Housing Task Force Meeting Minutes
Special Meeting Wednesday August 8, 2012

In attendance:

Jack McCullough

Edmar Mendizibal

Polly Nichol

Angela Timpone

Jo Anne Troiano

Kevin S. Casey

Guest: Clancy Desmet Zoning Administer

Agenda:

The Housing Task Force called a special meeting to discuss the Housing Replacement Ordinance that is being considered as part of the Zoning Code revisions. Clancy Desmet has been involved in the zoning revision process and was asked to speak about the ordinance as it exists in its current form. The Barriers to Housing Report suggested that the City explore a Housing Preservation ordinance. The Housing Task Force will discuss the ordinance and its impacts.

JM: Jack asked Clancy his thoughts on the Housing Replacement Ordinance as it currently exists. The ordinance was proposed to address the situation that occurred on Court/School Street in the late 90's and early 2000's in which housing units were lost to office space, particularly to lawyers and lobbyists. A Housing Replacement Ordinance would penalize for these conversions and provide a fund for housing.

CD: Clancy said he understand the problem however our current zoning would likely restrict this type of conversion or at least put it before the DRB. Zoning Table 606: Table of Uses limits the expansion of office space into residential areas, depending on the current or proposed zoning. The proposed ordinance as it exists would rely on credits that would be created, purchased or sold and it would be administered by the Planning and Zoning Department. Clancy felt that the creation of these "credits" would make the process far more onerous and difficult to track, particularly with limited staff and resources.

JT: The explanation of credits in the proposed ordinance is confusing and seems like it might be a "bear" to administer. Jo suggested that there might be a better way to implement an ordinance like this that was less confusing.

KC: Underlying concern is that the ordinance is addressing a problem that is not occurring. In many cases many of the building that were downtown were converted to residential space as the market dictated. KC relayed his experience of locations which were historically office space but have been occupied as apartments

in the last few years. 5 State street was formerly an office building for Johnson company, sat vacant for 7 years and was converted into 2 retail, one office and 4 apartments . The other office vacancies downtown suggest that the office market is still soft. KC relayed his concern that places like Berlin which have a growing suburban office style campus sector will continue to pursue core downtown tenants. Focus should be on attracting conversions to apartments through reduced fees, incentives for sprinklers systems, expansion of tools for developers such as residential tax abatement for multi-family construction and to pursue incentives rather than focusing on disincentives.

JM: This may be true but Montpelier did not have a Replacement Ordinance in place 30 years ago and as a result there was very little that could be done to stop it when it started to happen in the 80's. An ordinance like this would be necessary if similar conditions existed again.

EM: Edmar relayed that his underlying concern was the creation of dead-zones in town. If our goal is to create livable, walkable, and vibrant community then we have to insure that there is housing mixed in with all developments. His experience has been is that in downtown and the surrounding neighborhoods the upper floors are dark at night, leading him to believe that they are unoccupied and situations like that create situation where crime can occur.

PN: Polly suggested that Clancy has two main concerns about the ordinance as it is written. First, this will be administratively onerous and difficult to track. Second, it seems that we are worried about a problem which would be addressed by the new zoning itself and it seems unnecessary other than to reinforce the unfounded perception that working through the Permit process is too onerous.

JM: Suggested that we revisit the topic at the next meeting after we find out a little more information from outside sources. Jack suggested he could make contact with some folks in Burlington who might be able to address the effectiveness of the ordinance in Burlington.

JM: Suggested that we wrap up the meeting and continue to investigate the Housing Replacement Ordinance. Thanked Clancy for attending.

Meeting adjourned7:15pm