

Montpelier Planning Commission
July 10, 2006
City Council Chambers, City Hall

Subject to Review and Approval

Present: Ken Jones, Chair; Marjorie Power; David Borgendale; Anne Campbell; and Craig Graham.

Staff: Valerie Capels, Planning & Community Development Director.

Call to Order

The meeting was called to order by Mr. Jones at 7:15 p.m.

Public Appearances

There were no members of the public present.

Minutes

David Borgendale MOVED approval of the May 22, 2006 minutes, with Craig Graham SECONDING them. Ken Jones asked if there was discussion. Mr. Borgendale said on page 5, the 4th paragraph down, we should strike the 2nd sentence. Marge agreed that it didn't add much to the coherence of the minutes and it should be removed. The minutes were approved 4-0, with Anne Campbell abstaining.

Ken said at the next meeting there will be two new members. We do have a backlog of minutes. Is there a point in which we will get them? Valerie said there is no requirement. Unless our rules and procedures call for this, there is no statutory requirement that the boards approve minutes. Somehow it just happens. The record needs to exist; the minutes need to be produced. There is no actual requirement that they be approved. They need to be produced within five days of the meeting, and they need to be available to the public within five days of the meeting. Very few committees or boards meet every five days to produce minutes.

Comments by Chair

Ken Jones said he would like to add to the agenda discussion about the replacement of the City's Planning Director with the recent departure of Valerie departure to Waitsfield, and some sentiment about reorganization of the Planning Department. Mr. Jones said they have asked to defer discussion about the education component of the Master Plan until the July 24th meeting. Similarly, we need to talk a little about the July 24th meeting that will not be a public hearing because of the notice requirement.

Review of City Council Survey Response

The Planning Commission reviewed the draft response to the City Council Committee Survey, which was prepared by Ken Jones.

There was a request from City Council a few months ago to provide some information with regards to the relationship between the Planning Commission and City Council.

They sent a set of survey questions to many city departments and commissions. Ken said he provided some draft responses. Mr. Jones said he didn't know the fate of the document. When they start talking about reorganization, part of the discussion will be about the relationship between the Planning Commission and City Council.

The last question of the survey asks if Planning Commission committee members would be willing to attend a once-a-year summit for City volunteers that are designed to focus our efforts on similar community-wide goals, and Ken's response is yes, we would encourage that. But there is also a general response to the third question about needing to strengthen our communication. This works both ways. They need to be clear when there is an assignment before us as to what their goals are and we need to do a better job at providing any intermediate responses. The Sabin's Pasture issue discouraged a lot of us. We put a lot of effort into it. If ever something like that should raise its head again, I hope we can develop a way to provide them with updates and receive a response, and not just a head nod that we're on track.

Anne Campbell said that with the Sabin's Pasture issue there should have been a clarification by the City Council to what the Planning Commission's efforts should focus on. It seems like we go through a good deal of effort and then the City Council tends to write their own, which makes ours feel like an exercise of futility. There needs to be more collaboration.

Mr. Borgendale said he felt there needs to be a great deal more interaction between the Council and the Development Review Board. He said the Planning Commission does serve at the pleasure of the City Council. David said he thought there should be a lot more discussion about what the role of this body is. One of the things that happened with Sabin's Pasture is that City Council made it very clear there were certain things they would not approve. They were very critical. He said he felt more clear communication would provide a better understanding as to what the role of this body is. He said he doesn't feel it's productive for the Planning Commission, the City Council, or the City of Montpelier for us to be butting head with the City Council instead of working more collaboratively. He said he felt they should negotiate what is going to be acceptable ahead of time.

Anne Campbell said she didn't think the Planning Commission is in a negotiable position and she doesn't think it's a matter of compromise. The City Council determines what they want. Ken said that when another significant issue, such as Sabin's, does arise the Planning Commission should take a little more time to determine if they have a clear message from City Council. Certainly, from the review of the community resource overlay I think we understood it wasn't acceptable and they got rid of it. We could review the minutes to determine if we as a body reviewed their comments with regards to mandatory cluster to see if they would not accept any form of it or not. Certainly, there were certain members who didn't like it.

This raises a question. Is it true that the July 26th meeting of City Council is the meeting where they elect the new members of the Planning Commission? Valerie replied that it

was on July 19th. Ken said other opportunities for discussing this material for new members, other than the draft response, is the discussion about Planning Director, reorganization, which overlaps.

Ken said he had added to the agenda discussion about the Planning Director and Planning Department. They said they should review the sentiment of the revised zoning ordinance by City Council. Ken said after listening to the feelings of the Commission members he would do a revision of the Draft Response within the next week and decide whether to forward it along to City Council.

Review of 2004 Master Plan

We are going to defer discussion on the education piece. The next item is on Historic and Built Environment.

Before talking about this piece of the master plan, Ken said he would like to discuss schedule and tasks for the Planning Commission to see where we are going. We revised the Master Plan in June 2006. The June revisions were meant as “band aids.”

Anne Campbell inquired whether the Master Plan would have to wait to be amended in 2011. Valerie replied that it could be amended as many times as needed. Craig Campbell said they were making good progress until Sabin’s Pasture came up. Ken Jones inquired whether there was a document that guided the revisions that started in 2002. Valerie Capels said it might be reflected in minutes. The template is a product of that discussion. The schedule spreadsheet Valerie distributed was an old one.

Craig Campbell said one of the areas that are a bit troublesome was the division of the work into interest area topics. There are many areas that the Master Plan needs to address that cover areas that we would like to make better in the city. We need to find some way to approach this so we weren’t just coming up with laundry lists of what people who are concerned about a particular area want. He said it was a good way to get information gathering, though.

Ken reminded them they were going to have two new members at our next meeting. He would like to set aside about a half hour on July 24th agenda to talk about what those working sessions can be. In August the Planning Commission could have a couple of working sessions. He said he believed they have some more pointed questions for the public to consider. How fast do we grow? Mr. Campbell said if we have some sort of plurality of how we want those things to happen it would be much easier for us to work on how to achieve this.

Ken said let’s take a half hour at the next meeting to talk about working sessions, get some ideas from the new members and find out what they want to do. We probably won’t have a Planning Director, so we need to put our heads together to see where planning is going.

Historic & Built Environment

Craig Campbell said he didn't see much to add to the goals. Under goal # 1, about halfway down, he suggested inserting "encourage" before use certified local government status to advance more projects to preserve the downtown. Try to be consistent with the word "encourage" and "discourage."

On page 2, under goal # 2, "Gateways into the city should be strengthened and maintained to provide for a sense of entry as well as provide a strengthened 'street wall' in the downtown. What do we mean by that? Valerie said the gateways into down – basically, Memorial Drive, State Street, River and Berlin Streets, Northfield Street – the street wall refers to the buildings being up against the sidewalk as opposed to having a lot of vacant space along the sidewalk. It's the "streetscape." It's pedestrian friendly and scaled to people rather than cars, but the street wall is a term to describe how buildings relate to the sidewalk and the street. It is a desired in a downtown to have the buildings closer to the sidewalk rather than far away. There are some areas in the downtown, particularly at the gateways, where you don't have that. It's good to have buildings anchor your gateways. A good example of where that could be improved is at the corner of Bailey Avenue and State Street. The small one story building that has parking on the side is a used car lot on the weekends. Ideally, there would be a more prominent building up against the sidewalks in that area to form an anchor and the parking would be behind the building, or a less prominent feature to define that gateway or entry way. In other words, have the buildings define the space. The Shaw's grocery store is not a good gateway configuration. If there is a way in the future to redevelop those sites and maintain those uses of those sites to bring the buildings closer to the sidewalk and to frame the entry way into the downtown area, that is what the gateways do. This is true with landscaping as well, and all of the other features that draw people into the downtown area.

Craig Campbell said in the next line down – "Streets shall not be widened to address traffic/transportation problems". These are talking about the historic areas in the city and not generally, are we? Valerie said according to the statement it would apply city-wide. Mr. Borgendale said he didn't think it should apply city-wide because Route 2 is different than Elm Street. Valerie said it might have come about from the experience on Berlin Street with the widening project and the negative impact it had on the neighborhood. A lot of people believed it had a negative impact on the neighborhood because it made the street too wide for a residential neighborhood, and, in fact, it encourages the traffic to go faster.

In goal # 3, Enhancing the capital complex, do we have a capital district master plan? Valerie replied yes, and it is referenced now. Instead of include art as a worthy public investment in capital projects; he suggested we use the word "Encourage," to make it consistent.

Craig said he would welcome other members' thoughts on this section. He said we are talking about Historic and Built Environment. Should those be separated out? Would this fall into the Design Review District? There are so many historic sites throughout the

City of Montpelier. Valerie said that they are not all in the design review, either. Mr. Borgendale said he would want this section to apply to River Street. There should be a long term plan to make this a more beautiful gateway to the city. Valerie said that could be the subject of a future planning grant to have someone come in and do some alternative design plans for some of the properties out there to show how it could be improved. Not necessarily saying these buildings need to come down or replaced in some way, but show how the existing pattern can be improved upon and enhanced, whether it is through landscaping or consolidating parking areas and combining access points. We could reduce signage and use different lighting.

When Dunkin Donuts went in, Valerie said the staff was very frustrated that they could not encourage the building to be up against the sidewalk because the current zoning didn't allow it. There was an opportunity that was missed there, as well as with Cumberland Farms. Definitely, amending the zoning to reflect those standards will be an important step.

Ken Jones said this document represents goals and what it encourages, but can we get a sense of what has been happening in the last five or six years within our regulatory process, or other processes that the city has responsibility for, that can affect some of these things? We developed the Design Review District, which has happened since 2000. I think we need to have an update from the Design Review Committee and Development Review Board to see if they have any suggestions.

Valerie said the site plan review standards in the current regulations, when the new Planning Commission and new DRB were formed a whole set of new zoning regulations were also adopted at that time. The site plan review standards went from 5 standards to 17 standards. Among those that were added were standards that allowed the Development Review Board to look at design issues associated with buildings outside of the design review district. This was a big step. That is one reason why River Street continued to develop the way it did because there were no controls in hand to allow the Planning Commission and the Zoning Board of Adjustment at that time to look at those things. Now they are in place.

Mr. Graham asked if that was something that could be addressed in the Master Plan. Valerie said absolutely, that we can articulate those principles that new development should strive to meet urban design, quality design, and those sorts of things. Mr. Graham said we could go further to say to encourage beautification of River Street, and address that as a goal we have. Valerie said the Development Review Board would have that guiding document to influence their decision making, and the applicants would have it as well before they begin their plans. They have a clue and know what the city wants.

Mr. Borgendale asked why Dunkin Donuts had to be set back. She said they needed a 30-foot setback. She said in the new zoning ordinance they reduced it from 30 to 10 feet. Ken inquired if this included the sidewalks. Valerie said no the sidewalk is within the public right-of-way. Valerie said she thought there was a provision in the zoning

ordinance where the Development Review Board has the authority to waive setback in the GB district instead of granting a variance.

Ken Jones said this is a good example. We have some points we would like to reinforce, and we would like to figure out how.

Valerie said that with all of these discussions and goals, the Planning Commission when they started this process was focusing on the vision and goals section, because the Planning Commission wanted to set the direction for the City of Montpelier first and where they wanted to go. Then, when that process was further along, they would figure out how to get there. Seeing the term “encourage” and other action terms – some of these statements could be policies, strategies, and some more specific action statements. It was her thinking not to get too hung up at this point in the process about whether to encourage or do, should or shall. There is a pretty clear hierarchy about what a goal is, about what an objective is, about what a policy is, and what a strategy is. You want to identify measurable benchmarks, responsibility and who is supposed to do what, by when, and what are their resources. That would all have to come together and be discussed after this initial stage in the direction you want to go.

Valerie said one of the other important regulatory changes in addition to the expansion of the site plan review standards is in this document before the City Council this month – the demolition by neglect standards. Section 310 of the Master Plan is new, and very extensive. That will definitely affect the Historic & Built Environment.

Cultural & Recreational

Anne Campbell said the Cultural and Recreational goals, policies and recommendations came directly from the Cultural and Recreational Forum we held, so they came from the people who came to the forum and spoke. There were representatives from Lost Nation Theatre, the Kellogg Hubbard Library to cemetery and city officials. The goals, policies and recommendations may seem overly ambitious, but why not start there. We recognize that the health and vitality of our city is directly connected to vibrant cultural and recreational programs. We seek to establish Montpelier as a cultural capitol which proudly supports the arts and recreation.

Goal 1 is something that was talked about at the forum, which is to establish a position of cultural liaison within city government to foster and promote the arts. This can be directly linked to goal 2, which is to establish a Culture and Recreation Council to foster and facilitate cooperative, collaborative activities among arts groups throughout the city. If that were to come about, it is very likely the head of the Council could also be the liaison with the city government.

Anne said that Valerie could maybe speak to how feasible this is. For instance, could we provide publicity for the arts and recreational activities on the city’s website? Valerie replied we do this now. Anne asked if we could provide technical assistance on zoning and legal efforts on behalf of the arts and recreation. Valerie said she didn’t know what that was suggesting. Ken asked if they could provide an example. Valerie said she didn’t

know that zoning and legal efforts would be necessary with regards to the arts. Anne said this came up with plans for the Salt Shed. Mr. Borgendale suggested that be removed. He said that had come from the Pyralisk.

Anne said they wanted to protect and promote beautiful spaces for arts and recreation to beget a powerful downtown economy and citizen involvement. They also want to make sure any and all future zoning protects and promotes the arts and recreation. Part of that was to protect the confluence of the North Branch and Winooski area for cultural and recreational uses.

One of the concerns in all of the cultural and recreational goals is that we are seeing a lot of these spaces slowly eroded, such as the Salt Shed. We need to preserve and protect the riverfront.

Ken Jones said this was in terms of the vision. He wants to speak to the contrary. He said these aren't goals to him. They are all activities. He would like to have a stronger sense of goals. We want to have more cultural opportunities in the City of Montpelier, and to the extent that we need some physical infrastructure, such as a Salt Shed renovation, to the extent that we need public space, like the Carr lot, he would like to be part of the discussion as to whether that would enhance cultural opportunities. That is what he is curious about. The cultural opportunities in Montpelier in the last ten years have increased. Anne Campbell said we lost Onion River Arts Council, and Marge Power said we had lost the Pyralisk. Mr. Borgendale said he didn't think the city lacks for small facilities at all, but whether or not a larger venue could be supported.

Marge Power said we go from City Hall space, which for the last 15 years has been devoted to Lost Nation Theatre, to tiny spaces, such as the Langdon Street Café, the Black Door Bistro. Marge said we need something in a more moderate size range. There are not a lot of alternatives. There is the Unitarian Church, and some of the other churches host things from time to time, and there is the high school from time to time. Mr. Borgendale said there is the old gym at Vermont College and the chapel in College Hall.

Ken Jones said he was intrigued by this discussion, because getting representatives from the arts community involved and saying they are limited because they can't find a space that the Planning Commission should know that. That then gives us a sense of whether that is a Planning Commission kind of thing to study. He said he nothing against these three goals, but would like to know more about them accomplishing them. Marge suggested they inquire from some of the people who have been involved in the past who have organized cultural events. As long as the college is in play, that is a major wildcard.

Mr. Borgendale said he said that he was going to bring this up later when they were discussing education. Montpelier has a site for higher education that is very much related to this topic here. If you have a substantial residential college in the community, that is going to typically bring with it a lot of arts and cultural opportunities.

Marge Power said she thought we could say that for a community the size of Montpelier we are quite rich in arts of all different kinds, but whether we are richer than we were 15 or 20 years ago, and whether there are missing things, we might want to survey and contact people like Artisans' Hand and inquire from them. Nicholas Hecht was the Director of the Pyralisk. Anne Campbell reminded them that the things she had listed had come directly out of the Arts and Recreational Forum. Whether we are better off than we were 15 or 20 years ago Anne said was a very crucial question about what we might do to support the arts. Given the financial problems with Lost Nation Theatre and the Kellogg-Hubbard Library, things don't look good for the arts in Montpelier. Marge said this is a little scary because it is not unique to Montpelier. The arts are suffering all over Central Vermont. Marge said 15 years ago we were talking about cultural tourism. In the planning area communities that were rich in cultural endeavors were all together better. Valerie said it was creative economy and cultural tourism.

Mr. Borgendale said he thought the question was whether we are better or worse off in terms of overall opportunities in arts and culture. It depends on whether you like classical or country/western music. Marge said she thought that was the point. We have been strong with our support in this endeavor but weak in support of something else. Maybe we have lots of arts and crafts people living in town. Theatre is struggling.

Valerie said there are a lot of resources that they could tap into. The people from the Onion River Arts Council are still around. Valerie said it would be interesting to know what the Regional Planning Commission's plan says about cultural facilities and goals because Montpelier is certainly affected by situations and cultural activities going on outside of the city. How are those doing outside of the city? Are they increasing or decreasing in the same manner, or differently than what is going on in Montpelier? What is the affect of that?

Mr. Borgendale said that the predominant fact for this seems to be economics of the arts organizations. There are very few organizations like this that can sustain themselves. For instance, last year the Vermont Mozart Festival experienced some severe funding problems as well. Valerie said a noticeable change was reported among organizations in the country after 911. Philanthropic giving declined; travel declined. As energy prices increase, peoples' disposable income declines. People have lost their jobs.

Marge Power said she is involved with the management of two halls, and the number of times people have asked to use the halls for non-profit performances, they wanted them for free. Well, the halls don't heat themselves. There is a vicious circle that there isn't enough money, and if you raise the ticket price people won't come.

Ken Jones said he thinks the discussion the members had on this topic reflects the importance of the issue as it relates to the future of the city. He told Ms. Campbell he was more interested in seeing goals a little more spelled out, so five years from we can ask the question of whether the arts did get better because the Planning Commission helped influence that. Craig Graham remarked on how wonderful the 4th of July celebration was this year in Montpelier, and it just seems to get bigger. Marge Power

reminded folks that it is not without cost. Funding has to come from somewhere. The artists and musicians need to eat.

Valerie said on the topic of culture and arts she is in the process of adding another section on the website. The website has lodging, shopping and restaurants. There is going to be a new page called "Local Talents." It's a section that Valerie wants to use to highlight the economy and the people we have here. She said she is putting them on the website to let folks know they are here, what they do, and to give them recognition. It's another way to promote people here in Montpelier. There are different sections for paintings, photography, performance arts, music and writing.

Stonecutter's Way Zoning Amendment – Section 204.B.2.

Ken Jones said he drafted a report, and the report was based upon the specific proposal as drafted by Fred Connor. It was not Ken's intent that the report was to be expressing the sentiment that the Planning Commission thoroughly approves the proposal but rather this is the kind of language that supports the proposal. It was Ken's intent that the Planning Commission would open this up for discussion during the public hearing, because of the timeframe. Fred won't be here tonight, but this is an opportunity that we can have some reaction to the report and how best to move forward, recognizing that the hearing won't take place until August.

Marge Power asked Ken to give the members a briefing on what the proposal is, and what the issue is.

Ken said this relates to the redevelopment of the Salt Shed. It has been the hope and plan of the Pyralisk, together with other folks who have been helping them, that it could be turned into a multi-use arts venue, but it appears that is not going to happen. An alternative use for that building is to renovate it as an office building. Designed as a performance venue, the issue of parking was going to partially be addressed by having under-the-building parking because of the zoning restriction in the river front district that restricts the lot to have not more than 25 percent parking. By having under the ground parking, that would not have counted against the footprint of 25 percent.

In thinking about what the redevelopment would be as an office building, it may be harder to redevelop it with under building parking, and in which case it may need more surface parking. A development idea would require more surface parking. Going beyond the 25 percent would require some kind of change, and the proposed change by Mr. Connor is simply to add to the current language which keeps no more than 25 percent, but says that language shall not count if the parking is shared. In that particular development proposal the sharing would be with the Coop, which has expressed informally the interest of having more parking. Parking could be used both for the new office building and the Coop and be considered shared parking, and not counting the 25 percent. That is a proposed revision to the zoning in a very simple one sentence change as to what impact this would have with that space.

An office building has been proposed. They would have to remove the building and put a new building in. There are all sorts of technical challenges with regards to that site. It is a brownfield and needs to be revitalized. There is contamination. It is also filled land, which puts significant restrictions on how big a building you can put there in terms of what the geology can support.

Marge Power asked, what is the effect of this additional language? Does it mean that more than 25 percent of a lot can be put out for parking as long as you share it? She said she thought the purpose of the restriction when Stonecutter's Way was originally proposed was to not end up with the river bank devoted to car storage. In fact, the desire of the city was for substantial green space. Well, that has shrunken. She said she didn't think there was a desire for the river bank to be used as car storage, with that not being the highest and best use. As far as people trying to meet a parking requirement they can use the next door's parking lot in the evening because they operate during the daytime, and this could be shared. That seems like a worthy idea. Creating more car storage doesn't seem compatible with the original concepts of the Stonecutter's Way development.

Mr. Borgendale said he felt the language is saying that if I share my parking spot with somebody other than myself that I can build a parking lot. He said he was not comfortable with that aspect of the language. He also said he could imagine things worse than an open parking lot. Putting up a wall so you can't see the cars parked would be worse than having an open lot with nice landscape. Marge said this would hardly meet the spirit of having an open river bank.

Mr. Borgendale said he understood we wanted to have a view of the river and have it accessible, and an open parking lot is probably more conducive to that than a wall. We were talking earlier about River Street where you have a streetscape that is buildings in the background with parking lots. This language is way too open ended. Marge Power said she agreed.

Anne Campbell said she didn't think she had an understanding of the vision of the riverfront was, what the intent was in the planning. Valerie said there was a vision for Stonecutter's Way and there was also a lot of pressure to develop quickly. It was a complicated structure back then because the railroad controlled a lot of the property, and much of the property was owned by the state. Marge Power said the railroad was leased out to a private railroad, although it was owned by the state. The private railroad had a lease, and they weren't the easiest people to deal with.

Anne asked why the pressure to develop was quickly. Valerie said it was because of the RFP (Request for Proposal) process. Because of some public sentiment that arose as a result of some of the public funding that was received to put the infrastructure in – the city's role was to develop the infrastructure, i.e., the road, water, sewer and utilities, to create an environment for private sector redevelopment.

Marge Power said the taxpayers paid for the redevelopment in terms of putting the street in, the footpath, and moving the rail tracks. Valerie said this was part of an effort to improve the gateway. It was a derelict railroad and it diminished the gateway to the city. Marge said it was paid for with public funds from federal, state and city. Valerie said it was over a million dollars worth.

There were a number of public forums and design processes to identify specific goals for that area and plans were crafted to try to meet as many of those objectives as possible. Obviously, the site is extremely narrow and constrained, and at the time there were existing buildings. Some of them aren't there any more. The engine house, which was the only contributing structure, including the turntable, which was the only site on the historic register, was the only occupied space. The engine house was the only contributing structure, and that burned. The bike path alignment was constrained by the existing buildings at the time, so it could not be on the river side, plus the alignment of the railroad tracks. There was a desire to have more buildings on the river front than parking areas and the intent was to encourage a mix of uses that were not automobile dependent where people who were drawn to the river front could enjoy several things at once rather than a lot of single auto oriented trips. Marge said there was also to have been a river walkway along the bank of the river itself, not the bike path, but an actual walkway, until the Coop moved over 11 feet without a permit.

Because of some public sentiments being raised about public funds being used, and the accusation about backroom deals being made with potential occupants of the site, the decision was made to require an RFP process to solicit proposals within a certain period of time. There was political pressure to do it that way, and it was also a way to make something happen quickly. The RFP process was done before the zoning was done, so RFP's went out under the old zoning of general business (GB) and CV-1. It was before the river front zoning district was really defined through regulation, and it ended up being crafted as a result of the proposals that came in. Several steps happened in a particular sequence that did not serve the river front well. Marge said it wasn't developed the way of the original vision.

Mr. Borgendale said he didn't believe it was developed in accordance with the zoning regulations. On page 6-7 of the draft of the zoning and subdivision regulations there are specific design guidelines, and under b there are things violated by these two buildings, one of which was constructed new. Either the building didn't conform to the building permit or a permit was issued that did not conform to the "shall." Valerie said the Coop was built before the zoning was done, and the River Station office building was processed under the review process just as we were switching from the former Planning Commission to the current Planning Commission and the DBA to the DRB. There was some time pressure to act on that quickly, and the Design Review Committee did not actually recommend approval.

Mr. Borgendale said if you review the zoning regulations the Planning Commission was violating the ordinance by approving the permit if the permit specified that those buildings were designed as they are built. Valerie said it was the last meeting of that

Planning Commission and it wasn't appealed. David said his point is that now we are talking about changing something, but we should insist for any new development down there that they should follow these regulations. That means you have streetscape and riverscape, which are primary building facades that are identical. It says that it has to be there.

Marge Power said that although the infrastructure was developed with public monies there has never been any real acknowledgement of the desire of the people who paid for the upfront costs of readying the area for the private sector to come in and develop. There never has been any requirement that anyone do what they were supposed to do down there.

Ken Jones said the history of the project is important, but we do need to address this particular issue. I think we do need to open this up to the public to get a little stronger sense of what the riverfront district can be now, recognizing the developments that have taken place. This proposal is really directed to one lot because the only other properties that are subject to the district are when Allen Lumber and the Clothes Pin factory alter their properties. Valerie said the Coop also has constraints and its growth pains right now and how to deal with their expansion.

Ken said he would rather look forward than back at the history of the project. Mr. Borgendale said his concern was that he thinks we have zoning regulations in place for the river district and we shouldn't relax them and add to the problem that is already there. Marge said she didn't because the city has allowed things in the past to happen there that we have to treat it as a sacrifice. She said we should salvage what's left. Do we want more than 25 percent of a lot covered with surface parking? That's the real question that is presented in this proposal. We can say that the original vision was not to have the valuable river bank as a parking lot, and that was the reason for limitations. Is that vision now somehow no longer operative? The reason one would change a zoning rule, as we have discussed numerable times, is because the zoning that it represented is no longer the visions and the desire of the city for the way it now wants to develop. The question we have here on the table is do we now want to permit more parking on the river front than was originally anticipated? She said she thinks we already have more than what was originally desired. Do we want to continue that trend, or stick with the zoning? That's the question this proposal presents. She said she wasn't prepared to say that the original vision was one that really wants to change in terms of the desires of the people of the city.

Craig Graham said we should get a little better handle on this before the public hearing on August 14th. How many spaces are we talking about? How many shared spaces? Are we talking about 4 or 5 spaces? Is it something we can work through without making these changes? I think we need to get a better handle on what he is looking at.

Ken Jones said if you can envision the Salt Shed, the furthest east building is an add-on piece of the building. That would be eliminated and parking would be in its place. Craig questioned what he meant by shared parking, and how many spaces. Marge said she

thought he could put up a sign that says Coop employees and patrons could park there. David Borgendale said he construed the language to mean that he could just put up a parking lot, and that's not okay.

Marge asked what happens down the road if a subsequent owner or manager of the property says they need all of the parking spaces and they can't share any more. Ken said there needs to be a definition of what a shared parking space is. Ken said the Planning Commission should put some time aside on the July 24th agenda to they could spend some time on this proposal and to ask members to consider alternatives. When we have the hearing on the 14th we'll be in a stronger position to understand.

Valerie said that shared parking is defined in the ordinance. It's on page 7-14, section 705.1.

Marge Power said we should rewrite it, because David was right that this could mean anything the way it is presently written. Marge said because this is an office building you could show that it will be used at different times. Ken said he would request they receive input from the Coop to have both parties participating in the definition we draft. We need to have input from the Coop if this is critical to their development. Marge said the Coop wants to expand their building. If they expand they will require more parking if they take some of their current parking out of commission.

Ken said they should schedule July 24th to discuss this. He said he would try to get somebody from the Coop to come in and address what their parking needs are. David inquired if finalizing the language on the 24th was sufficient time to publish notice for a public hearing on the 14th of August. Valerie said the notice would have to be published at least 15 calendar days before the 14th, so by the end of July. Ken said the 28th of July would cover it. Valerie said the hearing notice has been drafted and delivered by certified mail. After the public hearing, the Planning Commission could make whatever revisions you want to make and deliver them to the Council.

Mr. Borgendale said that he would prefer that prior to the public hearing they say right up front that we aren't using this language, and it will be revised. We need to engage the public. There are basically two issues here. Do we want to allow more parking than is currently permitted to be built? If so, is this the language we should use? Ken affirmed they should take this topic up for discussion again on the 24th.

Proposed Amendments to the Montpelier Zoning & Subdivision Regulations

Ken Jones said we are now ready to discuss the July 26th City Council meeting with regard to the proposed zoning changes. The Planning Commission needs to amend their report. One of the significant changes is that they are proposing a "minor" versus a "major" review. Ken said he could not find a description of a minor review, because it suggests there would be some provisions that would not be subject to review. Valerie said there is a table describing them in the back of the document.

Marge inquired if all of these provisions fall under site plan review. Marge asked what constituted special circumstances. Valerie said conditional use or floodplain design review.

Ken said he was concerned how the Planning Commission was going to have a group sentiment and how they were to participate in the hearing. We certainly have the right as individual members. They are asking for revisions to this document. Mr. Borgendale asked if this had to be to the City Council before their public hearing. Valerie said it needs to be provided to the Council either at or before their public hearing on the 26th, so you have this meeting and July 24th. Ken said he wonders what they can do prior to the 26th. They have a meeting on the 24th. He said he was looking for some ideas on how the Planning Commission, as a body, can develop its products for the public hearing. Marge said we could submit a report for starters because that is a statutory requirement. Mr. Borgendale said he was not ready to submit a report without having read the current proposal. Anne Campbell inquired about what the report should include. Marge said there is a list of statutory questions, and we need to go through them and revise our original report and comment on the state of the zoning as it now exists. Mr. Borgendale said the statutory questions are contained in the Planning Commission report of March 20, 2006, and it's a matter of deleting and adding what we want to change.

Anne Campbell said what difference it makes if we review this document. Ken said that if between now and the 24th if we have a chance to review it there may be a few points, though probably a very small number, that we can include in the report or represent on the 26th as the Planning Commission certainly has been well involved in these issues and these are our sentiments. Anne Campbell said her biggest concern is, given our work here, was the elimination of mandatory clustering particularly in conservation areas. She said she wouldn't be here on July 24th. Ken said he would ask that she put that in writing so the Planning Commission could review it on the 24th. If there is a category of issues that the Planning Commission has put a lot more effort into that we should review to determine if the conservation areas on the future land use map, the sentiments of the Master Plan regarding open space, if there is anything in here which supports those goals, to the extent that it is missing we should be able to communicate our sentiment. That is one of the pieces we can do on July 26th. Perhaps Anne could summarize her feelings on this and we could use it for discussion at the meeting on the 24th.

Marge said you should at least initiate a discussion of those aspects of that we never did discuss. Ken said they could spend a lot of time on July 24th talking about projecting signs, and it may be one of those areas that we acknowledge that City Council took on the role of planning and we did not, at this time, feel it worth it to go through the pro forma exercise. They never expressed any intent to us to review those ideas. We haven't reviewed this, and we feel that City Council took on the role of the Planning Commission. Marge said she was very clear to them that the Commission didn't have the time and intended to review it. They tabled the issue for the to-do-list, and they didn't care. Ken said the Commission wanted to work with members of the downtown community to get some input on it.

Mr. Borgendale said the relevant question is whether or not that change conforms with or furthers the goals and policies contained in the municipal plan. Ken said there are so many goals that you are going to have to go through each one of them. David said he is addressing the signage issue. In other words, we are not required to comment, nor should we comment, on process in this document.

Ken asked if members between now and the July 24th could take a look towards the report, matching up the goals with the revisions, to see which of these in particular we need to change the report. Also, there is the general sentiment of one category being the protection of open space on lands that are designated as conservation lands in the future land use map, these revisions adequate reflect the Master Plan intent. We can work on these on the 24th to include in our participation at the City Council public hearing on the 26th.

Ken said he would like to use the remainder of the meeting to talk about the things they talked about at the beginning of the meeting in general, which is our communication with City Council with regard to their survey questions, their ideas and our ideas about restructuring the Planning Department, and the consideration of a new Planning Director. Ken said he met with Bill Frasier last week. He is going to seek clarity from City Council on what they are looking for in restructuring the Planning Department so he can have a clearer understanding of what they are looking for. One of the kinds of ideas that have been circulating is the separation of the planning functions and zoning functions from the economic development projects, like the Carr Lot. That is an idea that might have been in the some of the minds of City Councilors who suggested this should be a priority of the city. He posed the question to me, which I said I'd get input from members, what is the time urgency of filling this position? He can approach this as something to pursue very quickly or not. He asked members how critical they felt it was to filling the position of Development Director.

Anne Campbell asked if George Seiffert was going to be filling the position in the interim. Valerie said that decision had not been made, and they didn't know if there was going to be an interim. Marge inquired about who was going to staff the Planning Commission. Stephanie won't be back until September and she staffs the Development Review Board and the Design Review Committee. Valerie won't be here on July 24th. Ken asked Valerie to send a note to Mr. Frasier a note to request someone to staff their meeting on the 24th. This will be practice as to the short term solutions available for the interim staffing.

David Borgendale said if the Planning Commission were going to be drafting a lot of legislation and ordinances they would have to move quickly to fill the position, but in terms of the Master Plan we can probably muddle along on our own. Craig Graham asked if it were possible to have an interim appointment. Ken said there may be a short list of people who could serve as interim. He will communicate to Bill Frasier that he should let us know the possibility of someone serving in an interim capacity.

Mr. Borgendale said when he was chair of the Planning Commission he spent a lot of time working with the City Manager and City Council to seek more staffing in the interim when we were focused on the master planning process. If some kind of restructuring could get more staff attention on that process, I would like that. Valerie said the planner position has been cut from the budget. David said he continues to believe that is an issue and would like to see more priority given to the master planning process and staff support.

Ken said is this a topic that Planning Commission should organize a meeting with City Council to talk about? They are talking about reorganization; we're talking about staffing. It's related to the future of the Master Plan. Is this a City Council/Planning Commission joint meeting? Mr. Borgendale said he had appeared before them many times to address that issue. Marge said in the past she had also asked for staff support. Marge said the original master plan was done by a consultant in conjunction with the Planning Commission and a working group. Marge said she had 63 hours in just meetings. Certainly, there were more people involved in the past than she has seen this time around. Anne said either we produce a Master Plan with adequate staffing to do the drafting, or a draft of the Master Plan doesn't get produced. It is really that simple.

One of the problems we have, said Marge, is reconciling the various goals we have. We have an expressed desire in this city for more affordable residential housing, and we have an expressed desire for open space. We have a finite amount of land. There are even more competing interests. Those are the ones we have been dealing with most recently and most emphatically. We have a parking problem, which is another area of land consumption.

Ken said one of his priorities is to cultivate a stronger discussion within the community. What does it mean when you say you want more affordable housing? Are there trade offs? Are you going to designate a piece of land where there is significant density?

Marge said what she discovered when she went with Valerie to the Regional Planning Commission with the Master Plan revisions is what Montpelier regards as encouraging housing that the surrounding towns have it all. We are the big growth center. We should have something that looks like the Bronx up on the Joslyn farm, and until every piece of Montpelier is developed to the point that you can't put another unit in they think we are not doing our part. The idea that Montpelier has to carry it all in terms of housing – not to say we shouldn't have more because I think we should. The view from the rest of Central Vermont is that it should all be here. She didn't hear anybody else come forward.

Ken asked if it was fair to say that the Planning Commission is interested in cultivating a stronger dialogue with the City Manager with respect to the issues of staff support for the Master Planning process, ideas for the restructuring of the Planning Department, and our relationship with the City Council. Should I be taking those steps with the Mayor and City Manager to see if they can do that? This was agreed affirmatively by members. He said his communication was not to give them solutions, but to let him know that Planning Commission wants to work with City Council. As you make these decisions, we want to

work with you to make this happen. This will probably happen in August. But there's even a shorter term problem. They have to appoint two new members to this body on the 19th. We would like to see someone appointed with skills and attributes they could bring to the master planning process.

Mr. Borgendale said his biggest concern serving on this body is that all constituents in the community are served by this body. Basically, his sense of this body, when he first got on it, was the preponderance of the viewpoints was not very business oriented, so he thought it was unbalanced. He said he would be just as worried if it went the other way. He is concerned that the different viewpoints balance each other because that is the result that works in the end.

Ken said he would draft two memos, one with the specific appointment of commission members. The second communication to the Mayor and Bill Frasier that we are interested in meeting with City Council to discuss the future planning office, the future planning director, and the relationship between the Planning Commission and the City Council.

Valerie reported that at 9:00 a.m. next Thursday there is a meeting at the Central Vermont Chamber of Commerce of the Planning, Zoning & Permitting Task Force. They are interested in doing a build out study focusing on housing and where infill is possible. It is going to be a different approach than the scatter dots we dealt with the last time. Valerie said she is going to attend. In terms of the ongoing work of this group, some Commission members may want to go. Ken said he would try to attend.

Ken reminded members that this is Valerie's last meeting.

MOTION: Mr. Borgendale made a motion to adjourn the meeting at 10:00 p.m., seconded by Anne Campbell. The motion was approved unanimously.

Respectfully submitted,

Valerie Capels

Transcribed by Joan Clack, City Clerk & Treasurer's Office

These minutes are subject to approval by the Planning Commission. Changes, if any, will be recorded in the minutes of the meeting at which they were acted upon.