

Minutes of the East Montpelier Planning Commission
APPROVED 6/27/19

June 20, 2019

PC members present: Julie Potter (Chair), Jean Vissering, Scott Hess, Mark Lane, Jack Pauly, Zach Sullivan, and Siu Tip Lam

Others present: Bruce Johnson (Zoning Administrator), Clarice Cutler, Lindy Biggs, Rick Hopkins, Sandy and John Flannery, Janice Waterman, Kim Swasey (Selectboard member), Norm Hill (DRB member), Fred Strong, Karen Kane, Ken Trask, Andy Shapiro, Virginia Burley, Paul Erlbaum, Alice Dworkin (DRB member), Rick Mastelli, Bruce Fitch, Lori Martin, Joe Buley, Carl Etnier (Selectboard member), Colin Blackwell (forest committee), Malcolm Fielder, Diana Fielder, Charles Waterman, Christopher Reed, Deborah Fillion, Robert Nuner, Seth Gardner (Selectboard Chair), and Bruce Chapell.

Open House on Rural Districts

Call to order: 7:05 pm

Welcome by Julie Potter. Consultant Brandy Saxton gave a brief presentation on the Rural Districts and the two different alternatives. Gist of presentation:

- PC working on draft regulations to implement Town Plan.
- Draft regulations also updated to include changes in state law
- This is 2nd of series of 3 open houses to introduce the draft zoning districts and to get feedback from community members.
- Today's open house is on the rural districts.
- Town plan – majority of the town is in rural district
- Goals of town plan:
 - Maintaining rural character of the town
 - Conservation of natural resources
 - Protecting farm and forest lands
- The current zoning districts have been in place with minimal changes for a long time.
- Many parcels of land have been conserved since the current districts were established.
- Draft zoning districts to implement town plan goals and to recognize those conserved lands.
- There are 2 alternatives for the rural districts.
 - A: Rural 2, Rural 5, and Rural 10. Rural 2, min lot size of 2 acres; Rural 5, min lot size of 2 acres with one unit per 5 acres; and Rural 10, min lot size of 2 acres with one unit per 10 acres. This alternative will allow denser development along paced roads and less dense development in areas farther from the roads.
 - B: Rural 2, Rural 3, and Rural 10. This alternative is more similar to current zoning districts. Rural 2, min lot size of 2 acres; Rural 3, min lot size of 3 acres; Rural 10, min lot size of 1 acres with 1 dwelling per 10 acres.
- Density-based approach to zoning. Under conventional zoning approaches, it is done based on min lot sizes. To protect farm/conserved land, you can have larger lots, but tend to fragment land. If min lot size is smaller, then may lose the rural character. Density based approach takes the middle of the road. It permits small min lot sizes but maintaining lower density in areas to protect farm land from fragmentation. Similar to planned unit development (PUD). But density based approach does not require a master plan and allows more flexibility to subdivide land for

development at different stages. It accommodates small and incremental subdivision/development of land, up to the allowed density limit.

- Presented the different uses allowed in each rural district.

Q&A after the presentation:

Q: What is impact of draft regulations on affordable housing?

A: The zoning regulations do not specifically zone for affordable housing. But the Master Plan for the Village sets as a goal of creating housing opportunities, including affordable housing. Thus, to encourage more housing choices, including affordable housing, the draft zoning district for the village reduces the min lot size requirement.

Q: Is the density zoning approach required in the master plan?

A: No, it is not. It is an approach to zoning that enables flexible small and incremental subdivision. Some people prefer to see more houses closer to the road with more unfragmented land in the back. Some prefer more open space along the roads with houses farther back from the road, which may create more fragmentation of land. A town can employ different approaches to achieve the town's goals. Density zoning may bring the houses closer to road and less fragmentation of land.

Q: Do the new zoning districts create more or less housing development potential than the current zoning districts?

A: The new zoning districts create more potential for development in certain areas, especially in the village, with smaller min lot sizes. Alternative A creates a maximum of about 500 units more than allowed under the current regulations. Alternative B creates a maximum of about 1000 units more than allowed under current regulations. But development depends on the condition of land and suitability for development.

Q: Can you develop on an ½ acre lot? Will it support septic system?

A: Yes but it depends on the condition of the land.

Q: With the density approach, more land may be kept together even when subdivided. Will that permit the building of solar or wind farms?

A: Depends on the development rights conveyed in the subdivision. Also depends on the state requirements, which may need approval from the Public Utility Commission.

Q: How democratic is this process of seeking comments from community members? Question why the comment forms do not require names and addresses?

A: People are welcome to put their names on comment form. But this process is informally seeking feedback on what people think. This is to help PC to make decision on draft to be put out for formal comments through hearing. Then the final draft regulations go to Selectboard for their review and they also need to do public hearing before the regulations get adopted.

Q: Timing of the process and next steps. When will the draft regulations be finalized for public hearing?

A: Not for a long time. It would take at least 3 or more months from time when regulations are finalized for public hearing before they get adopted. Seth Gardner, Chair of the Selectboard, encouraged people to attend PC and Selectboard meetings, which are open to public, to learn more about the draft regulations and what are being considered and to give the PC and Selectboard feedback.

Q: How would the draft zoning districts affect the roads? Would they be upgraded?

A: Zoning does not provide for upgrading of any roads. However, it may affect traffic. PC heard a lot of comments on traffic – that traffic may increase in certain areas as result of change of zoning districts. It is an issue PC need to consider.

End of presentation portion of the Open House. People brought up into groups to review maps and discuss specifics with PC members.

Notes from the Alternative A table:

- Comments on Center Road, East Montpelier Center: 2 acres could be ok, great concern about ½ acre.
- Some conserved land not shown in big map.
- Keep it simple so easier to understand.
- Gould Hill Road area shouldn't be 3 acres – should be 7 or 10 acres. Too much traffic already.
- Provide incentives to protect farm and forest land
- Incentives to cluster to protect farm and forest resources.
- Does not want PUDs, like the development in Williston. Even though current regulations allow PUDs, shouldn't use history to guide changes in regulations. Should decide whether that's what the community wants.
- PUD is a good idea. It encourages clustering of development and preservation of open land. Better planning than the density zoning approach. Elimination of density bonus for rural areas is not a good idea.

Notes from Alternative B Table:

- Check on whether any conserved land not shown on big maps.
- Don't leave island of 3 acre in midst of conserved/RL10 (conserved parcels on Center Road).
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Notes from group discussion after the breakout review of maps and Q&A:

One resident comments that he prefers Rural 3 over Rural 5 but understands the desire to reduce fragmentation of land. He wants to PC to consider creating incentives for people to cluster development and to reduce fragmentation of land.

Another comments that there should be better showing of the difference between the current zones and the draft zoning districts.

Comments that the maps should be more consistent with each other, e.g. same color schemes, orientation of maps, same descriptive language, etc.

Q: Will comments or information that PC gathered at open houses be available to public?

A: Yes, comments and notes on open houses will be posted on town website.

Regular PC Meeting

Call to order: 8:45 pm

PC members present: Julie Potter (Chair), Jean Vissering, Scott Hess, Zach Sullivan, Jack Pauly, Mark Lane, and Siu Tip Lam.

Others present: Bruce Johnson (Zoning Administrator), Clarice Cutler, and Brandy Saxton.

Comments on open house:

- Good turn out, about 20-25 people. Fervent comments and discussions.
- A lot of comments on Gould Hill Road/Dillon Road planned community. Some commented that town doesn't want to maintain that road. The different alternatives do not help Dillon Road planned community.
- Lots of comments on Center Road, EM Center. People commented that they are ok with 2 acres but not happy with ½ acre min lot size.
- Some question why one side of road is zone for 3 acre and one side zoned for 10 acre (Alternative B).
- People generally concerned about the restrictiveness of the use within the draft zoning districts. PC needs to explain the different types of home businesses allowed and what other types of uses other than home businesses are allowed. Brandy will cover that in next meeting.
- Comments from both alternative breakout groups: certain protected lands are not shown as such on the large maps. Bruce will check to see what conserved land not identified as such on maps.
- Comment that there is a 3 acre parcel on northern Center Road that is currently not protected land and that it should be swept into Rural 10. It is south of Butler farm.
- Format of open house – some didn't like at first the breakout discussions after the presentation and Q&A as they didn't know what was the point. Some felt that the breakout discussions were helpful as they allowed people to ask questions specific to them and to get to see the maps up front. General questions after presentation was good.
- Challenges with different maps for the two alternatives. People didn't get to see the difference between the two alternatives.

Based on feedback on format of this open house, for next open house, we should put all the business districts onto one set of maps and have them available for people to examine along with the individual districts on the big maps. In addition, we need to provide existing zoning maps at each table.

Julie will compile the feedback forms and make them along with the comment notes from the open houses available on website for public to review.

PC members reviewed June 6, 2019 minutes prepared by Kristi Flynn. Mark Lane moved to approved the minutes. Zach Sullivan second motion. Minutes approved by all.

PC won't meet July 4 (first Thursday) as it's a holiday; next meeting would normally be on July 18 (3rd Thursday). There was discussion on whether PC should meet once on July 18 and not meet in August to give PC members time off. It is decided that PC should meet twice in July to discuss the big picture on the draft regulations after hearing all the feedback from the open houses and would take August off. PC will meet on July 11 and 25.

Bruce Johnson brought to PC's attention a funding opportunity that may help to address developing affordable housing in North Montpelier. About 8 properties in North Montpelier are being sold. They are not in great condition and are subject to state investigation. With a municipal planning grant, the deadline for which is coming up, it can support a project that can potentially set us up for a block grant to rehab the properties in North Montpelier for development into affordable housing. The funding for the municipal planning grant starts in Jan. Bruce Johnson can write the grant application, but there is a question on whether PC has capacity to manage grant. Do we need to hire someone to plan and manage the grant project? Also, PC had 3 municipal planning grants already, how to make grant application competitive? Julie Potter will review the grant materials and PC will need to have discussion in the next meeting.

Motion to adjourn meeting made by Mark Lane, second by Scott Hess. Motion passed unanimously, Meeting adjourned at 9:14 PM.