

Dear Chair Allen and Members of the Development Review Board,

I first want to thank the Development Review Board members for their public service to the community and their willingness to listen to applicants and abutters in this quasi-judicial process. Please accept these comments as part of the record for Vermont College of Fine Arts Campus Planned Unit Development application.

I think it's important to recognize that it was 144 years ago that the Campus began to take shape following the acquisition of the former Sloan Hospital site by the Newbury Seminary in 1866. In fact, the land adjacent to the campus was mostly undeveloped and East State Street was a muddy footpath. The creation of the campus spurred neighborhood development around it forever creating an institutional and residential mixed-use area. The Campus was established long before the neighborhood and for 144 years has been stewarded by a variety of institutions.

Over the last thirty years, ownership of the campus has changed from Vermont College, Norwich University, Union Institute & University, and presently Vermont College of Fine Arts (VCFA), all the while utilizing the built assets and adapting to sector challenges most recently exacerbated by the COVID-19 pandemic¹. This memo does not look to purport the validity of VCFA's decision to change their pedagogy, but it does recognize that higher education is a challenged sector and creative destruction² forces provide opportunities for Montpelier and the region.

Does it qualify for a Campus PUD?

I listened to the concerns made by neighbors of VCFA last year during meetings held on campus and what I heard was questions over the future of the campus, preservation of the college green, maintaining and activating historic buildings, and having one entity for neighbors to be able to reach out to with questions and concerns. All valid questions by neighbors. This is why reviewing this proposal under §340 as a Campus PUD is paramount. Without a Campus PUD, the college will be forced to subdivide the entire campus up into separate lots that will be sold to different entities, different uses that will have different parking requirements that may not allow for full activation of the underutilized

¹ <https://www.mckinsey.com/industries/education/our-insights/reimagining-higher-education-in-the-united-states>; <https://vtdigger.org/2019/03/08/deeper-dig-vermont-colleges-keep-closing/>; <https://www.forbes.com/sites/glennllopis/2022/11/23/leading-in-a-time-of-change-higher-education-in-transition/?sh=11f6490c1459>

² https://www.huffpost.com/entry/the-creative-destruction_b_3736695; <https://www.forbes.com/sites/richardvedder/2021/08/30/more-death-is-needed-in-higher-ed-bring-on-more-creative-destruction/?sh=6becdd3c2593>

assets. Furthermore, without a Campus PUD, the college green is not preserved and could be developed if the private property owner wanted to pursue.

With surmounting challenges in higher education, college campuses are becoming vacant in Vermont³ and around the country⁴. In some cases, adoptive reuse is the only way to fully activate these historic community assets. VCFA's students were only ever on campus periodically as part of their low residency program, so does the removal of these students now, mean that the "campus" is no longer a campus? I contend that it does not and can meet §3408.B's applicability standards because the activation of the campus is primarily light industrial, office, and institutional uses and VCFA's plan to create a condominium association that utilizes adaptive reuse, in this mixed-use residential district, is the common purpose that helps to preserve and maintain the Campus as a whole.

Should the DRB change certain uses from conditional use to permitted?

As part of VCFA's Planned Unit Development application, they are requesting the DRB update certain uses from conditional use to permitted. This memo supports this request for the following uses: Multi-Unit Dwellings, Group Home, and Congregate Living. As recently as 2018, the Campus was located in the City's High Density District which permitted both Multi-Unit Dwellings and Elderly Housing (now referred as Congregate Living). Furthermore, the State of Vermont has recognized regulatory challenges have impeded housing development throughout the state. To help communities make the creation of housing easier they created a guide called [Enabling Better Places: A Zoning Guide for Vermont Neighborhoods](#). The Legislature also appropriated funding (\$650,000 for FY23') for [Bylaw Modernization Grants](#) for municipalities to update their zoning regulations in support of a pedestrian-oriented development that support smart growth in accordance with Vermont's smart growth principles ([24 V.S.A. §2791](#)). Two of the recommendations in their guide include eliminating excessive review requirements such as conditional use approval and limiting unnecessary subdivision of land.

Converting multi-family, groups home and congregate living uses from conditional use to permitted in a mixed-use district within walking distance to our commercial core and services is well within reason for efficient utilization of our built assets. And it should be noted here, VCFA is only asking for these uses to be converted from conditional use to permitted for adaptive reuse of existing buildings. Any new proposed buildings or parking spaces would require conditional use review.

Out of the five conditional use criteria: (i) capacity of existing or planned community facilities; (ii) the character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan; (iii) traffic on roads and highways in the vicinity; (iv) bylaws and ordinances then in effect; and (v) utilization of renewable energy resources it is only (iii) that can be questioned as being adversely effected by the proposed uses. Requiring a traffic impact analysis as has already been requested by the DRB is proper.

However I question what is the correct timeline to establish a baseline. It is always the goal to fully utilize our existing built environment and to preserve and activate our historic assets. As I heard last year from many neighbors of VCFA, they believed VCFA should find another higher educational institution to take over the campus to keep it functioning as a traditional college campus. In fact, some

³ <https://www.bostonherald.com/2019/09/28/former-college-towns-left-to-adapt-to-business-loss/>

⁴ <https://www.bisnow.com/national/news/commercial-real-estate/hundreds-of-college-campus-closings-create-redevelopment-plays-but-its-not-an-easy-course-to-pass-114056>

lamented that VCFA was not working hard enough on finding another educational institution to take ownership. If a fully functioning residential college is what is desired, what does that traffic analysis look like? Should that not be the threshold for which a baseline traffic analysis of today is judged?

We are in a housing crisis in part due to a regulatory scheme that does not incentivize enough, adaptive reuse of underutilized buildings and the power wielded by minority groups otherwise called NIMBYs (Not In My Back Yard). The word “conditional use” is akin to “uncertainty” for a developer and that uncertainty contributes time and increased costs to a project that can decrease the overall affordability of housing projects. And for renters in Montpelier, affordability is terribly important when over 36% of renter households pay 30% or more of their gross income on household expenses⁵; the threshold most commonly used to determine if housing is affordable or not. And to put that into context, 36% of renter households equal 659 households or approximately 1,088 Montpelier residents⁶.

In summary, I support VCFA’s Campus PUD application before the DRB in their request for approval to have multi-unit dwellings, group home, and congregate living uses listed as permitted in existing buildings. Doing so is the right thing to do for our community to help foster the creation of more housing in close proximity to our commercial core and services.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josh Jerome".

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⁵ [Source: U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates](#)

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