

**Montpelier Planning Commission**  
**September 12, 2011**  
**City Council Chambers, City Hall**

*Approved 9/26/2011*

**Present:** Jesse Moorman, Chair; John Bloch, Jon Anderson, Alan Goldman, Tina Ruth.  
Staff: Gwen Hallsmith, Director of Planning & Development

**Call to Order:**

Jesse Moorman, Chair, called the meeting to order at 7:00 P.M.

**Project Updates:**

**District Energy** – They have put the distribution system final design out to bid and received 7 bids on Friday. They are in the process of reviewing the bids now and hope to have a recommendation to City Council by September 28<sup>th</sup>.

**REACH Program** - They also issued an RFP to transfer the REACH Program to another organization and the Committee of Vermont Elders responded to that RFP. In July the city officially contracted with COVE to own and deliver the REACH Program. That was a big goal of the city this year we achieved.

**The Carr Lot** – The Carr Lot has been managed most recently by Jeff Tucker at DuBois & King. They had a meeting over the summer with Alan Carr and others who are interested in developing office space there, but she isn't involved with it any more on a daily basis. They were waiting for the final sign off from the Federal Highways before they could proceed any further with appraisal and acquisition.

Mr. Anderson said he spoke with Bill recently and they have to begin planning and acquisition to open up the money to do those and to have permission to do those. They need for a categorical exclusion to be approved. The categorical exclusion says that the impact on the environment is so insignificant that it is categorically excluded from having to go through the NEPA process. The Vermont Agency of Transportation has finished their work on that and it is on a desk at the Federal Highway Administration waiting for a signature. As soon as that is approved money turns on and they can start negotiating with Allan or start the acquisition and planning process. The funds are committed at that point. It should happen any day.

**TIF Discussions** – The TIF discussions they had related to an opportunity that became available through the HUD office. They issued their next round of challenge grants. You might be familiar with the fact that last year the city applied for a challenge grant on their first round to try to address the issues at the Barre and Main Intersection. They were thinking about doing the same grant application again this year except they determined by implementation in the grant language they used we pictured bricks and mortar and they

pictured zoning regulations and policy implementation mechanisms not actual construction. Construction was not considered an eligible activity. The Housing Barriers Committee that has been meeting over the summer as a subcommittee of the City Council thought it might be a good idea to use the grant to apply for a TIF which is a Tax Increment Financing District which is one of the things they had imagined to do to encourage the Growth Center. The grant requires a 20 percent match and they don't have a 20 percent match right now because none of the construction activities they hoped could serve as a match the match also has to be an eligible activity. Even though you are possibly triggering a lot of construction and real implementation with the projects you are doing that doesn't count as a match. They didn't know where the match was coming from. They have tentative approval from City

Council to make the application provided they find the match, which is about \$40,000. At the same time the state decided they were going to make an application to the same program on behalf of all of the Growth Centers. There are only 5 or 6 right now in the state. They wanted to try to do a statewide project with their growth centers to figure out what they could do to encourage the growth they are seeking. We asked if they could submit our proposal as a TIF at the same time, and no they aren't interested in using the grant monies to help us further our grant application. That was a bit of disconcerting piece of news. At the end of that week the state said they weren't going to apply after all. The Growth Center designation was a bit of a struggle and the TIF makes the Growth Center designation look like a walk in the park. On a national level TIFs are old news. They aren't anything new.

Mr. Moorman said if there is anything the Planning Commission can do to help the effort let them know. It sounds like we are putting the cart before the horse if we don't have some significant development proposals.

Ms. Hallsmith said the other grant application they have before them is another municipal planning grant to continue with the zoning process. It isn't inconceivable that they could use the HUD funding for the zoning if they decided to do that but she isn't sure it would be that competitive. They just extended the municipal planning grant rounds from being due September 30<sup>th</sup> to the end of October because of Hurricane Irene.

Mayor Hooper said she asked City Council to have a discussion about whether or not they should consider a TIF as a policy matter.

Mr. Bloch asked what has happened with the second story use on the Dickey Block which HUD had some money out.

Ms. Hallsmith said there isn't very good news there. There has been an application percolating forward to try to utilize the Dickey Block for housing under HUD financing but they received word on Friday that because it is in a floodplain it isn't likely to be eligible for federally funded housing. In the wake of Irene sticking federally funded housing in a floodplain may be isn't such a good idea.

**Municipal Planning Grant** - This is a state grant up to \$15,000. It has a bit of a match but usually they can cover the match with staff time. They are almost finished with a municipal planning grant that we used to hire the Regional Planning Commission to help with the zoning. Now we need to figure out if we are going to apply for another \$15,000 and what would they do with that funding to further our efforts on the zoning revision. If you decide you would like to look at form based codes for the River Arts District that might be a good topic for further development under a municipal planning grant. They could ask for continued funding for what they have been doing. They structured the application to look at a lot of different boundary issues. It's not due now until the end of October.

Mr. Bloch asked what they impact will be if they start moving forward on the Carr Lot development. It runs up to then railroad bridge.

Mr. Anderson said the way the Carr Lot plan has been restructured in order to qualify for the categorical exclusion the Carr Lot project would have a transportation pathway all the way to Main Street. There would be a bridge across the North Branch that would be separate and apart from the railroad bridge. In order to build the modern building for the Association for the Blind and M&M Beverage those buildings would be taken out and there would be a transportation corridor that would go through there, a road to get out back of Aubuchon's and a bike path to go across the river. The bridge would be for a bike path

only. It would go across Heney's land over on to the Capitol Plaza land, and then there is an existing crossing of the railroad track where they would install hardware so there would be a way to stop people from using the crossing when trains were coming through. Then it would turn and go across the Carr Lot to connect to the existing path. Because they would then have as connection to Main Street the Highway Administration feels okay giving us the money to build that link of the bike path. Once you get to Main Street there should be a lot of bike path going east towards East Montpelier and Barre. In order to do that there is the existing bike path at Sarducci's.

Ms. Hallsmith said they were looking to the HUD grant to supplement the money that they had under the Carr Lot Project to help us fix that problem. We need money for lights, intersection improvements and bricks and mortar, and the grant doesn't cover that. They could have gotten a scaled back grant to do some of the design work.

Mr. Moorman asked if we needed some municipal planning grant to help continue our zoning efforts.

Ms. Hallsmith replied it would be great to get some additional assistance and maybe once they get up to speed where are they going it will become clearer of what they need.

Mr. Bloch said he would like to see them move on this form based code approach.

Ms. Hallsmith said they had an architectural intern work with us over the summer on the River Arts District and she put together some materials. Once the River Arts District is back on the agenda that will be helpful.

Mr. Anderson said if they continue with the plan they are on he would understand there are two more meetings to finish that. His question is whether they could do some homework so that after the second meeting they would have a plan put together for how they are going to bring this to closure and we expect to be delivering a draft.

Mr. Moorman said they need to reconfirm or alter where they are going to end up and when.

Ms. Hallsmith said she brought the things from the Master Plan and what it calls for in zoning.

### **Discussion of the Zoning Project:**

They have discussed changing our density standards from maximum density in the Growth Center, which says you are only allowed one unit per acre, to minimum density where if you are going to be developing housing we want you to be able to develop at least six units per acre to make it possible to have that level of density in the Growth Center so we could have more housing in the area where they are served by infrastructure. Their discussions about maximum and minimum density have illustrated some of the challenges associated with an already constructed urban downtown. By reducing the dimensional requirements so the setbacks could be per the building code instead of particular footage requirements within the zoning you might enable more infill in the denser areas. The alternative is to ease up on the dimensional requirements over all. The building code requires certain setbacks or firewalls if there are no setbacks. Reducing the setback requirements or eliminating them all together would be another way to do it instead of a density requirement.

The Planning Commission decided to meet on a weekly basis for the next two months. The Planning Commission is anxious to get these into a tentative proposed draft form for all of the districts in plenty

of time for the November 19 meeting so the public can have a week or two to digest it. By the end of October they should be in position to have this hammered out. On September 19<sup>th</sup> they will be discussing the River Art District and Gateway District. As we look at each of these districts what are the specific development standards for each of the neighborhoods they might want to consider such as the historic downtown where the design review takes place. They have changed the tentative boundaries of that district to include the National Register boundaries rather than the way the district works right now.

There is the designated downtown which is a different boundary than the National Register District, but the National Register District there is no reason why you wouldn't call that our historic downtown. Individual properties that might be considered landmarks or National Register homes aren't what we are talking about. They are talking about drawing the line for

the Historic line around the National Register District boundaries. Redstone is within the National Register District considered in a residential district.

Mr. Moorman said let's look at the purpose and description.

Ms. Hallsmith replied there is a lot of data on the fact that having housing in your downtown helps the businesses there. The whole Growth District was around developing housing and not about new economic activity.

Mr. Moorman suggested they say residential and commercial development. Commercial development could be a housing project that is more than 10 units.

Mayor Hooper suggested residential, retail, service and commercial development. What do you want village/commercial to look like? Commercial to her might be Agway or car based larger businesses. When you talk about the historic downtown you are trying to design uses that are supportive of what makes up a historic design which is the mixed use. Clearly we want banking services and insurance businesses and other professional services in our downtown, but there are very clear studies that say if you have a bank, insurance company and another bank and that collection of businesses along the street retail will die there. It is mixed use that is suddenly all of the use. There is something in the downtown we want to accomplish. There is something different that happens on Barre Street. There is something in the River Arts District.

Tina Ruth said she thinks of the downtown area as wanting to be walkable too. You want to park once and walk and they should be aiming for that.

Ms. Hallsmith replied that it says new projects shall consider transit, pedestrian and bicycle transportation and energy efficiency renewable energy.

Under density requirements the current requirements at least for CB-I, which is not the entire district, if you have water and sewer the minimum lot area is 5,000 square feet for commercial or 10,000 square feet for residential use. If you have off lot water or sewer it's not permitted at all. CB-I is thoroughly served by public water and sewer. Area per family in CB-I is zero and CB-II is 1,500 square feet, and General Business is 3,000 square feet. There are no setbacks in CB-I in front yard and side yard and the rear yard is 20 feet. The frontage in CB-I is 75 feet; CB-II is 75 feet and General Business is 100 feet. That's what we have now. The maximum height in CB-I is 6 stories and minimum height in CB-I is 2 stories. When the diner was proposed for the empty lot it needed to be 2 stories. The basement could be a story but it is in a floodplain and would have to be elevated. In CB-II 3 stories or 45 feet is the

maximum height. Right now the dimensional standards for our current zones in village commercial are different when you leave downtown and go to the next area.

Mr. Anderson replied it seems the density and dimensional standards he thinks are appropriate are very limited. The density standard would be a minimum of 2 stories. The principal structure should be required to build to the street line and there should be minimum and side and rear required setbacks. The maximum height he is happy to keep at 6 stories. The lakes and ponds issue is a very interesting one. We should be trying to stay at least 50 feet from lakes, ponds and rivers. We need a better way of defining what a named river is. He isn't sure in our downtown that a 50 foot setback from our rivers is appropriate. In this particular downtown you should be able to go pretty close to the river.

Ms. Hallsmith said a lot of the areas they are talking about historically have been built very close to the river.

Mr. Anderson said they could show on an official plan the amenities they want to save room for, and then if people want to develop those to block the amenity from going through the offer is then made to the city to buy the development rights. If the city chooses not to buy the development rights then they can go forward with their development. As individual opportunities are being lost you can force them to be presented to the city.

Ms. Hallsmith said that is where the Conservation Commission might have an opinion because they do have a conservation fund and if you set up some type of TDR program around river development.

Mr. Goldman said he doesn't know if the whole river is equal as well. There are certain parts that have to be looked at differently. He doesn't want to see much encroachment along the high school but the downtown is so different.

Ms. Hallsmith said one of the things they asked the Conservation Commission to do was to prioritize areas.

Mr. Anderson said his comments on setbacks on rivers relate to the commercial district. When you get out to residential, high school and elementary school and Elm Street he thinks a 50 foot buffer is appropriate there. It should be prudent any more for us to require that buffer to go beyond flood standards. They don't know the limits of flooding that will occur in Vermont for the next 100 years at this point and we need to be very cautious about allowing people to build too close to rivers.

Ms. Ruth said it is her understanding that on Elm Street there was an intention to put a road behind some of the deeper lots on the river side of Elm Street going beyond Pearl Street. She lives there and there is no way you could build behind her house.

Mr. Moorman said they are talking about the Village Commercial District. The issue is all about what we do about our rivers and development along the rivers regardless where the district is. They will have similar conversations again when they talk about the rivers in the

other districts. But for the moment Toy Town is different from the Historic Downtown and different from River Arts. There are going to be a lot of neighborhood specific standards in this district at least as it concerns development along the river and building type.

Mayor Hooper said they need to be really careful about encouraging commercial and service activities outside of some of our core areas because then you lose the core services there and draw the vitality out of the downtown. Half of our insurance salesmen and banks are out at Toy Town then there won't be as many people walking around in the downtown, and suddenly the restaurants don't work as well. It is the relationship of the commercial district to itself you have to pay close attention to.

Mr. Anderson asked if he could ask the Conservation Commission if it would be useful to have a definition of where the buffers along the rivers should be allowed in terms of having unnamed streams, etc. In the Towne Hill area they have buried some streams. They aren't supporting fish populations. Is that okay? You need definitions of setbacks from streams or when a stream is large enough so you should be requiring riparian buffers from streams.

Streetscape standards Mr. Moorman isn't sure what they are after here.

Ms. Hallsmith said streetscape standards includes things like trees, sidewalks, bike ways, bike lanes, bulb outs, traffic calming, etc. You may want to have new large developments take those kinds of amenities into consideration as they prepare their plans. You would want those amenities to match in with the existing neighborhood character as they are proposed. In the Liberty Street area neighborhood where sidewalks are prevalent and trees are common you would want to make sure any new proposed development maintain the sidewalks, planted street trees and have that same look and feel. It is different in the Barre Street neighborhood than it is on Liberty Street or in the historic downtown. This is a good conversation to have with representatives from the neighborhoods but we should throw some ideas in to the neighborhood descriptions under streetscape standards.

Mayor Hooper said the density of the commercial development in a community like Toy Town is different than the density of the commercial development at State and Main, and it is different than it is across the river. Zoning should over time help those areas meld together so when she is in Toy Town she feels safe crossing the street to get an ice cream cone. How do you make that community relate to itself? She is talking about the residents. If you had streetscape requirements the way you would use them in Toy Town would be for the crosswalk or bulb out which would be different than we have downtown.

Mr. Moorman said again it is hard to craft generally applicable village commercial standards. Almost all of the sections they have been discussing would be neighborhood specific standards.

Ms. Hallsmith said we have a lot more districts now than we do in the current configuration of what is being proposed. Neighborhood development standards are what we are after. She doesn't have any trouble with having specific standards for neighborhoods that are appropriate to that neighborhood. That is exactly what the Master Plan is calling for. They are trying to make it simpler by clustering them together in larger districts for things that may apply district wide.

Mr. Moorman said looking at the neighborhood specific development standards section and it look at the description of each of these and that is almost like a mini purpose statement for each district. Even the Civic District is called a district and not a neighborhood. He is conscious of one or more City Councilors' comments at the last meeting and said to look at all of the neighborhoods that we are trying to condense into districts. He doesn't see these little neighborhoods working together as one district.

The next meeting will be September 19<sup>th</sup>. They will talk about the River Arts District which is one of the neighborhoods in this district and the Gateway District. They can come back to the Village Commercial a few meetings later to hash out.

**Adjournment:**

Upon a motion by Mr. Bloch and Mr. Goldman the Planning Commission adjourned.

Respectfully submitted,

Gwen Hallsmith, Director  
Planning & Development\

Transcribed by: Joan Clack