

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, November 12, 2014 - 6:34 pm

PC Present: L. Buffinton, H. Roen, J. Wallace-Brodeur, Y. Bradley, A. Montroll, B. Baker

Absent: E. Lee, H. Ransom, Y. Bradley leaves at 7:30

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

I. Agenda

No changes presently, possible rearrangement to accommodate early departure of the Chair.

II. Public Forum

J. Ripa: He was here this past May to speak to a change in the statute of limitations, proposing 15 year. He understood that the City Attorney's office would make recommendations and return to the Commission with suggested action. He has a customer for his Burlington property that is affected by this situation.

B. Baker: This is an issue that I brought to the Commission. I tend to think that 15 years is a reasonable statute of limitations period.

D. White: There were a couple of meetings with the City Attorney about this.

Y. Bradley: I suggest that we nudge the attorney since we do want resolution on this issue.

B. Baker: Perhaps we should propose an ordinance change.

L. Buffinton: This action was associated with the clean hands policy during our discussions. Let's make this a priority of the Ordinance Committee.

Y. Bradley: Let's ask the Attorney where this stands and we will contact the Rippas when something is proposed.

Closed public forum 6:48 pm.

III. Report of the Chair

The Chair presented the following:

- He has reviewed the market analysis from the consultants. He feels that there is a possible slight bias from consultants toward housing in south end.

D. White: Does the Chair feel that the market is characterized correctly?

Y Bradley: Yes. The report potentially targets the south end for micro housing which could serve a portion of the housing demand.

As approved by the Burlington Planning Commission on January 13, 2015.

IV. Report of the Director

The Director presented the following:

- Our Zoning Clerk Nic Anderson's last day is this coming Friday. The job posted advertisement period ends this coming Monday. He will be impossible to replace but we wish him well.
- The Director spent weekend with Joe Spiedel and others in Portland ME. Portland is a really good example of a city with challenges similar to Burlington. There was a lot of sharing between committee members, housing is a very important issue in Portland as well.

V. Housing Action Plan

CEDO Staff: Brian Pine

The process has taken longer than we hoped. The draft from Oct 2nd has just been replaced by a more recent draft which was received on November 10th. The earlier draft has been revised with comments from the Mayor.

Feedback: The general concerns of the public were firstly: building a significant number of student beds, primarily off campus. This is a bit of a lightning rod and criticism was received from many for this approach. In this version the number proposes a 1,500 bed increase in campus and downtown housing which is the UVM concept through their housing master plan. One of most important points is that the administration can't force more students to stay on campus, students want independence. The price of Redstone Apartments is comparable to dorm cost, roughly \$800 per bed in residential neighborhoods. There was a lot of concern and comments and the associated need to work with UVM.

Areas that concern the Planning Commission are eliminating parking minimums, the general public was not willing to remove those requirements. The public doesn't really understand the proposal and the concept that market demands will supply parking. Ward I and Ward II people believe that no parking will exacerbate parking complications.

D. White: Portland is working on FBC for one area of their city. On the record review is not presently in their plan but may end up in the plan.

H. Roen: The issue is that for a homeowner or small business, the process is too expensive for small entities.

D. White: The burden is actually on the city. The issue is does the neighbor have the necessary resources to participate fully?

B. Baker: It seems that there is a burden both on the city and on the applicant.

B. Pine: Regarding inclusionary zoning revisions, Cornerstone Consulting asked if Burlington had done an econometrics study. As far as Brian knows, there is no funding for such a study.

D. White: There were not specific recommendations around inclusionary zoning or about modernizing the ordinance which hasn't changed much in 24 years.

B. Pine: It would be good to hire a consultant to tell us what we need to do to reform the building code, particularly the rehabilitation sub code which needs more flexibility. Rehabilitation should not be treated as if it were new building, it's a disincentive. Bob Duncan recommends a robust public discussion about building codes. A discussion of fees should examine the scale of fees to evaluate if they are too high.

D. White: This needs to be part of the broader discussion of the permitting processes.

B. Pine: The South End planning process, include housing, appropriately should consider the live/work concept for this area.

H. Roen: Doesn't believe that everyone in the south end is against housing.

As approved by the Burlington Planning Commission on January 13, 2015.

Y. Bradley: There is sensitivity to this issue. There could be a discussion with the consultant around the semantics since this is a very sensitive area.

B. Pine: The University sees a need for increasing the supply of student housing on and off campus and extending existing commitments. There should be some consideration of creating a pot of money to tip the balance toward longer term residents. One possibility is TIF money.

A. Montroll: Building single family homes in Burlington is becoming almost impossible, as more student housing is available. We should support the return of single families return to neighborhoods.

Y. Bradley: During his time on the Police Commission, he became aware that most department employees couldn't afford to live in city housing.

B. Pine: The housing trust fund is a means to support single family housing. Since 1989 administrative budgeting has reduced the level of funding which needs to be increased to its previous level. There has been an effort used all over the country to identify homeless people and identify associated risk factors. Housing is the first and lowest barrier during cold weather. As shelter, the motel voucher system just doesn't work. The concept of providing shelter just in the winter time is gaining support.

D. White: Portland, Maine has 24/7 availability with some treatment programs.

B. Pine: And an aging population.

L. Buffinton: There is a need for greater density in the RM zone, and more accessory units.

J. Wallace-Brodeur: Presents a letter from Kirby Dunn emphasizing the advantages of the home share program.

VI. Proposed Zoning Amendments

ZA-15-02 Subdivision and Conditional Use Review Changes

D. White: This is a follow up to a previous discussion about this subject. It affects adaptive reuse for carriage barns which is relocated to item d. It is a treatment similar to the pre 2007 ordinance. Parking is in the shared parking zone.

H. Roen: Would like to see the renewable energy standard remain.

L. Buffinton: Agrees with H. Roen.

On a motion by H. Roen, seconded by L. Buffinton, the Commission unanimously warns ZA-15-02 for public hearing on December 9, 2014, as amended.

Downtown Districts Setbacks Abutting a Residential Zoning District

This item is postponed to the next Commission meeting.

VII. Public Service Board Wireless Telecommunications – 128 Lakeside Avenue

D. White: Over the course of the last several months, there has been an increase in activity around cell tower installations. So what is the City's role in this process? The City does have a seat at the table as an interested party. An example of a complicated installation is the North Winooski Avenue. Some installations are not an issue. 128 Lakeside is another new one and there are a number of questions about this. Does it violate any community standard in our ordinance? There are other telecom utilities on the same property.

A. Montroll: There are a scope of different carriers, Verizon, AT&T and others, all separate companies.

D. White: This is the second application for the same property.

As approved by the Burlington Planning Commission on January 13, 2015.

A. Montroll: We need speed and capacity. Title 30 changed this year to a public meeting process. Planning Commissions may not realize that they can participate in these hearings.

A. Montroll: This has a lot to do with community values?

K. Smart, attorney for AT&T: The rooftop placement doesn't work within AT&T and there is a capacity issue in the south end. Co location, the red playpen (North Winooski Avenue) is too high based on the FCC licensing regulations. They would like to engage with the City about this issue.

VIII. 2015 Regular Meetings Schedule Adoption

On a motion by J. Wallace-Brodeur, seconded by L. Buffinton, the Commission unanimously adopts the proposed annual meeting schedule for calendar year 2015.

IX. Committee Reports

Ordinance Committee – parking and shared parking.

LRPC – has met, will need to revisit south end project.

X. Commissioner Items

None

XI. Minutes/Communications

On a motion by A. Montroll, seconded by J. Wallace-Brodeur, the Commission unanimously approved the minutes of October 28th, 2014.

XII. Adjourn

On a motion by J. Wallace-Brodeur, seconded by A. Montroll, the Commission unanimously adjourned at 8: 46pm.



Y Bradley, Chair

1/14/15

Date



E Tillotson, recording secretary

As approved by the Burlington Planning Commission on January 13, 2015.