



(802) 865-7144 (TTY)
www.ci.burlington.vt.us/planning

Peter Potts, Chair
Bruce Baker, Vice-Chair
Yves Bradley
David Cain
Ralph Montefusco
Andy Montroll
Wayne Senville
Vacant, Youth Member



Burlington Planning Commission Minutes Tuesday, August 25, 2009 - 6:30 pm

Present: Y. Bradley, D. Cain, R. Montefusco, A. Montroll, P. Potts, W. Senville

Absent: B. Baker

Staff: D. White, S. Thibault & M. O'Neil

I. Agenda

No changes.

II. Public Forum

P. Potts . Opened the public forum at 6:39 pm.

S. Bushor . She believes that the broader approach suggested by staff for the Jeanne-Mance rezoning request is the right approach. The issue not with how UVM uses that parcel but if a stretch of Pearl Street is rezoned only to accommodate them. She is concerned that changing the zoning to Residential Medium Density (RM) would slowly snowball into something more over time. The Residential Low Density (RL) is what people want and they accept what is there now. Following a more global and thoughtful planning process is a better option.

N. Williams . He provided reading suggestions to the Commission for historic building materials: Donovan Rypkema address. Also mentioned the Minnesota Green Affordable Housing guide that talks about siding and compares the sustainability of materials. The guide provides briefs on three issues: roofing, windows and siding. Wood and slate are Vermont products and for the same reason that local agriculture is enjoying popularity, local materials should enjoy the same. Transportation is also a major factor in sustainability considerations. Hardy board comes from California. Using local products is economically good for local workers and industry.

P. Potts . Closed the public forum at 6:53 pm.

III. Report of the Chair

The Chair presented the following report:

- He and D. White met with mayor to discuss the department's priorities. The Mayor supports the idea of addressing historic building materials for more consistency and predictability with decisions. He also supports the downtown approach for planning prior to ordinance writing, and realizes that financial resources might be needed to complete the plan. Some issues that the Mayor has on his list are: finding a permanent home for the Lake Monsters, the completion of the Champlain Parkway, the future of the railyard.
- He appeared on the CEDO show with L. Kupferman and others to discuss Neighborhood Improvement Nights (NINs) and the update of the Municipal Development Plan (MDP). He urged residents to come to the NINs and bring their ideas, more than complaints. Commissioners need to hear from everyone in all areas of the city.
- He attended the training on workforce housing in South Burlington last night. The topic was interesting and there is work to be done in Burlington.

As approved by the Burlington Planning Commission on September 9, 2009.

review teams for the Code Enforcement Director position. The
and negotiations are under way.

IV. **Report of the Director**

The Director presented the following report:

- A UVM sustainable design class will be working on developing proposals for the railyard south of downtown. CEDO and other departments will help provide information and perspective to the students.
- The department received money in the budget for the Visualize Burlington 3D project with Champlain College. The first phase is nearing completion and staff will schedule a presentation sometime in the next month to see the work that has been done so far.
- The department is initiating a new process for how projects under DRB review can waive the 30 day appeal period once approved. If nobody participates in the hearing, the only party with a right to appeal is the applicant. The department will allow them to waive their rights to appeal the decision, which means that they could get started sooner with construction.
- Tomorrow night he will be attending a meeting of the City Council ordinance committee to discuss zoning amendments forwarded by the Commission earlier this summer.

V. **Neighborhood Improvement Nights (NIN)**

P. Potts . Jenny Davis is here for updates on the NINs.

J. Davis . She passed an updated agenda with information on the Ward specific issues. Is there a deadline for a finalized agenda?

P. Potts . Issues can be brought up at NIN, but knowing most in advance would be great.

D. White . The September 9 meeting of the Commission or at least a week prior to the first NIN would be great.

J. Davis . The MDP presentation will be the same at each NPA. The rest of the agenda might vary slightly from ward to ward.

A. Montroll . The Q&A time is also time for comments by residents?

J. Davis . Correct, that's the chance for residents to speak up and ask questions or give statements. L. Terhune requested that the entire Commission attend ward 4/7 meeting on September 22.

P. Potts . He will encourage commissioners to attend as many meetings as possible, but it might very well not be possible for commissioners to attend them all.

J. Davis . Will you know in advance of the meeting?

P. Potts . He will try to ask commissioners to sign up in advance.

J. Davis . The survey is being worked on by staff and will be another way to get answer to questions. Thanked the commission for embracing the NINs.

VI. **Historic Building Materials**

P. Potts . The Commission is starting the discussion on historic building materials with a presentation from staff.

D. White . This presentation is meant to set the stage for the discussion. The next meeting will get into more details on how policies and regulations affect the performance of materials.

Staff made presentation. Presentation available at: <http://www.ci.burlington.vt.us/planning/pc/index.php>

[Click Here to upgrade to
Unlimited Pages and Expanded Features](#)

and perspective does the Commission want to get?

Y. Bradley . A good perspective of where we are. First, what are the problems with our current zoning ordinance? Second, he would like want to get a broader perspective from others; the development community, residents and others for a better context.

P. Potts . He agrees that the Commission needs a broader perspective and a measure of objectivity on what the issue is. The Commission heard a panel discussion a year ago and staff will bring that information back. CEDO also needs to be into the discussion. A joint meeting with other boards would also be helpful to discuss this topic.

Y. Bradley . It would be nice to get other perspectives. No developer in Vermont will come along and say that they want to knock down a historic property. New policies or regulations will likely affect the average person more than developers. The Commission needs to hear from private property owners. Many of us favor preserving the beauty and architecture, but there are choices that need to be made day to day by many people in the city. Not everyone can afford historic materials and hiring craftsmen.

D. Cain . Landlords should also be heard.

Y. Bradley . Some homes built in Burlington have old growth timber, which does not exist now. When doing the same work today, the new growth products are not as durable and fail faster.

W. Serville . He would like to hear about what other communities are doing. What kinds of programs they might have in place for reducing the costs to homeowners. How do we factor in income of homeowner in making decision? Is that something possible?

D. White . It does not get factored in now, but could be with funding programs.

L. Kupferman . CEDO's staff members from LEAD program are present and have a great interest in this discussion. Affordability is an issue. Also understanding the embodied energy in light of the Climate Action Plan will be important. How to quantify that?

P. Potts . Is the affordability question something that CEDO would be able to talk about?

L. Kupferman . Yes, he would be happy to along with B. Pine.

S. Bushor . This is a perplexing problem for the city. The Commission needs to better define what in-kind means. The main reason that has stopped the city from doing too much is affordability. Could we as a city contemplate a loan process that could be linked to the income levels? Although we are talking about long-term durability of materials, many homeowners are in their 60s and they will likely not see the useful life of a material.

P. Potts . If the city wants to play up the importance of preserving our historic buildings, could we create a fund to help?

Y. Bradley . There are many examples in the city of substandard work that has done harm to some buildings. How do we address and incentivize bringing properties back from where they were and incentivize maintenance?

D. White . The other side of that coin is perhaps creating disincentives for demolition by neglect.

VII. Jeanne-Mance

P. Potts . There is a memo in the packet from Director D. White proposing to hold off on rezoning of the Jeanne-Mance parcel until a planning analysis can be done for the entire corridor or Pearl Street. That proposal is consistent with the approach of dealing with other areas of the city. An ordinance change seems inappropriate at this time considering all the issues that were brought up during past discussions.

D. White . He applauds UVM's interest in being proactive on the issue. However, many issues are being raised and a look at the entire corridor and adjacent neighborhood is needed for understanding all the implications of a potential zoning change. S. Bushor noted that she likes the way the neighborhood looks. There seems to be a disconnect between how we regulate uses and urban form.

[Click Here to upgrade to
Unlimited Pages and Expanded Features](#)

of having the LRPC look at the issue. UVM also came to the Campus and that should be addressed at the same time if a

A. Montroll . The approach is wise of doing planning first. Another item to remember is the disconnect between how we define dwelling units and rooming units. Depending on the definition, there could be a big difference with what UVM could do on the parcel.

P. Potts . The definition for the rooming unit is distinct and could go to the ordinance committee.

S. Fortier . In response to the memo, UVM is concerned with the proposal to bring it back to LRPC. The conversation of revising the ordinance started in 2001 and UVM provided a list of requests at that time. In 2007, the institutions were separated from the city-wide process and were asked to wait. In 2008, the JIDC was created to work on the institutions changes. The committee took care of two major issues and sent the rest to the Planning Commission. It's been eight years since the process began and UVM does not favor being sent to another committee. UVM has done long range planning for the Jeanne-Mance parcel. Residential Medium Density (RM) does not alleviate the non-conformity of the parcel.

UVM has a suggestion; rezone the entire block to an institutional based zone with a residential overlay to allow housing and offices. That proposal would avoid the concern about spot zoning and limit the uses that the Commission does not want. While referring to Sec 5.3.4, Director D. White is assuming that Jeanne-Mance is a residential use, but the parcel does not meet that definition.

W. Senville . It is difficult to respond to this proposal without seeing anything about it. He would like staff to respond to that concept/proposal first.

S. Fortier . The proposal came about as a result of the questions raised at the Commission's July meeting.

P. Potts . He appreciates that UVM wants to bring this issue back, but wants to remind everyone that UVM got an answer from the Commission on this request in 2005-2006. The answer was NO at the time. He understands UVM's concern to going to committee. In his mind, Trinity Campus is a bigger and more significant issue to be dealt with.

S. Bushor . UVM has come forward with another overlay zone, the boundaries concern her. By doing this, the City would be creating an expansion of the campus, even if only residential uses are allowed. The joint committee wanted to define more closely the boundaries of the institutions. She believes this proposal would do great harm to the neighborhood. The Commission just heard a great presentation on historic preservation and we need to preserve Brookes Avenue on the back on that block. The unintended consequences might be greater than expected.

L. Ravin . She confirms that the proposal is brand new and would be happy to work with staff to see if it could be a workable alternative.

Y. Bradley . He would be interested in hearing staff comments prior to referring to LRPC.

W. Senville . LRPC would not be addressing this until late in the fall.

D. White . Staff would need to learn more about what the proposal is first and then could report back to the Commission.

On a motion by A. Montroll, seconded by D. Cain, the Commission forwarded the Jeanne-Mance rezoning request to the Long Range Planning Committee for consideration. Vote in favor: R. Montefusco, P. Potts, D. Cain, and A. Montroll. Vote against: Y. Bradley, W. Senville.

VIII. Committee Reports

LRPC is working on scope of work for a downtown/waterfront plan. The next meeting (August 31 at 4:30pm) will focus on bringing members up to speed with the work already done for the downtown and waterfront. The September meeting (September 21, 4:30pm, Firehouse 2nd floor) will focus on what elements should be included in the scope of work. The public is invited to attend.

As approved by the Burlington Planning Commission on September 9, 2009.



Your complimentary
use period has ended.
Thank you for using
PDF Complete.

[Click Here to upgrade to
Unlimited Pages and Expanded Features](#)

X. Minutes/Communications

On a motion by A. Montroll, seconded by W. Senville, the Commission accepted the minutes from August 11, 2009. Y. Bradley and A. Montroll abstained.

On a motion by W. Senville, seconded by A. Montroll, the Commission accepted the communications and placed them on file.

XI. Adjournment

On a motion by Y. Bradley, seconded by A. Montroll, the Commission unanimously adjourned the meeting at 9:10pm.

Peter Potts, Chair

Date

Sandrine Thibault, recording secretary