

Montpelier Planning Commission
April 12, 2010
City Council Chambers, City Hall

Subject to Review and Approval

Present: Jesse Moorman, Chair; David Borgendale, Vice Chair; Alan Goldman, Bethany Pombar, Missa Aloisi, Tina Ruth and John Bloch.
Staff: Gwen Hallsmith, Director of Planning and Community Development

Call to Order:

The meeting of the Montpelier Planning Commission was called to order at 7:00 P.M. by Jesse Moorman, Chair.

Review of March 22, 2010 Minutes:

Upon motion by David Borgendale and Bethany Pombar the Minutes of the March 22, 2010 were approved on a vote of 6 to 0.

Discussion of Master Plan:

Ms. Hallsmith said she would like to give the members an overview of all of the new things included in the Master Plan. Some of the things came from the last Master Plan. The fact that the city was settled 6,000 years ago hasn't really changed; the history of the city hasn't really changed. Obviously, the ways in which the Master Plan are consistent with Act 200 have changed their location in the plan so they are listed on pages 14-16. The background section is pretty much the same as it was before. She edited the section that describes the core characteristics of the city because they were out of date.

When you move into the Natural Environment Section, obviously all of the maps are new. The vast majority of them were included in the last Master Plan. They have improved in terms of their level of detail and accuracy. They are actually in GIS now where the old maps were not. The new part of this plan from the last Master Plan is the section on natural communities and biodiversity because they paid for that study with a planning grant back in 2006. Like the other study which she included in the transportation section, they were both the subject of major planning grants in the city and it seemed to make sense to include the results in the Master Plan. She doesn't know why the transportation chapter that was produced with the grant before wasn't included because it was done before the 2005 update.

The one element she understands was a little bit controversial in the last plan is the map on page 45, the conservation lands map. She continued to include it here because it actually is referenced in the city's zoning. If you cluster development in any of the green shaded areas, according to our current zoning Section 713 (e)(3)(b) you get density bonuses. They simply took the same map they used in the last Master Plan that is referenced in the zoning and included it here because to not include it would mean that the zoning was inconsistent and incomplete.

Mr. Borgendale said this map was added with the 2005 update.

Ms. Hallsmith replied it is part of the zoning. All it does is if people develop in those areas it gives them an additional density bonus if they cluster development in the green areas. It doesn't have any other regulatory role.

The wildlife habitat map is new as well. That was produced with another planning grant.

When you get to page 50 they are on the section the Planning Commission worked on before.

When you go into the recommendations and goals, these are what the Planning Commission has reviewed. The only things she suggests could be new are anything that has Conservation Commission next to it because the Conservation Commission got some of their suggestions in after they had met with the Planning Commission last.

If you look in the strategies section they included the responsible party in the plan which is a part of the implementation plan. The last time they did an implementation plan in the Master Plan they had the strategies embedded in the text and a really elaborate chart in the end with responsible parties and target dates. Since the dates were already included it seemed easier not to have two different charts. The implementation chapter is a little shorter than it was in the last Master Plan, but that doesn't mean it has less content because all of the strategies do include the actions they are going to take.

Ms. Pombar asked if there was a reason why responsible parties weren't listed uniformly throughout.

Ms. Hallsmith responded by saying they are only listed in the next five years so all of the longer term strategies that are by 2020 or 2025 do not have them listed.

Ms. Pombar said she would lean more toward wanting the responsible parties listed.

Ms. Hallsmith explained to Mayor Hooper the reason that only the five-year strategies have the responsible parties listed is because of the time constraint. It's not a substantive change.

Mr. Borgendale said on the 5-year versus 10-year issue the current proposal for Challenges for Change changes it to 10 years instead of 5.

Ms. Hallsmith said moving into Infrastructure and the Built Environment beginning on page 70, a lot of the evolution, form, history and design is very similar to the last Master Plan. The new part is neighborhoods where we tried to include a map of all of the neighborhoods. The Transportation Section, beginning on page 77, is the newest of the work. She found the transportation chapter that the city had paid \$15,000 to draft the last time they did the

Master Plan. The goals, targets and strategies were not included in here, but she did include the descriptive section, which is page 77 through page 100. This is all new, and it was basically the chapter which had been produced for the last Master Plan which was never used. It is very good information. It is a lot of information they didn't have in the last Master Plan that will be very useful for planning in the future.

Moving along to housing and population, which begins on page 100, most of the information is right out of the Growth Center application except for the map on page 104. This is a map that is required by the Regional Planning Commission for us to be in compliance with their regional plan. We need to show over the last five years from 2005 to 2010 where in the city we have gained housing units and where in the city we have lost them. On page 105, right across from the map, consistency with regional planning this is basically an explanation of how the work they did on the Growth Center designation fits with the CVRPC's fair share target for Montpelier's housing goals and therefore why our plan is in conformance with the regional plan.

Ms. Ruth asked if the 476 units allocated to the city all kinds of housing or affordable housing.

Ms. Hallsmith replied it is units. She remembers the night they were discussing the annual total.

Mr. Borgendale said the table on page 101 numbers are inconsistent with the text on page 105.

Ms. Hallsmith said that would make sense. She doesn't understand how they arrived at the 476 number because it was inconsistent with the studies and the data they had in the Growth Center application. The Planning Commission settled on a number of 30 per year and in fact it is really 40 a year, so she put in the right number for the regional plan and it is still less than what they had projected in the Growth Center application.

Mr. Moorman asked if they had any projections for average household size back in the 1940's, 50's and 60's.

Ms. Hallsmith said on the map on pages 106 and 107, this is the one part of the plan she used some creative license and is interested in some feedback. That is the current zoning and current land use. In our goals we are contemplating that the next round of zoning will be quite different than our existing zoning. They are contemplating a move away from Euclidian zoning which is this very prescriptive boundary based zoning and moving into something more like form based codes or performance zoning where it is more reflective of the existing character of the community and the burden shifts a little bit from the prescriptive zoning ordinance to the proposals that come in to show how they are consistent with the existing pattern of development rather than some of the arbitrary and prescriptive

formulas that are in the existing zoning. That is why the future land use map she developed doesn't have all of the districts in it. It has some of our important goals which are historic preservation, smart growth and maintaining rural character outside of those areas as well as a sort of questionable area down in the southwestern part of town.

Mr. Borgendale asked why the North Branch Park and the proposed park aren't put into recreational zones.

Ms. Hallsmith said they could do that.

Mr. Bloch said on 106 given our current consternations with our railroad friends she has in the legend railroad right-of-way but he can't see it.

Ms. Hallsmith said the future land use is really a draft of what she personally had thought they might be talking about. Obviously, 107 would have to be translated into zoning regulations before it would be valid, but the zoning they are talking about is a shift from our current Euclidian zoning to something new.

Mr. Borgendale said the one question he has about how they do the boundaries on this is that it looks very much like the same boundaries which we have had so we aren't really addressing where the boundaries ought to go.

Ms. Hallsmith said that is what they had proposed for the municipal planning grant, the study of the boundaries to see what the right boundaries are for medium density growth center type activity and also what might be good boundaries for a TIF district. Then we would amend this prior to going into the zoning changes.

With the exception of the number they changed in the housing targets to come into compliance with the regional plan most of the numbers are the same what the Planning Commission discussed and approved.

When you move into Economics and Livelihoods there is a lot of new information. The Chamber of Commerce sent her the interesting graph on page 128 which shows Montpelier's labor shed. It is really interesting where people work and where are they coming from in Montpelier. That wasn't in the last Master Plan. This is the location of the labor force that works in Montpelier. There is a similar map on page 133 with job imports and exports. It is just for Washington County, but it shows how big a job importer we are. There is some new information in this section on some of the things like the Food Council and Time Banks and Green Jobs and jobs in the creative economy. Those are important goals for our economy. She included some descriptive sections that haven't been in the plan before. Because food is an unusual one, it had a hard time landing in a committee but it was the Economics and Livelihoods Committee that took it up because food is such an

important part of our local economy. With the exception of food the section is largely unchanged.

Then, we move into Governance. When you get into Governance and Social Systems, virtually none of the descriptive information was in the previous Master Plan because these are new areas of focus when we are looking at a sustainable Master Plan. They have tried to include a lot of the assets that were discussed in the Governance Committee as we moved forward with enVision Montpelier and some of the initiatives that the city has made that affect governance issues like the capillary neighborhoods in enVision Montpelier and the Justice Center. The goals, targets and strategies are largely the same, although Jim Sheridan reminded us that we needed to include the targets and strategies that the ADA Committee is working on. She put some additional language into the access section under Goal B on page 171, target 3. It is there to support the city's work on ADA, where it says the city works to develop a plan to come into full compliance with the ADA regulations required by Titles I and V and implements the plan so that all public facilities are accessible to people with limited mobility, vision, hearing and who speak other languages.

If you move into Social and Human Development, again, most of this descriptive section is new. There was information in the old Master Plan about our educational system, and that is still here with some new additions. There would have been information in the last Master Plan that we included under safe neighborhoods regarding the police, fire and ambulance departments and some of the cultural opportunities. Kudos to Judy Walke for doing such a good job managing that committee as they went through this exercise because her leadership was unbelievably good. Then, they move into the goals and recommendations for that section. There are no major new additions to this section.

Finally, we get into implementation at the end. Since a lot of what they included prior to this in the implementation section we now include right in the targets and strategies, she tried to be more general about implementing the plan rather than to have specific lists of things they were going to do. In the last Master Plan it was almost like a whole new set of strategies appeared at the end that didn't seem to have their roots in earlier discussions. This is more of a general section on the various tools and processes we have at our disposal. Monitoring and evaluation is an important element of the plan, too, that she doesn't believe was in the last plan.

If there are grammatical and minor non-substantive changes they find please don't take our meeting time to discuss them but write them down and send to the Planning Department staff to correct.

Ms. Pombar said on page 27 there is a discussion about low impact development storm water management systems, and on page 29 it is the green roofs. They are not actually strategies that are indicated in the charts. Mr. Borgendale and Ms. Aloisi said they talked about them.

Ms. Hallsmith said they talked about a tax credit for green roofs. A lot of the strategies that are in the storm water management and floodplain management are those low impact strategies. They are a lot more detailed in the strategy section than they are in the descriptive section.

Ms. Pombar said on page 22, Montpelier's Magic, she wondered what the origins of this list was.

Ms. Hallsmith said it came from the old Master Plan. It is basically saying if you are trying to boil down the city to its core characteristics, what are the things that make the city what it is like? This used to be called the Characteristics of Montpelier. She changed the sentences. It used to say the Montpelier Master Plan is rooted in the characteristics that make the city and everyday place which is often taken for granted by the city residents.

Mr. Bloch asked if they really wanted to talk about us being a regional center for dying industry that we share less and less of. A center for traditional commerce and industry begins to look like the rust belt. He thinks the financial services industry is tremendously important. He questions the granite industry. How many jobs do you have in town with granite?

Mr. Borgendale asked how much granite industry is left in town. There is very little.

Mayor Hooper said their point is well taken about granite.

Mr. Moorman said he had a comment about the end notes. He was looking for the index of terms and he thinks it is the end notes, which is an index plus. He noticed throughout there are some footnotes, too.

Ms. Hallsmith said when it was something in the targets and strategies that somebody needed to understand what the target or strategy was she wanted it right there on the same page, and then it is a footnote. It is an end note when it is more of a detailed reference or explanation and you don't really need to know it to understand what they are talking about. They don't have an index of terms yet.

Mr. Moorman asked if that was something they were planning to do.

Ms. Pombar said on page 207 she noticed that the responsible party listed for strategy 1.b is the Vermont College of Fine Arts.

Ms. Hallsmith said that is because they are the ones they are talking about developing the Fine Arts Montpelier thing.

Mr. Bloch asked about Union Institute. They are still operating.

Ms. Hallsmith said this was an arts program that the Vermont College of Fine Arts had talked about.

Ms. Pombar said she thinks they are a piece of the responsible party, but that might be something that Montpelier Alive might have a part in or other groups. She doesn't want it to look like the Vermont College of Fine Arts is the only one involved.

Ms. Hallsmith said the way it is structured right now if we move it relatively quickly through approval we could be to the Regional Planning Commission in time for their July meeting and we will never be out of sync with our Master Plan. There is another Planning Commission meeting to discuss it on April 26th. The public hearing is posted for May 10th, which means if the Planning Commission adopts it at that meeting and vote to pass it on to City Council the City Council could post it for two hearings. She received an opinion from the Vermont League of Cities and Towns that you don't need 30 days notice individually for each hearing. You can post two hearings with 30 days notice, which would leave the City Council having two hearings the week of June 14th because that is 30 days hence, which means they could pass it on to the Regional Planning Commission by the 21st of June. Chris Walsh said if they had it by the 21st of June they could take it up at their July meeting. That is the fast track. Whether we do the fast track or not is actually not up to her. It is up to the City Council and the Planning Commission. There are a couple of ramifications of not having it done. If we don't have it done in time for the July meeting we will not be eligible to apply for municipal planning grants for the next round until it is approved by the Regional Planning Commission. However, the municipal planning grants are due now at the end of April and we have a compliant plan so we aren't ineligible now. The worst case is they would take it up at their September meeting likely in time for the next round of municipal planning grants if there are any in the new state budget, which remains to be seen. The other question of whether or not we have a Master Plan relates to our ability to participate in Act 250. To do that we do not need to have it approved by the Regional Planning Commission. We only need to have it adopted ourselves. We aren't under the same time frame if all we are interested in is Act 250. Then, the City Council could adopt it at any time, and as long as that happens prior to a new Act 250 process we would be fine.

Her feeling about it is that it is important to get it right. There really isn't any serious ramifications of not being on the July Planning Commission agenda. She doesn't see any real big problem with having it on the September Planning Commission agenda for the purpose of the municipal planning grants and getting it adopted quickly if there is some type of Act 250 process the city wants to be a party to. She has heard rumors of some type of new Big Box configuration that is coming to town. There is talk about Wal-Mart moving into the Shaw's/Staples complex and T.J. Maxx where Ames was. What would go in where Wal-Mart is presently located?

Mayor Hooper said the mall may be up for sale, too.

Mr. Moorman said all of this takes place in Berlin.

Ms. Hallsmith said they couldn't be parties to the Act 250 application if the city doesn't have an adopted Master Plan, but it doesn't have to be approved by the Regional Planning Commission.

Mr. Goldman said that would devastate the mall if Wal-Mart moves.

Mayor Hooper said it is the end of its lifeline. It is 25 years old. The tax credits are used up and they are ready to walk away from it.

Ms. Hallsmith said there is the fast track which gets us through the Regional Planning Commission mid July, and then there is the let's get it done by September potentially.

Mr. Borgendale said the only way the fast track works is if the Planning Commission votes to adopt the plan and submit it to the City Council by May 10th, which is the date of the public hearing. He is usually very uncomfortable assuming they can have a public hearing on something this important and then turn right around and vote to approve it without having taken time to consider what they have heard from people. If we are going to be responsive to what people have to say it isn't going to be reasonable for them to expect to get done with this and just vote to move it on. He doesn't think the timeline is going to work for that reason alone.

Ms. Hallsmith said she thinks it is important to do it right. She doesn't think the ramifications of delaying until September are all that problematic. She personally isn't all that worried about that. The only issue is if a big project comes forward with an Act 250 application we might want to move it toward adoption quicker rather than slower, but that doesn't have to be approved by the Regional Planning Commission.

Mr. Moorman asked Ms. Hallsmith to explain how a project in an adjoining town affects the city by not having a plan in place.

Ms. Hallsmith said it means the city wouldn't get party status in an Act 250 application. We would have to have a plan in place by the time the city has to apply for party status.

Ms. Hallsmith said any substantive changes that are made to the Draft Master Plan, even now, would require another hearing, also, with 30 days notice, and any substantive changes that the City Council makes also would require another 30 day notice and hearing. Once it gets to City Council if it is a substantive change it has to come back to the Planning Commission and then there is another 30 day hearing and report. It is a lot easier to change things now in terms of the time frame than it is when it gets to the Council.

Mayor Hooper said she has tried to be pretty strong with the City Council that they need to comment now and not to wait.

Mr. Borgendale said he believes they will hear more about page 107 than anything else. That is relating to future land use. Every time you start drawing boundaries people get possessive.

Ms. Hallsmith said in the future land use it could easily be changed without it being a substantive change.

Mr. Moorman said it seems like the cart is before the horse if we are in the plan enabling our ability to do a new look at zoning which needs a zoning map to accompany it. He thought they would do a map when they were redoing the zoning.

Ms. Hallsmith said that the zoning does require it has Master Plan backing, though.

Mr. Goldman said the statute requires a future land map in the Master Plan.

Ms. Hallsmith replied it is a required element. She did her best to approximate what she thought they were talking about.

Mr. Bloch said the best solution is some good clear language that speaks to page 107 which needs to get out to the community.

Mr. Borgendale said he would like to see these called “fuzzy” boundaries. These aren’t exact lines on a map.

Ms. Hallsmith said if they were to make the red square in the key not future land use zones but approximate future land use lines.

Mr. Goldman said there could be an explanation that it isn’t an exact line.

Ms. Hallsmith said as they amend the boundaries and revise the zoning to reflect what they are trying to achieve, they would amend the Master Plan and the zoning.

Mayor Hooper said she was thinking about how the Smart Growth District was created which was based on the Growth Center application, which was a 20-year look. This is a five year proposal. While she understands the notion between looking way far out on the smart growth and wanting to be very large she has always imagined and hoped this would be played out in concentric circles. As it relates to non-housing development they would be focusing on our downtown and the tight areas around the commercial centers before we start moving out. The Planning Commission may want to give some thought to representing that in some way in signaling what the intentions are here. Her concern about how the boundary goes right now is that right now a McDonald’s could be located in a high

density residential zone. She doesn't know if it could go into a medium density zone, but if it could under this map she could build a McDonald's on her property at the top of North Street. She doesn't think that is the vision of our community. It may be in 100 years that we will be so built out that in fact you would want to have that. Since this is a five year plan they may somehow with the mapped boundaries signal what our intentions are.

Mr. Goldman asked how steadfast we are with the boundaries because of the application with the state government. Do we have to keep these boundaries?

Ms. Hallsmith said the optimal time to move the boundaries around would be when we really studied the situation because she is uncomfortable drawing arbitrary lines on the map. Right now they are based on zoning districts that we currently have, and that is the reason they went forward with the Growth Center in that configuration because it was already embedded in our zoning. They applied for the planning grant in April to actually do a study of where these boundary lines ought to be because it does require more thought than her just sitting down and saying what lines are. The kinds of growth they see are a bit more opportunistic than what they are capable of just arbitrarily drawing on a map. There is Sabin's Pasture and Capital Heights which are current projects on board. How does the map show those projects without considering the rest of the territory accurately?

Mayor Hooper said that is the dilemma because if we just wanted to go with whatever opportunistic development we wouldn't bother with zoning. We would just allow it to happen. Don't we want to guide where we want to see certain types of zoning in certain areas? Shouldn't we be using this as a statement of where we hope to see certain types of development while at the same time escaping from the Euclidian zoning?

Ms. Hallsmith replied she agrees. She just thinks it takes a little more study than what she is able to do drawing lines on a map.

Mayor Hooper asked how we better express the fuzziness of the lines. Provide some guidance in terms of where we hope to see growth, which she would suggest again, is the core commercial area.

Ms. Hallsmith said the only problem with the core commercial areas as the largely defining factor is that it is all floodplain and mostly built out. There aren't a lot of opportunities there to put in new housing.

Ms. Aloisi said she walks around downtown and sees a lot of places that could be developed that currently aren't. There are a lot of opportunities downtown. There are a lot of places downtown that are under developed.

Ms. Hallsmith said a lot of the properties they are looking at are state owned. They did an analysis and there is really a very small amount. You wouldn't see a lot of growth there. She

would agree that is where growth should be concentrated first. Their analysis shows there aren't a lot of places to put it that aren't state owned or possible with all of the development constraints they face.

Mr. Goldman said unfortunately the traffic studies would prevent it. Even if the zoning said it was possible they could never do anything there.

Mayor Hooper said that should drive the city to make the traffic changes and figuring out the incentives so they could do the upper floor redevelopment. It is kind of the same philosophy which caused many communities to abandon the downtown. She would hope this would be the tool that drive us to do this.

Ms. Pombar said this is another thing that could be included in an accompanying narrative that talks about that this is looking out much further into the future and as outlined in the plan we want to promote as much high density growth in the center of the downtown.

Ms. Hallsmith said or they could figure out how to make it smaller in a way that seems reasonable. She has sit down with a number of groups on this question during the Growth Center application and they had everything from concentric circles. That is why she feels they need to hire a consultant to take a careful look at what is possible and where things can go, as well as where a more reasonable boundary would be for a growth center. She isn't happy with this boundary, but she also isn't happy with 30 people telling her where they think the boundary should be located. It needs to be a planned process with lots of good analysis behind it.

Mayor Hooper said it is the Planning Commission who should be providing that input and suggesting how it goes.

Mr. Borgendale said his concern with this particular page in the Master Plan, which is a really good thing to have included, is the boundaries here are the Growth Center boundaries. The Growth Center boundaries were set by some existing zoning district boundaries which he feels there is a consensus are not properly drawn. His concern is having the lines be this specific and making them look this specific. He thinks the idea of a map is really great. Indicate these aren't the precise boundaries but to give an idea of the area we are thinking about.

Ms. Hallsmith said currently the Growth Center is established and that will stay that way until we amend it. She doesn't anticipate amending it until we do the boundary study. This doesn't change the Growth Center status.

Mayor Hooper said they should do a narrative.

Mr. Borgendale said one of the reasons he wants to smooth the lines and make them fuzzy lines is to avoid having everybody show up and wonder whether or not their lot is inside the boundary or not.

Ms. Hallsmith said there is clarity now. There are the existing zoning boundaries and the existing Growth Center boundaries. That will actually be the lot until they change it, and once we change this they will be changing that. Right now the existing zoning lines and the existing Growth Center lines don't change, even though the map might change some. It just gives us a little more flexibility moving forward.

Mr. Goldman said the future land use map is really important. He is concerned that it is one of the guides and the rest of this is just sort of a wish list.

Ms. Hallsmith said the proposed changes, which are not drastic or major, where we would make the line dotted and a little less precise. The precision is all around the 850 foot contour line.

Mr. Goldman said on his property it is meaningless because it is the same line. But with some of these lots the line might be whether you are in it or not, and it could be a very big change.

Mr. Borgendale said they won't make a decision about whether or not somebody's lot is in one area or another until we do the study to define the boundaries.

Ms. Hallsmith said they could actually gauge that question by looking at the map on page 106 because the Smart Growth District you can actually see where the property lines are that go with it. Taking that as guidance for how they would draw that dotted line we can be careful about how they draw it so it won't put people in that position.

Mr. Goldman said this map is going to be very controversial, and it was the last time.

Mr. Moorman said he would like to move on to the next element. He would like to get through the project updates relatively quickly so they can adjourn.

Municipal Planning Grant:

The municipal planning grant is on the City Council's agenda for Wednesday night. It has to do with the boundary study. The City Council will either vote to do that or not. The Mayor is interested in TIF. Did she have a sense of how that would be different than what we proposed? Mayor Hooper said she just wants it to happen.

District Energy Plant:

The district energy project is also on the City Council's agenda for Wednesday. The feasibility study is complete. If they are interested in reading it, it is on the district energy part of the web site, which is another fairly hefty document. The District Energy Committee is meeting prior to the City Council meeting at 5:30. Burke has been their consultant to take a hard look at a lot of the issues that we need to address to determine whether or not we agree with everything in the feasibility study. Some of the questions that have come up already are the type of technology they recommend and the cost, and whether or not there are other alternatives that could be lower cost. After the District Energy Committee meeting she will be recommending to City Council that we move forward with the project but we put it out to bid again and allow more different types of approaches to be put forward. She thinks the feasibility study has been a foundational piece of moving forward. It has helped her and anyone else interested to evaluate whether or not it is an economically viable project and what all of the moving parts are going to be to make it happen. She isn't convinced yet that what we are looking for is the best technology and the best price they could get for the project, and it is worth taking another look at that.

REACH Project:

The REACH Project is moving along. They did interviews today for a consultant to help the city manage the project. They will also be hiring a program assistant this week. The partners from Washington are coming up on Thursday and Friday to help us with the evaluation and reporting that needs to be done by the end of April. She has been told by the Administration on Aging that our next year's funding is relatively certain, which is good, but she still needs to get this report in and the request for next year's funding to make that happen.

Food Systems Council:

Food Systems Council is moving along. She drafted at somebody's suggestion an ad for interns to work on that project during that summer and she must have 50 intern applications. It is just an army of students that want to work on the food currency project we are working on and some other things. That's exciting, and they are trying to figure out how to put them to work. It is an unpaid internship. It has a lot to do with the level of interest in food systems. She has never ever in her life had this many applications for interns, and in such a short period of time.

Transit Center:

She has been working with the Federal Transportation Agency and the Department of Energy to see if there is any possibility of adding the transit center on to the energy plant, and that seems positive. She received work from the Department of Energy on Friday that they have approved the possibility of using the environmental assessment for both projects, and they were the critical link there. The reason for that, of course, is because to move the transit center off its current lot, which is currently designated as a floodway, we would need to do another environmental assessment. That is expensive; it costs another \$200,000.

Meanwhile we need to do one for the energy plant so it occurred to her that we have two ways to go with the transit center. One is adding it on to the energy plant where there is an existing environmental assessment that is going to be done, or putting it into another building. If you are just reconfiguring a building somewhere you can generally get through with a categorical exclusion from the NEPA requirements instead of needing to go with a blown environmental assessment. She has been pursuing that possibility. Obviously, some additional design work and evaluation work would be needed to see if it would actually work there and of course it probably means more parking spaces being lost, which is never easy. They filed an appeal for the floodway designation, and she hasn't heard whether or not that is successful.

Turntable Park:

Turntable Park is moving forth as well. Garth will be going before the DRB with some of the minor design changes that have been made for it. They don't know what the status of the railroad is and how that affects it, but her understanding is that right now the state is trying to grant us the Turntable Park piece of the project.

Senior Center:

The Senior Center is moving along. It is on the City Council's agenda for Wednesday night. The estimate that has come forward for the repair of the fire damage is somewhat lower than what we had hoped. What she heard from the consultant this morning is that it's not as big a problem as what Garth was afraid it was which is good.

Zoning Fees:

This is on the City Council's agenda for Wednesday. There was a question as to whether somebody should get their money back if they win the appeal. It's not a big zoning fee issue. If the city initiates an enforcement action and someone had to appeal our enforcement action, could they get their fee back for the appeal if they won? Mayor Hooper said if her neighbor does something wrong and she has to appeal what they are doing, then why she have to pay? These appeals cost money and it costs the staff time. Not everyone in town is equally affected by zoning and therefore people who are active in the process should pay the costs of pursuing it, even if it means not getting \$75 back for an appeal. That is up to City Council.

Mazer Grants:

She doesn't have anything new to report. They have spent them all. She wondered if maybe the people who gave us the money were affected by the Madoff scandal because they have disappeared from the map.

Railroad Issues:

Mayor Hooper said the city has asked the Senate Institutions Committee to hold a hearing on what the State of Vermont is proposing to do because they are disappointed in the responses they have not received from the Agency of Transportation. Having failed to get

clear and understandable communications from them they thought they would ask the people who might have a better ability to do that. They were hoping this would happen this week.

Ms. Hallsmith asked the Mayor if she had any update on the Capitol Plan language we need for the district plant.

Mayor Hooper said she needed to check on that. It left the House with language around the district energy plant that was somewhat altered from what our attorney provided to us based on a conversation with the Buildings attorney, but they need to make sure it is well received on the Senate side. We realized we might need to go for a bond vote in November.

Mr. Bloch asked what impact is the railroad caper going to have on our plans for apportioning property for various uses.

Ms. Hallsmith said if they build a track across the frontage of Sabin's Pasture it has a pretty big impact on the ability to build housing, especially housing that accesses the property from Barre Street. Of course, there is the whole issue with Stone Cutters Way and what happens to Stone Cutters Way is a serious question. The issue of how we get all of those rails across Main Street. There are a bunch of bridges that might not be strong enough for this whole proposal.

Mayor Hooper said the frustration is they have been asking for information and they won't talk to us until they know something, but at the same time they have rescinded leases that property owners have. They appear to be moving ahead without being willing to tell us what it is they are proposing to do. There has been this offer to the city to ask us to take responsibility for leases along Stone Cutters Way which they believe is part of the interest that appears to be there in developing a railroad siting all along Stone Cutters Way. The city has done some research and suggested that there is room to put a siting in out along Dog River, from cemetery curve on back but on the other side of the river where the old bike path is and used to be called Montpelier Junction Road. That may accommodate the immediate needs. If they are building this railroad track up to a 30 mile per hour standard, which evidently they are, they will have to put signals on each of the intersections, then there is serious concerns about commerce and safety in the downtown.

Mr. Bloch asked what happens to the federal money we received to do Stone Cutters Way. Do we have to give it back?

Mayor Hooper said the city would have to pay it back, and we might have to pay back all of the bike path planning money that we put there, and the bike path would be gone.

Mr. Goldman asked if anyone knew what was happening with the old Grossman's building near the new rotary.

Ms. Hallsmith said her understanding of the Grossman's property is that it is a brownfields site and a fairly serious one with tar sands and other things that are difficult to clean up. The owners aren't terribly responsive. They own a lot of properties. Even when they were dealing with them to try to get the railroad crossing through so they could have reasonable and safe access to their property, which amounted to about a \$250,000 project and a gift to them, it was very hard to get them on the phone and to sign the papers they needed in order to build it. There is the combination of a difficult site because of the brownfields conditions and a difficult owner.

Mr. Borgendale asked how they became a brownfields site.

Ms. Hallsmith said it used to be a gasification plant and supplied all the gas to the city.

Mr. Bloch said about ten years ago the Vermont State Employees looked into that because they were thinking of a building and found it was a brownfields.

Adjournment:

The Planning Commission adjourned.

Respectfully submitted,

Gwen Hallsmith, Director
Planning and Community Development

Transcribed by: Joan Clack