

Montpelier Planning Commission
April 26, 2004
Memorial Room, City Hall

Subject to Review and Approval

Present: David Borgendale, Chair; Carolyn Grodinsky, Vice Chair, Bryan Mitofsky (left 8:15 p.m.), Irene Facciolo, Rich Sedano, Curt McCormack, Valerie Capels. Planning & Community Development Director

Call to Order

The meeting was called to order by David Borgendale at 7:05 p.m.

Approval of Minutes

The minutes of February 23, March 22, and April 23, 2004 are not yet available.

Comments from the Chair

The Chair had no comments.

Review of Agenda

Mr. Borgendale commented that the Zoning Subcommittee discussion was intended to be on the May 10 agenda. He would also like to add Chapter 117 changes under other business.

General Appearances

There were no members of the public who wished to be heard on an item not on the agenda.

Master Plan Updates

Transportation Survey & Expenses

Ms. Capels reported that another person has been hired to input the transportation survey data who will be working about 6 hours a day, 3 days a week. We've received over 1,200 surveys and they take about 10 minutes each to enter. The data entry is being paid out of the planning grant funds and the municipal planning grant must be closed out by May 14, 2004. We expect the survey data input and analysis will be completed by then, which Lucy Gibson of Smart Mobility will incorporate into the draft chapter she is working on. The draft will be completed in time to be submitted for the grant close-out. The Commission should plan on at least one meeting in May and one in June to review and provide feedback on the draft chapter Lucy is producing so it can be completed by the end of June.

There was much discussion of transportation plan and survey expenses and funds remaining for upcoming planning work. Mr. Mitofsky asked if volunteer data entry would help bring down the cost of the project. Expenses and planning funds will be discussed further at the next meeting. Ms. Grodinsky recommended that commissioners e-mail the planning office in advance with any specific questions.

Master Plan Outline

The revised Master Plan outline was briefly discussed. Mr. Borgendale would prefer that the changes from the prior version be shown with strike-out and additions shown. Ms. Grodinsky suggested that the Commission not spend time focusing on what specific things are going in to each chapter, like graphics. The outline provides an idea of the overall structure of the master plan.

Neighboring Towns Meeting

Ms. Capels reported that she left phone messages with some of the adjoining town PC chairs but that she hadn't connected with them all; nor has she heard back from anyone. The CVRPC representative would be Chris Walsh and he was on vacation. Commissioners decided to reschedule this to a meeting in July,

which would work out well if we succeed in having a preliminary draft plan together that will help highlight issues to be discussed. The towns to be invited include: Barre, Berlin, Middlesex, E. Montpelier, Waterbury, and Northfield.

Continuation of Zoning Discussion Conservation Commission Memo

Ms. Capels said that this was on the agenda last time but was not discussed. Commissioners asked what initiated this? What process did the Conservation Commission go through to develop these recommendations? It was agreed that the Commission would like make sure Anne Campbell is available when this item is next on the agenda and possibly Geoff Beyer or a member of the Conservation Commission.

Mr. Mitofsky took issue with the reference to public access because Sabin's Pasture is private, posted property and has been for a long time. The Views and Vistas report has still not been reviewed and accepted, not even by the Conservation Commission. The natural resources inventory is supposed to be done by the Conservation and is not done.

Ms. Grodinsky recounted that the Open Space Advisory Committee is developing a checklist (list of criteria) of the natural and open space features that are important to the community that would be applicable to any parcel in the city. This is what we need and we're missing.

Sabin's Pasture Re-Zoning

Mr. Borgendale said that he poured over the current regulations and concluded that there is nothing in the document that would allow the Commission to accomplish the myriad of objectives that the community has identified for Sabin's Pasture. The Commission needs to be sure that what ever is added will work elsewhere in the city.

Ms. Facciolo and Mr. Mitofsky recommend that a technical writer be hired to craft the language to achieve the objectives.

Mr. Borgendale identified two major issues: how to divvy up the Sabin's Pasture parcel for the appropriate uses, and how to implement it.

Ms. Capels pointed out that state law requires that zoning regulations implement the Master Plan, and this has been strengthened in the recent statute changes. She is concerned that proposals such as a new district will also require a Master Plan amendment, either before or simultaneous with the zoning amendment. She and Stephanie believe that changes can be made within the existing regulations that would not require an amendment to the Master Plan, such as beefing up the PRD provisions, adding form based standards, including the natural resources checklist, and other ideas. Mr. McCormack noted the term "beefing up" and asked why not beef down? Make the regulations less onerous to encourage housing.

Michael Hoffman noted that what ever is done needs to be tested against its citywide applicability or impacts. Standards could be developed that reference the Sabin's Pasture area specifically. If the entire city burned to the ground, the present regulations would not allow it to be rebuilt in the same way we appreciate it today.

Gordon Hall asked whether the report that the Friends of Sabin's Pasture presented to the Planning Commission could be used to develop amendments within the existing regulations.

Mr. Borgendale noted that the Commission did not agree with the report's conclusions or recommendations, such as open space criteria based on who was doing the seeing. Mr. Hall said that the interim zoning was in direct response to the FOSP petition, which must not be overlooked.

Carol Dorflein noted that there are good criteria available so that we don't have to reinvent the wheel. Anne Campbell may have the package of material Carol left with the Commission a few months ago. She supports the recommendation to hire a technical writer to craft the appropriate language.

Planning Commission Presentation to Council of April 28

Mr. Borgendale reported that he met with City Manager Fraser and Mayor Hooper a week and a half ago. Among the things they talked about was the Council's goals, which include 66 Main Street, Dickey Block, Sabin's Pasture, and affordable housing. Another thing they talked about at length is prioritizing the resources available among all the conflicting needs.

He will be meeting with the City Council Wednesday night at 9 PM. They're particularly interested in an update about the Master Plan and Sabin's Pasture zoning. Mr. Mitofsky said that the Council needs to prioritize the staff, committee, and commission resources so that everyone is working in unison toward the same priorities. The City Council also needs to address the fallout of the new PC and DRB process and the fact that staff resources are needed differently under the current PC than the former PC.

Mr. Mitofsky suggested that the Conservation Commission be moved under the auspices of the Planning Commission. Ms. Capels noted that the Conservation Commission has a specific statutory enabling language and authorities that are different from the Planning Commission.

Mr. Borgendale noted how the volume of variances required to go before the DRB takes staff resources away from being able to revise the dimensional requirements to reduce the need for the variances in the first place.

Ms. Facciolo suggested that the Council be asked to prioritize city-wide zoning or zoning fixes by parcel. Ms. Capels suggested that there are two types of zoning for the whole city: the sweeping changes that implement the master plan with new and innovating ideas, such as new districts; and the more mundane, fix-it list types of things to address problems in the existing regulations, like dimensional adjustments and procedures.

Mr. Borgendale responded to Mr. Hall and 's letter that the Planning Commission has the authority under state statute and their bylaws to create the zoning subcommittee.

Other Business

Chapter 117 Changes

Ms. Capels said that staff intends to produce its own analysis of the Chapter 117 changes within the next couple of weeks and highlight key issues we need to be paying attention to. Other groups will be doing similar analyses, but we don't when those will be available. Many of the changes will affect the development review process, such as time lines, public notice requirements, so we need to get a handle on that sooner rather than later.

Staff Situation

Ms. Capels reported that the department had a staff retreat and that Gail will be staying on board for at another three months while we work to implement a variety of changes in departmental duties and

procedures. She explained how it was concluded that the role of Administrative Officer turned out not to be a one-person job and reviewed some of the changes that will be made.

Mr. Borgendale said if there's that much work with the level of activity now, what will happen when things pick up? Ms. Capels explained that the shift to a DRB and the changes to the ordinance changed the process and significantly expanded the review criteria: site plan review went from 5 to about 17 criteria and all of Article 8 applies to practically everything. We are re-evaluating the paperwork involved as well many other things.

Mr. Sedano asked how our processes compare to other towns. Ms. Capels said that it's not necessarily comparing apples to apples because the complexity of the regulations and requirements vary from town to town. In Waitsfield, for example, the boards do not get any staff analysis and applications take a lot longer to go through the process; whereas we prepare staff reports and most applications are heard in only one meeting. Mr. Borgendale would like to know how a town like Williston manages with so much more development.

Ms. Facciolo noted from her experience that a staff report is done for every application that goes to the DRB, even little things like a deck addition; it's just busy-work. Mr. McCormack suggested that more things that could be administratively approved would lighten things.

Mr. Borgendale noted the catch 22 of the zoning changes that are needed to improve things but the lack to time to attend to the zoning changes because of the problems.

Next Agenda Items

Items for the next agenda include (not necessarily in this order):

- Chapter 117 summary of changes
- Master Plan budget update - updated spreadsheet to be distributed prior to meeting; commissioners should e-mail questions ahead of time so the discussion can be focused.
- Continue discussion of Conservation Commission memo - make sure Geoff Beyer, a CC member and/or Anne Campbell will be there to be able to explain the memo's context
- Zoning Subcommittee update/discussion

Adjourn

A motion was made and seconded to adjourn that passed unanimously. The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Valerie Capels
Director of Planning & Community Development

These minutes are subject to approval by the Planning Commission. Changes, if any, will be recorded in the minutes of the meeting at which they were acted upon.