

Montpelier Planning Commission
August 27, 2007
City Council Chambers, City Hall

Subject to Review and Approval

Present: Ken Jones, Chair; Mark Kaufman, Christopher Paterson and Claire Benedict.
Staff: Clancy DeSmet, Planning and Zoning Administrator

Call to Order:

Ken Jones, Chair, called the meeting to order at 7:00 P.M.

Many of the discussions at this meeting were hypothetical – the opinions are representative of the community and not necessarily the individual members.

Comments from the Chair:

Mr. Jones said they should raise the possibility of scheduling the next All-Board meeting to Gwen because we talked about having one in the fall. That would be with Development Review Board, Design Review Committee, City Council, Conservation Commission and the Historic Preservation Commission. Alan Goldman gave him all sorts of news about activities that the Development Review Board has recently received materials on, such as the development of the triangle by the State and the Pyralisk building on Stone Cutters Way. Certainly, it isn't the Planning Commission's role to review those, but these are critical spots in our downtown, and if we knew more about them it would be helpful.

Mr. DeSmet said they had just met with the State of Vermont about the triangle site and all they had was a sketch plan review.

Review of Agenda:

Mr. Jones said related to the triangle there is Act 200. The triangle is the land bound by Memorial Drive, Dog River and the Park and Ride next to the Interstate. As a new result of Act 200, a new open approach to land use planning by state agencies is now in place. State agencies must now prepare meaningful public plans for all of their actions that affect land use. This is state law. In order for them to move forward on a fairly significant development there is supposed to be something in place we are aware of. The state agency planning process will continue to bring more emphasis within state government on information sharing, mediation, collaboration and citizen participation. Mr. Jones said it is very clear to him that the state really isn't doing it that way, so he will request Gwen to arrange a meeting with appropriate people to find out their interpretation of the law with the intent of allowing the City of Montpelier to participate a little bit more in the consideration of what they do with that land because this is related to our parking issue and what happens with the rest of the state and capitol complex.

Ms. Benedict inquired what the state planned on doing there.

Mr. Jones said he heard they want to move Motor Vehicles, Archives and Emergency Services to the land next to the Park and Ride. Ms. DeSmet said he thinks they only have money to move Archives right now.

Ms. Benedict inquired why this would be a bad thing.

Mr. Jones said he doesn't want our tone to say that the city wants to stand in their way of doing things. We have talked about the transportation and parking issues a great deal. That land is very near existing state offices. At Liquor Control there is a railroad track. While we have the Capitol Complex with its functions, this could very well also be a part of a complex. The city has a parking issue, and this is where the Park and Ride is located. The Department of Labor is also located where the shuttle parking. As they develop this service, are they going to be able to reduce the parking pressure downtown because of moving some of the functions? If not, is there some way to design this in such a way that the shuttle system or the parking opportunities out here actually help?

Mr. Kaufman said at a minimum they should keep the city informed as they develop their plans.

Mr. Jones said they need to know that the parking issue is largely a state issue, and it is very important to the city. It is probably affecting significant decisions in the city among city businesses, some city residents and visitors and

shoppers. Therefore, that is why the city and state need to talk a little more about this. It is because of the difficulty of parking at the state complex that affects the parking in the downtown. In other words, when we have an event at the State House, when the Legislature is in session that is when the parking gets a lot harder around the rest of the city. When state people go to the State House to put on functions, they have to be warned right away they need to be warned right away to worry about parking. You can't bring in 250 people because there is no place to park them. When Fred Bashara has an event at the hotel he has to have a shuttle because he can't find enough parking. He uses the Department of Labor lot. They have to be made aware that parking is a challenge

Mr. Jones said he would like to talk a little about envision Montpelier. There is a meeting of the steering committee of envision before the next Planning Commission meeting and the big envision gathering on September 11th.

Mr. Jones said they received something from the Regional Planning Commission. They have study/plan that allocates future housing growth in each of the towns in Central Vermont and they want each Planning Commission to provide comment and their general support for the idea. We should set a time to talk about because there are issues with their report.

Public Appearances:

None.

Growth Center Designation Grant Proposal:

Mr. Jones asked Clancy to give a brief summary of what he knows about the application process.

Mr. DeSmet said he hasn't had a lot of time to read about it. There is a lot of information in the 300-page Growth Center Planner's Manual. If Montpelier wants to grow in certain areas and there are certain areas of town which are amenable to growth, we need to get the grant out so we can plan it the way Montpelier wants it to be done.

Mr. Jones said he noted on page 6 that we need a Letter of Support from the Regional Planning Commission. Does the Regional Planning Commission have to consider our application? Mr. DeSmet said he would check. The amount of the grant is up to \$40,000.

Ms. Benedict inquired about the 10 percent match required. Mr. Paterson said it could be in-kind.

Mr. Jones said on page 2 it says towns may apply for up to \$40,000. Depending upon the amount requested by the application, one or more grants up to a total of \$40,000 will be awarded. Does this mean there is a pool of all towns in the state? Are they only going to allocate \$40,000? Mr. Kaufman said that is the way it reads.

Mr. DeSmet said there is a training session for this grant on Thursday, and the grant is due on Friday.

Mr. Kaufman said when reading this; you have 2 days to write the grant, a day to review it and a day to mail it.

Mr. Paterson asked Clancy if he and Gwen had talked about what they would use the money for. Mr. DeSmet said she wanted him to talk to members of the Planning Commission about that.

Mr. Kaufman said when reviewing the competitive criteria, we need to have a strong demonstration of readiness, compelling reasons, momentum within the growth center planning process, support from the Planning Commission and Select Board as well as any identified stakeholders, support from the Regional Planning Commission as being consistent with regional planning efforts.

Mr. Jones said the bottom line is they don't have the time to put a whole of effort into this application, and yet there may be a reasonable chance of getting the grant because this is the first round. He doesn't know how many towns and cities are looking at this grant at this point.

Background and planning context – we have gone through an extensive public review process of our zoning regulations and response to Sabin's Pasture, which is a piece of land that could very well end up within our growth designation. We have had a significant amount of discussion and redrafted our Master Plan to consider the possibility of growth right outside our immediate downtown. Mr. Kaufman added there has been interest expressed by the property owners or developers in developing the property in two very large parcels adjacent to our downtown.

Mr. Jones said the growth center designation has to include the current downtown. We are talking about the Route 2 corridor and Route 12 corridor. He said maybe they can even reference the statement by the Regional Planning Commission that in the last 30 years Central Vermont has seen a disproportionate amount of growth in communities around Montpelier and Montpelier is considering having more of the growth directed in Montpelier. We recognize that in order for development to take place in already concentrated areas it requires greater incentives. Montpelier is expressing interest in expanding development opportunities in its more current densely settled areas.

Mr. Kaufman asked if it would strengthen or weaken the proposal to also put this in the context that growth continues to be a contentious issue, the question of both how much and where. Montpelier is looking at this as a way to help in the larger community discussion about what we want the future to be.

Mr. Jones said much of the public comment about Sabin's Pasture people would say they weren't against growth but what it looks like and where it occurs. Mr. Paterson said they want well planned and controlled development. Use of the designated growth area would allow for that discussion to be enhanced.

Mr. Kaufman asked if under readiness they wanted to include the MDCA as another sign to focus on vibrant downtowns. We have an active downtown association.

Mr. Jones said under compelling reasons is where we talk about the history of Sabin's Pasture. We have struggled heartedly through that, and we need to have a stronger planning effort to allow for development of Sabin's Pasture and avoid some of the conflict we have had in the past. Mr. Kaufman said it addresses the specific needs of the community desire for controlled growth and development, called planned growth. The momentum piece is where we talk about envision.

Mr. Kaufman noticed the grant requires a resolution from the City Council. He said he assumes Montpelier's charter allows for voice vote by members not present at City Council, or is it strictly public meeting only. Mr. Jones said he didn't recall City Council taking an action on this. City Council held a special meeting on August 22nd. They aren't meeting now until September. If they discussed it without resolution and gave an affirmative to proceed that could be construed as a resolution and signed off by the Mayor. Mr. Jones said the Municipal Clerk has to sign that.

Mr. Kaufman said his suggestion would be for Clancy to talk to City Manager Frasier or Mayor Hooper tomorrow and show them the form and see if we can get this done. The only next question would be is to contact the state to find out when the next grant application is due.

Demonstrated intent to work with the Planning Coordination Group through the growth center planning process, which is the state. Yes, it is the Planning Commission's intent to work with the Planning Coordination Group throughout the growth center planning process. We could say we have been active in other discussions working with the state and Montpelier has a long history of attempting to work with the state government. We have a capitol complex which also involves the state.

Mr. DeSmet said he also needs to get a Letter of Support from the Regional Planning Commission.

The Planning Commission discussed Form 4, outlining the task and timeline for the planning project. We could use the grant money to develop the GIS capabilities so we can have a better way of visually representing a lot of the discussions we have. They could map the various consideration areas for public comment and public

discussion. From there they could develop a list with stakeholder input and tying that to current zoning regulations and infrastructure development as part of an initial feasibility study. Mr. Paterson said part of this would be to support a community forum next year to look at that map to plan out particular areas of the city. How would you like the gateway along Route 2 to look as you come into Montpelier?

Mr. Jones asked what the money would do. Mr. Kaufman said the money would help create the maps and information gathering, along with a community forum. With \$5,000 they could come up with a series of criteria or core values for each of the areas and that would form the basis to hire another firm to come and do the other future scenarios of what it would look like.

Mr. Jones said if they tell us we get the money by October 1st, that would give us time for Eric to do some grants. The first community forum could be sometime in February or March.

The budget for the grant was as follows: \$2,000 for maps; \$2,000 for forum; \$1,000 for writing up the results.

The next steps are that Clancy is going to check on the resolution question and calling Susan Sinclair at the Regional Planning Commission. If the Planning Commission gets something that looks like a resolution from City Council, then Clancy will write the grant.

Floodplain Zoning Changes:

The new FEMA maps have been issued. FEMA has done a lot of mapping and they have provided a model ordinance. The Central Vermont Regional Planning Commission took Montpelier's ordinance and identified places where we could insert the model language. It shouldn't be a problem inserting these into our current zoning ordinance. Mr. DeSmet handed out the draft language to members for their review.

CVRPC's Report for the Allocation of Future Housing:

Their analysis is anything but transparent. Their theme is that all towns should take responsibility for the appropriate amount of housing. They use the line to maintain the current proportion of housing in each town. If the area is going to grow 10 percent and there are 1,000 houses, you should get 100 in the future. That is how they verbalize it. If you can figure out the relationship between that language and how they then determine the number of housing units each community is supposed to get, let him know because towns have very different percentage growth rates.

They want all municipalities to say they shall strive to at least meet these targets. Maybe towns like Roxbury, Cabot, and Woodbury may not want that growth. Not that we want to discourage those towns from growing, but we don't want the Regional Planning Commission saying those towns should have a certain amount of growth. We want Waterbury, Northfield, Montpelier and Barre to build up, and maybe we can even develop arrangements with some of the outlying towns. As it reads now it says all towns should strive to at least meet the housing requirements. Every town can't exceed the proportion of growth. Some are going to grow more than 15 percent, and some are going to be less.

Parking:

The first of the articles in *The Bridge*, "The Pros and Cons for a Parking Garage," will appear in two or three weeks. We want to have another article about the funding issue, where the general issue is the extent to which Montpelier has a responsibility to provide some funding for parking solutions because of the vitality of Montpelier versus the state paying for it because it's a "state problem." That issue also deserves some commentary. We need to find a person that can reflect one perspective that the City of Montpelier needs to take some responsibility for funding some of the parking solutions. The other perspective is that the state, and others, should be taking this responsibility. The state argument is fairly easy because the state parking is the big problem

here and they don't pay taxes. The future of Montpelier is that it will be more pedestrian friendly, more bicycles with cars on their way out. They are going to say a parking garage has benefits even if things change.

Mr. Paterson said, no matter what it is, who is going to pay for it?

Mr. Kaufman said who pays for what is going to be critical. Some people may say they think the City of Montpelier should be investing public dollars in different forms of public transit that serve this development idea whereas someone else might say it is still a state problem. It doesn't matter if it is a parking garage or something else, it is the state's workers and they should be figuring out the parking solution for them.

Mr. Kaufman suggested that parking is a merchant responsibility with exceptions of designated downtown corridors or state-owned profitable parking structures. It doesn't work here well in general because we aren't a strip mall culture. The greatest concentration is usually not directly downtown. Parking for those businesses is paid for by the landowner or the developer.

Mr. Jones said that one approach might be for the city to divest itself of the parking issue, and the city leases these spots now, and said this isn't the business we should be in. Mr. Kaufman said the city could support the businesses and provide tax incentives for a developer to come in. Build a garage and make money on it, and the city could support that. Hire people to run it.

Mr. Paterson said another perspective is that Montpelier is the regional hub and it is in its best interest to invest in parking even if it is not just for its own residents. Ms. Benedict said she would bring the subject up at the next merchants meeting.

Mr. Kaufman said another view is that the State of Vermont triples Montpelier's population five days a week. Why does Montpelier have to pay, or bare the brunt of that infrastructure cost? Do the people stay here and shop after work or during lunch? Do they go out and eat lunch at local restaurants while they are here versus bringing their own brown bag? Do they buy their fuel when they arrive in Montpelier?

Mr. Jones said in the discussion about the Department of Motor Vehicles moving, people who go to DMV do not typically pursue any other functions in Montpelier. They come to DMV, get out of there as quickly as they can, and leave. That is different than people who go to the Historical Society.

enVision Montpelier:

Either before or after the meeting on September 11th we should have a meeting of the Steering Committee to go over their schedules and responsibilities. On September 11th there is the full stakeholder meeting from 6:00 to 8:00 p.m., and then have all of the chairs stay for another 20 minutes to over schedules and responsibilities.

Mr. Paterson said sometime this week we need to send out an e-mail to all of the stakeholders reminding them of the September 11th meeting. It doesn't have to include agenda items, just a reminder. Sometime after September 5th when Gwen returns we need to sit down with Gwen and make an agenda.

Other Business:

The Pyralisk proposal is before the Development Review Board for sketch plan review. The Planning Commission didn't know about that. We knew something was in the works. That is an area that was developed largely through a good planning process for Stone Cutters Way. Each of the developments which have taken place there has fallen a little aloft of what the initial intent was. Is there an opportunity to communicate through the Development Review Board? Alan's concern is that the Pyralisk is going to be a four-story building with the upper stories being office space and the actual performance venue being fairly small. The initial idea was what Montpelier needed was a large performance space and with the Salt Shed being a nice big footprint could be a large performance space. We recognize the economics of that is very hard. They were given that property for a very small amount of money so in order to make it profitable they are going to do something different than what was originally planned. Where does the Planning Commission fit into this?

Mr. Paterson asked who had standing to testify before the Development Review Board. Mr. DeSmet said it is usually abutting property owners, but anyone can speak.

Mr. Jones said there is the Technical Review Committee representing different city bodies.

Mr. Paterson asked if it would be appropriate for the Planning Commission to go to the DRB and say this is a reminder about what the larger plan for the area was. Mr. Jones said he believed it was Gwen's role. Mr. Paterson said this is one of the great challenges of any community planning process, that by the time it gets down to the specific decisions you get nicked to death. Suddenly you have a whole block that doesn't look like what the community said it wanted to do in the first place. Is there an appropriate way for a group like the Planning Commission to keep in mind the bigger picture that was intended?

Mr. Kaufman said if we wanted a larger performance space it should have been spelled out that in exchange for the reasonable price, tax abatements and variances you have agreed that the final design will include a performance space with seating for 400, and then leave it alone. If he wants to put 40 offices above it, okay, as long as it doesn't violate the design review. Mr. Jones said that has been lost. We have been down this path before because when the 535 building was constructed it was the sense it was supposed to be river pedestrian friendly building. Why is it so valuable to have buildings abut right against the river? The Coop has a huge space between its building footprint and the street.

Mr. Paterson said this subject is a logical topic to include at an All-Board meeting.

Carr Lot Development Proposal:

Mr. Jones said he heard there is a development proposal for the Carr Lot. The land needs to be sold first, but there are additional people looking to buy the Carr Lot for a commercial development. Mr. DeSmet said it was his understanding he didn't want to sell the land to the City of Montpelier. We know there is discussion about selling it so someone can have parking there. There is even another substantial developer in Vermont looking to actually develop the lot and put buildings there. Where is the Planning Commission on this?

Mr. Kaufman asked if it met the development guidelines that have been established legally for the city. Or, will it? Will it pass design review? Will it meet the permitting process?

Mr. Jones said he thinks the Planning Commission can be the body that facilitates public discussion. Anybody can go to the Development Review Board and dispute. If we can work with the developer to let them know what the City of Montpelier is generally looking for, then if they come back with a proposal, then through newspaper editorials we can reflect to some degree what the public has been discussing.

Mr. Paterson said the challenge is that the city has been so focused on the Carr Lot being the multi-modal transit center. Mr. Kaufman said we need to tighten their expectations for what will occur.

Adjournment:

Mr. Paterson moved adjournment, with Mr. Kaufman seconding the motion. The Planning Commission adjourned.

Respectfully submitted,

Clancy DeSmet
Planning and Zoning Administrator

Transcribed & Prepared by:
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