



# **CITY MANAGER'S WEEKLY REPORT**

**February 19, 2016**

**Page 2**

## **Council Goals**

We will do a review of the current Council goals and priorities at your organizational meeting on March 9<sup>th</sup>.

Discussion of updated goals will begin on March 23<sup>rd</sup>. As I have discussed with most of you, our leadership team is working on a recommended set of draft goals – based on the most recent goals, your comments during the year, the public forums in the fall and the team's own perspective – for you to work from on the 23<sup>rd</sup>. These will be distributed on Friday the 18<sup>th</sup> with the agenda packet.

The intent is to present a plan that staff is confident can be accomplished and reflects work commitments already in place. You, the Council, are free to change priorities, add and subtract items and make any other alterations you wish.

## **Project Safe Catch**

Please take note of the attached press release from Chief Facos about MPD's new initiative for addressing opiate use in the city. This is a major effort by the department, area agencies, the medical community, the mental health treatment community and, particularly, the Chief. We should be proud that Montpelier has taken a lead role on this important issue by implementing an innovative program.

## **Economic Development**

Again – please note the release about the public meetings on March 2<sup>nd</sup> and 3<sup>rd</sup> concerning the Economic Development Strategic Plan. This will be key opportunities to learn more about and offer comment on this effort.

## **One Taylor Street**

The City presented our major grant proposal last week for \$850,000 to \$1,000,000 in funding directed toward the retaining wall work. We are awaiting an official announcement as to how we fared. We feel confident that the application was solid and met the funding criteria. We, of course, don't know what other applications may have also been in consideration. If successful, we will have sufficient funding to move the project forward.

You may be discussing progress on the easements next week. As you have likely seen in the press, Mowatt Trust submitted an application for a three story building which has received DRC approval and will be considered by DRB on March 7<sup>th</sup>.

# CITY MANAGER'S WEEKLY REPORT

February 19, 2016

Page 3

## Grant Activity

Please note the enclosed chart outlining current grant-related activity being managed by the Planning & Development Department.

## Legal

*VCFA vs. City, Tax Appeal.* – Oral argument on cross motions for Summary Judgment was held at Washington Superior Court on Tuesday, January 12<sup>th</sup>. Represented by Robert Fletcher

*Illuzzi vs. City, Law, Motyka, Renaud Bros.* – Motions have been filed; going into mediation. Represented by Constance Tryon Bell through VLCT

## **WEEKLY UPDATES FROM DEPARTMENT HEADS ...**

### Planning and Community Development

#### *Award of Sustainable Communities/Better Connections Grant*

The Planning Department is proud to announce the award of another grant this year. The City received notice that our application for the Sustainable Communities /Better Connections grant was awarded for \$45,000. The \$50,000 project (including the required match) will establish design guidelines for our various street types such as collector streets and residential streets. Within each street type, we will balance the needs of various users of the road right-of-way including pedestrians, bicycles, vehicles, and parking, as well as other goals like storm water mitigation and street trees. This project will be managed by the Planning Department in close collaboration with Public Works to help balance conflicting uses that arise in the right-of-way and to help make the final connection between our Montpelier in Motion Plan and the CIP funding that makes projects happen. Thanks to Kevin Casey for heading up the grant process and for the Council for their ongoing support.

#### *Zoning Tables*

At the Council meeting last week, it was mentioned that all comments are being put into a table for consideration. Each one will be reviewed and considered. Attached are the tables that were talked about. Council doesn't need to review or do anything with them; they are being provided as an fyi so Councilors can see how the process is moving forward.

# CITY MANAGER'S WEEKLY REPORT

February 19, 2016

Page 4

## Senior Center

MSAC recently received a generous \$15,000 grant from the Richard E. and Deborah L. Tarrant Foundation to support our general operating expenses. The Foundation recognized the valuable role that MSAC plays in keeping seniors healthy and creating a vibrant community. This support will allow us to continue to offer diverse and affordable programs that support healthy aging and lifelong learning.

## TOPICS FOR UPCOMING CITY COUNCIL MEETINGS ...

February 24<sup>th</sup>

Public Hearing on Charter Changes  
Investment Committee RFP's  
Dog Ordinances

March 9<sup>th</sup>

Organizational Meeting  
Orientation  
2015-16 Goals Review  
Parking - Smart Meters - Kiosks  
Transportation Committee Role  
CSO Rule – Policy Position  
Langdon Street – Support Letter and Resolution

March 23<sup>rd</sup>

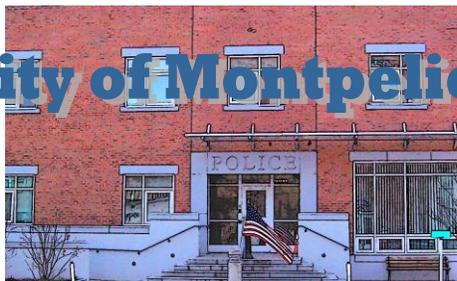
2016-17 Goals/Priorities



William J. Fraser  
City Manager



# City of Montpelier Police Department



**Anthony J. Facos**  
Chief of Police

## **PRESS RELEASE**

**For more information, contact:**  
**Chief Anthony J. Facos**  
**Corporal Kevin Moulton**  
**(802) 223-3445**

**FOR IMMEDIATE RELEASE**

February 16, 2016

## **DUI TASK FORCE CONDUCTS SATURATION PATROLS**

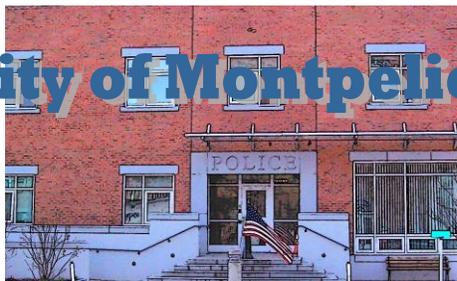
On February 13, 2016 local law enforcement officers conducted two DUI Task Force saturation patrols in the central Vermont area. Participating agencies included Washington County Sheriff's Department, Berlin Police Department, Vermont State Police, Northfield Police Department and the Montpelier Police Department. Officers, Troopers and Deputies conducted 85 traffic stops for various traffic related offenses and contacted 180 individuals.

The saturation patrols took place in Stowe, Waterbury, Waitsfield, Fayston and Warren. As a result of the saturation patrols, four Vermont Civil Violation Complaints were issued and one arrest was made. The arrest was for DUI. The following individual was arrested and cited into Vermont Superior Court.

Maya Roselip, (41) of Stowe, Vermont was cited to appear in Vermont Superior Court to answer to the charge of DUI / Leaving the Scene of an Accident (LSA).



# City of Montpelier Police Department



**Anthony J. Facos**  
Chief of Police

## **PRESS RELEASE**

**For more information, contact:**  
**Chief Anthony J. Facos**  
**(802) 223-3445**

**FOR IMMEDIATE RELEASE**

February 17, 2016

### **Public Forum on the Regional Heroin Crisis: An Introduction to "Project Safe Catch"**

In the fall of 2015, the Montpelier Police Chief, along with Deborah Hopkins of Central Vermont Substance Abuse Services (CVSAS) and Ann Gilbert from Central Vermont New Directions (CVNDC) gave a presentation to the Montpelier City Council outlining the criminal and health impacts of heroin addiction in the Central Vermont Region. One of the needs identified for the council was a follow-up public forum on the area's drug problem.

On Tuesday, March 8, 2016 at 6:30 PM, the police department along with its treatment and prevention partners will be hosting a community forum in the auditorium of the Montpelier High School. This forum will provide an overview of the health and crime issues related to drug addiction along with explanations of current and future responses to this complex crisis.

Key to this presentation will be the departments' strategic crime reduction plan that will focus on directly engaging individuals willing to get treatment with appropriate medical services. This joint effort will be referred to as "Project Safe Catch," which is a partnership between the MPD and CVSAS--with proposed support from Washington County Mental Health, Central VT Addiction Medicine, and the Emergency Department at the Central Vermont Medical Center. "Project Safe Catch" is partially modeled after Gloucester Police Chief Leonard Campanello's initiative of getting drug users immediately to treatment instead of arresting them (see [www.paarius.org](http://www.paarius.org). for more information on the Gloucester "Angels" program). The core of "Project Safe Catch" is to connect addicts with the vital support they need--beginning the treatment process with the ultimate goal of recovery.

This effort is supported by Washington County State's Attorney Scott Williams, the United States Attorney's Office, and Washington County police chiefs and commanders. Several community organizations and stakeholders will be present at this forum to answer questions, provide information, and to identify resources.

# Public Forum on the Regional Heroin Crisis: An Introduction to "Project Safe Catch"

*Please join the Montpelier Police Department, Central Vermont Substance Abuse Services, Central Vermont New Directions and Green Mountain United Way for a public forum on the regional heroin crisis.*

**Tuesday, March 8, 2016 at 6:30 pm  
Montpelier High School Auditorium**

This forum will provide an overview of the health and crime issues related to drug addiction along with explanations of current and future responses to this complex crisis. Also included will be discussion on proposed initiatives that help to direct individuals willing to get treatment with appropriate medical services, referred to as "Project Safe Catch".

"Project Safe Catch" is a partnership between MPD and CVSAS -- with proposed support from Washington County Mental Health, Central VT Addiction Medicine, and the Emergency Department at the UVHN Central Vermont Medical Center.

**An RSVP would be appreciated by March 4, 2016 by email to Pam Bailey at [pbailey@gmunityedway.org](mailto:pbailey@gmunityedway.org) or by phone [802.622.8056](tel:802.622.8056).**

*This event will have ample seating and is ADA accessible.*



## America's Small Town Capital

Mayor John Hollar

William Fraser  
City Manager

City Council Members:

Dona Bate  
Jessica Edgerly Walsh  
Tom Golonka  
Jean Olson  
Justin Turcotte  
Anne Watson

Jessie Baker  
Assistant City Manager

### PRESS RELEASE

## **City Announces Public Conversations about Montpelier's Economic Future to be Held on March 2<sup>nd</sup> and 3<sup>rd</sup>**

February 18, 2016

The City of Montpelier will hold two public conversations about Montpelier's economic future with the goal of answering the question: How can we encourage private investment in the City to take advantage of the unique opportunities presented in Montpelier? Public meetings will take place on March 2<sup>nd</sup> at 7:00 PM and March 3<sup>rd</sup> at 8:00 AM in the City Council Chambers at Montpelier City Hall, 39 Main Street. This is an opportunity for all interested parties to learn more about the Economic Development Strategic Plan and share ideas about Montpelier's economic future.

How do we keep Montpelier's economy vibrant and prosperous? That's the question being addressed by Montpelier's Economic Development Strategic Plan (EDSP). The EDSP will create an action plan for preserving and strengthening the vitality of the City's economy. Using the City's community character and quality of life as its foundation, the EDSP will assess the existing economic conditions and seeks to involve local businesses, key stakeholders and the community in the development of an action plan that sets clear priorities for staffing, investment and community activities to promote economic health and vitality in the Montpelier.

The analysis done to date suggests that, while Montpelier's economy is in relatively good shape today, it is coming under increasing competition for businesses and jobs. For example, the table below contains recent jobs data for 2009 to 2014. It shows that Barre and Waterbury added hundreds of private sector jobs over that time, while Montpelier's private sector added only 10 jobs in the same time frame. If this trend

continues, the City could see a long-term loss of jobs, population and businesses to other locations in Central Vermont and beyond.

<b>Employment Trends, 2009-2014</b>			
<b>Employment by Municipality, 2014</b>	<b>Montpelier</b>	<b>Barre</b>	<b>Waterbury</b>
Total Employment	9,539	5,146	3,379
Change in Total Employment from 2009	599	648	(1,209)
Private Employment	5,810	4,146	2,887
Change in Private Sector Employment from 2009	10	394	294
Source: US Bureau of Labor Statistics, Quarterly Census of Employment & Wages			

Montpelier has its challenges, but there are also lots of opportunities. The good news is Montpelier still has a vital economy and can take action to avoid losing its prosperity. The preliminary analysis for the Economic Development Strategic Plan shows that Montpelier has opportunities in such business sectors as:

- Professional, Business and Not-for-Profit Services
- Finance & Insurance
- Specialty Retail
- Tourism & Hospitality
- Adult Learning
- Advanced Manufacturing
- Entrepreneurism

Join the conversation about Montpelier's economic future on March 2<sup>nd</sup> and 3<sup>rd</sup>! For more information on the EDSP please visit: [www.montpelierplan.com](http://www.montpelierplan.com).

**From:** Filkorn, Erik  
**Sent:** Thursday, February 18, 2016 11:18 AM  
**To:** Amore, Richard <[Richard.Amore@vermont.gov](mailto:Richard.Amore@vermont.gov)>  
**Subject:** Press Release: Strong Communities, Better Connections Grants Awarded

FOR IMMEDIATE RELEASE

Contact: Richard Amore  
(802) 828-5229

Strong Communities, Better Connections Grants Awarded

MONTPELIER, Vt.—February 19, 2016—In an exciting partnership to support vibrant community centers and increase transportation options, the Vermont Agency of Transportation (VTrans) and the Vermont Agency of Commerce and Community Development (ACCD) are pleased to announce the Strong Communities, Better Connections (SCBC) Grant Program has funded 3 projects that help align land use planning and community revitalization efforts with transportation investments.

Grant Winners:

The Town of Chester will develop an action plan for the designated village center and create strategies for streetscape enhancements, economic development and village revitalization. (Julie Hance, Town of Chester, [jhchester@vermontel.net](mailto:jhchester@vermontel.net))

The City of Montpelier will develop complete street design guidelines in order to more effectively plan for and accommodate multi-modal transportation. (Mike Miller, City of Montpelier, [mmiller@montpelier-vt.org](mailto:mmiller@montpelier-vt.org))

The Town of Springfield will create a downtown streetscape plan for Main Street and identify strategies to connect to the river and improve parking and bike/pedestrian improvements in downtown. (Tom Yennerell, Town of Springfield, [tosmanager@vermontel.net](mailto:tosmanager@vermontel.net))

“Transportation investments in our downtowns and villages can provide a platform for investment from the private sector that leverages that public investment to grow our economy,” said Transportation Secretary Chris Cole. “This grant program recognizes that state agencies working together can have a greater impact to the communities we serve”.

“This exciting agency partnership is helping our transportation system serve the needs of more people while fostering economic vitality for our businesses and communities,” said Housing and Community Development Commissioner Noelle MacKay.

Annually, the program grants approximately \$200,000 in funding to help Vermont municipalities outside of Chittenden County (Chittenden County has a similar program administered by its regional planning commission). The state received 10 applications, requesting over a half a million in funding. Program Managers Jackie Cassino (VTrans) and Richard Amore (ACCD) said the communities submitted strong proposals, making the second round of the grant program extremely competitive. The grants are reviewed by a five-member selection committee comprised of representatives from state agencies and regional planning commissions.

For more information, contact Jackie Cassino, at 802-272-2368 or Richard Amore at 822-828-5229 and visit the grant website <http://vtransplanning.vermont.gov/programs/scbc>.

RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (17 FEB 2016)

COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
168 Part 2. Show the rivers on the zoning map.	Put the rivers on the final draft of the official zoning map (large-scale version).	
169 Part 2. Show municipal, school and state properties on the zoning map.	No change recommended.	
170 Part 2. Densities in the districts should be lower so that the city could offer density bonuses for establish a transfer of development rights program or protection of open space.	No change recommended. The PUD and subdivision standards incorporate open space requirements. Demand for development in Montpelier is not adequate to make a TDR program viable.	
171 Chapter 210 Architectural Standards in various zoning districts are too prescriptive and will stifle creativity. They should be reconsidered and minimized.	No change recommended. Modification of the architectural standards would be allowed for projects that receive a recommendation from the Design Review Committee.	
172 Chapter 210. Density and Dimensional Standards. Concerned that increased density and relaxation of setbacks will radically transform existing neighborhoods. There will be a loss of greenspace and privacy, and increased traffic.	No change recommended. The PC conducted a detailed analysis of existing density and dimensional standards and decided to set the proposed standards so that most existing lots and buildings would be in conformance. This means that new development will be very similar to what already exists in these neighborhoods. The proposed zoning is intended to allow infill development within developed neighborhoods by reducing lot sizes and setbacks, consistent with the policies of the city plan.	
173 Chapter 210. Daycare facilities should not be permitted (make conditional where proposed to be permitted) due to traffic concerns.	No change recommended. Child daycare would be a permitted use in UC, RIV, WG and MUR, all of which are districts intended to allow for some degree of commercial activity.	
174 2106.B(1) The reference to Dewey Hill is unclear because no one uses that name.	No change recommended.	
175 2106.B(2) There is an overemphasis on protecting views of the statehouse.	No change recommended. This is consistent with the city plan and current zoning.	
176 2107 MUR District. Remove Northfield Street from the MUR district. Concerned about increased traffic on a narrow, steep roadway.	No change recommended.	
177 2107.B(4) Liberty Street - West neighborhood. Delete the last sentence that references providing public recreation opportunities because it is the only neighborhood that this is mentioned in.	No change recommended.	
178 2009 MDR District. The zoning of Sabin's does not match the land use element and map in the city plan. The zoning needs to follow the plan.	No change recommended. The plan recognizes that the areas shown on the land use map are not meant to be interpreted directly as zoning district boundaries. The New Neighborhood PUD implements the open space protection and development pattern goals expressed for Sabin's Pasture.	
179 2009 MDR District. 250 Main St should be re-zoned to LDR. Concerned about the potential scale of development on that site.	No change recommended.	
180 2009 MDR District. 250 Main Street should not be MDR. It needs a special zone. The adaptive re-use of the existing buildings should be allowed but not new development.	No change recommended. It is generally not an appropriate and lawful practice to create a special zoning district for an individual piece of property.	
181 Figure 2-13 MDR Use Table. Make single-family attached, triplex and quadraplex permitted rather than conditional uses.	Change triplex from conditional to permitted.	
182 2110.B(2) Re-zone Crestview from LDR to MDR so that it would be treated the same as Sabin's Pasure.	No change recommended. Any development of the Crestview property would likely be subject to the same "new neighborhood" PUD requirements as Sabin's. The only difference would be the potential overall density of the development. Given the natural constraints on the Crestview land, the LDR density would be more suitable and allow for a higher density of development than is possible under current zoning.	
183 2110.B(5) Murray Hill. The regulations should not encourage infill development in Murray Hill because there is not land available for development and there is not infrastructure to support additional development.	Revise to read "Murray Hill... These regulations should accommodate infill residential development where infrastructure is available and to the extent feasible given the availability and ownership to land in this neighborhood."	

 NO CHANGE PROPOSED

 CHANGE TO CORRECT/CLARIFY LANGUAGE

 ORGANIZATIONAL CHANGE

 CHANGE TO TECHNICAL STANDARD

 POLICY RELATED CHANGE

RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (17 FEB 2016)

COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
184 2111 Rural District. Reconsider the conditional uses allowed.	No change recommended. While many of the conditional uses could theoretically be large-scale development, they could also be small-scale adaptive re-use of agricultural buildings and land. There are natural constraints and infrastructure limitations that will also control the potential scale of development.	
185 2201.I(d) This will not be feasible in the flood zone since new buildings have to be elevated.	Revise to read "Design floor levels and story heights to be similar to those of surrounding buildings to the maximum extent feasible."	
186 3003 Riparian Buffers. This section duplicates state regulations and thus is not necessary.	No change recommended. Not all development, disturbance and clearing within stream buffers is regulated by the state.	
187 3005 Erosion Control. This section duplicates state regulations and thus is not necessary.	No change recommended. Smaller development is not subject to state erosion control regulations. Development that does need to obtain a state permit is deemed to have met these requirements, so there is no duplication.	
188 3006. Stormwater Management. This section duplicates state regulations and thus is not necessary.	No change recommended. Smaller development is not subject to state stormwater regulations. Development that does need to obtain a state permit is deemed to have met these requirements, so there is no duplication.	
189 3006 Stormwater. DPW wants clarification of the meaning of the term "first inch of rainfall" as used in this section.	Revise 3006.H(3) and 3006.I(3) to read "The applicant may submit a stormwater plan prepared by a professional engineer or licensed landscape architect demonstrating that green stormwater infrastructure are designed to manage at least 1 inch of rainfall from all impervious surfaces on the lot, consistent with the water quality treatment standard in the Vermont Stormwater Management Manual or as specified in the Vermont Green Stormwater Infrastructure Simplified Sizing Tool for Small Projects."	
190 3006.B Applicability. Concern that the exemptions create a loophole that would allow phased development to avoid having to meet stormwater requirements.	Add the following to both 3006.B(1) and (2), "The applicant must include all phases of proposed development when calculating the increased amount of impervious surface."	
191 3006.H(1)(c) Stormwater Management LID Option. Need to revise for clarity.	Revise to read "Runoff from impervious surfaces must flow over a vegetated pervious surface with a slope that does not exceed a 15% grade for a minimum distance of 25 feet before entering a waterway or flowing off-site."	
192 3006.H(2) and 3006.I(2). Not all GSI practices require a practice area that is 10% of the impervious surface (ex. rain barrels or cisterns).	Delete the phrase "the area of which must be at least 10% of the area of the impervious surface draining to it" from each paragraph.	
193 3006.H(2) and 3006.I(2). Make use of the GSI Simplified Sizing Tool mandatory. The results will be consistent with the new stormwater manual.	Revise each paragraph to read "Applicants must use the Vermont Green Stormwater Infrastructure Simplified Sizing Tool for Small Projects..."	
194 3006.I(1)(a) Stormwater Management LID Option. 15% pervious area may not be adequate to allow for infiltration.	Increase 15% to 25%, making the standard consistent with 3006.H(b).	
195 3006.I(1)(b) Stormwater Management LID Option. Need to revise for clarity.	Revise to read "Runoff from impervious surfaces must flow over a vegetated pervious surface with a slope that does not exceed a 15% grade for a minimum distance of 50 feet before entering a waterway or flowing off-site."	
196 3007 Access and Circulation. Need to add driveway construction standards or reference city or state specifications.	No change recommended. This can be addressed through the city's public works specifications and the changes recommended to Subsection B, below.	
197 3007 Access and Circulation. Add standards for private culverts.	No change recommended. This should be addressed through the city's public works specifications.	

 NO CHANGE PROPOSED

 CHANGE TO CORRECT/CLARIFY LANGUAGE

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RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (17 FEB 2016)

COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
198 3007 Access and Circulation. Ensure that all provisions in Section 704.D of adopted zoning are retained in draft and as are clearly stated.	<p>Add a new paragraph to read “All proposed land development must provide adequate access for emergency vehicles. The Development Review Board may require the applicant to provide fire lanes, pull-offs and/or turn-arounds as necessary to accommodate emergency vehicles.”</p> <p>Add a new paragraph to read “All proposed land development must be designed with adequate access and circulation to prevent traffic congestion onto streets and traffic conflicts (including service vehicles, passenger vehicles, parking, drive-through lanes, bicyclists and pedestrians) within the site.</p>	
199 3007 Access and Circulation. Revise all uses of “state highway” to “state or Class 1 highway”	Make this change in this section and throughout the regulations.	
200 3007.B DPW recommends referencing state B-71 standards and eliminating requirements that are covered by that standard from this subsection.	Revise 3007.B to read “All lots being developed or redeveloped must provide vehicular access from the street in accordance with any city public works specifications, VTrans’ B-71 Standards for Residential and Commercial Drives and the standards below. In the case of any conflict the city’s public works specifications would take precedence over the B-71 standard or the standards of this section, and the standards of this section would take precedence over the B-71 standard.” Delete Paragraphs 5, 6, 7, 8 and 9, which are covered by the B-71 standard. Keep Figure 3-05, which allows closer driveway spacing than the B-71 standard.	
201 3007.B(1) Revise to remove inconsistency and delete Paragraph (b).	Revise 3007.B(1) to read “State or Class 1 Highways. Access to a corner lot fronting on a state or Class 1 highway must be from the secondary street unless otherwise approved by the Development Review Board upon the applicant demonstrating that access from the state or Class 1 highway will improve traffic circulation or safety.”	
202 3007.E(2). Requiring internal walkways to be at least 4 feet is excessive.	No change recommended. The minimum width that meets ADA requirements is 3 feet with wider sections at intervals. A width of less than 4 feet does not allow two people to walk side-by-side comfortably.	
203 3008.H(1) Parking Space Dimensional Standards. DPW recommended reducing the minimum width from 9 feet to 8 feet.	No change recommended. The DRB will have the authority to allow compact car spaces.	
204 3008.I(1)(a) Do not require asphalt or concrete surface for parking areas with more than 20 spaces.	No change recommended. Paragraph (b) allows the DRB to modify the surfacing requirement for lightly used parking areas.	
205 3008.I(4) Do not include requirements for snow storage.	No change recommended. With the reduction in parking requirements, it is important to be certain that there is space for snow storage as there may not be excess parking that can be used for that purpose.	
206 3009 Signs. The sign code is too prescriptive.	No change recommended.	
207 3009.D(6) Increase the maximum size of real estate signs from 4 square feet to 5 square feet.	Change 4 sf to 6 sf, which is consistent with state statute (10 VSA Section 493).	
208 3104 Accessory Dwelling Unit. Keep ADU requirements consistent with statutory minimums so that they can meet state building code exemption.	No change recommended. If applicant want to construct an ADU larger than state exemption, it will have to meet building code.	
209 3110.A Bed and breakfasts should not be limited to 5 guest rooms.	No change recommended. This is consistent with exemptions for B&Bs with 5 rooms or less in building code. Inns are allowed to have more rooms.	
210 3112 Hotel or Motel. Concerned that the standards are subjective.	No change recommended. The density and dimensional standards are within industry norms and primarily intended to prevent the conversion of hotel/motel rooms into substandard rental housing.	

NO CHANGE PROPOSED
  CHANGE TO CORRECT/CLARIFY LANGUAGE
  ORGANIZATIONAL CHANGE
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RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (17 FEB 2016)

	COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
211	3201.B(2) Design and Compatibility Standards. Concerned that paragraphs b, c, d and e have the ability to be abused in the development review process. Could be used to prevent new downtown buildings.	No change recommended. Most of the provisions of this section are intended to protect “adjoining residences” not adjoining mixed-used buildings within a downtown block.	
212	3204.B Outdoor Seating. DPW recommends adding specific standards for outdoor seating and service on public sidewalks.	No change recommended. This should be addressed through public works specifications and/or city sidewalk ordinance.	
213	3404.H New Neighborhood Building Design. Do not require 50% of single-family homes to have porches.	No change recommended. The front porch is an important element in creating a traditional neighborhood development pattern.	
214	3404.I New Neighborhood PUD Parking and Garages. Reduce the garage door setback from 8 feet behind the building front line to 2 or 3 feet.	No change recommended. Ensuring that garage doors do not dominate the building facade is an important element in creating a traditional neighborhood development pattern. The setback does not apply if the doors face to the side or rear.	
215	3505 A. Streets. Add requirement for Fire Chief review and approval.	No change recommended. Subdivision applications will be reviewed by through the Technical Review Committee, which includes the Fire Chief.	
216	3505.A Streets. Add provisions related to access management similar to 704.C in adopted zoning.	Add a new paragraph to read “Applicants must implement proper access management techniques that generally follow VTrans’ Access Management Program Guidelines in the design of new streets.”	
217	3505.A(4) Access Points. Requiring two access points will be problematic on many sites due to topography.	No change recommended. This provision is also consistent with goal of encouraging interconnected access between adjoining developments and the extension of a gridded street network.	
218	3505.A(7)(a) DPW recommends increasing minimum lane width from 7 feet to 8 feet.	Increase minimum width to 8 feet.	
219	3505.A(7)(a) DPW recommends requiring 1 ft shoulders on each side.	No change recommended the 8 to 9 foot lane width with no shoulders for low-traffic roads is consistent with Vermont Local Roads recommended standards.	
220	3505.A(7)(a) Decrease minimum lane width from 11 to 10 feet.	Decrease minimum width to 10 feet, which is consistent with Vermont Local Roads recommended standards.	
221	3505.A(8)(c) DPW recommends decreasing 40 feet to 20 feet to be consistent with A-76 standard.	Reduce standard from 40 feet to 20 feet.	
222	3507 Renewable Energy and Energy Conservation. These requirements are excessive. Energy efficiency should be encouraged but not required by zoning.	No change recommended. Most of these provisions only apply to subdivisions with more than 10 lots.	
223	Part 4. DPW is concerned that not all parts of Section 407-410 of the adopted zoning are included in the draft regulations.	No change recommended. There is no substantive change in administrative procedures being proposed. The application requirements are being removed from the regulations. All the other provisions in the adopted zoning are carried forward in the draft.	
224	4204.C Zoning Permit Expiration. 2 years with a 1 year extension is too short for a major project.	No change recommended. The 2 year limit applies to zoning permits. Major projects could be phased, which would trigger paragraph (1) and would allow the build-out period for a project to be longer.	
225	4207.A Certificates of Compliance. City staff has proven to be exceedingly slow to issue certificates of compliance. Add a time limit for their issuance.	No change recommended. 4207.B sets a time limit to act of 30 days, the same as for a zoning permit application.	
226	4604.F Appeals of DRB Decisions. Reduce the appeal period from 30 days to 15 days.	No change recommended. The 30-day appeal period is required under state statute.	
227	4702.B Municipal Civil Complaint Ticket. Do not see reason to have waiver fee.	No change recommended. The ticketing structure with its fines and waiver fees is necessary to meet state requirements.	
228	Part 5. The term site plan should be defined.	Add to Subsection 5301.S “SITE PLAN means a map and any supporting graphics or documentation drawn to scale that depicts proposed land development including, but not limited to the location and relationship of the structures, streets, driveways, parking areas, sidewalks, paths, walkways, utilities, open space, landscaping, grading, waterways, outdoor lighting, outdoor use areas, signage and other site or development features.”	

NO CHANGE PROPOSED

CHANGE TO CORRECT/CLARIFY LANGUAGE

ORGANIZATIONAL CHANGE

CHANGE TO TECHNICAL STANDARD

POLICY RELATED CHANGE

**GRANTS MANAGED BY CD SPECIALIST**

<u>Grant</u>	<u>Due Date</u>	<u>Notification Date/Status</u>	<u>Status/Notes</u>
2015 CLG Grant		March 22 2015	\$8000 Grant Agreement Signed Meet with Eric
2016 ERP: One Taylor Street	April 13	July 2015 Approved	\$230,000 Conceptual Design
2016 ERP: Taylor Street Reconstruction	April 13	July 2015 Approved	\$250,000 in process
2016 Brownfield : One Taylor Street		July 2015	\$20,000 Pledged by DEC
2016 CDBG-DRII: Taylor Street River Wall Reconstruction and Soil Mgmt.	CDBG Board Meeting on February 11	<b>Pending Notification</b>	Request \$850k-\$1million for retaining wall
2016 NEA: Our Town	January 4 2016	July 7, 2015	\$50,000: Waiting on Paul Gambill to complete Consultant RFQ, Review, Release
2013 CDBG Downstreet Housing and Community Development IG 39 Bare Street		Grant Received May 2013 <b>Project Complete fall 2015</b> Requisitions of funds in progress	\$560,000 : 1 <sup>st</sup> Requisition \$250k January 2016 2 <sup>nd</sup> Requisition \$250K February 2016 3 <sup>rd</sup> Requisition: \$60K Need Invoices and Backup for Ruth from David Pride/Downstreet
2013 Another Way PG		Awarded Nov 2013, work mostly completed. Finalize Requisition/Progress Report	\$22,875 Requisition January 2016/Resubmitted following grant modification Feb 2016
2016 CDBG : Downstreet Housing and Community Development	Target Dates: April or June 2016		French Block Application/ER started in Intelligrants/Housing Trust Fund in Play
CDBG Senior Center		Completed	Closeout Agreement Needed
CDBG CAL 46 Barre Street		Completed	Closeout Agreement Needed
CDBG Progress			Another Way

<b>Reports</b>			Remaining, Amy Wright to Complete
<b>2016 Downtown Transportation Fund</b>	March 2016	Submitting on March 7	Finalizing Application
<b>2016 SCBC : Street design Guidelines</b>	Submitted Jan 16	Awarded February 18 2016	\$45,000 Request/\$5000 match : Complete Street Typologies and Street Design Guidelines
<b>EDSP</b>		Public Meeting March 2 <sup>nd</sup> 7pm City Council Chambers Public Meeting #2 : March 3 <sup>rd</sup> 8 am	Public Meeting March

**GRANTS MANAGED BY PLANNING DIRECTOR**

<b><u>Grant</u></b>	<b><u>Due Date</u></b>	<b><u>Notification Date/Status</u></b>	<b><u>Status/Notes</u></b>
<b>2016 Municipal Planning Grant</b>		Awarded Dec 2015 Grant Agreement signed Deadline May 2017	Preparing requisition #1 and preparing RFP to go out by March 1 <sup>st</sup> . Grant to update Master Plan.
<b>2015 ERP: Stormwater Master Plan</b>		Awarded Sep 2014 Grant Agreement signed Contract awarded to Stone Env Deadline Oct 2016	Grant to develop stormwater master plan. Currently completing draft matrix of projects
<b>2015 Municipal Planning Grant</b>		Awarded Dec 2014 Grant agreement signed Requisition #1 & #2 complete Progress report filed (Aug 2015) Deadline May 2016	Grant to complete Zoning bylaws. On schedule and expect completion by April 1 <sup>st</sup> .

RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (5 FEB 2016)

	COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
1	1004. Applicability. Clarify that removal of vegetation from the riparian setback is land development under the regulations.	Revise info point and definition of land development in 5301.L(1) to include “removing natural woody vegetation within water setbacks.”	
2	1004. Applicability. Be consistent in use of term parcel or lot.	Revise info point and definition of land development in 5301.L(1) to use the word “lot” rather than “parcel.”	
3	1005. Conflict with Other Laws. Add language referencing river hazard and building permits.	Add a new subsection as follows “Other city approvals or permits may be required for proposed land development that is exempted or approved under these regulations including but not limited to river hazard area permits and building permits.”	
4	1101.A Add exception for public art	Add public art as another paragraph in the exemptions list. The regulations already include a definition of public art.	
5	1101.A(9)(c). This is duplicative.	Delete subparagraph (c).	
6	1101.A(9)(e) Clarify this exemption.	Revise to read “Section 1102 regulates agricultural fences and walls.”	
7	1101.A(10) Language relating to fencing is duplicative and raised beds should not be included in list.	Revise to read “...arbor, trellis, pergola) that is...”	
8	1102.B(1) Application is required under statute not so AO can determine exemption.	Revise to read “The landowner must complete a zoning permit application.”	
9	1203.D Nonconformities. Clarify language.	Revise to read “...provided that the degree of nonconformity is not increased.”	
10	1206.A. Clarify language.	Replace each use of “it” with “the structure”	
11	2004.B Provision is duplicative with Section 4601.	Delete Subsection B.	
12	210. Zoning Districts. Individual use tables for each district make the regulations difficult to administer.	Remove individual use tables from districts and go back to one single use table for all districts.	
13	210. Zoning Districts. Need to clarify how neighborhood descriptions are to be used in the regulatory context.	Add to Subsection B of each zoning district section “The XXXX District includes the neighborhoods listed below. The description of a neighborhood will be used solely for determining compatibility with character of that neighborhood. The neighborhoods have no further regulatory purpose except as otherwise specifically stated in these regulations.”	
14	210. Zoning Districts. Need to clarify relationship between design review and the architectural standards in the zoning districts. DRC approval indicates meeting architectural standards	Revise the intro statement to the architectural standards subsection of each relevant district as follows “The following standards apply to all land development requiring major site plan approval. If the application requires design review under Section 2201, endorsement by the Design Review Committee will be interpreted to mean that the proposed development meets these standards.”	
15	210 Zoning Districts. Use “setback” not “yard.”	Replace the heading “Setback & Yards” from the dimensional standards table in each district. Replace any other use of “yard” in regulations if it is being used to refer to “setback”.	
16	210 Zoning Districts. Clarify language throughout neighborhood descriptions in all districts.	Re-word any sentence that includes “these regulations should” to say “proposed land development should”	
17	2101 Use Standards. This is not the place most people will look for these provisions.	Move this section to Chapter 300.	
18	2101.E Provision is duplicative with Section 4601.	Delete Subsection E.	
19	2102 Dimensional Standards. This is not the place most people will look for these provisions.	Move this section to Chapter 300.	
20	2102 Dimensional Standards. Include the guidance on how dimensional standards will be measured or calculated into this section.	Merge Section 5103 with Section 2102.	
21	2102.B(2) Principal Buildings. Keep this the same as under current zoning and align this with number of homes allowed on a shared driveway.	Revise to “No more than 3 detached single- or two-family homes...”	

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22	2102.C Residential Density. Using buildable land rather than total lot area to determine residential density in most districts is adding complexity to the administration of the regulations. A number of people have asked questions about how this will be administered. GIS data is not accurate enough for this analysis.	Delete Paragraph (2) and revise Paragraph (1) to read "Maximum residential density will be based on total lot area."	
23	2102.E Street Frontage. There should be an easier way to allow "back lot" infill development so that the rear lot shares a driveway with the front lot but is not required to have any street frontage.	No change recommended. The infill housing PUD option will allow for subdivision of a "back lot."	
24	2102.E(2) No need to require corner lots to have minimum frontage on each street.	Revise to read "Lots that front on more than one street will only be required to meet minimum frontage requirements on one street."	
25	2102.E(3)(b) Need to align frontage requirement with minimum ROW requirement.	Revise to read "...not less than 20 feet..."	
26	2102.F(1) Clarify to remain consistent with recommended change to frontage requirements.	Revise to read "Lots with frontage on more than one street must meet front setback requirements on each street, and must meet side setback requirements on the remaining sides."	
27	2103.B UC Neighborhoods. Missing description of Court Street neighborhood	This is a very small neighborhood on the north side of Court Street (3 parcels). Recommend merging it with the Downtown Business neighborhood, which includes properties on the south side of Court Street.	
28	2103.C(2) UC Use Standards. Need to clarify and align terms.	Revise to read "Drive-through facilities and drive-in establishments..."	
29	2103.E Cross reference to Subsection 3505.A should be to 3505.B.	Fix incorrect cross reference.	
30	2103.F UC Architectural Standards. Eliminate requirement for street-fronting retail spaces to have their own entrances. Many downtown buildings have shared entrances.	No change recommended. It is preferable for new buildings to be designed so that ground-level retail spaces on the sidewalk have a direct entrance (not like the City Center building). There is some flexibility in this section for the DRB to approve other designs with a recommendation from the DRC.	
31	Figure 2-02. UC Dimensional Standards. Clarify lot coverage.	Add "Lot coverage: 100% max"	
32	2104.A Riverfront Purpose. Missing "of" in last sentence.	Revise to "...to encourage redevelopment of the riverfront..."	
33	2104.B(3) The heading number is missing.	Fix formatting.	
34	2104.C(2) RIV Use Standards. Need to clarify and align terms.	Revise to read "Drive-through facilities and drive-in establishments..."	
35	2104.E Cross reference to Subsection 3505.A should be to 3505.B.	Fix incorrect cross reference.	
36	Figure 2-04 Riverfront Dimension Standards. Residential density should be higher than 1 dwelling unit per 1,500 sf. (Current zoning does not have a maximum density for the Riverfront district, but that district is much smaller than the proposed district.)	No change recommended. 1 du /1,500 is the 90th percentile figure for the district.	
37	2105.C(2) EG Use Standards. Need to clarify and align terms.	Revise to read "a drive-through facility or drive-in establishment..."	
38	2105.E(3) Clarify the standard for vehicle doors and loading areas.	Revise to read "Vehicle bay doors and loading areas must be oriented away from the street, and to the side or rear of the lot."	
39	Figure 2-06. Set a consistent water setback standard.	Revise water setback to "50 ft min" for all lots.	
40	Figure 2-06. Many buildings in the Eastern Gateway district are less than 24 feet tall. There should not be a minimum height standard.	Eliminate minimum height requirement. The standards for the Eastern Gateway district should be revisited after the city plan is revised and further consideration is given to the desired land use and development pattern in this area of the city.	
41	2106.C(2) WG Use Standards. Need to clarify and align terms.	Revise to read "Drive-through facilities and drive-in establishments..."	
42	Figure 2-08. Set a consistent water setback standard.	Revise water setback to "50 ft min" for all lots.	
43	2107 Mixed Use Residential. General comments related to potential conversion of existing residential buildings to office space or other nonresidential uses.	No change recommended. The rate of conversion of residential to non-residential should be monitored. Zoning could be amended in the future if conversion actually becomes an issue of concern.	

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COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
44 2107. MUR - College Hill - East State Street neighborhood. Reduce the extents of this neighborhood. Residential properties should not be included.	No change recommended. The neighborhood as proposed captures most of the existing nonresidential uses and provides opportunity for continued, incremental conversion of large homes to multi-family buildings.	
45 2107.B MUR Neighborhoods. Missing description of College Hill - Main Street neighborhood.	College Hill - Main Street. Most of this residential neighborhood along Main Street east of North Street to Lincoln Avenue is densely built with small lots and narrow setbacks. The terrain has influenced the development pattern, with narrow lots and homes set into the hillside above street level on the north side of Main Street and wider lots with larger yards on south side. The neighborhood is currently developed with a mix of single-family and multi-family residences. These regulations are intended to protect the residential character of this neighborhood while creating opportunities for small-scale infill development and incremental division of residential buildings to add additional dwelling units.	
46 2107.B MUR Neighborhoods. Missing description of College Hill - Southwest neighborhood.	College Hill - Southwest. This neighborhood west of Hubbard Street is a densely built residential neighborhood characterized by large historic homes on small lots with narrow setbacks. Some of these residences have been converted to multi-family occupancy, while others remain single-family. These regulations should support the existing residential density and historic development pattern in this neighborhood. Modest increases in density may be accommodated in this neighborhood through ongoing, incremental conversion of single-family residences to multi-family buildings, further division of multi-family buildings to add additional units, conversion of outbuildings for residential occupancy, or similar approaches that do not significantly alter the physical form of the neighborhood and its historic buildings.	
47 2107.C(2) MUR Use Standards. Need to clarify and align terms.	Revise to read "Drive-through facilities and drive-in establishments..."	
48 2107.E Cross reference to Subsection 3505.A should be to 3505.B.	Fix incorrect cross reference.	
49 2108. High Density Residential. Re-zone all lots on north side of Sibley Street to HDR (currently proposed for MDR).	No change is recommended. PC discussed this boundary in detail. There was significant public input from neighborhood residents requesting to be zoned MDR.	
50 2108.B HDR Neighborhoods. Route 2 neighborhood encompasses two non-contiguous areas.	<p>Separate Route 2 neighborhood and revise descriptions as follows:</p> <p>River Street. This is a traditional residential neighborhood along the south side of River Street (Route 2). Many of the historically single-family homes have been converted to multi-family occupancy, particularly along the highway. These regulations are intended to preserve the traditional residential development pattern and character, and to prevent expansion of commercial activity along this segment of the highway. Side streets extend up the hillside with mostly single-family homes on larger, sloping lots. There is a significant amount of undeveloped land in this neighborhood, some of which is suitable for infill residential development. These regulations are intended to encourage residential growth with a diversity of housing in this neighborhood, including the potential for multi-family housing development on suitable undeveloped sites.</p> <p>Route 2 - Prospect Street. This is a residential neighborhood with many homes fit into the steep terrain on significantly constrained lots. The streets serving most of the neighborhood are narrow and steep. These regulations should support the existing pattern and density of development, but discourage significant increases in density. A portion of this neighborhood fronts on the heavily trafficked Berlin Street (Route 2). These regulations are intended to preserve the residential character of this portion of the highway and prevent the continued expansion of commercial activity eastward from the Cross Roads neighborhood.</p>	
51 2108.C(2) HDR Use Standards. Need to clarify and align terms.	Revise to read "Drive-through facilities and drive-in establishments..."	

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  CHANGE TO TECHNICAL STANDARD
  POLICY RELATED CHANGE

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52	2108.E Cross reference to Subsection 3505.A should be to 3505.B.	Fix incorrect cross reference.	
53	2108.F(3) DPW recommends referencing requirements for ADA compliant pedestrian walkways.	No change recommended. No reference is made in the regulations to ADA requirements so that it will not become another issue for staff to administer or enforce.	
54	Figure 2-12. HDR Dimensional Standards. The setback and lot coverage standards allows for big houses on small lots.	No change is recommended. The dimensional standards proposed are consistent with the existing development pattern. Further, multi-family buildings with more than 4 units will be subject to conditional use approval including compatibility with the character of the neighborhood. There is an overall maximum size for any building of 5,000 sf footprint and 35 ft in height.	
55	2109. Medium Density Residential. Include all lots east of College Street in the College Hill - Southeast neighborhood (currently proposed for HDR - College Hill - Southwest neighborhood).	No change is recommended. PC discussed this boundary in detail. Existing development pattern is a better fit for HDR than MDR (more lots will be conforming). Additional infill is modest. It is preferable to keep both sides of the street in the same district.	
56	2109. Medium Density Residential. Concerned about potential development in the Crestview neighborhood due to stormwater and traffic issues.	No change is recommended. Any major development would have to be designed as a "new neighborhood development" under the proposed zoning. Issues like stormwater and traffic would be considered. Allowing for residential development in this neighborhood is consistent with city's goal of encouraging housing.	
57	2109.C Cross reference to Figure 2-15 should be to Figure 2-13.	Fix incorrect cross reference.	
58	2109.C(2) MDR Use Standards. Need to clarify and align terms.	Revise to read "Drive-through facilities and drive-in establishments..."	
59	2109.D Cross reference to Figure 2-16 should be to Figure 2-14.	Fix incorrect cross reference.	
60	2109.E Cross reference to Subsection 3505.A should be to 3505.B.	Fix incorrect cross reference.	
61	2110. Low Density Residential. Remove land off Towne Hill Road that is proposed for LDR district and put it in Rural (which is more similar to how it is zoned currently). People who bought homes out there want to keep the rural character. They don't want houses on 9,000 sf lots.	No change recommended. This area has access to city services. It is consistent with the goal of increasing housing opportunities in the city to allow for a higher density of residential development than is allowed under current zoning.	
62	2110.C LDR Use Standards. Need to clarify and align terms.	Revise to read "Drive-through facilities and drive-in establishments..."	
63	Figure 2-18. The difference between the minimum lot size and the maximum density is confusing.	Revise minimum lot size to 2 acres.	
64	2201. Historic Design Review. Cliffside neighborhood has petitioned to be removed from the overlay district.	No change is recommended. PC discussed this issue extensively. The City Plan calls for aligning the design review district with the National Register Historic district, which is what is currently proposed. Cliffside is similar in its level of historic integrity to other neighborhoods included in the district. The changes to the standards are anticipated to address a number of the concerns raised by neighborhood residents.	
65	2201. Historic Design Review. Include the State Register historic district in the design review overlay as well as the National Register district.	No change recommended at this time. As part of city planning process this issue should be considered and policy set.	
66	2201. Historic Design Review. Language should be more clear and specific on the desired result, and provide more flexibility for how to get there.	No change recommended.	
67	2201. Historic Design Review. Add language to provide flexibility for energy retrofits or consider trade-offs for certain levels of energy efficiency.	No change recommended.	
68	2201.C(4) Not all exterior modifications should be exempt.	Revise to read "Exterior modifications to the rear of a noncontributing structure."	
69	2201.C(7) Damage may be done to a historic building be removing sign hardware.	Revise to read "The complete removal of a sign and its hardware, except that sign hardware installed into brick or masonry may remain in place."	
70	2201.G Clarify that design review is looking at exterior modifications only.	Revise to read "Applicants must demonstrate that proposed exterior modifications..."	

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71	2201.G Need to revise intro language to reconcile inconsistencies between Subsection G and H.	Revise to read "...conforms to the Secretary of the Interior's Standards for Rehabilitation as interpreted by the Design Review Committee. Where the provisions of Subsection G and Subsection H conflict, the provisions of Subsection H will take precedence."	
72	2201. I Remove reference to noncontributing structures.	No change recommended if exemption for noncontributing structures is revised.	
73	3001.B Revise to allow accessory structures on vacant lots.	Eliminate Paragraph (1) and merge Paragraph (2) with intro sentence.	
74	Figure 3-1 Accessory Structures and Uses. Clarify approvals needed for encroachments into public rights-of-way.	Add "including a construction and access permit from the Montpelier Department of Public Works" to the end of both Note 1 and Note 2.	
75	Section 3002. Need to add cross-reference to historic overlay.	Add a subsection as follows "For demolition of a structure within the Historic Design Review Overlay District, also see Section 2201."	
76	3003. Riparian Buffers. Conservation Commission requests that some buffer be required in the UC and RIV districts. (There is still a setback from surface waters in those districts of 10 feet. There is not the requirement to keep that area in natural woody vegetation or to increase regulatory review of all development within 50 feet of the surface water that is provided by 3003 in the other districts.)	Add a new subsection to both 2103 and 2014: Riverfront Standards. To promote redevelopment of the riverfront as a public amenity and greenway corridor, land development requiring major site plan approval: (1) Must remove any impervious surface within the water setback to the maximum extent feasible given site-specific conditions. (2) Must landscape all portions of the water setback (excluding those areas occupied by pre-existing development that cannot feasibly be relocated elsewhere on the lot). (3) Are encouraged to orient buildings, windows and public use areas to provide views of the river. (4) Are encouraged to provide public walkways, multi-use pathways, outdoor seating and similar public amenities along the river. The Development Review Board may approve the development of such amenities within the water setback upon determining that the proposed design furthers the city's riverfront redevelopment goals.	
77	3003.D(3) Conservation Commission recommends removing this provision, which allows the DRB to approve removal of natural vegetation.	Revise to "The Development Review Board may allow natural woody vegetation to be removed or not re-established within a greater amount of the riparian setback if the applicant consults with and receives an endorsement from the Conservation Commission regarding the proposed use and development of the land within the setback."	
78	3003.E(5) Conservation Commission recommends adding language encouraging landowners to convert landscaping to natural vegetation within the riparian buffer.	Add "Landowners are encouraged to replace pre-existing lawn or garden areas with natural woody vegetation, which can provide multiple benefits including bank stabilization, filtration of runoff and wildlife habitat."	
79	3004.F Grading Plan. Replace "stamped" by "prepared"	Revise to read "... prepared by a licensed engineer."	
80	3004.H Add a provision related to runoff.	Add "Retain the pre-existing rate and pattern of stormwater runoff leaving the property."	
81	3004.H(2) Allow for slopes steeper than 3:1.	No change recommended. This is a "to the maximum extent feasible" provision, giving the DRB some latitude to allow steeper slopes in response to specific site conditions. The regulations also prohibit further development of slopes over 30% and consider such land to be unbuildable, so creating more land that would fall into that category should be avoided.	
82	Figure 3-02. Disturbance or Clearing on Steep Slopes. Allow DRB to waive prohibition on disturbing or clearing slopes >30%.	No change recommended. Isolated areas of steep slopes <500 sf in area may be disturbed. There have been a number of comments at public meeting expressing concern about slope stability and runoff.	
83	Figure 3-02 is confusing.	Separate Figure 3-02 into two tables - Conditional Use Review Required and Engineered Plan Required.	
84	3005.B(1). Stormwater Applicability. Concerned about use of term "exempt."	Revise to read "Land development that obtains a state construction general or individual permit will be assumed to have met the requirements of this section. Any zoning permit or approval will be conditional..."	

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85	3005.C Erosion Control Plan. Specify that the plan has to be prepared by a professional engineer.	Revise to read "...an erosion control plan prepared by a licensed engineer..."	
86	Figure 3-03. Erosion Control Plan thresholds. Revise table to better align with Figure 3-02 (steep slopes).	No change recommended.	
87	Figure 3-03. Erosion Control Plan thresholds. Revise table so that slope quantities are cumulative.	Revise and re-order table as follows: >25% An erosion control plan is required for development disturbing any amount of soil >20% An erosion control plan is required for development disturbing 2,500 sf or more >15% An erosion control plan is required for development disturbing 5,000 sf or more >10% An erosion control plan is required for development disturbing 10,000 sf or more	
88	3006 Stormwater. Conservation Commission recommends referencing the pending Stormwater Master Plan in this section.	No change is recommended at this time.	
89	3006.B Applicability. DPW recommends referencing the Q25 storm event.	No change recommended. B(1) is a general applicability statement. Later provisions in this section specify the amount of stormwater that must be managed.	
90	3006.D(2) DPW recommends removing reference to landscape architects and replacing with other qualified professionals.	No change recommended. Regulations are intended to encourage involvement of landscape architects in designing GSI.	
91	3006.D(2) DPW recommends adding "and provide water quality treatment for"	No change recommended. Phrase "manage stormwater" is used throughout section and encompasses water quality treatment.	
92	3006.D(2) Missing word "least"	Add missing word - "...at least 1 inch of rainfall..."	
93	3006.E. Conservation Commission questions whether a state stormwater permit adequately protects local resources.	No change is recommended. This section is set up to deal with small projects below the state threshold. Additional provisions would need to be added to address larger projects. Adding duplicative stormwater requirements would be counter to the city goal of streamlining the permitting process.	
94	3006.I(3) DPW recommends removing reference to landscape architects and replacing with other qualified professionals.	No change recommended. Regulations are intended to encourage involvement of landscape architects in designing GSI.	
95	3006. J (1)(a) DPW recommends reducing minimum depth from 8 inches to 4 or 6 inches.	No change recommended. The 8-inch minimum soil depth is consistent with the 2015 VLCT Model GSI/LID Bylaw and is anticipated to be the standard in the next update of the state stormwater manual.	
96	3007.B Revise to reference Class 1 highways.	Change all references to "state highways" in this subsection to "state and Class 1 highways"	
97	3007.B(5) DPW recommends not making separated access required by default for approaches with more than two lanes.	Revise to read "...and may be required..."	
98	3007.B(10) DPW recommends adding language to ensure no conflict points exist.	Revise to read "Driveway length and internal circulation patterns must be adequate..."	
99	3007.E(1)(a). Curb Ramps and Crosswalks. Revise to match city specifications.	"Curb ramps and crosswalks must be provided at intersections and where driveways bisect public sidewalks. The Development Review Board may require a marked crosswalk in accordance with the VTrans Crosswalk Design Guidelines and as recommended by the Department of Public Works."	
100	3007.E(1)(b). Curb Ramps and Crosswalks. Do not need to reference VTrans specs - there are no state highways in the city.	Delete "or VTrans' design specifications if within a state right-of-way."	
101	Figure 3-05. Driveway Separation Standards. Reduce distance between driveways to match minimum lot frontages.	Reduce distance between driveways for HDR, MDR, LDR districts from 60 to 45 feet.	
102	3008. Parking and Loading. Concern that reduced parking requirements will exacerbate existing parking problems.	No change recommended. The goals are to encourage shared, public and/or structured parking to serve downtown, and to minimize parking footprint so that excess parking is not created where it is not needed.	

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103 3008. Parking and Loading. DPW recommended adding provisions related to ADA compliance to this section.	No change recommended. No reference is made in the regulations to ADA requirements so that it will not become another issue for staff to administer or enforce.	
104 3009 Signs. Concerns about signs placed in public rights-of-way.	Add a new subsection "Signs in Public Rights-of-Way. Permission from the Department of Public Works is required before any sign may be placed in a public right-of-way, irrespective of whether or not it requires a zoning permit."	
105 3009.H(12) Portable Signs. Add reference to city's sandwich board sign guidelines.	Revise to read "... and in accordance with the city's sandwich board guidelines (available from the Department of Public Works) and the following:"	
106 3009.H(12)(e) Portable Signs. DPW recommends increasing the minimum clear width of the sidewalk from 3 feet to 4 feet.	Revise to read "...does not restrict the sidewalk to a clear width of less than 4 feet."	
107 3303.A Traffic Standards. Retain prohibition from adopted zoning on development that would reduce the LOS for minor streets by more than two levels.	Add "(4) For proposed development that is expected to generate 75 or more new trips during the a.m. or p.m. peak hour, that the level of service on minor streets (streets with an average daily traffic level of less than 1,500 trips) will not decrease by more than two levels following mitigation.	
108 3303.B Traffic Impact Study. Reference VTrans Traffic Impact Study policy.	Revise to read "A traffic impact study prepared by a qualified professional in accordance with VTrans' traffic impact study policy must be..."	
109 3304.A Character of the Neighborhood. Recommendation to revise first sentence to reference not only Part 2, but also Subsection 3304.B.	No change recommended. The descriptions of the character of each neighborhood is in Part 2. Subsection 3304.B are the criteria for determining whether proposed development is compatible with that character.	
110 3401.E Infill Housing Development Use. Recommendation to make it more clear that only housing is allowed in these PUDs.	Add a second sentence, "Non-residential uses are not allowed within an infill housing development irrespective of whether they are allowed within the applicable district."	
111 3401.E Infill Housing Development Use. Concern about allowing all types of housing in these PUDs.	No change recommended. There are plenty of other elements of the regulations that will also influence the scale of infill that is possible. The PUD will also have to meet the "character of the neighborhood" test.	
112 3403.B (3). Manufactured home parks. Recommendation to not offer a density bonus for manufactured home parks.	No change recommended. This language aligns with similar language for the cottage cluster housing. Not offering a bonus for manufactured home parks could be viewed as discriminatory under state statute if bonuses are offered for other forms of housing.	
113 350. Subdivision Standards. DPW recommends including traffic impact standards similar to adopted zoning 702.C.	Add a new section to the chapter that mirrors the traffic standards for conditional uses (Section 3303) as revised.	
114 3502 Capacity of Community Facilities and Services. DPW recommended eliminating solid waste disposal as it is not a city-provided service.	No change recommended. This list of community facilities and services is consistent with state statute.	
115 3505.A Streets. Need to clarify confusion in definition of driveway and street.	Revise to read "A vehicular way that provides access to more than 3 lots will be considered a street."	
116 3505.A Streets. Add minimum standards for turnarounds and cul-de-sacs.	No change recommended. Paragraph (5) references VTrans A-76 and the city's public works specifications. These include minimum standards for turnarounds and cul-de-sacs.	
117 3505.A Streets. Add a provisions related to street naming.	Add a new paragraph "Street Names and Signs. The applicant must name streets and install street signs in accordance with state and city requirements."	
118 3505.A(1) Add reference to emergency vehicle access.	Add "Provide adequate access and suitable turnarounds, when applicable, for emergency and service vehicles."	
119 3505.A(10) Street Grade. DPW recommends replacing this paragraph with provisions from adopted zoning (702.B(9)).	No change recommended. The two provisions are very similar - setting a maximum grade of 10% and allowing short sections to be steeper. Proposed zoning is specifies that grade will be measured over any 100-foot section, which adopted zoning does not - making it clearer to administer.	

NO CHANGE PROPOSED

CHANGE TO CORRECT/CLARIFY LANGUAGE

ORGANIZATIONAL CHANGE

CHANGE TO TECHNICAL STANDARD

POLICY RELATED CHANGE

RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (5 FEB 2016)

COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
120 3505.E(2) Public and Private Utilities. Clarify the language related to easements.	Revise second sentence to read "The applicant must provide the city with a maintenance and access easement for any utilities not located within a street right-of-way."	
121 3506. Character of the Neighborhood. Recommendation to eliminate this section in the subdivision standards and cross reference to 3304.A (character of the area in conditional use standards).	No change recommended. Subsection 3304.A is mostly standards that would not be applicable to subdivisions (architectural compatibility, lighting, noise).	
122 4302. Site Plan Review. Include a sample site plan in the regulations.	No change recommended. All application requirements are being removed from the regulations to facilitate administrative updates of those requirements. A sample site plan could be part of that application guidance.	
123 4406.D Language that was being cross-referenced was previously removed and cross-reference is no longer valid.	Delete cross-reference.	
124 5301.B(4) Bicycle rack definition needs to be revised.	BICYCLE RACK means a inverted U design metal frame securely anchored to the ground that is designed to accommodate at least 2 bicycles, allows the bicycles to be locked to the frame with standard user-supplied locks, and is sufficiently separated from vehicular use areas to protect parked bicycles from damage.	
125 5301.D Add definition of damaged structure	DAMAGED STRUCTURE means a structure that has suffered an unintentional partial loss.	
126 5301.D Add definition of demolish	DEMOLISH means to intentionally remove all or part of a structure.	
127 5301.D Add definition of destroyed structure	DESTROYED STRUCTURE means a structure that has suffered an unintentional total loss.	
128 5301.D Add definition of drive-in establishment.	DRIVE-IN ESTABLISHMENT means a business designed and operated to primarily provide products or service to customers who remain in their motor vehicles, which are located in a designated parking space, and who typically consume the product or service on-site.	
129 5301.D Add definition of drive-through facility.	DRIVE-THROUGH FACILITY means a building opening or a mechanical device through which a business provides products or services to customers who remain in their motor vehicles, which are not located in a designated parking space, and who typically do not consume the product or service on-site.	
130 5301.D Add definition of driveway.	DRIVEWAY means a vehicular way that provides access from a street to a parking space, loading area, garage or other structure on private property, and that serves not more than 3 lots.	
131 5301.L Add definition of lot area.	LOT AREA means the total horizontal area within a lot's property lines, including land over which easements have been granted but excluding any land within a street right-of-way.	
132 5301. S Add definition of street.	STREET means any vehicular way that serves as the principal means of providing access to abutting property and that is not a driveway.	
133 Cross references to chapters need to be fixed.	Fix broken chapter cross references throughout the document.	
134 Conservation Commission requests more notification of applications so they can review to determine whether to comment. (Proposed draft requires consultation with CC for New Neighborhood, Conservation Subdivision PUDs, and subdivisions affecting land shown on the Natural Resources Inventory Map. It does not include any additional notification of the CC of development applications.)	No change is recommended. Administrative Officer has the discretionary authority to request CC review of applications. Requiring all applications to be forwarded to CC is counter to goal of streamlining the permitting process.	
135 Conservation Commission requests that language regarding wetlands and vernal pools that was removed from the draft be put back. They think city regulation of wetlands and vernal pools is needed because state mapping is not detailed enough, missing smaller local features, and small-scale development may fall under state protection thresholds.	No change is recommended. CC indicates that it will be updating its mapping of local wetlands and vernal pools this spring. This issue could be reconsidered once that mapping is complete and the PC has a better understanding of what resource features are not being adequately protected by state regulation.	

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CHANGE TO CORRECT/CLARIFY LANGUAGE

ORGANIZATIONAL CHANGE

CHANGE TO TECHNICAL STANDARD

POLICY RELATED CHANGE

RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (5 FEB 2016)

COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
136 1101 General Exemptions. Break into two subsections - one that applies citywide and one that only applies outside design review district.	Revise as follows: 1101.A "A zoning permit is not required for the following land development..." then leave paragraphs 1, 2, 3, 4, 8, 10, 11, 13, 14, 15 and 16 in this subsection. 1101.B "Except within the Historic Design Review Overlay District, a zoning permit is not required for the following land development..." then move paragraphs 5, 6, 7, 9 and 12 to this subsection. Delete 2201.C(6) it will no longer be needed.	
137 1101 General Exemptions. Add exemption for bulkheads.	Add another paragraph to 1101.B for "Bulkheads"	
138 1101 General Exemptions. Add exemption for dormers.	Add another paragraph to 1101.B for "Dormers"	
139 1204 Abandonment and Discontinuance. Need to clarify language.	Revise "...if it has been abandoned or discontinued for a 12-month period." to read "...if it has been abandoned or replaced with a new use." throughout this section. Retitle section "Abandonment"	
140 1206.B Language is unclear.	Revise to read "The Administrative Officer may grant one or more extensions in 6- to 12- month increments as most appropriate to the situation for a total of not more than 30 months upon finding that..."	
141 210 Zoning Districts. Concerned about "neighborhood character" subsections in each district. They could be used by neighbors to oppose infill development or increased density. Language should be firmed up or deleted. If neighborhood character language is to remain, it should describe the desired future character of the neighborhood not the existing character.	No change recommended at this time. Neighborhood descriptions should be re-examined following update of city plan.	
142 210 Zoning Districts. Concerned about use of the term "compatible." Recommend looking at the City of Portland Infill Design Toolkit for a better definition of the term.	Add a definition of compatibility to 5301.C as follows: "COMPATIBILITY means the characteristics of proposed land uses or development that allows it to be located near or adjacent to other land uses or development in harmony. Compatibility does not mean "the same as." It is not about maintaining the existing density on a street or replicating the architectural styles of nearby buildings. Rather, compatibility is about responding to neighborhood patterns so that change can be accommodated while maintaining or enhancing neighborhood character."	
143 2101.D Materially Similar Uses. Revise to more closely reflect current practice.	Delete Paragraph (1). Revise Paragraphs (2) and (3) to read "...as that listed use..." deleting the "in the same zoning district" portion of each.	
144 2103.F(1)(a) Architectural Standards. This standard is not clear and is too specific. It should be removed. Same comments for 2104.F(1)(a) and 2105.F(1)(a).	No change recommended.	
145 2103.F(2) Urban Center Architectural Standards. Alignment requirement cannot be achieved in many cases due to building codes and flood regulations. Many historic buildings are not aligned and look great. This standard should be removed.	No change recommended. This provision includes a "to the maximum extent feasible" to accommodate site specific conditions.	
146 2107. Mixed Use Residential District. Concerned about allowing additional commercial uses in areas that are predominately residential and encouraging conversion of existing residential to commercial use. Make all commercial uses in MUR conditional.	No change recommended. The only permitted commercial uses in MUR are professional services (office) and food services contractor (catering). All the others are already conditional. Even the permitted commercial uses will require site plan review.	
147 2107. Mixed Use Residential District. Eliminate this district entirely and re-zone those properties to HDR.	No change recommended. The district was drawn to encompass existing nonresidential uses and higher density multi-family housing that would be nonconforming in the HDR district.	
148 2107. Mixed Use Residential District. Re-zone Main Street from the roundabout to Lincoln Ave to HDR.	No change recommended.	

NO CHANGE PROPOSED
  CHANGE TO CORRECT/CLARIFY LANGUAGE
  ORGANIZATIONAL CHANGE
  CHANGE TO TECHNICAL STANDARD
  POLICY RELATED CHANGE

RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (5 FEB 2016)

	COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
149	2107. Mixed Use Residential District. Re-zone the neighborhoods to the north and south of the Main Street corridor from the roundabout to Lincoln Ave to HDR.	No change recommended.	
150	2107. Mixed Use Residential District. Re-zone the properties on College Street north of East State St to HDR.	No change recommended.	
151	2107. Mixed Use Residential District. Remove the section of East State Street from Hubbard to West Street from MUR, except for the Primmer Piper property.	No change recommended.	
152	Figure 2-12 HDR Dimensional Standards. Increase minimum lot size to 4,000 sf and maximum density to 1 du / 4,000 sf.	No change recommended.	
153	Figure 2-14 MDR Dimensional Standards. Increase minimum lot size to 8,000 sf and maximum density to 1 du / 8,000 sf.	No change recommended.	
154	Figure 2-16 LDR Dimensional Standards. Increase minimum lot size to 12,000 sf and maximum density to 1 du / 12,000 sf.	No change recommended.	
155	2201 Historic Design Review. Do not expand area subject to design review.	No change recommended. The area subject to design review is not expanding. The boundaries are being aligned with the National Register Historic District as called for in the city plan. This results in a lot of land being removed from the design review district (ex. the area around National Life and only a small amount of land being added that was not previously within the overlay district. The Cliffside neighborhood is currently in the design review overlay and as it is in the National Register District, the recommendation remains for it to stay in the design review overlay.	
156	2201.G Historic Design Review General Standards. Cite the Secretary of Interior Standards verbatim.	No change recommended. The only change to the text of the standards is to use “must” instead of “shall” which is consistent with usage throughout the regulations. Part 5 includes a statement that “must” and “shall” are synonymous.	
157	2201.H Historic Design Review Specific Standards. Clarify language related to non-historic replacements.	Replace the phrase “20th century” in various subsections with a more specific reference to replacements less than 50 years old as follows:  (1) “...typically not including replacement windows and doors that are less than 50 years old...” (4) “...typically not including replacement roofing materials that are less than 50 years old...” (6) “...typically not including replacement siding that is less than 50 years old...”	
158	2201.H(6) Replacing Historic Siding. Do not allow use of fiber cement because it is not durable under wet conditions.	No change recommended.	
159	2201.H(10)(b) Need to fix reference.	Revise to read “Design Review Committee”	
160	Figure 3-07. Minimum Parking Ratios. Increase minimum parking space requirement for residential to 1.5 spaces per DU in RIV, MUR and HDR and to 2.0 spaces in MDR, LDR and RL. Concerned about on-street parking in neighborhoods that currently don't have cars parking on the street.	No change recommended. The intent is to set a the minimum requirement low so that the zoning does not require excess parking where it is not needed. On-street parking could not be used to meet the minimum parking requirements under the draft regulations. The minimum required parking must be on-site unless the DRB approves a plan for off-site (which would also have to be off-street) parking.	
161	3117.D Fueling Station. A convenience store is allowed as an accessory use to a fueling station but the size is limited to 3,000 sf. Do not limit the size of convenience stores.	No change recommended. The PC decided not to allow most retail and restaurant uses in the EG, where fueling stations are allowed, in order to guide retail and dining activity downtown. Limiting the size of convenience stores is consistent with that policy.	
162	3201 Design and Compatibility. Eliminate use of term “compatibility” from this section.	No further change recommended. See recommended addition of definition of “compatibility” above.	

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CHANGE TO CORRECT/CLARIFY LANGUAGE

ORGANIZATIONAL CHANGE

CHANGE TO TECHNICAL STANDARD

POLICY RELATED CHANGE

RESPONSE TO COMMENTS RECEIVED ON THE DRAFT MONTPELIER UNIFIED DEVELOPMENT REGULATIONS (5 FEB 2016)

	COMMENT	RECOMMENDATION	PLANNING COMMISSION ACTION
163	3401.B Infill Housing PUD Applicability. Allow infill housing PUDs in LDR district.	Revise to add Low Density Residential district to list.	
164	3401.B Infill Housing PUD Applicability. Do not allow infill housing PUDs in MDR district.	No change recommended.	
165	3401.C Infill Housing PUD Density Bonus. Reduce density bonuses from 25-50% to 20-40%.	No change recommended.	
166	3401.I Infill Housing PUD Parking. Do not eliminate parking requirement for senior or affordable housing in the MDR or LDR districts.	No change recommended.	
167	5301.S Add definition of solar energy device.	SOLAR ENERGY DEVICE means a device that transforms direct solar energy into thermal, chemical or electrical energy including, but not limited to, solar hot water systems and solar photovoltaic systems.	

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 CHANGE TO CORRECT/CLARIFY LANGUAGE

 ORGANIZATIONAL CHANGE

 CHANGE TO TECHNICAL STANDARD

 POLICY RELATED CHANGE