

Planning Commission Meeting Minutes 3/4/2020

Called to order: 7:06 pm

Members present: Mark Fausel, Brian Tellstone, Scott Nickerson, Virginia Clarke, Alison Anand, Lauck Parke (Chris Cole, Joy Reap, and Chris Granda were absent)

Staff present: Ravi Venkataraman, Town Planner

Others present: Benjamin Bush, Nicole Dehne, David Sunshine

1. Adjustments to the Agenda

Virginia Clarke recommended adjusting the agenda move up Item #10a to under Item #4.

2. Approval of the minutes

Alison Anand said she would like page 2 of the February 19, 2020 meeting minutes to be corrected to reflect the Selectboard's concerns about the incremental increases to the building footprint allowance in the Jolina Court District draft regulations.

Motion by Brian Tellstone, second by Scott Nickerson to approve the minutes of the July 3, 2019, July 17, 2019, August 7, 2019, and February 19, 2020 Planning Commission Meetings as amended. Voting: unanimous. Motion carried.

3. Public comment for non-agenda items

4. Review meeting of Planning Commission and Selectboard members regarding the Jolina Court Zoning District draft regulations

Ravi Venkataraman overviewed the memorandum enclosed in the packet summarizing the meeting. Venkataraman also outlined the proposed changes to the building height regulations, which would require all applicants seeking to file a Conditional Use or Site Plan Review application to consult the fire department prior to filing the application.

Clarke asked why the regulations for building height were changed. Venkataraman said the changes were brought upon in order to give the fire department more say in the review and approval of major developments. Venkataraman said the changes would also streamline the review process for planning and zoning staff and the applicants.

Lauck Parke said that the state would have requirements, such as sprinkler requirements, to promote fire safety, and, therefore, having the fire department review projects would be irrelevant. Parke said the bylaws would be giving power to the fire department. Venkataraman affirmed. Venkataraman said that nearby municipalities require fire department review letters for

large developments with an application, and that large commercial projects are under the jurisdiction of the Division of Fire Safety. Venkataraman said that the fire department made known that at times the Division of Fire Safety has superseded the fire department if a building can be sprinkled. Venkataraman said that the draft regulations facilitates communication between the fire department and the developer—especially in cases when the Division of Fire Safety supersedes the fire department.

Anand asked how many people in the fire department are paid employees and how many are volunteers. Venkataraman said volunteers staff the the entire fire department and are paid for their time working. Anand said that the commission should be aware of how much work the draft regulation would add to the fire department. Venkataraman affirmed. Venkataraman asked the fire department if they can take on the amount of work and the fire department said yes if the work needed to be done, and they said the review of major developments needs to be done.

David Sunshine said that the DRB often requests review letters from the fire department. Sunshine said that the DRB receives those letters in a timely manner. Clarke asked if the draft regulation would not add any new processes to the DRB, but that it formalizes an existing practice. Venkataraman said that the draft regulation would probably expedite the review process for the DRB, as it would receive all relevant materials at once instead of piecemeal.

Venkataraman said that the public hearing will focus on building footprints and traffic impacts. Venkataraman encouraged the Planning Commission to attend the Selectboard meeting. Clarke asked about the regulations for building footprint and how it aligns with the developer's intent. Venkataraman said he could not say for sure, because he does not know the developer's intentions.

Clarke asked about the traffic impact regulations. Venkataraman said the discussion was about whether to cap the amount of vehicle trip ends. Venkataraman explained the table enclosed in the packet. He said that the table identifies the number of vehicle trip ends a use generates per unit, and that it is based on a national average for a use, compiled by the Institute of Transportation Engineers. Scott Nickerson asked if the Jolina Court development would generate less than 70 vehicle trip ends. Venkataraman said according to the traffic study, the consulting engineers concluded that the development would generate 53 to 57 vehicle trip ends. Clarke said she is unsure what the Planning Commission can provide to the Selectboard as rationale regarding traffic impacts. Venkataraman said Richmond is unique to have a cap on vehicle trip ends and that no other municipality he is aware of has a cap on vehicle trip ends.

Clarke asked if David Sunshine from the public had any comments. Sunshine said he was concerned about how traffic studies take into considerations land developments currently ongoing.

4a. Approval of amended report for the Jolina Court Zoning District per 24 V.S.A. §4442

Venkataraman said that any and all changes made to draft regulations after a public hearing has been opened requires a change to the municipal bylaw amendment report per statute.

Motion by Brian Tellstone, second by Alison Anand, to approve the amended report and forward said report to the Selectboard. Voting: unanimous. Motion carried.

5. Corrections and modifications to the Village Downtown Zoning District and other pertinent zoning regulations

Clarke explained that the changes to the Village Downtown Zoning District regulations are to align it with the Jolina Court Zoning District draft regulations.

David Sunshine raised a question about the removal of business office uses. Venkataraman said he would look into it further. Clarke said the Planning Commission chose to consolidate business office and professional office uses in its creation of the Jolina Court Zoning District.

Lauck Parke said that pharmacy appeared twice on the uses list. Venkataraman acknowledged this typo.

Sunshine said that he is interested in discussing the “area” section. Sunshine said he is representing Northeast Organic Farming (NOFA). Venkataraman distributes a map of the Village Downtown Zoning District, and explains how to interpret the map. Sunshine said that the NOFA parcel should be integrated into the Village Downtown Zoning District, as it fits in terms of use and location.

Benjamin Bush, representing NOFA on behalf of Hillview Design, said that the NOFA parcel borders three commercial lots. Bush said that by being a part of the Village Downtown District, the NOFA parcel would have more developability, and therefore could accommodate all the parking needed to satisfy the zoning requirements for the use on said parcel. Nicole Dehne said that the inclusion of the NOFA parcel into the Village Downtown District would give NOFA more options as NOFA looks to possibly expand in the near future.

Clarke asked if the building on the parcel had an apartment. Dehne said that the entire building is office space for NOFA. Clarke asked what the current restrictions are for the NOFA parcel. Sunshine said 50 percent lot coverage. Sunshine said in the Village Downtown District, the limit is 80 percent lot coverage, plus more relaxed setback requirements compared to the Village Commercial District.

Clarke asked if a sidewalk could be installed. Bush said it could be on the Pleasant Street side, and further studies would be needed on the Bridge Street side. Clarke said she would like to preserve the aesthetic of the Pleasant Street neighborhood. Bush said there is a buffer between the NOFA building and the adjacent residential parcel.

Clarke said with this reevaluation of the Village Downtown District, the dentist's parcel across the street from the NOFA parcel could be added. Venkataraman said he provided the map to the commission to facilitate discussion on reevaluating the borders of the district.

Anand asked if NOFA created additional parking spaces, would NOFA use all the parking spaces and would patrons of nearby businesses be allowed to use the parking lot.

Clark said she was concerned about future pedestrian traffic from the Jolina Court development and the lack of a sidewalk on the eastern side of Bridge Street.

Parke said he was in favor including the NOFA parcel in the Village Downtown District. He said the Village Downtown District should be expanded to include parcels along Depot Street. Anand agrees with Parke on the inclusion of the NOFA parcel and the Dentist's parcel, and the reconsideration of other parcels. Anand said she was concerned about the feelings of the owner of adjoining residential parcel with the rezoning. Sunshine said this rezoning proposal would not change the usage or intensity of use on the parcel currently.

Parke asked staff if the commission could finish reviewing the Village Downtown District regulations with the inclusion of the NOFA and Dentist's parcels today, and review other parcels at a later date. Clarke said the commission should have a justification for the changes. Parke said the commission could justify the changes as corrections, of which additional parcels should have been added originally and were mistakenly not added at the time.

Sunshine, Bush, and Dehne depart.

Clarke said the draft includes the rounding rule and the traffic study language which were included in the Jolina Court District regulations.

Venkataraman explained the procedure for adopting the regulations. Anand said by holding the public hearing, people would be able voice input and concerns with the changes and addition of parcels into the Village Downtown District.

Nickerson asked about the process of adding additional parcels into the Village Downtown District at a later date. Venkataraman said the process would be the same as outlined.

Parke said that the addition of the Dentist's parcel into the Village Downtown District expands the property rights of the landowner, which does not raise any concerns for him. He said he would have concerns if the commission were adding a parcel that added restrictions to the parcel.

Motion by Lauck Parke, second by Scott Nickerson, to finalize the changes to the Town Zoning Regulations Section 3.10 with the amendment to add parcels PS0014 and the Dentist's Parcel (TBD), announce a public hearing on April 1, 2020 on said changes, and defer to staff to

produce and distribute copies of the Bylaw Change Report as mandated by statute. Voting: unanimous. Motion carried.

6. Regulatory language regarding “Veterinary Clinic” uses (7:40 PM to 7:45 PM)

Clarke provided an overview of the draft proposal for veterinary clinics, adding that a new classification was proposed since it had impacts different from a professional office use.

Clarke asked about process. Venkataraman said the process would be the same as stated, but with veterinary clinics treated as a standalone issue, with its own report and hearing.

Clarke asked about the 2500-square-foot limit for the use. Venkataraman said that limit was adapted from the limits for professional office uses in those respective districts. Parke said he could not imagine a 2500 square-foot veterinary clinic. Clarke said her veterinary office is 2500 square feet.

Clarke said the item should be tabled so that the commission can continue talking about the 2500 square foot limit.

7. Strategy for Public Outreach (7:45 PM to 8:15 PM)

a. Discussion of survey and Town Meeting Day briefing

Venkataraman said the commission should talk about the survey. Venkataraman sent a link to the survey to the commission.

Clarke said she had told the public during Town Meeting Day that the commission is preparing a survey.

Venkataraman said the maps in the survey are a work in progress. Nickerson said the divisions could be modified to reach better functional ends. Tellstone was confused about the map. Clarke suggested using a zoning map instead of an aerial map. Venkataraman said the main goal was to orient the public. Tellstone said a map with elements of what was produced for the survey and the zoning map is needed.

Tellstone said the survey is very similar to the survey conducted for the Town Plan. Clarke said an additional category of “depending on the location” is needed for the question on the last page.

Nickerson said that many of the items in the question on page 7 depends on context. Clarke said question 7 should be revised so that respondents could identify where they would like to see particular features instead of their sentiments on features.

8. Other Business, Correspondence, and Adjournment

Clarke said that for next meeting, the commission should focus on revisions to the survey, and the mapping exercise to identify where the commission would like to see particular features.

Clarke said that she had received an email from Town Manager Josh Arneson about the Selectboard's request for the commission to review signage requirements for commercial uses. Clarke said this item will be included in the next meeting's agenda.

Motion by Tellstone, second by Alison Anand, to adjourn. Voting: unanimous. Motion carried.

The meeting adjourned at 9:04 pm.