

**Montpelier Planning Commission**  
**September 13, 2004**  
**City Council Chambers, City Hall**

*Subject to Review and Approval*

**Present:** David Borgendale, Chair; Carolyn Grodinsky, Vice Chair; Ann Campbell; Irene Facciolo; Curt McCormack; Marge Power; Richard Sedano  
Staff: Valerie Capels, Planning & Community Development Director

**Call to Order**

The meeting was called to order by Mr. Borgendale at 7:15.

**Review of Minutes**

Ms. Campbell made a motion to approve the minutes of the August 23, 2004 Planning Commission meeting, seconded by Mr. Sedano. In response to a question from Ms. Campbell, Mr. McCormack said that the last sentence of the third paragraph on page 2 should be revised to show quotation marks around the word “plan.” Ms. Campbell said that the word “subjective” should replace “objective” in the fourth sentence of the last paragraph on page 3.

The Commission voted unanimously to approve the minutes with the changes.

**Comments from the Chair**

Mr. Borgendale said that he saw two misconceptions related to the recent publicity about the Zoning Committee initiative. The first misconception is the belief that the zoning regulations were completely rewritten three years ago. Those revisions were predominantly procedural. He recalled that, at that time, Ms. Capels said that further revisions would be forthcoming. The second misconception was that it is inappropriate to work on the Master Plan and the zoning regulations concurrently since the zoning must reflect the Master Plan. He said that all the advice that the Planning Commission has received says that the Master Plan and the zoning should be revised concurrently. This became particularly apparent in the discussions of the impact of the changes to Chapter 117.

Ms. Grodinsky said that the Planning Commission needs to think about how to keep the public informed. Mr. Sedano said that there should be a plan for engaging the public and for effectively communicating in both directions. Ms. Capels concurred that the Planning Commission needs a public relations plan for the Master Plan, an issue that was raised last October. Mr. Borgendale said that it is difficult to get public participation. The recent controversy may actually be an opportunity to get the public involved.

Mr. Borgendale said that there will have to be objective criteria for establishing conservation zones. The Planning Commission will have to be able to explain the rationale for decisions. He noted the Chapter 117 will require that the Planning Commission develop a report assessing the impact of zoning decisions on affordable housing in the community. Ms. Grodinsky said that the exact placement of the zoning lines will be difficult to justify. Mr. Sedano said that it is important that the Commission understand why those lines are placed where they are. Ms. Campbell said that this is another reason why it is important to have the public involved as early in the process as possible. Ms. Power said that she agreed, but believed that the public is likely

to become most engaged when they see the actual lines on a zoning map. Mr. Borgendale said that is why it is important to use objective criteria that can be explained.

### **General Appearances**

A member of the public asked about the recent publicity regarding the zoning consultants and said the new reports did not say that the Planning Commission is interested in citywide zoning. Mr. Borgendale replied that the Planning Commission said the current zoning regulations are not adequate to do the type of zoning that should be done for Sabin's Pasture. It is not appropriate to rewrite the zoning ordinance to create a zoning scheme that is only applicable to Sabin's Pasture. The zoning changes must be applicable throughout the City.

### **Review of Open Space Advisory Committee Resolution**

Mr. Borgendale welcomed Geoff Beyer of the Open Space Advisory Committee.

To allow for discussion, Mr. Sedano made a motion to approve the resolution to establish the Open Space Advisory Committee as a subcommittee of the Planning Commission, seconded by Ms. Grodinsky. Mr. Sedano asked who maintains the build-out software that is referenced in the resolution. Ms. Capels said that the Planning Office has the software. Staff that had been trained to use it are no longer here and we are in the process of learning to use it.

Ms. Capels suggested that the purpose of the Committee be clarified. She said the first "whereas" describes the original purpose, but the present purpose is not clearly defined. Ms. Grodinsky said she sees the Committee gathering information on different tools to help the community plan for open space. Mr. Borgendale agreed that there should be a statement of the Committee's purpose. He would like the Committee to develop criteria for evaluating open space, to inventory open space and to develop and apply a classification scheme to open space. Ms. Power said that she was thinking that a checklist would be a beginning, but the Commission may want to develop a scoring system. The actual information may reveal the answers regarding drawing the zoning lines. The Commission needs to get the open spaces categorized so that the important information is revealed. Ms. Grodinsky said that the Committee's role is advisory. They should be giving the Planning Commission tools and suggestions. The resolution does not need to discuss the specific products of the Committee.

Ms. Campbell said that the document does not discuss natural resources. The last line of the first "whereas" should be revised to "... protect its open space *and natural resources* and the character of Montpelier." Ms. Capels said that issue could also be addressed in a more refined statement of purpose.

Ms. Power suggested asking the Committee to write a purpose statement reflecting what the members believe they should be doing. Several Commission members agreed. Mr. Beyer said that he will bring the question to the Committee. It would help to have an understanding of what the Planning Commission would like to see included in such a statement. Ms. Campbell said that the Committee could start with Mr. Borgendale's suggestions. Mr. Beyer said that there was previously resistance to classifying and rating by prior Committee members. He asked what the benefit of including classification in the resolution would be. Ms. Campbell said that there

would be a benefit in clearly stating the Committee's responsibilities. Mr. Borgendale said that he understood the Open Space Advisory Committee previously resisted making preservation decisions. The Commission is not now speaking of having the Committee make decisions on open space, but instead, the Committee would advise the Planning Commission that particular classes of open space have particular sets of qualities. Ms. Facciolo asked whether the Commission was now considering creating a scorecard of property that will be non-developable. That is different from creating a classification system to be part of the development review process. She does not necessarily agree with the classification of specific properties in the Master Plan. She thought the open space criteria would be part of a larger group of criteria that could be applied to any property. Ms. Power said that the Master Plan will address conservation areas as zoning districts. The Open Space Advisory Committee is assisting in weighing the value of various parcels. Ms. Campbell said that she reads the resolution to say that the information generated by the Committee will not only apply to the Master Plan.

Mr. Beyer said that this discussion highlights the reason that he is reluctant to be too specific in the discussion of the purpose to be contained in the resolution. Mr. Sedano said that the Commission should ask Mr. Beyer to develop a revised resolution that restates the purpose and level of detail that he believes to correct.

Mr. Sedano and Ms. Grodinsky said that they would withdraw their motion. Mr. Borgendale said the item would be tabled to the next meeting. Ms. Campbell noted that Mr. Beyer's name should be added to the list of Committee members.

### **Municipal Planning Grant Application**

Ms. Capels said that a copy of a memorandum recently given to the City Council was in the Commissioners' meeting packages. The deadline for applying for the grant was drawing near. The memorandum had to go to the City Council before it went to the Planning Commission because the Council's meeting was scheduled before the Planning Commission meeting. The Council selected the Main Street Urban Redevelopment Plan as the project to apply for. Mr. Borgendale asked whether any action by the Planning Commission is needed. Ms. Capels said that it will be necessary for the Chair to sign the resolution that will be included in the grant application.

Ms. Power said that she understood that the alternative was to use the grant to defray the cost of the smart zoning project. Ms. Capels said she advised the Council that it was her opinion that the zoning project would not be eligible for the grant since the contract would already have been signed before the grant was awarded. Ms. Campbell said that it could have been broken into two parts. Ms. Capels said that they were not interested in doing that. Mr. Borgendale said that a portion of the grant could have been used for the fiscal impact analysis. Ms. Capels said that she reviewed the Master Plan budget. The Commission has a \$15,000 planning grant paying for the Fiscal Impacts of Growth study. There is still \$10,000 in this year's capital budget. Some funds carried over from last year and another \$10,000 can be expected in FY06. She said that this means that the Commission can expect to have \$30,000 available for Master Plan expenses. Mr. Borgendale clarified that, with the funds that are already encumbered, it appeared that the Commission has about \$23,500 for Master Plan expenses. Ms. Capels said that was probably correct.

Mr. McCormack asked for a description of the project. Ms. Capels said that the idea was to have a design team lead us through a visioning process on what could be done in the downtown area. It has been estimated to cost about \$40,000 for the project. Mr. Borgendale asked whether the Planning Commission wanted to pass a resolution agreeing to the application for the planning grant for this purpose. Ms. Campbell made a motion to approve a resolution agreeing to the application for a planning grant. Mr. Sedano seconded the motion. The motion was approved unanimously.

### **Master Plan Draft Topics**

#### **Transportation**

Ms. Grodinsky introduced the topic. She said that she did not have as much time as she had hoped, so some of the goals may be redundant. She tried to put them in order of importance. Some of the verbs in the earlier Master Plan and other documents were not as definite as they should be. She revised some of those and noted that others still needed revisions. Ms. Power recommended using care in choosing the verbs to avoid implying a level of commitment beyond what is intended. Ms. Facciolo said that the discussion of the parking system will be covered again in the parking section of the Master Plan. Ms. Grodinsky said that she felt that there is so much overlap between the topics that some subjects will be included in several sections. Bridges are likely to be covered in several sections.

Ms. Grodinsky said that she was not sure of what to say in Goal #9 about tradeoffs except that there will be costs related to the choices that are made. Mr. Borgendale noted that there are costs beyond monetary costs that are tradeoffs. Mr. Sedano suggested that Goals #3, #4 and #7 are subsets of the balanced transportation system discussed under Goal #2. Those goals should be approached from the point of view of seeking balance.

Mr. McCormack noted that Goal #3 poses a question. Ms. Grodinsky said she thought the sections should be kept together. Mr. McCormack said he was going to say that they should be separate. Ms. Grodinsky said she wanted to combine the sections for a more concise discussion. Mr. McCormack said he would like to see a statement that bikes should be allowed at all locations and the City should make conditions as safe as possible for them. Ms. Grodinsky said she agreed that there is a need to emphasize safety for bike lanes. Mr. McCormack said that designated bike lanes are good, but there must also be accommodations for sharing the road where bike lanes are not designated.

Ms. Facciolo asked if the goals and implementation strategies reflected the views of the Planning Commission or of all of the interested parties and public forum participants. Ms. Grodinsky said that she included all suggestions for the topic. The Planning Commission should then make conscious determinations on whether to adopt those goals. Mr. Borgendale said the Master Plan document must reflect the beliefs of the Planning Commission. Mr. Sedano said that he did not include all suggestions in his work of the topics. The Commission is now in the processing phase and he did not include ideas that he did not feel were appropriate. Ms. Grodinsky said she felt it is important to note the ideas of the experts that the Commission heard. Mr. Sedano suggested that other ideas be noted at the bottom of the draft topic sections. Mr. Borgendale said

he understood the Commissioners would be presenting items that the drafter believes should be included in the Master Plan. The other Commissioners could then provide input and make changes. Ms. Grodinsky said it is important to note the other suggestions so that the rest of the Commissioners will know what was not included. Mr. McCormack said he will try to do that, but cannot guarantee that he will do so thoroughly. Mr. Sedano said the goal should be transparency, but to also reflect the writer's opinions.

Mr. Borgendale said that he agrees with using directive statements that clearly describe the Planning Commission's intentions. He said that words like "encourage" can be replaced with stronger or more definitive words. Ms. Power said that, in choosing the appropriate words, the writer should consider the level of commitment that is being articulated.

Ms. Power said that the subject of reducing dependence on the use of private vehicles was missing from the section. There should be an appeal to drivers as residents of the city to consider the priority that traffic not ruin their quality of life. The planning and classification of the streets should be based on preserving the neighborhoods. There should also be a call for a sidewalk inventory.

### **Housing**

Mr. McCormack reviewed the draft of the housing section. He noted that he wanted to include a specific density goal so he set it at "at least 40 units per acre." The Commission does not yet know what type of residential zoning it will have. He felt the elimination of variances by making the by-right density as high as feasible would be an improvement. The 40 unit per acre density was based on the most dense residential district in Burlington, where the density can go up to 60 units per acre. Ms. Capels said that it is a question of what density is by-right and what is not. There is also a need to plan for impacts such as parking demand and to address those in the Master Plan. Mr. Borgendale said that this is a case where the Master Plan will discuss tradeoffs. He did not know that 40 is the right number, but that he thinks it is good to have a number. It should be clarified whether the number reflects an average density for the city or the density in certain residential zones. Ms. Campbell said she thinks there is a general consensus that there will be more dense zoning with open space between. The question is whether we want to live in a city like New York or like Montpelier.

Mr. McCormack said that the office park zoning district should be eliminated. National Life would be grandfathered in the zone. Ms. Capels asked how that change relates to housing. Mr. Borgendale said the office park district is inconsistent with the objective of mixed commercial and residential uses. Ms. Capels recommends that the Planning Commission discuss that recommendation further.

Mr. McCormack said that he had deleted the items on design control under item B. He does not think that design issues are as important as achieving densities. Ms. Power said she is a fan of the design control provisions because many designers produce ugly designs. Ms. Facciolo said that she also believes the design controls should remain.

Ms. Power said that item C1 should be rewritten to be understandable. Mr. McCormack said that he would take out items #3, #4, and #5 because they are not strong statements. Ms. Grodinsky

said the language is acceptable as a policy, but the implementation should be spelled out. Mr. Borgendale said he would like to see item C5 rewritten because some conversion of uses will have to be allowed to achieve mixed uses. Ms. Power the statement could say that conversion should be discouraged by a housing replacement policy.

Mr. Borgendale said the Commission should decide how it wants to use the time remaining for this meeting. Ms. Grodinsky said that it would be better for everyone to review the drafts and comment between the meetings. Mr. Sedano suggested that the writers need to distribute the drafts at least a week in advance or the draft will not be discussed at that meeting. Ms. Grodinsky agreed. It is inefficient to discuss the drafts at a meeting when the Commissioners have not had time to review the documents in advance. Mr. Borgendale said he was hoping that each topic would be brought to the meeting in a condition that would allow the author to make a motion that the Commission accept the topic. He said that all of the drafts that were received today should be moved to the next agenda with the understanding that, if the authors say they are ready, they will be prepared to make a motion that the topic become part of the draft Master Plan. Mr. Sedano said that e-mail could be used to exchange ideas outside of meeting times.

### **Civic District**

Mr. Sedano presented the three goals that are identified for this topic. Ms. Power said that something could be added about State communication of agency plans. Also, reference to administrative structures should be rephrased to avoid confusion with physical structures. Mr. McCormack said that he would beef up the first bullet under goal #2. Mr. Sedano said he would look to Mr. Borgendale for input since he attends the meetings. Ms. Power said that the public will want to see something about the State providing funding. Mr. McCormack asked whether something could be added saying that the Planning Commission supports the extension of the district heating project outside of the Capitol Complex. Mr. Sedano said that the concept is a good one, but that he would want to have a better sense of what the extension would mean to users and customers.

Mr. Borgendale said he would like to end the discussion of the topics with the understanding that the documents that have been discussed will be revised. He said that all of the documents to be on the next meeting agenda should be brought in a form that is ready for a motion.

### **Fiscal Impact of Development Study**

Mr. Borgendale asked whether the consultants were waiting for any input from the Planning Commission in order to proceed with the analysis. Ms. Capels said that it was not clear whether Mr. Crane is expecting any response to the scenario that was provided to the Commission for discussion. Mr. Sedano said the final product should use a scenario that shows a change large enough to show effects, but that is not so large that the focus shifts to the scenario as a forecast. Ms. Facciolo said that she did not think that the Commission wanted to use the scenario of a single large employer moving into the city. Mr. Borgendale said the Commission rejected the scenario of a single large employer leaving town. Mr. Sedano said it may be that the large employer is being used to show the population growth in a way that will show measurable effects. Mr. Borgendale said he recalled that the Commission asked for a scenario showing mixed residential and commercial growth. The increases in employment could have been generated by the State and other employers rather than a single employer.

Mr. Borgendale summarized the suggested changes as follows:

1. Scale down the size of the scenario in terms of the increase.
2. Make the narrative less dramatic to keep the focus on the numbers.
3. Correct the water and sewer capacity numbers.

Ms. Facciolo said that the projected population numbers seemed to show a significantly large decline. Ms. Capels said the consultants generated those numbers. Mr. Borgendale said the Commission needs to know the source and basis for those numbers.

### **Update of Council Rezoning Committee**

Ms. Facciolo reported that the committee met with the consultant and a contract had been agreed upon. The consultant pointed out that the firm will not be giving the City a zoning map, but will be providing tools for the City to use to draw the zoning map. Mr. Sedano said he hopes that the consultant will help the City in understanding the tools and how to apply them. Ms. Facciolo said a draft should be ready next week. The City needs to get the word out about how the code will work for the community. Ms. Campbell suggested the Commission ask that the committee put some time and attention toward public outreach. Ms. Power said they also need to address the language used to describe the product. The use of term "picture book" results in negative interpretations. Ms. Campbell said that there should be outreach at the beginning of the process to get public buy-in. Mr. Sedano suggested that a subset of the Planning Commission and the City Council could be formed to work on the message, outreach, and on listening to the public. Mr. Borgendale said the immediate focus has been on responses to the newspaper articles. He did not know that the Planning Commission should be assuming an advocacy role at this time because the Commission has not yet seen the product. Mr. Sedano said the Commission should focus on what it knows about the needs of the city and addressing those needs in the Master Plan process.

### **Adjournment**

Ms. Power made a motion to adjourn the meeting. Mr. Sedano seconded the motion. The motion was approved unanimously.

Respectfully submitted,

Valerie Capels

*Transcribed by Kathleen Swigon*

*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.*