach IZ and wants to focus on the best way to include
133 more affordable housing without losing interest from developers.

134
135 Watson and Redmond look to fellow commissioners for feedback.
136

137 Ballard recommends approaching developers sooner rather than later but
138 understands it will be the next step after presenting again to the Planning
139 Commission. Ballard asks if there's a way to clarify or limit how the density bonus
140 can be collected to avoid attempts to collect on already established units.

141 Makuku states the concern is that residents will be placed in a building that won't be
142 adequality kept. Makuku wants to ensure IZ units are not discernable compared to
143 non-IZ units to maintain inclusive and equitable housing standards.

144 Watson clarifies that she and Redmond haven't spoken in detailed terms about how
145 zoning ordinances and policies will address the density bonus yet and can look to
146 other communities who have incorporated this to replicate procedures that can be
147 implemented in Essex Town and Junction. Watson notes that there is
148 comprehensive language already existing to address Makuku's point.

149 Makuku states that IZ is a great opportunity to bring developers to the table and
150 discuss the impact IZ might have on their work. This will allow for further
151 collaboration and outreach.

Levy asks how IZ connects to the Housing Trust Fund, and if the Housing Trust Fund would be funded by developers opting to pay a fee in lieu of IZ.

Watson clarifies that IZ policies allow developers to pay a set amount to the Housing Trust Fund rather than build the IZ housing. Burlington currently uses this policy. This is a valuable consideration to make and conversation to have but is hesitant to adopt this policy in lieu of not developing IZ housing.

Ballard asks if a qualifying question can be incorporated to IZ ordinance that in order to build IZ housing, any other units established in the community need to be adequality maintained, and if IZ is the appropriate place to introduce the policy. Makuku says language exists already to address the habitable and upkeep of established residents.

Pierce adds that the village has had a density bonus but it hasn't been taken up. Village has the same issues as the Town but at a smaller scale.

Watson states IZ might not be right for this topic specifically but should be included in the overall policy. Other areas of the zoning code and code enforcement are better used to enforce building compliance. Redmond agrees they are separate conversations. Ballard recommends the Commission have a conversation around substandard housing and appropriate enforcements separate from conversations about IZ.

iii. Housing Survey Group - Taylor and Teegarden had a discussion last week about next steps for the group. They are meeting on Friday with a local landlord who has attended a Commission meeting in the past and has been proactive about being more involved. Teegarden and Taylor met with CVOEO's Landlord Liaison, Mark Demers, and received a list of 12 property owners in Essex. Teegarden and Taylor will split the list and do outreach to gain perspective on their experience as a property owner in the area and plan to report on that outreach in January. A large piece of the discussion with Demers was that landlords seem to be more highly incentivized with support services rather than monetary incentives. Teegarden and Taylor are looking to have a public forum for landlords and residents to meet with the Commission and discuss their experiences.

Ballard clarifies the same space should be offered to residents as well to speak with the Commission about challenges they're facing. Taylor agrees that will be offered but the Housing Survey group will start with the landlords since we've received their information already.

Ballard asks if there is a sense of how many landlords each are in the Town and Junction. Teegarden is not sure at the moment and only has contact information but that information will be obtained. Makuku offers that landlords and developers might be more candid if we expand outreach outside of Essex landlords. Neutral parties

can be a great resource based on different experiences they have outside of Essex. Teegarden shares that Demers has a larger list covering Chittenden County and across the state for others who can be engaged. Schibler agrees that balancing outreach is important.

Pierce says the Village tried to invite landlords to speak with the Planning Commission but didn't prove to have results. It seems they may want to keep a low profile. Ballard says it might take direct outreach to encourage some to come to meetings and provide insight. Pierce can share information from the Village and Teegarden and Taylor can add them to their established list if they're not already included.

Taylor offers a timeline that the workgroup is planning to make all outreach calls by 1/5/2022 and report back to the Commission on 1/19/2022 with feedback from landlords. Taylor wonders if the Commission can reserve more time to have a larger conversation about what planning a public forum might look like. Ballard agrees and states the importance of being transparent in the community so they're aware that offering Commission space to landlords is one step in the whole process.

4. Reading File

Discussion on reading file

5. Adjourn

Ballard adjourned the meeting at 4:32 PM.

Minutes prepared by Emily Taylor and submitted by Mia Watson, Clerk. Minutes approved January 5, 2022.