

From: bill_barrette
To: [Meredith Crandall](mailto:Meredith.Crandall); [Jack McCullough](mailto:Jack.McCullough); [Pelina Kohn](mailto:Pelina.Kohn); [William Fraser](mailto:William.Fraser)
Cc: ccasey@leg.state.vt.us; acummings@leg.state.vt.us
Subject: VCFA Development Application/Master Plan/PUD to the Design Review Board
Date: Tuesday, January 3, 2023 10:17:14 AM

My wife (Christine Lilyquist) and I have lived on First Ave since 2012.

We share and endorse the comments regarding VCFA's application to the Design Review Board as described in the emails of our First Avenue neighbors, John Snell, Danny Sagan, and Charly Dickerson, copied below. We strongly encourage the DRB to vote no on the application. The request to change existing conditional uses to permitted uses is particularly concerning. We also ask for the board to authorize additional hearings to allow community member's greater input as the application moves forward.

Yours,

Bill Barrette
15 First Avenue
Montpelier, VT 05602

802 225-6756

From: John Snell <jrsnelljr@gmail.com>
Sent: Monday, January 2, 2023 11:03 AM
To: mcrandall@montpelier-vt.org <mcrandall@montpelier-vt.org>; jmccullough@montpelier-vt.org <jmccullough@montpelier-vt.org>; pkohn@montpelier-vt.org <pkohn@montpelier-vt.org>
Subject: VCFA Master Plan and PUD application to the Development Review Board

I write regarding the proposed development application from the Vermont College of Fine Arts for their campus, their new Master Plan and campus PUD. I may or may not be able to attend the first hearing on January 3, 2023 but wanted to submit my comments for the record.

I have several concerns in general about the application, made more relevant as a neighbor on First Avenue, *especially in regard to the proposed request to change existing conditional uses to permitted uses*. My interest is not to stop an orderly change to the property or properties but rather to retain the rights of neighbors and other concerned citizens to have a say in the processes involved.

While our property at 17 First Avenue does not directly border that of the College, we have in the past been significantly influenced by what happens "up there." As an example, in the late 1970s there was a great deal of commuter traffic, mainly in individual automobiles, between (then) Norwich College and (then) Vermont College, much of it channelling up First Avenue, very often at speeds far in excess of reasonable or posted limits; at the time there were many young children on the street, as is again the case, and we were fortunate to have not had a serious injury or accident; enforcement of speed limits by MPD, always difficult in such situations, proved ineffective.

More recently we have regularly experienced significant vehicular traffic, again often traveling in excess of the speed limit, as the “residential sessions” at VCFA begin or end; an added problem is that West Street often becomes challenging to navigate during these sessions with the addition of many more parked cars; in particular, there have been on occasion, difficulties in making turns onto West from First, a concern when trucks, whether a large fire truck or commercial semi-trailer, are involved.

Truck traffic and related noise of the many service vehicles needed by the College has also long been an issue; again, First Avenue is often the connector for truck traffic from Barre Street despite it being a neighborhood street, often with parking on both sides, and used frequently and heavily by pedestrians, especially children going to or from school. The current street designation of First Avenue does not seem to account for these realities.

The application leaves open options to significantly increase parking, both in existing permitted areas and as added angled parking on West and College Street. I fear we could end up with a very different neighborhood, worse from both aesthetic and a safety perspectives, if all of these changes occur, especially in an incremental fashion. We need to retain our rights as neighbors to understand more fully and review these changes as they occur.

I am also concerned that the future possible uses and/or preservation of the College Green is not clearly addressed. That Space has long been an important part of the neighborhood and, while VCFA has continued the tradition of encouraging public use, I have concerns the use of the space could change significantly, including possibly the addition of structures. At a minimum, we need to have a chance to respond to any such proposals in the future.

It appears the College would, under several scenarios, act at the administrator of a “condominium” with regard to maintenance of the grounds and buildings. I have concerns, given the current condition of the roofs on several buildings as an example, about whether such needs would be adequately prioritized and funded.

Make no mistake, I look forward to having the College properties well and appropriately used long into the future. They are not only an important economic force in the city, but also a wonderful addition to the culture and social fabric of the city. My primary concern is that we the public, especially neighbors, be able to retain the right to comment and have an influence on what that future might hold.

I ask that you share this email with members of the Development Review Board, and ask them to extend their review to additional hearing(s) to give the public more time to respond to a very complex proposal.

Thank you,

John Snell
17 First Avenue
Montpelier, VT 05602
802-272-5361

To: The Members of the Montpelier Development Review Board cc/Zoning Administrator, City

Council, Town Manager

Regarding: VCFA Development Application/Master Plan/PUD

We, as residents of 31 First Ave in Montpelier, Vermont for over nineteen years, are writing to express our grave concerns with the Development Application and Master Plan/PUD submitted by VCFA on December 5th 2022, to be reviewed by the DRB on January 3, 2023. We feel the VCFA application is not in the interest of the greater neighborhood community and we encourage you to Vote no on this application.

All the “Conditional uses” that will be converted to “Permitted uses “or “Administrative Approval” under the VCFA development application have the potential to impose adverse impacts on the neighborhood, the community and nearby properties. It is absolutely necessary that we as neighbors retain, through the existing conditional use structure, as it exists now, the right to public review and public hearings to preserve public engagement regarding any changes to these uses on the VCFA campus.

Within this application/master plan/PUD there is language asking for the DRB to approve a change in the permitting process of many of the buildings on the VCFA campus. In the application the VCFA requests that many uses for its campus buildings, which are presently listed as “Conditional Use”, be changed to “Permitted Use” or “Administrative Approval” (please see a list pasted at the end of this letter). The proposed changes take away neighbors’ and community members’ rights to clear and direct notification of changes in use and permit filings (our understanding is permit filings under “permitted use” would not be notified directly to neighbors as filings under “conditional use” currently are) and reduces significantly our ability to review future changes to the uses of VCFA buildings that may affect the quality and the character of our neighborhood. Under the application, the Town Zoning Administrator would be able to approve a much broader set of uses of campus buildings without any public hearing, or comment or input from the neighbors. VCFA is basically asking the City of Montpelier to curtail the rights of its citizens and the public. They are presumably doing this to expedite the monetization of their campus and they are doing it at the expense of our community.

The VCFA application contains many of the same strategies that were concerns in last year’s PUD document; the present document is unclear and it obfuscates many important changes that reduce the rights of neighbors in having a say on how development or change of use will play out. In our view, this demonstrates that VCFA has not effectively listened to community input and concerns in past meetings (when numerous community members expressed concern over the long list of conditional uses being converted to permitted uses under their proposal) nor offered to engage us appropriately in the drafting of this master plan. In fact at the last community meeting a neighbor asked for another community meeting after the filing of the final plan so we could ask questions and understand the document before it went to DRB vote; VCFA representatives clearly declined and told us this was not possible.

This development application/PUD/ master plan is in effect a significant zoning change. The current system that exists with “Conditional uses” works just fine for development of the campus AND allows neighbors to have a voice. We support the possibility for the “Conditional uses” listed in the document to take place on the campus, but we do not support giving up our rights as neighbors to be informed and to weigh in on the specifics of how these “conditional uses” would be enacted or to ask for revisions to a proposed development.

It is important to note that with the current “Conditional use” structure, homeowners retain the ability as a community of neighbors to ask that an impact fee be assessed against a sponsor (developer or the town) to cover any unlisted or future costs incurred by the development and change in use. For example, in this VCFA development/PUD/Master plan application - VCFA is asking that “Conditional use” change to “permitted use” for the “Group Home” category (without qualifications) which could include providing housing needs to populations such as homeless housing or halfway houses that may require more support and services from the police, social workers and the municipality. If such projects went forward, it would be very important that such funding was in place through an impact fee. With the proposed Permitted use structure for such uses we, as a

community, would lose the ability to ensure that such funding was set aside through an impact fee. These increased operating costs imposed on municipalities would become an issue for the town and will affect all citizens of Montpelier.

We also have concerns that the language in this document is ambiguous and possibly intended to obscure the true impact of the development application for our community. In regards to the future of the open space surrounding College Hall, known as "The College Green" the language is also ambiguous. Is this land protected into the future as open space? Will it be a community asset into the future? Or will it be developed without any review or input from the neighborhood or larger community? While concerns regarding protecting the VCFA green from development were widely expressed at the last community meeting with VCFA representatives, the language in this document does not seem to address these community concerns nor our own.

Another concern for us as an adjoining neighbor to VCFA is the future of how VCFA and/or future tenants will maintain hedges and fences on the property boundaries. There is a tall cedar hedge on our property boundary that VCFA has been responsible for maintaining through annual clipping and fertilizing. Throughout the campus, similar hedges and fences provide much needed privacy and separation between campus property and residential property. The maintenance of these screening elements by VCFA has been an agreed upon process since before VCFA was formed. It was also codified in previous master plans filed with the city. There are no provisions in the present application with regards to this particular issue. While the application remarks on the existence and importance of these boundaries, there is no indication that the maintenance of the hedges and fences will be continued if the use of Dewey Hall changes or if VCFA changes the ownership or tenants of Dewey Hall.

We also have other concerns that are not addressed in the application. For example, changes in use can increase the noise level in the neighborhood. Because of Covid-19 (and without official permit) VCFA moved the dining space in their cafeteria to outside Dewey Hall onto the lawn that is adjacent to our property. Throughout the meals the level of noise that filtered into our yard and house was quite disturbing. We are concerned that VCFA can utilize outdoors spaces for a broader set of functions through the proposed expansion of permitted uses and we will be left with less recourse to lower the noise to levels that are more in keeping with the character of the neighborhood.

We are concerned with what will happen to the noise levels in the neighborhood if there is a restaurant. We are also concerned that higher levels of noise would be continued into the late evening. We are concerned with the increase to the level of traffic on First Ave if a commercial restaurant is opened. A restaurant will also increase the problems associated with parking. This question of increased need for parking due to a restaurant or restaurants on the campus is not addressed in the current application nor the parking calculations in the application.

We are also concerned with how a number of current conditional uses affect the use of outdoor spaces, particularly those adjoining our property but including other outdoor spaces on the campus. This includes such conditional uses as a restaurant with outdoor seating, outdoor spaces associated with congregate living or group homes, outdoor spaces associated with gym or fitness use, outdoor spaces associated with a performance theatre. The application remains vague and ambiguous with regards to the future use of outdoor spaces and negates our ability as community members to receive clarification and request reasonable accommodations if "Conditional uses" are converted to "Permitted uses." This means we would not have the agency and engagement we now have to give input regarding specifics on noise levels, parking etc. For this reason alone, the DRB should vote to not approve this application.

We also respectfully request that Montpelier Development Review Board hold a second community hearing several weeks to months after Jan 3rd, before they vote on VCFA's development application. We ask for this in part because the application is full of opaque and confusing information, (see our remarks in the attached documents) which could potentially lead people to make decisions that are not in the interest of the community. We also feel that the VCFA development application (12/05/22), notification from VCFA (12/06/22), the comments by zoning staff (12/29/22) and the hearing this coming Tuesday (01/03/23) have all fallen during the busy holiday season and have not allowed community members adequate time to review, respond to this

application and for some currently traveling - attend this important hearing.

In the Montpelier Development Review Board Report, Meredith Crandall, Planning and Zoning Administrator states the following:

During the gap between adoption of the current Regulations in January of 2018 and now, VCFA has had to obtain zoning permits based on the individual parcels it owns, without any of the benefits supplied by a Campus Development PUD. These relatively recent permits include a subdivision, a change of use, a request to use an old tennis court for temporary surface parking, and others.

It appears obvious in this statement that there is already a system in place for the town and neighbors to review any planned changes and requests for permits. At this point in time, when VCFA is removing a major part of its activities from the “campus”, why should we make a special process for VCFA? Please leave in place the current system for Applications for changes to use as Conditional use on the VCFA campus and deny this VCFA application and Master Plan as it is currently written.

Note: This is the list of uses that VCFA is requesting to change from Conditional Use to Permitted use as outlined in the notes of the Planning and Zoning Administrator dated Dec 29, 2022. Note that the structure of the application itself makes this quite ambiguous and we feel as neighbors that we should see a clearer outline of what changes they are requesting in any future master plan and application drafts:

Categories listed under Table B , page 7, in Green

- Multi-Unit dwellings (5 or more units)
- Group Home, Major
- Congregate Living
- Office
- Restaurant (including take-out)
- Food service contractor
- Laboratory or technical facility
- Performance theater
- Indoor games facility
- Exhibition, convention, or conference structure
- Government facility, office, or courthouse
- Other community centers
- Fitness, sports, gym or athletic facility
- Recreational field
- Medical clinic building

- Rural enterprise

There are also uses that have been listed by VCFA on table B page 7 of their application that would also be permitted uses and the implication (though never clearly stated) is that they already exist as permitted uses. While this is true for most, there is on this list “Painting Studio” which is not listed in the town zoning regulations for MUR zones, as being Permitted or Conditional. This adds to the confusion. Additionally, in the zoning regulations for MUR on the town website there is no mention of ‘Residential Care Home’- the only mention is for senior housing. Residential Care Home, which VCFA seems to falsely list as already permitted, could encompass many other groups, again adding to the confusion.

Among many other reasons, the DRB should not approve this application because there are errors and ambiguities in these lists.

Categories listed under Table B , page 7, in White

- 1&2 Dwelling Units
- 3&4 Dwelling Units
- Bed and Breakfast
- Residential Care Home
- Inn
- *Painting Studio (see note above)*
- Religious Facility
- Nature Park
- Grade School
- Additional Academic Institution
- Library
- Museum Gallery or Exhibition Hall
- Child Day Care Facility
- Bus-stop Shelter

In addition to this letter we are submitting our comments and concerns regarding the VCFA development application/PUD/Campus master plan included as annotations in the attachment, *Dworsky and Sagan Notations on VCFA application* as well as our comments in the attachment *Dworsky and Sagan Notations on DRB report on VCFA application*. We also adopt and make our own the letter submitted to the DRB and the city council members on Jan 2, 2022 by John Snell.

We ask that you share this document and all its components with members of the Development Review Board.

Respectfully Submitted,

Alisa Dworsky (802)249-7179 and Daniel Sagan(802)249-7136
31 First Ave, Montpelier Vermont 05602. alisadworsky@mac.com, dsaganvt@gmail.com

-

Danny/Christine:

Unfortunately I will be on the road out of state on Jan. 3, and unable to zoom into the meeting.

On the surface the potential changes really doesn't affect the zoning changes, etc. It is clear that individual properties will be parsed out and sold to a variety of entities. This will result in an increase in overall development and commercial activity in the neighborhood including traffic and parking pressures.

Two things struck me a weird:

1, is that there are two grade schools on the campus now?

2, It is unclear from the documents and the drawings as to whether they are counting parking on West and College street as part of any requirement. Angled parking on West would also interfere with the winter odd-even parking, and angled parking may also include private property (VCFA), as well as part of the cities roadway. This will create confusion of who has what jurisdiction, and when.

My gut tells me that "shared parking" to comport to ordinance requirement may work to get the permit, but then immediately breaks down. What constituted evening and weekends varies from one use to another, and without specific ordinance definition, it becomes a complete free-for-all regarding who owns the property and thus controls parking, and who is responsible for what.

My other concern is semi tractor trailer traffic to and from the site. If East state street is recognized by the city as the "collector" street - then that is where the trucks belong and should be prohibited using other "side streets". Not going down Barre Street, to Hubbard, then to First Ave. to get to West street and Ridge street deliveries should be the norm. Yea it is a few feet shorter, and thus pops up on the GPS as preferred route, but it wreaks havoc on a residential street that isn't the preferred heavily trafficked and preferred collector thoroughfare. With more development, more trucks will ensue and we should ensure that the City prohibits truck traffic on first avenue and hubbard street allowing only for the exceptions by the feds and the state re: emergency, moving vans, Utility repairs, etc. over which a city (or state) is not permitted to restrict. I have personally had three vehicles parked on the street damaged by collisions by truck traffic over the years. Thus I have a vested interest to limit tractor trailers. My one other vehicle damaged by a bicycle is something the city can't prevent.

Looking forward to the next step.

The one other suggested question to pose on Jan. 3 is to request the Planning Commission's

recommendation. My recollection is that the Council acts on zoning changes after review and report by the Planning Commission, based on the public hearings required by that Commission?

-30-

*Charly Dickerson
PO Box 1241
Montpelier, VT 05601*

(c) 802-371-8577

From: [Joanne Greenberg](#)
To: [Jack McCullough](#); [Meredith Crandall](#); [Pelín Kohn](#)
Subject: VCFA proposed application
Date: Tuesday, January 3, 2023 10:36:50 AM

Hello—I am writing about the proposed development application from the Vermont College of Fine Arts for their campus, their new Master Plan and campus PUD. I cannot attend the upcoming meeting and wanted to submit my comments for the record.

I have several concerns in general about the application, made more relevant as a neighbor on First Avenue, *especially in regard to the proposed request to change existing conditional uses to permitted uses.*

Some possible scenarios for future campus use will impact traffic, for one thing, on our street. First Avenue is often the connector for truck traffic from Barre Street despite it being a neighborhood street, often with parking on both sides, and used frequently and heavily by pedestrians, especially children going to or from school. The current street designation of First Avenue does not seem to account for these realities.

The application also leaves open options to significantly increase parking, both in existing permitted areas and as added angled parking on West and College Street. I fear we could end up with a very different neighborhood, worse both aesthetically and in terms of safety. We need to retain our rights as neighbors to understand more fully and review these changes as they occur.

I am also concerned that the future possible uses and/or preservation of the College Green is not clearly addressed. The proposed language about this space is ambiguous. Is this land protected into the future as open space? Will it be a community asset into the future? Or will it be developed without any review or input from the neighborhood or larger community? While concerns regarding protecting the VCFA green from development were widely expressed at the last community meeting with VCFA representatives, the language in this document does not seem to address these community concerns. That Space has long been an important part of the neighborhood and, while VCFA has continued the tradition of encouraging public use, I have concerns the use of the space could change significantly, including possibly the addition of structures. At a minimum, we need to have a chance to respond to any such proposals in the future.

It is important to note that with the current “Conditional use” structure, homeowners retain the ability as a community of neighbors to ask that an impact fee be assessed against a sponsor (developer or the town) to cover any unlisted or future costs incurred by the development and change in use. For example, in this VCFA development/PUD/Master plan application - VCFA is asking that “Conditional use” change to “permitted use” for the “Group Home” category (without qualifications) which could include providing housing needs to populations such as homeless housing or halfway houses that may require more support and services from the police, social workers and the municipality. If such projects went forward, it would be very important that such funding was in place through an impact fee. With the proposed Permitted use structure for such uses we, as a community, would

lose the ability to ensure that such funding was set aside through an impact fee. These increased operating costs imposed on municipalities would become an issue for the town and will affect all citizens of Montpelier.

I do not see any advantage in changing from “conditional use” to “permitted use,” except to VCFA, whose interests no longer align with Montpelier’s or with those of our own neighborhood.

I ask that you share this email with members of the Development Review Board, and ask them to extend their review to additional hearing(s) to give the public more time to respond to a very complex proposal.

Thank you,
Joanne Greenberg
12 First Avenue
Montpelier

From: [Susan Labarthe](#)
To: [Pelín Kohn](#); [Jack McCullough](#); [Meredith Crandall](#)
Cc: [William Fraser](#); acummings@leg.state.vt.us
Subject: VCFA's Application for Zoning Variances
Date: Tuesday, January 3, 2023 11:44:41 AM
Attachments: [VCFA Development Application DRB Review](#) [Dworsky and Sagan Comments and Concerns.pdf](#)

As a resident homeowner at 6 Tracy Street sharing a property line with VCFA I write regarding the proposed development application from the Vermont College of Fine Arts for their campus, their new Master Plan and campus PUD (Planned Unit Development) that effectively changes the zoning for the VCFA campus.

I have very serious concerns about the proposed changes within this VCFA application. **Many *Conditional* uses, which require public notification and a public hearing, will be converted to *Permitted* uses (or Administrative Approval) which means there will be no public notification of a permit filed for such a change in use.** (This will make it very hard for community members to file any objection and retain any legal standing to set conditions for a change of use) **and under *Permitted* use the zoning administrator must sign off if the request meets certain criteria. Under *Permitted* use we lose our ability to be informed, to ask questions and shape specifics of how a development is enacted.** This document contains the same strategies we were concerned about in last year's PUD document; it is likely purposefully unclear and it obfuscates many important changes that reduce our rights as neighbors in having any say on how development or change of use will play out. This development application/PUD/ master plan is in effect a significant zoning change. The current system that exists with *Conditional* uses works just fine for development of the campus AND allows us to retain a voice as neighbors. I support the possibility for all the *Conditional* uses listed in the document to take place on the campus, but I do not support giving up our rights as neighbors to be informed and to weigh in on the specifics of how these conditional uses would be enacted or to ask for revisions to a proposed development. The current application for development from VCFA would profoundly reduce our ability to be informed and have a voice in the development of VCFA campus going forward.

With the current *Conditional* use structure we retain the ability as a community of neighbors to ask that an impact fee be assessed against a sponsor (developer or the town) to cover any unlisted or future costs incurred by the development and change in use. For example in this VCFA development/PUD/Master plan application - **VCFA is asking that "Conditional use" change to "permitted use" for the "Group home" category (without qualifications) which could include providing housing needs to populations such as homeless housing or halfway houses that may require more support and services from the police, social workers and the municipality.** If such projects went forward it would be very important that such funding was in place through an impact fee. With the proposed *Permitted* use structure for such uses we as a community would lose the ability to ensure that such funding was set aside through an impact fee.

With others in the community I ask that the Montpelier Development Review Board hold a second community hearing several weeks after Jan 3rd, before they vote on VCFA's development application. We feel that the VCFA development application (12/05/22), the comments by zoning staff (12/29/22) and the hearing this coming Tuesday 01/03/23 have all fallen during the busy holiday season and have not allowed community members adequate time to review ,respond to this application and for some currently traveling - attend this important hearing.

I have read the letter & attachments of Daniel Sagan & Alisa Dworsky of Jan 2 & agree with their points & concerns in substance & in detail, said documents included in the attached pdf below.

Thank you for your attention to my concerns,

Susan S. Labarthe
6 Tracy Street
Montpelier, VT 05602
802-279-1916
esslabee@gmail.com

From: [tolya](#)
To: [Pelin Kohn](#); [Jack McCullough](#); [Meredith Crandall](#); [William Fraser](#)
Cc: ccasey@leg.state.vt.us; acummings@leg.state.vt.us
Subject: VCFA Development Application/Master Plan/PUD
Date: Tuesday, January 3, 2023 12:34:27 PM

To: The Members of the Montpelier Development Review Board cc/Zoning Administrator, City Council, Town Manager

Regarding: VCFA Development Application/Master Plan/PUD

I am writing to support the Sagan Dworsky's concerns about the proposed VCFA Development Application.

We, as residents of 31 First Ave in Montpelier, Vermont for ten years, are writing to express our grave concerns with the Development Application and Master Plan/PUD submitted by VCFA on December 5th 2022, to be reviewed by the DRB on January 3, 2023. We feel the VCFA application is not in the interest of the greater neighborhood community and we encourage you to Vote no on this application.

All the “Conditional uses” that will be converted to “Permitted uses “or “Administrative Approval” under the VCFA development application have the potential to impose adverse impacts on the neighborhood, the community and nearby properties. It is absolutely necessary that we as neighbors retain, through the existing conditional use structure, as it exists now, the right to public review and public hearings to preserve public engagement regarding any changes to these uses on the VCFA campus.

Within this application/master plan/PUD there is language asking for the DRB to approve a change in the permitting process of many of the buildings on the VCFA campus. In the application the VCFA requests that many uses for its campus buildings, which are presently listed as “Conditional Use”, be changed to “Permitted Use” or “Administrative Approval” (please see a list pasted at the end of this letter). The proposed changes take away neighbors’ and community members’ rights to clear and direct notification of changes in use and permit filings (our understanding is permit filings under “permitted use” would not be notified directly to neighbors as filings under “conditional use” currently are) and reduces significantly our ability to review future changes to the uses of VCFA buildings that may affect the quality and the character of our neighborhood. Under the application, the Town Zoning Administrator would be able to approve a much broader set of uses of campus buildings without any public hearing, or comment or input from the neighbors. VCFA is basically asking the City of Montpelier to curtail the rights of its citizens and the public. They are presumably doing this to expedite the monetization of their campus and they are doing it at the expense of our community.

The VCFA application contains many of the same strategies that were concerns in last year’s PUD document; the present document is unclear and it obfuscates many important changes that reduce the rights of neighbors in having a say on how development or change of use will play out. In our view, this demonstrates that VCFA has not effectively listened to community input and concerns in past meetings (when numerous community members expressed concern over the long list of conditional uses being converted to permitted uses under their proposal) nor offered to engage us appropriately in the drafting of this master plan.

In fact at the last community meeting a neighbor asked for another community meeting after the filing of the final plan so we could ask questions and understand the document before it went to DRB vote; VCFA representatives clearly declined and told us this was not possible.

This development application/PUD/ master plan is in effect a significant zoning change. The current system that exists with “Conditional uses” works just fine for development of the campus AND allows neighbors to have a voice. We support the possibility for the “Conditional uses” listed in the document to take place on the campus, but we do not support giving up our rights as neighbors to be informed and to weigh in on the specifics of how these “conditional uses” would be enacted or to ask for revisions to a proposed development.

We also have concerns that the language in this document is ambiguous and possibly intended to obscure the true impact of the development application for our community. In regards to the future of the open space surrounding College Hall, known as “The College Green” the language is also ambiguous. Is this land protected into the future as open space? Will it be a community asset into the future? Or will it be developed without any review or input from the neighborhood or larger community? While concerns regarding protecting the VCFA green from development were widely expressed at the last community meeting with VCFA representatives, the language in this document does not seem to address these community concerns nor our own.

We also respectfully request that Montpelier Development Review Board hold a second community hearing several weeks to months after Jan 3rd, before they vote on VCFA’s development application. We ask for this in part because the application is full of opaque and confusing information, which could potentially lead people to make decisions that are not in the interest of the community. We also feel that the VCFA development application (12/05/22), notification from VCFA (12/06/22), the comments by zoning staff (12/29/22) and the hearing this coming Tuesday (01/03/23) have all fallen during the busy holiday season and have not allowed community members adequate time to review, respond to this application and for some currently traveling - attend this important hearing.

In the Montpelier Development Review Board Report, Meredith Crandall, Planning and Zoning Administrator states the following:

During the gap between adoption of the current Regulations in January of 2018 and now, VCFA has had to obtain zoning permits based on the individual parcels it owns, without any of the benefits supplied by a Campus Development PUD. These relatively recent permits include a subdivision, a change of use, a request to use an old tennis court for temporary surface parking, and others.

It appears obvious in this statement that there is already a system in place for the town and neighbors to review any planned changes and requests for permits. At this point in time, when VCFA is removing a major part of its activities from the “campus”, why should we make a special process for VCFA? Please leave in place the current system for Applications for changes to use as Conditional use on the VCFA campus and deny this VCFA application and Master Plan as it is currently written.

Respectfully Submitted,

Tolya Stonorov

6 Tremont Street

Tolya Syril Stonorov, Architect, AIA, She/Her

Stonorov Workshop, Principal

www.stonorovworkshop.com

@stonorovworkshop

Associate Director

Associate Professor of Architecture

School of Architecture and Art, Norwich University

<http://profschools.norwich.edu/architectureart/tolya-stonorov/>

Check out my latest book:

The Design Build Studio | Crafting Meaningful Work in Architecture Education

<https://www.routledge.com/The-Design-Build-Studio-Crafting-Meaningful-Work-in-Architecture-Education/Stonorov/p/book/9781138121805>

From: [Bob Kinzel](#)
To: [Meredith Crandall](#)
Subject: Vt College zoning concerns
Date: Tuesday, January 3, 2023 1:18:13 PM

Hi Meredith -

We, as residents of 4 First Ave in Montpelier, Vermont for over 35 years, are writing to express our grave concerns with the Development Application and Master Plan/PUD submitted by VCFA on December 5th 2022, to be reviewed by the DRB on January 3, 2023. We feel the VCFA application is not in the interest of the greater neighborhood community and we encourage you to Vote no on this application.

All the “Conditional uses” that will be converted to “Permitted uses “or “Administrative Approval” under the VCFA development application have the potential to impose adverse impacts on the neighborhood, the community and nearby properties. It is absolutely necessary that we as neighbors retain, through the existing conditional use structure, as it exists now, the right to public review and public hearings to preserve public engagement regarding any changes to these uses on the VCFA campus.

This development application/PUD/ master plan is in effect a significant zoning change. The current system that exists with “Conditional uses” works just fine for development of the campus AND allows neighbors to have a voice. We support the possibility for the “Conditional uses” listed in the document to take place on the campus, but we do not support giving up our rights as neighbors to be informed and to weigh in on the specifics of how these “conditional uses” would be enacted or to ask for revisions to a proposed development.

We also respectfully request that Montpelier Development Review Board hold a second community hearing several weeks to months after Jan 3rd, before they vote on VCFA’s development application.

Thanks for reviewing our concerns – this issue is very important to us !

Robert Kinzel

Margaret O’Toole

Bob Kinzel (he/him)
Senior Reporter/Host | [@VPRKinzel](#)
Vermont Public
P: (802) 223-4685 | M: (802) 355-4920
bkintel@vermontpublic.org | [@VPRKinzel](#)
Note: my email address has changed. Please update your contacts.

From: [Jean Hamilton](#)
To: [Meredith Crandall](#); [Pelin Kohn](#); [Jack McCullough](#); katie.gustafson@vcfa.edu
Cc: [William Fraser](#); cummings@leg.state.vt.us; ccasey@leg.state.vt.us; [james findlay-shirras](#)
Subject: Re: VCFA Development Application/Master Plan/PUD - resident input from 21 Guernsey Ave
Date: Tuesday, January 3, 2023 2:01:13 PM

Resending to include Katie Gustafson.

Thank you,
Jean

On Tue, Jan 3, 2023 at 1:40 PM Jean Hamilton <jean.myung.hamilton@gmail.com> wrote:

To: The Members of the Montpelier Development Review Board cc/Zoning Administrator, City Council, Town Manager, Senator Cummings and Representative Casey,

We, as residents of 21 Guernsey Ave in Montpelier, are writing to express our concerns with the Development Application and Master Plan/PUD submitted by VCFA on December 5th 2022, to be reviewed by the DRB on January 3, 2023. **We feel the VCFA application is not in the interest of the greater neighborhood community and we encourage you to Vote no on this application.**

All the “Conditional uses” that will be converted to “Permitted uses “or “Administrative Approval” under the VCFA development application have the potential to impose adverse impacts on the neighborhood, the community and nearby properties. It is absolutely necessary that we as neighbors retain, through the existing conditional use structure, as it exists now, the right to public review and public hearings to preserve public engagement regarding any changes to these uses on the VCFA campus.

Within this application/master plan/PUD there is language asking for the DRB to approve a change in the permitting process of many of the buildings on the VCFA campus. In the application the VCFA requests that many uses for its campus buildings, which are presently listed as “Conditional Use”, be changed to “Permitted Use” or “Administrative Approval”. The proposed changes take away neighbors’ and community members’ rights to clear and direct notification of changes in use and permit filings and significantly reduces our ability to review future changes to the uses of VCFA buildings that may affect the quality and the character of our neighborhood. Under the application, the Town Zoning Administrator would be able to approve a much broader set of uses of campus buildings without any public hearing, or comment or input from the neighbors. VCFA is basically asking the City of Montpelier to curtail the rights of its citizens and the public. **What is the purpose of identifying “conditional uses’ in our zoning regulations if not to respect the public input of those in the community who will most be impacted by specialized development projects?**

The VCFA application contains many of the same strategies that were concerns in last year’s PUD document; the present document is unclear and it obfuscates many important changes that reduce the rights of neighbors in having a say on how

development or change of use will play out. In our view, this demonstrates that VCFA has not effectively listened to community input and concerns in past meetings (when numerous community members expressed concern over the long list of conditional uses being converted to permitted uses under their proposal) nor offered to engage us appropriately in the drafting of this master plan. In fact at the last community meeting a neighbor asked for another community meeting after the filing of the final plan so we could ask questions and understand the document before it went to DRB vote; VCFA representatives clearly declined and told us this was not possible. **VCFA has not demonstrated a good faith effort with the community such that it is warranted to remove the zoning and permitting processes our town has adopted through standard, democratic governance processes.**

This development application/PUD/ master plan is in effect a significant zoning change. The current system that exists with “Conditional uses” works just fine for development of the campus AND allows neighbors to have a voice. We support the possibility for the “Conditional uses” listed in the document to take place on the campus, but we do not support giving up our rights as neighbors to be informed and to weigh in on the specifics of how these “conditional uses” would be enacted or to ask for revisions to a proposed development.

It is important to note that with the current “Conditional use” structure, homeowners retain the ability as a community of neighbors to ask that an impact fee be assessed against a sponsor (developer or the town) to cover any unlisted or future costs incurred by the development and change in use. For example, in this VCFA development/PUD/Master plan application - VCFA is asking that “Conditional use” change to “permitted use” for the “Group Home” category (without qualifications) which could include providing housing needs to populations such as homeless housing or halfway houses that may require more support and services from the police, social workers and the municipality. If such projects went forward, it would be very important that such funding was in place through an impact fee. With the proposed Permitted use structure for such uses we, as a community, would lose the ability to ensure that such funding was set aside through an impact fee. These increased operating costs imposed on municipalities would become an issue for the town and will affect all citizens of Montpelier.

We also have concerns that the language in this document is ambiguous and possibly intended to obscure the true impact of the development application for our community. In regards to the future of the open space surrounding College Hall, known as “The College Green” the language is also ambiguous. Is this land protected into the future as open space? Will it be a community asset into the future? Or will it be developed without any review or input from the neighborhood or larger community? While concerns regarding protecting the VCFA green from development were widely expressed at the last community meeting with VCFA representatives, the language in this document does not seem to address these community concerns nor our own.

We respectfully request that Montpelier Development Review Board hold a second community hearing several weeks after Jan 3rd, before they vote on VCFA's development application. We ask for this because this is a confusing process and the process (VCFA development application (12/05/22), notification from VCFA (12/06/22), the comments by zoning staff (12/29/22) and the hearing this coming Tuesday (01/03/23)) has all fallen during the busy holiday season and have not allowed community members adequate time to review, respond to this application and for some currently traveling - attend this important hearing. **We believe Montpelier is a community that prioritizes citizen engagement and inclusive governance; holding another meeting is a basic step that the city can take to make this process more accessible to community members who are impacted by these proposed changes to our zoning and permitting processes.**

In the Montpelier Development Review Board Report, Meredith Crandall, Planning and Zoning Administrator states the following:

During the gap between adoption of the current Regulations in January of 2018 and now, VCFA has had to obtain zoning permits based on the individual parcels it owns, without any of the benefits supplied by a Campus Development PUD. These relatively recent permits include a subdivision, a change of use, a request to use an old tennis court for temporary surface parking, and others.

It appears obvious in this statement that there is already a system in place for the town and neighbors to review any planned changes and requests for permits. At this point in time, when VCFA is removing a major part of its activities from the "campus", why should we make a special process for VCFA? **Please leave in place the current system for Applications for changes to use as Conditional use on the VCFA campus and deny this VCFA application and Master Plan as it is currently written.**

We ask that you share this document and all its components with members of the Development Review Board.

Respectfully Submitted,
Jean Hamilton (802)777-6546 and James Findlay-Shirras, RLA (802)760-8263

21 Guernsey Ave, Montpelier Vermont 05602

--

802-777-6546
[ShiftMeals](#) - A local food response to COVID-19

--

802-777-6546
[ShiftMeals](#) - A local food response to COVID-19

From: [amy ehrlich](mailto:amy_ehrlich)
To: Jack McCullough; Meredith Crandall; Pelin Kohn; William Fraser; Conor Casey; acummings@leg.state.vt.us
Subject: VCFA Development Application Master Plan/PUD
Date: Tuesday, January 3, 2023 2:04:32 PM

My husband Henry Ingraham and I live at 5 Tracy Street, one block away from Vermont College. As neighbors to this property, we are very concerned that the Development Application and Master Plan/PUD submitted by VCFA is not in the interest of the greater neighborhood community and we encourage you to vote **no** on this application.

If the "Conditional uses" are converted to "Permitted uses" or "Administrative Approval" under the VCFA development application, it will bypass our rights as neighbors, community members, and property owners to public hearings review. Essentially we'd be denied voice in what could be adverse impacts to the population, traffic patterns, and the nature of our neighborhood.

I plan to attend tonight's meeting on VCFA's application for zoning changes, and will participate in any way I can to support the rights of our local community.

Amy Ehrlich
5 Tracy Street
802 745-7431

From: [Daniel Sagan](#)
To: [Meredith Crandall](#)
Cc: [Katie Gustafson](#); [William Fraser](#); [Jack McCullough](#); [Pelin Kohn](#); [Alisa Dworsky](#)
Subject: VCFA Application_Addendum to Dworsky Sagan filing
Date: Tuesday, January 3, 2023 2:23:04 PM

January 3 2023

To : Meredith Crandall

Addendum to earlier filing:

We adopt as our own as an addendum to our previous submission the filing by Rebecca Grayck of 36 College Street submitted to the DRB and Planning and Zoning administrator on Jan 3, 2023 pages 01/03/23/GRAYCK001-01/03/23/GRAYCK004.

Thank You,

Daniel Sagan

Alisa Dworsky

31 First Ave

Montpelier VT

05602

Danny Sagan AIA
D S Architects PLLC
dsarchitectsvt.com
dsaganvt@gmail.com
802-249-7136

From: [Delia Robinson](#)
To: katie.gustafson@vcfa.edu; [Pelin Kohn](#)
Subject: zoning
Date: Tuesday, January 3, 2023 2:32:38 PM

To: The Members of the Montpelier Development Review Board cc/Zoning Administrator, City Council, Town Manager

Regarding: VCFA Development Application/Master Plan/PUD

A resident at 12 Guernsey Ave in Montpelier, Vermont, I write to express my concerns with the Development Application and Master Plan/PUD submitted by VCFA on December 5th 2022, to be reviewed by the DRB on January 3, 2023.

I feel the VCFA application is not in the interest of the greater neighborhood community and I encourage you to Vote no on this application.,

Sincerely,
Delia Robinson

From: [JULIANA FECHTER](#)
To: [Meredith Crandall](#)
Subject: Montpelier Development Review Board-Public Hearing
Date: Tuesday, January 3, 2023 3:40:18 PM

Dear Meredith,

Please share the following email with the DRB members.

As a forty year resident neighboring to Vermont college since 1980, the new VCFA (Vermont College Of Fine Arts) application concerns me. Let me remind you, that I stand before you with the right to make this informed statement on this matter, a statement that would not be permitted to be heard, should this application go through. This is because the new application forfeits my right to be informed on decisions pertaining to Vermont college, as well as holding a say so on all matters.

My concerns include that with this application, the current conditional permits allow for the ability to change VCFA into the following non educational options, currently listed as “multi-unit dwellings, group homes, restaurants, medical clinic building” and more. I disagree with any non educational plan for this space, as the college has held the plan of keeping it a place of education in perpetuity, a plan that will no longer stand, under the new agreements circumstances, because Vermont college would not be the entity holding this space anymore.

I would like to know the efforts, or lack thereof, that have been made to keep the VCFA space a place of education. I request a list of contacts and dates pertaining to whom Vermont college has been in contact with, for selling this space over the past five years.

Another statement that I would not be permitted to say, or be informed enough to ask, should this new agreement go through, is the following: Should this new agreement pass, who is funding the non profit or private institutions that would be in place of the current VCFA? Should there be a lack of public or private funding for the corporations, whoever they may be, this location may be subject to any further changes or ideas not currently stated in the new agreement and to which we the residents of the neighborhood, would not only not be informed of, but not be permitted to speak on, allowing for companies to gain free reign of this location indefinitely. With such a prime location, shifted from a place of education, how could anything but profit be at the top of the list for any future plan put in place. How is the city or federal government going to be able to support the humanitarian proposals you have listed?

This agreement cuts out all say from residents and our right to be informed on all further VCFA agreements. I am appalled as a long time resident at this shift in the agreement.

Thank you for your consideration and I look forward to meeting on this matter with you in the future,

Juliana Fechter
Tracy Street
Montpelier, Vermont
05602