Under Criterion Eight, the applicant must demonstrate that a project will not have an undue and adverse impact on aesthetics and natural beauty. It might seem that this would be a very subjective process. In order to address this concern, the Environmental Board has rendered decisions that clarify the purpose of Criterion Eight, and establish a more objective standard by which applications are to be evaluated. The two standards used in this analysis are the Horizon Development and Queechee Lakes decisions.

In re Horizon Development Corporation, the purpose of criteria eight is clarified as follows:

“Criterion Eight was not intended to prevent all change to the landscape of Vermont or to guarantee that the view a person sees from his or her property will remain the same forever. Change must and will come, and criterion eight will not be an impediment. Criterion eight was intended to ensure that as development does occur, reasonable consideration will be given to the visual impacts on neighboring landowners, the local community, and on the special scenic resources of Vermont”

In re Horizon Development Corporation, Application # 4CO841-EB, Findings of Fact, Conclusions of Law, and Order 20 (August 21, 1992) (citation omitted)

In re Queechee Lakes, The Environmental Board established five questions to determine whether or not a project will have an adverse impact on aesthetics and natural beauty. In re Queechee Lakes, numbers 3W4011-EB and 3W4039-EB, Findings of Fact, Conclusions of Law, and Order at 19-21 (November 4, 1985)
Five design standards under the Quechee Lakes Decision:

Would the project have any adverse impact?

1. Project Surroundings (describe the existing context)

   a. Project Surroundings

   The Capitol Plaza parcel is located in the heart of Montpelier, Vermont. It is bound to the north by State Street, to the west by Taylor Street, to the east by Christ Church Episcopal Church and the adjacent lands of Mary Heney, and to the south by a railroad right of way controlled by New England Central Railroad.

   The project site rests near the confluence of the Winooski River and the North Branch of the Winooski River on a narrow plain surrounded by foothills.

   b. Present Land Use

   The project site is currently occupied by a mixed use structure that contains a 60 room hotel, a restaurant and conference rooms, a few office rentals, two hair salons, and a branch bank. This also includes a 206 space surface parking lot that occupies the balance of the site. The tallest portion of the existing building is six stories tall. There is also a single story accessory structure on the project site referred to as the red barn. The red barn is listed on the National register of Historic places. A review by the States Division for Historic Preservation concluded that the structure had been modified so extensively as to render it suitable for demolition.

   The land uses of the project context are principally large governmental and commercial uses consistent with the project location at the link between the State Capitol district to the west, and the Downtown Business district to the east. Under the City’s land use regulations, the project site is zoned “Downtown Business” which allow for 100% lot coverage and for structures up to six stories tall.

   c. Topography

   Montpelier is situated on a flat clay plain surrounded by foothills and ledges. Towne Hill acts as a backdrop to the city and the Winooski River and its North Branch wind through the center of this plain.

   The project site rests at the confluence of the Winooski River and North Bank. Site topography is generally flat as a result of historic fill in the erstwhile flood plain. Localized topography appears to have been formed to provide storm water drainage for the large existing surface parking lots. There is a roughly 5 foot drop between the Capitol Plaza land and the land owned by Mary Heeney roughly corresponding to the existing property boundary between the lots. The finished grade will be raised as needed to place the new structures above flood elevation as required by law.
d. Existing Structures

There are several large commercial or governmental buildings on the parcels adjoining the project site including the Vermont Departments of Taxes, Motor Vehicles, Supreme Court, and the State Historical Society Museum. The Adjacent U.S. Post Office as well as the Peoples United Bank structure add to the inventory of large structures abutting or adjacent to the project site. The existing capitol plaza has a large footprint and is up to 6 stories tall at one end.

120 State Street (five stories, light color scheme)

130 State Street (five stories plus basement, light color scheme.)
116 State Street (Four stories plus basement and attic stories)

109 State Street (five stories, masonry exterior, mansard roof)
112 State Street (Five stories- masonry exterior.)

111 State Street (Three stories Plus Basement, light color Scheme)

The immediate vicinity of the proposed Hotel and Garage project is characterized by numerous multiple story masonry structures. Many of these structures feature light colored stone or brick masonry and classically inspired architecture. The average person would not be shocked or offended by the construction of additional large structures of similar form in this context.
e. Vegetation

The uplands surrounding Montpelier are largely wooded with typical northern arboreal forest species of mature deciduous and evergreen trees. These wooded surroundings limit the visibility of Montpelier from a distance, and focus views of Montpelier from within the city. In the city proper, vegetation is composed of a mixture of street tree plantings and the trees and shrubs planted by individual land holders as landscaping. There are a wide variety of tree species and other flowering shrub varieties in evidence. The other significant plant community is the mixture of native trees and shrubs that historically line the banks of the two river corridors.

Proposed site vegetation scheduled on the Site landscaping plans prepared by Wagoner Hodgson landscape architects will include trees, shrubs, rain garden plantings, green screen plantings of climbing and vining species, and a small commitment to river bank restoration with native riparian plant specimens. The construction of the proposed project would not alter or remove any significant existing plant materials. The proposed planting schedule has been reviewed by the Agency of Natural Resources and changes have been made to the planting schedule per their review comments.

2. Compatibility of the project's design with its surroundings

The compatibility of the project to its surroundings is a function of the proposed uses, the scale of the structures, and the treatment or visual appearance of the structures.

The proposed addition of a hotel and a public parking structure to the Downtown Business district adjacent to the Capitol complex is consistent with the local zoning regulations as both of these are allowed uses in the district. The City of Montpelier has identified the need for additional hotel beds to the city to support both tourism and the increase in official visitors to the Government. A parking garage has also been a City priority as available street parking is at a premium. During local discussions, the City placed a premium on establishing a downtown hotel as opposed to having a new hotel built adjacent to the interstate highway.

The hotel is proposed to be five stories tall. The parking Garage is slated to have 4 ½ stories, but a portion of the lowest level is below grade. These are no doubt large structures, but this is a context dominated by large structures and the heart of Montpelier’s Downtown, where large structures are expected. The facades of each structure have been divided into smaller masses, and the materials and detailing have been modulated to mitigate the visual scale of the buildings.

The extensive use of brick and stone masonry is wholly consistent with the documented Surroundings, and both dark and light colored masonry as proposed is found throughout the project vicinity.
3. **Use of color and materials**

The hotel is designed with the grand hotels of New England in mind. It features cut stone, White painted brick, composite clapboards and black aluminum window and door frames. The style is neo-traditional. As a component of a Downtown district our design intent is not To make the structure disappear into the landscape, but rather to be compatible with the Light colored stone buildings of the Capitol complex. The predominantly white color Scheme recalls historic inns in Manchester Vermont, the Mount Washington Inn in New Hampshire and others. A number of adjacent buildings including the State Capitol are partly or wholly of light colored granite. The Federal post Office on the opposite side of State Street has white glazed brick.

![Image of hotel](image)

The building mass is modulated by deep steps in the façade, a blend of roof forms, and the use of varied exterior materials to reinforce the massing scheme. The elevations are organized vertically in a very traditional three part composition having a granite base, siding or painted brick body and a cornice or mansard roof acting as a cap. The addition of balconettes or Juliet Balconies at the fifth floor is meant to add texture and visual interest to the façade.
The City parking garage is executed in a pre-cast concrete frame with a brick and stone enclosure elements. Provision is made for significant public art on the south facing façade that addresses a small park. The façade is broken up into smaller masses, alternating between the masonry enclosures and an integrated trellis system or “green screen” that incorporates vining plants.

Masonry portions of the building will have a GRFC cornice element. These sections will also include belt courses or string trims formed of granite and or brick masonry. Corner sections feature sculptural elements made from painted structural steel.

The project has been conditioned at the local level to provide for public participation in the creation of the proposed art installations indicated on the design drawings.
4. Visibility of the project from different angles

The visibility of the project from the four cardinal view angles varies based on the surrounding topography and architecture. The community has identified the views from Memorial drive and from Main Street, Vermont 14 as important view sheds of the State Capitol Building.

The view from the south includes views from Memorial drive. This view is interrupted at irregular intervals by the single story commercial buildings that line the south bank of the Winooski River. This image shows the proposed Hotel and Parking Garage from a spot behind the Shell Station.
View from Capitol lawn looking south and east towards the project site. The new structures will not be visible from this perspective because of the screen of existing large buildings lining State Street.

The View from the North and State Street is largely obscured by the large existing buildings and mature trees that line the south side of the street, principally the existing Capitol Plaza hotel.
The view from the east is largely obscured by the existing grocery store and the other commercial buildings along main Street. The New England Central Rail line does create a view corridor that extends from Main Street to the project site. (Note that the fenced in area is to receive a new commercial building unrelated to this application)

6. Impact of the project on open spaces

In the context of this analysis, open space does not mean merely vacant land. Open space here refers to either areas of scenic natural beauty, historic value, or rare and irreplaceable natural areas. As a city center, this is not a sensitive context for natural beauty, but the context does have historic value. Conversion of a surface parking lot to a hotel and parking structure serves to concentrate development in the designated downtown which in turn will preserve open space at the perimeter of the city. The project has been designed to provide connection to the recreation path being developed by the City in this area, which will connect occupants of this site to broader recreation opportunities in City parks.

Conclusion of Effect:

In my professional opinion, based on the above supporting factors, the construction of a new hotel and parking garage at the center of Montpelier’s Commercial and governmental district would not have an adverse impact. The City of Montpelier
If there is an adverse effect, is it undue?

My professional conclusion is that the project would not have an adverse impact under criterion 8. That notwithstanding, any potential adverse impact from development is not undue. The foundation of that assertion lay in the answers to three standard questions as follows:

a. Would the project violate any clearly written community standard?

The City of Montpelier has a clearly written zoning standard. The city conducted extensive public hearings before its design advisory and development Review Boards and found the project to be consistent with the Montpelier LDRs.

b. Would the average person find the project shocking or offensive?

The average person would not find the presence of intensive land use surprising or unexpected in this context. This is a designated Downtown, and the people of Montpelier created this designation to encourage development in the city. A significant hotel or a parking garage are uses consistent with vital downtown districts. The scale of the proposed structures is very similar to several very large structures identified earlier in this report.

c. Has the applicant failed to take reasonable steps to lessen any adverse impacts?

The applicant has clearly taken reasonable steps to lessen impacts. Site measures employed include extensive landscaping, the construction of planted green screens, and the use of lighting with controlled photo-metrics. Architectural measures include an articulate massing scheme, use of varied and conservative color and material choices and historically inspired architectural elements.

Based on well established principles, this project will not have an undue adverse impact on scenic or natural beauty. Clearly, portions of the project will be visible from the surrounding properties and public ways. The employment of specific design features will make the project consistent with its context. Patterns of existing and proposed landscaping and buildings will limit how much of the project will be visible from any vantage. On the whole, the project will appear as an extension of an established settlement, and is consistent with the general planning goals encouraged by the State of Vermont.