

4.17.24 meeting minutes

This meeting was conducted remotely.

Members present: Alison Anand, Ian Bender, Virginia Clarke, Mark Fausel, Chris Granda,
Joy Reap

Members absent: none (*one vacancy*)

Others present: Keith Oborns (Director of Planning and Zoning), Tom Astle (MMCTV), Gary
Bressor, Lisa Miller

1. Welcome

Clarke welcomed everyone and opened the meeting at 7:01 pm.

2. Review and adjust agenda

There were no adjustments to the agenda.

3. Public comment on non-agenda items

There was no public comment on non-agenda items.

4. Review minutes of 4.3.24 meeting

Granda said he would send additional details about his affordable housing presentation to be added as an appendix to the minutes of 4.3.24. The minutes as submitted along with Granda's additions were accepted into the record as the final minutes. Osborne commented that the pdf versions of the meeting materials should now be able to show redlining, and confirmed that there were both pdf and Word versions of the supporting materials for the 4.17.24 meeting.

5. Consideration of semi-final draft zoning language for the Village Residential Neighborhoods North and South (VRNN and VRNS) and supporting concepts and definitions

Granda started the discussion by wishing to review why we were separating out these two districts from the underlying districts. Clarke responded that we have considered just making both these areas into one district, but that they seemed different even though minimum lot size and residential density now have to be the same because of Act 47. The underlying districts are not subject to Act 47. The presence of the Round Church in the VRNS is also a difference between the two. Osborne added that they are geographically distinct, and that administratively it made no difference if there were two districts or one.

Osborne screen shared a map of these areas and outlined the borders of the proposed new districts. The VRNN now includes both sides of the Jericho Rd up to School St, as well as portions of W. Main St (both sides), Brown's Ct and Burnett Ct, Tilden St, Baker St, Millet St, Pleasant St, Lemroy Ct, Borden St, Church St and Esplanade. The VRNS does not include the Farr Farm, which we are leaving in the A/R district for now, but does include Thompson Rd, the residential portions of Bridge St south of the river, Brooklyn Ct, and portions of

Cochran Rd and the Huntington Rd near the intersection with Bridge St. Clarke and Osborne confirmed that they would work with CCRPC to generate some new (proposed) maps of these districts. Turning to the purpose/features of the VRNN. Clarke mentioned that some of the language had been simplified, but still had the same meaning, of the previous version, due to a concern that the language was too subjective. Reap commented that all changes should be redlined, which Clarke said would be done going forward. There were no other comments on these portions.

Continuing on, there were no changes to the permitted use section. Under conditional uses, the only change was substituting “elder care facility” for “supported housing.” Clarke said the reason for this was to include the kind of facilities that people were comfortable with in a residential neighborhood, such as hospice, assisted care and nursing homes, and exclude some other types of supported housing, such as drug rehab facilities. She mentioned that this will have to be acceptable to the town attorney. Granda wondered about including hospice due to palliative and drug concerns, but didn’t want to exclude it.

Moving to the “residential density” section, the term “base residential density” was used in order to allow for future “density bonus residential density” that might apply to affordable housing in this district, if that is elected in the future. Bressor wondered about how ADU’s would affect residential density. Clarke offered that, as far as she and Osborne had been able to find out so far, a single-family home with an ADU still only counted as one residential unit, so that ADU’s were essentially outside of density calculations. Osborne added that the thinking may have been that both the single-family home and the ADU would be in the same ownership, so constituted a single family dwelling unit.

Under the dimensional requirements section: frontage of 55,’ lot coverage of 50% and setbacks of 10’ for a habitable structure and 5’ for a non-habitable structure were reviewed. In the District Specific Development Standards, there was no question about all lots being served by water and sewer service. There was some discussion about item (3.11.6(ii)) concerning sidewalk development, with Bressor questioning the intent and clarity of the language in the draft, especially regarding sidewalks for PUD’s. Clarke and Osborne agreed that this item needs work, and may not be feasible either for developers or the town. The site design standards (section 3.11.6[b], including a prohibition against storing waste containers or dumpsters in the front yard, or parking in the front yard, were discussed. The Act 47-required maximum required parking of 1 space per dwelling unit also elicited no comments from the commissioners.

Clarke briefly introduced the topic of redlined alterations to the existing Multifamily Housing Development Standards, which will now be relevant to these districts as Act 47 requires 3-4 unit dwellings be allowed here. Commissioners were asked to review these for the next meeting. Reap commented that she didn’t feel that the changes we are proposing here would actually allow any additional housing at all, which the neighbors might be ok with, but which doesn’t help the housing crisis. She feels that the lots are too small and may already have reached their density limit. She suggested that maybe rounding up

would be beneficial, possibly allowing attics or garages to become dwelling units. Clarke responded that the rounding rule in the Jolina Ct district could be added in here. Reap said she would recuse herself for voting on these districts as she owns property in the proposed VRNN. Clarke said it was definitely worth considering whether or not these changes would allow more housing, but would also have to consider the neighbors' concerns. She repeated that the next draft would reformulate the sidewalk requirement.

Osborne suggested moving on to the VRNS. The only new item here is the "feature" that the Round Church be allowed to continue with their special events with parking, and that the Round Church should continue to be an important, protected icon. Granda asked about the Farr Farm, and why it had not been included in the VRNS. Clarke replied that currently the Farris wish their farm property to remain in agricultural use, but would accept any changes that might help them to be able to continue to farm. Granda concurred that we had said we would respect that, but perhaps could prepare for a next phase in the future. Lisa Miller wondered how requiring dumpsters to be to the side or rear of the buildings would work, as they may need to be where work is being done on a structure. Osborne felt that dumpsters for a short-term construction project could be placed anywhere without it being a problem, but could not be permanently placed in the front yard, Bressor stated that he felt these districts were ready to go to public hearing.

Clarke briefly reviewed the supporting documents for these districts and asked if there were any questions about them so far. The "elder care facility" definition document also clarified that "emergency shelters" as defined in Act 47 were not proposed as an allowed use in the VRN's. The "on ground improvements" document proposes to remove the definition of driveways, sidewalks and parking areas from the "structures" category and give them their own definition in order to more clearly talk about regulations involving these improvements. The "parking" amendment allows us to separate residential parking in W&S areas from that in non-W&S areas, as Act 47 prohibits requiring more than one parking space per dwelling but only in the W&S areas. She tabled discussing the other 2 supporting documents – "residential density" and "multifamily housing development standards" – until the next meeting.

6. Jolina Ct district – continued discussion of amendments

The discussion began with reviewing the amended purpose section of 3.9, Jolina Ct Zoning District. Granda felt that the words "traditional village mixed use pattern" did not quite fit with the new emphasis on residential uses, and could be removed. Anand wondered about the term "smart growth," the intent of which was to refer to a documented planning concept that is well established in Vermont planning literature. There was further discussion about permitted and conditional uses, including what traffic a retail use might generate; how "retail" had to be amended to Buttermilk's permit to allow the current business to locate there, and how "village scale" should be added to the retail use to utilize definitions established for the R/C districts.

Next “residential density” was discussed. Clarke mentioned that the draft’s density of 18 U/A was a compromise between the existing 15 U/A and the Village Downtown density of 24 U/A which had been suggested as a possibility. The 18 U/A density would give Buttermilk an additional 9 units to add to building 2’s first floor where the commercial space has now opened up. Granda stated that he would like to see a variety of sizes of units, all of which would be relatively affordable, rather than just smaller units. Reap wondered whether the commercial requirement that currently exists for building 1 would be removed also. Clarke responded that the plan so far is to continue to require any building that fronts onto Bridge St to have a ground floor commercial requirement, which would have to be written explicitly into the PUD section. Bender asked if 24 U/A would be the maximum density, and if there was some number that would be palatable to the public or to the Selectboard. Clarke said she had no answer to that question and perhaps the PC should try to have a conversation with the SB before making a final proposal. Granda agreed with that idea, and wondered what effect increasing the density would have on the size and scale of the multifamily buildings that could be built in the Jolina Ct district. Clarke said there was currently a footprint limitation of 10,000sf so as not to exceed the size of the Town Center building. Bender asked if Buttermilk had expressed an ideal number of additional units for building 2 that they would like, and Clarke said they would like 24 units in addition to the 31 units they are already promised for a total of 55 units.

Questions were asked about the capacity of the wastewater treatment plant and the schools to accommodate additional residents, and Osborne and Clarke said they believed they would, but that these questions will need a definitive answer. Osborne said he had heard that the wastewater treatment plant was operating at 34% capacity. Bender asked whether another traffic study be required if Buttermilk put in 55 units. Osborne said that his office could likely arrange for an engineer to look at the number of trip ends that would be generated, and also that the Jolina Ct / Bridge St intersection needed to be looked at from the Railroad St approach as well. He said that there were plans to obtain grant money to study the intersection, and that CCRPC might add it to the UPWP, which might be more persuasive than having the developer do the study. Bender said he would be comfortable with a density of 24 U/A if he was sure that the traffic study, and possible mitigation strategy studies were being done.

Clarke asked Miller, as a member of the Selectboard, what her feelings were about the density question. Miller responded that she was in favor of more residential uses in the downtown area, and would support an increase in density as long as the traffic and parking issues could be resolved. She felt the SB would be willing to think about this, and also that the thinking might involve how the Town Center redevelopment project might be related to Jolina Ct. Clarke said she and Osborne would work towards getting on the SB’s agenda as soon as possible to sound out their reactions to increasing Buttermilk’s residential density. In addition to this, Clarke summarized that she and Osborne would work on the sidewalk question, have some VRN maps made, and make some new redline versions.

8. Adjourn

As there was no other business or updates to report, Reap motioned to adjourn, seconded by Granda. There was no objection to the motion, so the meeting was adjourned at 9:03 pm.

Minutes submitted by Virginia Clarke