

Montpelier Planning Commission
February 8, 2010
City Council Chambers, City Hall

Subject to Review and Approval

Present: Jesse Moorman, Chair; David Borgendale, Vice Chair; John Bloch, Alan Goldman, Bethany Pombar and Missa Aloisi; and Lucia Bragg, Youth Member.
Staff: Clancy DeSmet, Planning and Zoning Administrator; Garth Genge, Community Development Specialist; and Kristin Feierabend, VISTA Volunteer.
Also present were Kris Hammer from the Conservation Commission and Mayoral Candidate Gary Schy.

Call to Order:

Mr. Moorman, Chair, called the meeting to order at 7:00 P.M.

Review and Approval of January 11, 2010 Minutes:

The Minutes were tabled until the next meeting.

Comments by Chair:

Mr. Moorman showed an example of what a Chapter of the Master Plan would look like. The targets and strategies are clearly placed in the example.

enVision Plan Drafting – Master Plan:

The Planning Commission discussed the Natural Environment chapter of the Master Plan. The Commission broke into workshops to discuss the goals.

Group 1 reviewed the changes they made to the chapter.

Mr. DeSmet said the group wanted some clarification on the 50 foot buffer. Obviously, it wouldn't apply to a lot of places in the downtown because a lot of it is pavement or built right up to the river bank. They wanted to include "where possible" at the end of the sentence in Target 1. In Strategy 1b there was some question about the Nature Conservancy's list and whether it was officially sanctioned by the State of Vermont or the City of Montpelier.

Mr. Genge said the city can adopt them as a standard they are willing to follow.

Mr. DeSmet said the city's own tree ordinance has non-native species as recommended.

In Target 2 it says we need better measurement. They wanted to know what the baseline was and to see if they could get the Public Works Department to provide the baseline data from 2015 that they would again compare in 2020.

Mr. Hammer asked if Target 2 was specifically about reducing water use. The strategies don't necessarily talk about that. With increasing water conservation he could see a subsidized program to get purators and low flow shower heads for free and landowners could get up to one per unit. If they knew about that and could encourage landlords to go to Efficiency Vermont and get them that would be a target to reduce water consumption which would lower the water bill. The resources would last longer.

Mr. Bloch said they talked a lot about how they could build in inducements to get people to do things rather than by regulation. On the other hand, the city wants to sell more water in order to pay off the indebtedness.

Mr. Goldman said he had a comment on Strategy 1d about adding something where we try to encourage any potential access that is left in the riverfront development as it stands. We have lost most of those opportunities. There are a few left for access and we try to hang on to some of them. Perhaps they could add after local waterways something about preserving opportunities left for access in the current riverfront development.

Mr. DeSmet asked if in the open space area if there was something included there they could cross reference.

Mr. Moorman said in the planning and development of riverfront combined with the purpose of in order to increase access and recreation.

Mr. Genge said it is included in Target 4 of open space and recreation. It is very specific about including the city's riverfront to maintain open space and important natural features.

Mr. Goldman said for that riverfront development they had originally planned there would be some access points to the river and the opportunities are slipping by and eventually there will be none.

Mr. Genge said there will be access when the Turntable Park is completed. The rest is privately controlled and hard to adjust given the existing setback along Stone Cutters Way specifically.

Mr. DeSmet said on Target 3 there was some feeling that a stream geomorphic study and management plan should be defined.

Mr. Hammer said he thinks geomorphic assessments have been done in every reach of the river. They are developing a channel management plan for all of the waterways in the city which is under way. It is being done by the Department of Environmental Conservation's River Management Program and the Friends of the Winooski were the partner in providing a lot of the volunteer labor to do a lot of the work. It is something that the state has taken on and has really done a great job in the Winooski water sheds. They have done a lot of assessments. The geomorphic study is just a bunch of data, but as a plan it has recommendations about where it is appropriate to develop and where the river really wants to take out the bank. They are actually developing a channel management plan for the North Branch, the main stem of the Winooski River and the Dog River and Stevens.

Mr. Moorman said they have said they wanted some definitions for certain terms. We should make sure there is a reference either in the description to the chapter or a glossary of terms.

Mr. DeSmet said they thought Strategy 3b should say in order to minimize the use of pollutants, including pesticides, herbicides, and chemical fertilizers the Department of Public Works would monitor the pollutants so we would know if people are polluting, and to what extent.

Ms. Pombar asked if DPW had the capacity to measure and monitors everyone.

Mr. DeSmet said they would just monitor the storm sewer.

Mr. Hammer said he had been working with the High School on some stuff related to air quality and as much as they can look at stuff here where there is scientific data that needs to be collected they state is not doing and the city doesn't have the capacity to do there are some great science teachers in Montpelier and U-32 who have been doing extensive water quality monitoring on e-coli. They have done a bunch of work on chloride this year by looking at snow banks. It could be interesting to do a study of storm water looking at what comes out of our lawns, the parking lots and figuring out what those contaminants are and then try to set some targets and by a certain date we want to see a reduction. Encourage some education with landowners about pesticides and alternatives.

Mr. Moorman asked if that should be included as a strategy. Perhaps we can look to the High School as a resource potentially to the extent we need them to help us develop the baseline data.

Mr. Hammer said when he is writing grants he looks at a city's master plan that says the city wants to establish baseline data about all of that stuff then he can say there are a bunch of High School students in chemistry class who are asking him to do real science that is useful to the city. He looks at a document like this and say the enVision Montpelier Plan says we want to monitor air quality because the state and city doesn't do it. How can we really incorporate our schools to produce data?

Mr. Moorman said he is hearing they need something that we want something established based on data. Under the target he isn't sure whether we need to get the baseline data because we have it or we need it and don't have it. Let's include a policy that could allow a grant like Kris is talking about to be written so it involves the students.

Mr. Hammer said he believes it is an acknowledgement that we don't really have the data.

Mr. DeSmet said in Strategy 3d they wanted something included that had a pilot program to try different applications and alternatives.

Mr. Bloch said the state did some experiments with alternative solvents and what did they find and where was it used. Does any of it relate to the City of Montpelier? We don't have to reinvent the wheel if we can learn from other people's experience.

Mr. Genge said he thinks the City of Burlington has also done some studies about different alternatives.

In Strategy 3e they didn't want to limit it to just dry cleaners, salons and restaurants. There was also a question about enforcement.

Ms. Aloisi asked how the current storm water regulations work.

Mr. DeSmet said the city basically regulates the quantity and not the quality.

In Target 4 there weren't any changes.

Ms. Aloisi said they should implement a storm water management plan such as gravel, wetlands, grass swails and/or others to retain and clean water runoff from roads and parking lots.

Mr. Hammer said this could be another interesting study. You identify some major storm water outflows around the city and set up a monitoring thing where every time there is a storm event you go

out there with a bucket and actually measure the flow. You could set up a stream gauge. That might be a Department of Public Works question.

Mr. Moorman said the recurring question is, do we have data and if not let's include a strategy that enables us to invite grant applications that will help us to get the data.

Mr. Hammer said Friends of the Winooski River have been doing storm water outflow inventories and pretty much know where they all are now. They have done some sampling, but they haven't measured flow which is much more labor intensive. You need to do it when there is a lot of rain so you know what is coming off the land. It would be a little more difficult study to design.

Ms. Pombar said they need to create some sort of statement that says where we can't identify data we need to say to seek ways to create it. It would be great five years from now to have all of that data.

Mr. DeSmet said there were no changes to Target 5. Target 6 the group suggested 2015. Target 6 brought up a larger discussion of overall curriculum.

Under Goal F there was a question about what productive agricultural land meant under Target 1.

Ms. Pombar said in the previous section they reviewed at the last meeting they looked at this. This is echoing language where we were going to look at the soil maps and see what prime agricultural soil was. It wasn't necessarily that it was already productive agricultural land but it was viable.

Ms. Aloisi said they should reference Goal C in the food section and the infrastructure and built environment section to make sure they are compatible.

Strategy 1c said the city will continue to support the reallocation and use of the Conservation Fund for conserving lands and water within the city. They didn't know what that was referring to.

Mr. Hammer said there is a Conservation Fund which was established by the voters in 2001. They allocated \$40,000 for land and conservation projects. They tapped into that to buy the McAvoy parcel this last year. They put some money towards the Cross Vermont Trail last year. There is a balance right now, and if it gets spent on other conservation projects they would go to the voters again and say there is clearly a need for more funding. As projects come forward it is nice to have that money because it is invaluable when you go to a match. They wouldn't have been able to do the McAvoy project without the Conservation Fund. That paid for half of the purchase price and half the cost of the survey. It becomes a very valuable tool to attract outside funding for things they couldn't otherwise do.

Mr. Goldman said Target 1 said while also limiting the fragmentation of productive agricultural and forest land. What do they mean by fragmentation? Are they talking about 5 acres or 25 acres, 100 acres? You can't go into land management unless you have a 25 acre parcel.

Mr. Bloch said he would treat forested and crop land the same. It is just a different aspect of agriculture. What is fragmentation? It may be that half acre plots are terribly productive if intensively managed for the production of food and a 10-acre plot may be only marginally productive if it is not optimally managed.

Mr. Goldman said all of Vermont has been fragmented into different parcels. There used to be 5,000 acre farms and now there are 10 acre farms.

Mr. DeSmet said in Strategy 1d they wanted to know if this came from Act 250 language or if there is a model ordinance around.

Ms. Aloisi said the fragmentation belongs there because we are saying Vermont has been fragmented and let's not keep fragmenting it down. It is saying let's prohibit this from happening and limit it.

Mr. Goldman said he has a problem because he is a landowner and he isn't sure how it is defined.

Mr. Bloch said he has a problem when they just throw around words like fragmentation. There are parts of the world that intensively engage in agriculture on much smaller plots and get a lot more back for it. For example, our rice industry in this country barely gets a one for one caloric input and output whereas the Vietnamese and the Thai get 17 to 1 caloric input coming out of intensive rice paddies but they aren't 5,000 acre rice swamps. Just because something is of a small quantity does not mean it is not being effectively and productively used.

Mr. Goldman said as a landowner what does he do if he has a large parcel of wooded area and needs to sell 50 acres. Is he now allowed to sell it?

Mr. Genge said it would depend on the zoning regulations.

Ms. Pombar said that will be defined in the zoning. This is just saying they acknowledge they want to limit it to some degree.

Mr. Bloch said he thinks it is a policy statement and we should be cognizant of what we mean when we make a policy statement. He is talking about an overarching policy that will guide the Master Plan and subsequently the zoning. We have gone through 10 years in this city with having a set of zoning regulations that fly off the wall. They aren't a part of a coherent public policy.

Mr. Moorman said we don't want to create Swiss cheese out of our farm fields.

Mr. Goldman said we do that through zoning, though, by saying something is HDR, LDR and MDR.

Mr. Hammer said we have a classic Vermont with a dense downtown core with radiating neighborhoods. We have a 6,000 acre city and probably half of it is relatively undeveloped. There are not that many large parcels in town, but you have this landscape outside of the downtown core is relatively unfragmented. There is intact forest that provides a lot of habitat. If that gets all divided up with roads it is going to be a change in the city in terms of its character. This is saying we value that. We are placing a value of those larger open landscapes, whether it is agricultural or forest land. It doesn't tell you what to do with the zoning but it places some value on it. If you look at Vermont and New Hampshire we really value a lot of productive forest and agricultural land.

Mr. Bloch said they have already chopped up the landscape. Do we use a public value based in large land holdings, or do we have a public policy that deals with the reality of where we have housing lots and run water and sewer in front of them?

Mr. Moorman said Kris raises a good point that forests provide habitat.

Mr. Schy said he is a landowner also. He knows people who own tracts of land. If people of this community want to preserve this then the city should just establish a commission to identify land they

want and purchase it at fair market value. If you classify something as a park that someone held on for 20 years to build houses on, how do we have a right as people to just start taking away the rights of other people? It should be included in here that the city would suggest those areas we don't want fragmented for the city to identify as parks and purchase the development rights.

Ms. Aloisi said they talked about this in open space and recreation

Mr. Hammer said Strategies 1b and 1c are talking specifically about that with the Conservation Fund. There is an opportunity for the city to say we value this.

Ms. Aloisi said in Goal B, Strategy 2c says this with "Secure land in environmentally-sensitive areas through fee simple partnerships and or other legal vehicles like the Land Trust and conservation easements."

Ms. Pombar asked Alan Goldman if he was uncomfortable towards any reference to fragmentation because he is concerned it could limit his rights as a landowner. In this particular target language would he like to see fragmentation removed?

Mr. Goldman said she is close to what his feelings are and yes, he would like that word removed.

Mr. DeSmet asked if had read the goal. Mr. Goldman replied.

Mr. Bloch said we already have a condition of fragmented land holdings and we need to deal what we have and not what we wish. When you use the word fragmentation in stating a policy it is as if you have an alternative. You already have lands held collectively for the betterment of the city such as parks, etc. As you become more urban and as you attempt to stem sprawl you are going to fragment land holdings in the cores. This is an urban core with very expensive infrastructure in it.

Mr. Hammer said it seems they can all agree that there is some value to have agricultural and forest land in the city and that is a value. Land use growth enhances rather than impairs the city's natural resources and environmental attributes. There is some kind of recognition that we want to enhance and value the agriculture and forest resources we have.

Mr. Moorman said he doesn't understand the concern with fragmentation.

Mr. Goldman said it started with fragmentation and he is getting into a philosophical thought which he deeply believes in. We are an urban core. We have the services to allow reasonable growth. Every MDR acre that is quarter acre zoning that we do not develop that would be 20 acres of productive land taken out of the mix. What is the balance of agriculture land in the city or forested land in the city that we are not going to fragment in relationship to whether that would be appropriate housing at some level and trying to keep the bigger field for agriculture really takes place outside the city. We're talking about agriculture. We have 4,000 plus families and at that level we would have to have 4,000 acres of productive agricultural land. That is never going to take place. He is one of the largest pieces of open land left, and he has 100 acres. How much can he produce with that? That field could be housing and save maybe 5,000 acres outside of Montpelier. Where does that relationship begin and end? Do we have a regional context?

Mr. Moorman said he can read this in a way that can be consistent with what Alan is saying. If we state as a policy a goal to limit fragmentation he doesn't read this as limiting us to consider fragmentation

solely within the city limits. In the context they are talking about maybe one of the factors in the analysis is we allow it here and it preserves 500 acres outside.

Mr. Genge said he thinks fragmentation refers to where appropriate. The growth center and zoning all designate where you can subdivide according to the size of lots and break things down. This isn't saying not to do that. It is mostly an urban center.

Mr. Bloch said he is really uncomfortable with this because they are shaping a public policy. Long before we get to the Master Plan, which is an implementation tool, and long before we get to zoning which is an implementation tool, this is an over arching vision and we are not going to have the elves in the woods knocking out trinkets. We are a vital community and a huge amount of money has been expended the last 15 years in this town to build an urban infrastructure. If we don't figure out ways to capitalize and pay that back our taxes will not only be one of the highest in the state of Vermont but absolutely the highest. It is something he doesn't think we want to move towards in the public interest. He reacts to it because there is this almost reverence for going back and it is really what has not happened in the rest of the world. We have complex issues and complex fiduciary responsibilities that we have to execute or we are going to be a ghost town because the young people are not going to be able to buy in and locate themselves here to be economically productive members of the community. He thinks they need to be terribly aware of the corner they have painted themselves into. We have a magnificent water and sewer system; we just can't pay for it because we don't have enough users.

Mr. Moorman said they have run out of time and will continue discussing this at the next meeting which will be February 22nd.

Adjournment:

Upon motion by Bethany Pombar and Alan Goldman the Planning Commission adjourned.

Respectfully submitted,

Clancy DeSmet
Planning & Zoning Administrator