

Michael Miller

From: Michael Miller
Sent: Wednesday, August 23, 2017 11:49 AM
To: 'Dona Bate'; Roberta Tracy
Cc: Anne Watson; Jean Olson; William Fraser
Subject: RE: Zoning Comment

Ms. Tracy,

Thank you for your concerns about the draft zoning. I want to take a moment to say that we in the Planning Department and the Planning Commission share your love for this city. The Commission has listened to a lot of public comment over years and included those changes in the draft before Council. Some people have taken to paint the draft zoning in a way that is not completely accurate so I would like to make sure you have both sides so you can understand what is being proposed. You may still not be in support but I hope you can appreciate the effort the Planning Commission made to draft some rules that will make Montpelier better going forward.

Regarding the environment- The planning commission worked with the conservation commission to develop a number of new environmental rules that do not exist today. For example we have strengthened the wetland rules which are very weak today. New rules cover both wetlands and vernal pools as well as have added required minimum setbacks. We have mapped steep slopes and, in the draft, limit development on moderately steep slopes and prohibit clearing or development on the steepest slopes. In zoning today there are no protections for streambanks so we added new language including riparian setbacks and buffers. We reduced zoning in rural areas to one unit per 2 acres and unbuildable areas (wetlands and steep slopes) cannot be used to calculate density making it even less dense. New erosion control rules will improve our oversight of development during construction. Finally the new Planned Unit Development rules have a number of requirements to protect natural resources first and encourage it in other places.

Also related to the environment is river corridor protection. A new river hazard protection area is proposed from Cummings Street to Wrightsville which will prohibit almost all new development within the state designated river corridor. This will have a long term benefit of allowing the river room to move without risking life or property.

Regarding tear downs- This has been an odd complaint from opponents because most of this is already possible under the current zoning but doesn't happen. There is no market for such activities which is why it doesn't happen. The Planning Commission had proposed to expand the design review to protect against those types of actions but it was defeated last year. The Historic Preservation Commission is now looking at other alternatives for the public to consider because we know this is a concern. As it stands the current zoning will maintain the same rules as in effect today for historic and design review. We also want this strengthened but we need an alternative that has the support of more of the public.

Sabins – The planning commission has worked very hard to protect Sabin's. Although the press and others have painted them as wanting to develop the entire area, they actually proposed a number of very restrictive set of rules that were sent to our city attorney and found not to be legal (they would be unconstitutional because they are too restrictive of property rights). They worked their way to something they felt put the most incentives to protect the most valuable areas. There are other ways to zone Sabins pasture that the Council will consider (probably tonight). My message has not been "don't protect Sabin's". My message has been zoning is a very weak tool to protect Sabin's no matter what rules you write. I don't want people to get a false hope by putting something in zoning and feel that it has strong protections. There are better and more effective tools like the Official Map that the City Attorney and I have been advocating for.

Regarding your property on Kent Street I think it is helpful to point out that your zoning will decrease under the new rules. Under current zoning someone can tear down your house and replace it with 6 units. They can do all that with an administrative permit (no hearing). Under the new zoning your density is half what it was (now 3 units would be possible), there are new architectural standards for new buildings that don't exist today, setbacks and height requirements are the same except for rear setbacks which have been reduced due to the number of variances in your neighborhood, and we have added a maximum footprint for a building to prevent projects like the one that had been proposed on Sibley Street. Although not possible on your property, if someone does proposes more than 4 units in your neighborhood it would now be a conditional use and require a hearing and notice to neighbors. Today they could pull permits and begin work in 15 days. The Planning Commission added these protections because they care for neighborhood character and felt zoning today does not have enough protections.

The planning commission cares a great deal about the environment and the character of the neighborhoods. They took the approach of trying to loosen rules where appropriate (parking in the downtown for example) and to tighten rules in other areas (as described above). They certainly have no interest in unbridled development. They feel these new rules are a step in the right direction and we look to the council to make the final policy decisions – to make improvements to what has been proposed. We want to use this document as a foundation for making improvements on going forward. Not approving this draft will put us back to the prior zoning which we feel leaves the city without many protection the new rules will provide. If someone feels something still needs to be changed (e.g. Towne Hill density) then I support making changes to this draft so it can be passed.

Thank you again and I hope this helps clarify a few points for you.

Sincerely,

Mike

Mike Miller, AICP CFM
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From: Dona Bate [mailto:dbatedistrict1@gmail.com]
Sent: Tuesday, August 22, 2017 10:02 PM
To: Roberta Tracy <rtracyjr@sover.net>
Cc: Anne Watson <AWatson@montpelier-vt.org>; Jean Olson <JOlson@montpelier-vt.org>; Michael Miller <MMiller@montpelier-vt.org>; William Fraser <WFraser@montpelier-vt.org>
Subject: Re: Zoning Comment

Roberta,

You obviously love Montpelier and your house is one of its gem. I too moved here (51 years ago) and can't imagine a better place for raising my now adult sons & enjoying my granddaughter. If we sat and shared our visions I think we'd find a lot in common.

I'll reread the suggested changes for your neighborhood and make sure it still contains the many different avenues of limitations that should reduce your anxieties.

The 2010 Master Plan (MP) was created from over two years of city-wide, highly attended public meetings. I respect the values & goals it set out for Zoning. Neither the MP, Zoning or Council want to destroy Montpelier's history nor its unique personality.

Im seeking a future that is more inclusive and diversified, which means more housing and at a wider range of housing cost (both rentals & ownership) that will allow for more diversity of incomes. A balance growth in housing & jobs will keep Montpelier attractive, innovative and more affordable.

You & I may not agree on which policies will give our historic city a bright, healthy future; but we both love our adopted home.

Council will continue to study our zoning options in the coming months and I look forward having an exchange of ideas with you & Dan.

Thanks for writing; it's started a dialogue.

- Dona

On Tue, Aug 22, 2017 at 3:45 PM Roberta Tracy <rtracyjr@sover.net> wrote:

Roberta S. Tracy

8 Kent Street

Montpelier, Vermont 05602

August 22, 2017

Dear City Council Members,

Yesterday's eclipse served to remind me of the beauty and fragility of the world in which we live. With the current federal administration wreaking havoc on the environment, now more than ever, it is essential that each of us does all within our power to protect, preserve, and respect our environment and the habitats that surround us. That we take the opportunities at hand to live by the values we espouse and set an example for others to look to. To remind ourselves once again that, "we do not inherit the earth from our ancestors, we borrow it from our children."

I have lived in Montpelier for over 25 years. I could live elsewhere, but have chosen to make my home here. But, my time in Montpelier may be coming to an end as I have no desire to live in a community destroyed by monumental changes implemented by hasty decisions based on flawed documents, inadequate and insufficient research, and poor counsel. From my vantage point, the City Council is falling into a trap by mistaking "the capacity for development as a mandate for development", which is both ill-advised and ill-considered. Once you spring this trap, it cannot be unsprung. The damage you do through what you consider to be the best of intentions will unleash an unprecedented destructive force on the City of Montpelier destroying its character, architectural heritage, wildlife corridors, natural habitats, neighborhoods, and its intrinsic beauty.

The zoning currently proposed for Town Hill Road would more than triple the density for this part of the city. Huge swathes of homes could be purchased by developers torn down and replaced by apartment buildings, condominiums, and hotels obliterating Montpelier's architectural heritage, destroying neighborhoods, and outstripping the limits of its infrastructure creating a significantly increased financial burden on taxpayers. Where is the traffic impact study? The environmental impact study? Any study at

all? To my knowledge, none have been considered or commissioned for this or any other proposed zoning changes for the City of Montpelier.

Sabins Pasture is an opportunity I fear you are on the verge of squandering. Montpelier's parks and green spaces are essential to its continued vitality and desirability. Clustering development on Barre Street and preserving the upper pasture would provide many benefits to the city, including much needed relief for Hubbard Park, which has been suffering from the effects of overuse for well over a decade. It would also provide much needed green space on the east side of the city, serve as an attractive and inviting gateway, and preserve an important wildlife corridor. To my knowledge there are no traffic or environmental impact studies in evidence other than those commissioned by Friends of Sabins Pasture approximately ten years ago. These are available to you and I recommend you include and consult them in your decision making process if you have not already done so.

My home on Kent Street was designed and built by noted architect and Montpelier resident Clarence D. Wells for Dorman Kent, a person of significance in Montpelier's history and that of the Vermont Historical Society, around 1902. This beautiful Arts and Crafts period home has survived into the 21st century with few changes; it stands as a tribute to Montpelier's past. If proposed zoning is passed this architecturally and historically important home could be torn down and replaced by three housing units. Yet, no studies are in evidence to show the impacts such proposed changes would have on this or any other neighborhood in Montpelier. Have these considerations even entered into the Council's deliberations?

It is unconscionable that change of such magnitude can be contemplated without a full understanding of the potential impacts. I implore you to slow down. To engage in a careful, thoughtful, and thorough process that allows you to develop a full understanding of all aspects of the changes you are proposing and their full impact lest Montpelier become the next Colchester, South Burlington, Winooski, or even Barre City.

Sincerely,

Roberta Tracy

802-223-5319

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Dona Bate Sent from iBrain thru iPhone/iPad Call dbate speaking & add pizzaz & confidence! 802.229.1111