

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/planning

*Yves Bradley, Chair
Bruce Baker, Vice-Chair
Andrew Saba
Lee Buffinton
Harris Roen
Andy Montroll
Jennifer Wallace-Brodeur
Vacant, Youth Member*



Burlington Planning Commission Minutes

Tuesday, June 24, 2014 - 6:30 pm

PC Present: L. Buffinton, H. Roen, Y. Bradley, B. Baker, A. Montroll, E. Lee

Absent: J. Wallace-Brodeur

Staff: D. White, S. Thibault, E. Tillotson, K. Sturtevant

I. Agenda

A. Montroll: Suggests amendment of the agenda to add appointment of the director, 4.5.

S. Thibault: Staff suggests an amendment to the agenda to discuss approval of a contract for planBTV South, 6.5.

II. Public Forum

No public present.

III. Report of the Chair

The Chair presented the following report:

- The Directors' evaluation is available online. It was brought to his attention that there was a procedural glitch in the reappointment of the Director which will be addressed tonight.

IV. Report of the Director

The director presented the following report:

- The Planning & Zoning office has been inundated by applications.
- There is a tremendous amount of activity going on in the office. The City Council Ordinance Committee is a meeting this week, Wednesday at 5:30 to talk about residential parking, Commissioners are encouraged to attend. The Committee would love to hear directly from the Commissioners with their input on the ratio of required parking to number of bedrooms in any residential unit.
- In development review, the staff is anticipating a couple of major development projects this summer. First Fletcher Allen Health Care will soon be delivering an application which will include a request from UVM to tear down three dorms. They will present alternative plans, perhaps by the end of the month and they will also be providing temporary housing to fill in for the removed dorm spaces of approximately 400 beds. At the end of summer, there is another 80 million application anticipated from UVM, referred to as the STEM (science, technology, e , math) project. It will involve the removal of two buildings, Cook Science and Angell Lecture.

Agenda amendment 4.5

On a motion by Y. Bradley, seconded by L. Buffinton, the Commission unanimously appointed David E White as Planning and Zoning Director.

As approved by the Burlington Planning Commission on August 12, 2014.

V. North Avenue Corridor Study

Eleni Churchill from the Regional Planning Commission and Nicole Losch, Transportation Planner, DPW

N. Losch: Describes the content of the Corridor study, which includes all transportation and land use. The project is in coordination with the Municipal Development Plan. They have changed the street perspective to reflect increased bicycle priorities. Some streets are already designated as complete streets which are structured to accommodate everyone and all modes of travel, and are associated with the current and projected land uses.

The Corridor Study encompasses the area from North Street to Plattsburgh Avenue. They are following the traditional corridor study process. Information gathering, evaluation, develop mission, provide public workshops, provide an on line tool for feedback, as well as some direct outreach. There will also be formation of an advisory committee composed of representatives from the school, the city, city departments, the Chittenden County RPC, CCTA, AARP, the City wards and others.

The Vision statement will establish priorities for the primary transportation core, North Avenue, which will be safe and convenient access, more livable and desirable neighborhoods. The EPA's building blocks for planning are being used as a tool to accomplish this.

E. Churchill: Discusses existing conditions. The volume of cars is highest north of the 127 intersection. Capacity analysis anticipates more growth around the shopping center area with possible development around Burlington College being an unknown. They are hoping to plan for 20 years down the road. There are high crash locations at the North Street end and the shopping center area.

N. Losch: Several public meetings have been held. At the first one there was discussion of pedestrian crossings, curb ramps, and poor sidewalks. At the second workshop, some anticipated improvements were discussed. Intersections, roundabouts, signals realignment, improved pedestrian and bike travel through intersections, bike accommodations and pedestrian facilities.

E. Churchill: Workshop three was held in May where refined concepts from the previous two workshops were presented. During the third open house, an addition to the voting forum with another cross section was introduced so that input from the on line tool will be utilized.

There are three conceptual options:

The first is short term. It is what can be accomplished within three years, at a lower cost, consists of the more simple actions.

The mid level is longer five to ten years. It is a more substantial cost, would reduce the street to three lanes. Bike travel is especially a problem, there is a large need to facilitate a smoother ride. Curbs are not being moved. They are trying to devise more bike visibility, perhaps with auto parking on one side of North Avenue and biking on the opposite side. There should be bike lanes on both sides of the corridor.

There are nine suggested new pedestrian crossings which DPW will implement in a staggered fashion. The intersections need to improve the capability to carry bike routes through the intersections. The 127 high speed intersection will be modified to be less accident prone. Details of the proposed improvements are on their web site.

A. Montroll: If the width is staying the same, where is the cost?

E. Churchill: The pavement has to be ground and relined. The old painted lines are too visible otherwise. The long term concepts consists of adding bike lanes to all segments, buffering the bike lanes, constructing on street one way cycle tracks, or raised two way on street cycle track. There are some constraints with the amount of available land closer to the city. The most favored concept analysis and implementation of a two way raised cycle track. The thought is to have an implementation plan ready to vote on July 1st by the advisory group, then go to the City Council in August or September.

H. Roen: Comments on the talk about sharrows, which is being proposed as a temporary measure, he finds them dangerous.

As approved by the Burlington Planning Commission on August 12, 2014.

N. Losch: That is not our preferred solution.

Y. Bradley: His perspective, that encouraging cyclists to take up an entire lane, drivers expect cyclists to hug the side of the road. Whatever is instituted needs to be in a really safe manner, just consider Shelburne Road.

N. Losch: A culture change is needed in bike approaches/attitudes.

L. Buffinton: Education and enforcement are the keys. Cyclists are ignoring the rules, a little more enforcement would be good.

E. Lee: There has been a lot more enforcement.

N. Losch: Enforcement does come in cycles and spurts.

VI. Clean Hands Policy

K. Sturtevant: Discusses the proposed ordinance changes. The purpose is to have properties with no violations, and in compliance with applicable ordinances.

Y. Bradley: How do you approach ownership registered with different names (LLC, Trust, etc)?

L. Buffinton: Maintaining current name corrections is an ongoing issue, keeping up to date is a challenge.

Y. Bradley: Is there a way to require mandatory disclosure of ownership?

A. Montroll: A LLC form of ownership needs more thought about how to link different ownerships together.

L. Buffinton: What if a violation is minor?

K. Sturtevant: There would be a need to establish a method of differentiation.

A. Montroll: Feels that it would benefit the Commission to be thoughtful about violations and the need to move forward. The Clean Hands definition is really tight. What if there is a conflict in process of appeal/cure period, what happens at that point could be problematic.

B. Baker: One thing that is a concern is permits categorized as "permit indeterminate", which is a records problem that places the onus on the owner.

E. Lee: When a permit is approved, there is a two year period to finish a project. She has seen the clean hands policy used for outstanding fines.

L. Buffinton: I think in terms of chronic long term violators. If the open permit exceeds the cure period.

K. Sturtevant: And who is falling into that category?

L. Buffinton: On occasion, someone may not even know that they have this issue, if the owner is acting in good faith there shouldn't be penalties, it's a different story if there is a long time period of violations.

D. White: There has been a notification track as opposed to permit indeterminate. The goal is to clean up the records which are technically violations but usually there is active dialogue with property owner to cure the records.

A. Montroll: There was an instance where windows weren't permitted properly and the owners are still working on a solution.

D. White: There is an agreement with the property owner that he will put the windows back over a period of time.

B. Baker: An owner could have a condition which is in violation and not know about it. If it's serious enough, a Notice of Violation (NOV) will be issued. He thinks issuance of a NOV is a good line to determine if the clean hands policy needs to be followed.

As approved by the Burlington Planning Commission on August 12, 2014.

D. White: This doesn't address a situation where someone comes in to get permit to add fifth unit to a property that is only entitled to two units.

K. Sturtevant: There have been different ideas about the solution to this situation from the beginning of time. She is aware of a case study situation where the property owner comes in for permit, owns three other properties, all with violations. If you are coming in for a permit your property should be in good standing.

B. Baker: Bill Ward, Code Enforcement Director, believes there is no need to hurt property owners who unknowingly have a violation. Let's say the contractor forgot to get a GFI outlet inspected, it doesn't seem a big enough problem to bother with since it is not intentional.

E. Lee: All property owners should be following city requirements.

Y. Bradley: We are all saying same thing, perhaps K Sturtevant could take the comments and try to refine them a little.

Agenda amendment 6.5

S. Thibault: Discusses planBTV South, the process is moving along nicely, an existing conditions analysis, funded and managed by Regional Planning Commission will be available soon. Land use inventory, brownfields analysis are beginning soon will end in the fall. The second piece, real estate market analysis, was recently sent out as a proposal to qualified companies. As it happened, only one firm responded, which was the firm that was anticipated to respond since they had just finished the downtown housing study. Their bid was under budget and they are being offered the standard city contract which needs to be approved by both the Planning Commission and the Board of Finance. This firm was the prime candidate since the bid period was a short time frame, the project needs to be finished by October 15, and this firm already has a lot of data from the downtown housing study.

On a motion by A. Montroll, seconded by L. Buffinton, the Commission unanimously endorsed signing of this contract.

S. Thibault: A selection committee is being formed for planBTV South End and she would like to have at least one Planning Commissioner on this committee which will review proposals, will interview the top three consultants, etc. Perhaps H. Roen since this is his neighborhood?

H. Roen volunteers.

VII. Committee Reports

Ordinance Committee – Hasn't met, will meet next on the 10th of July.

Long Range Planning Committee - has not met, doesn't have anything on the horizon, but perhaps might discuss the south end project.

Executive Committee - has not met but suggest next Wednesday.

VIII. Commissioners Items

E. Lee: Would like information about 287-289 South Winooski Avenue where there was a permit to demolish and rebuild garage, appealed, and which is now being used as parking lot. What is the incentive for a replacement plan? There is much neighborhood concern about the lack of a future for this proposed garage.

D. White: This property now has a permit for rebuilding a garage on its original footprint. No rebuilding activity is noted, but that is all the permit allows. There is a year to start and a total of two years to finish.

Y. Bradley: Could staff get back to the Commission with thoughts about a resolution to this?

As approved by the Burlington Planning Commission on August 12, 2014.

L. Buffinton: There is an on going need to look at density in RM zones and the addition of accessory units. The coverage should be higher than 40% and it should be easier to accomplish accessory units.

E. Lee: Has been hearing about a property on Weston Street with an accessory apartment, which is being misrepresented as a duplex.

Y. Bradley: We did promise the City Council Ordinance Committee that we would meet with them to discuss historic building materials. We should prompt them for a mutual meeting time.

IX. Minutes/Communications

B. Baker notes a correction to the May 13 minutes.

On a motion by B. Baker, seconded by H. Roen, the Commission unanimously approved the minutes of May 13 with corrections, and placed them on file.

A. Montroll: At the last meeting the Commission heard a great presentation of the draft Parks Master Plan by J Bridges, Director.

Y. Bradley: We need to get the Power Point presentation available for commissioners who missed the presentation.

X. Adjourn

On a motion by A. Montroll, seconded by H. Roen, the Commission unanimously adjourned at 8:34 pm.



Y Bradley, Chair

8-22-14

Date



E. Tillotson, recording secretary