From:	Steve Sease
To:	John Hollar; Justin Turcotte; Jean Olson; Dona Bate; Ashley A. Hill; Anne Watson; rkreuger@montpelier-vt.org
Cc:	William Fraser; Michael Miller
Subject:	Fwd: Proposed letter
Date:	Wednesday, November 1, 2017 4:01:29 PM

Procedure

Please allow brief comments from the public on each section to be discussed. We are all seeing new language and new proposals, and it is appropriate to allow people to address these new proposals.

I have the following areas that I would like to touch on.

Riparian Protection

The proposal from the Planning Director does not address the requests of the City Council on Sept 13, 2017. The video of that meeting shows the riparian buffer discussion beginning at about 2:53. Mayor Hollar summarized the Council's request at approximately 3:01. The requests were: preserve existing riparian areas (earlier referencing vegetation); address buffers in the context of demolition or destruction; exemption for river access. Councilors Turcotte and Watson addressed walking and bike paths.

The Planning Director's proposal is this:
#69 Section 3005.B Riparian habitats. Council requested staff to develop rules to allow river access and if structures are destroyed they can be rebuilt in UC1, UC2, and Riverfront. Recommendation: Riparian setbacks are set in Part 2 on Figures 2-01; 2-02, and 2- 03. In each case the setback is 10 feet. As written, the riparian buffer is 50% of the setback so in these districts the first 5 feet will be vegetative buffer while the other five feet cannot have structures but does not need to be naturally vegetated (see 3005.E). Recommended changes therefore are Section 3005.D(1) the last reference is to Subsection 3005.F and that should read "Subsection 3005.G." (typo). Next, Section 3005.G should have its title clarified to be "Waiver Review Criteria" and a #4 should be added "OR (4) The proposed land development is a water dependent use such as a boat or fishing access or a public access for swimming." I don't believe additional language is needed for destroyed structures as section 1206.C would allow for reconstruction. Demolished buildings (those intentionally removed would need to meet the rules). I would not support allowing demolished structures to receive the same treatment. That would be unfair as someone with a vacant lot would have to meet the setback and buffer rules but someone who creates a vacant lot by demolishing the building on the site would not need to meet those same rules. They both have a vacant lot and they both have the opportunity to meet the rules. If the Council wishes to have an exception for demolished structures then I would add a 3005.F(5) that states "Demolished nonconforming structures within the Urban Center 1, Urban Center 2, and Riverfront Districts may rebuild on the previous footprint provided application to rebuild is made within 12 months of demolition".

The tables referenced have not been changed in the proposed ordinance on line. UC 1 and UC 2 still show no set back. This can be rectified, but a ten foot setback is insufficient to preserve existing vegetation, as requested by the Council. The goal of the Council's request was to protect what exists now, and provide buffers where none presently exist (except for destruction of existing buildings.) The Planning Director further notes that only 5 feet of the setback, as drafted, would be vegetated buffer, and the next five feet do not have to be

naturally vegetated. This does not address the Council's concerns. I suggest that the setback be increased to a minimum of 20', with a 15' naturally vegetated buffer. Where buffers are less, preserve what is there.

The Council expected that demolished buildings (those removed voluntarily) would be required to provide river buffers. The Planning Director has not provided draft language that would accomplish this.

I suggest that exemptions for direct river access should be conditional uses in order to address boating and safety issues. Several places in the City could be extremely hazardous for boating. An alternative would be to allow boating access only after receiving approval from Police and Fire Departments. I also suggest that swimming be dropped. There is no place that comes to mind that is suitable for swimming in the general downtown area of the City.

Sabin's Pasture - proposal to add Riverfront along a section of Barre Street

The Planning Commission originally proposed Riverfront for a long section of Barre Street, but dropped the idea , I believe, in 2015. Riverfront allows a broad range of commercial and retail uses as permitted and conditional uses. Many of these uses, if not all, seem out of character and potentially out of scale for this area. A more desirable approach would be a residential district of suitable density. Please bear in mind that buildings along Barre Street could eliminate some views of Sabin's Pasture from Barre Street, and consider density and building dimensions accordingly.

Footprint of Buildings by District

Matrix Note 34. The Council asked for information on average footprints by district in order to designate building footprints that would be compatible with the character of the individual neighborhoods. This has not yet been done. I hope the public will have a chance to review and comment on this work when it is completed.

Main Street

A new zone, UC-3, is proposed for this area. This makes sense, as it would allow the unique historic and aesthetic character of this section of Main Street to be addressed. The policy issue remains: what is the best way to deal the character of this area?

I suggest the following goal: limit building heights to what exists now, only gable roofs of the same pitch as is found now be allowed, front and side yard setbacks be limited to what exists now, and building compatibility with the historic and architectural character of this section of Main Street.

The large parking lots behind the buildings on the east side of Main Street present opportunities for development, as a number of contestants in the Net Zero project demonstrated. I recommend that these parking lots be considered for zoning for dense development, with zoning for the street front properties limited to what exists now. This would be consistent with practices in numerous other communities that protect aesthetic and historic values of street front property but allow larger and more contemporary structures behind, in a manner designed to protect the qualities of the street front.

Here are some suggestions for language that could be used in the ordinance:

New buildings must be compatible with the size, scale, color, material and character of the district, sub-area or block. New buildings should reflect the sense of place of the district and create a continuity of character.

• Height: New buildings must be consistent with the average existing height of buildings (other than churches) in the district.

Absolute alignment with the rooflines or cornice lines of adjacent buildings is not essential.

Setbacks:

Here are two alternatives for dealing with front and side setbacks that would provide a little more flexibility than holding to existing setbacks:

Setbacks for new development in UC 3 should follow either of the following criteria:

i. Equal to the average front setback of all residences on both sides of the street within 100 feet of the property lines of the new project; or

ii. Equal to the average front setback of the two immediately adjoining structures on each side of the new project.

Thanks for your attention

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