

10.18.23 meeting memo

#4. Since it was so interesting, I put the whole presentation verbatim from the Jericho folks into the minutes so both commissioners and Housing Committee members could review it at their leisure. They have invited us to visit them in Jericho to continue the conversation and share with them what we have done, possibly to collaborate in some way. Lots to consider.

#5. At our last meeting we talked about two improvements we might make to our I/C – PUD amendments. One was to add the C district to mirror the changes we were making to the I/C district. Despite my earlier enthusiasm for this idea I now feel it is not a good idea for the following reasons: 1) we had a ground rule that we would only change districts that we had public outreach on. Because we have not considered these districts in this context yet, we have no idea whether or not the restriction that we are proposing for Residential- PUD- only on currently residential lots is appropriate, or whether those other districts need some other regulation. 2) if we altered the C district we should also alter the V/C district because that district also has the same ambiguities. This is gathering in a lot more property owners that would have to be notified and brought up to speed on the whole issue. I think this would delay things significantly, which we have been trying to avoid.

The C district, you remember, not only has the parcels near the I/C district, for which the new reg might be suitable, but also a piece down around the VYCC (which should really be put back into the A/R), and the portion in Jonesville, which is a whole other unknown, as well as the Round Church Corners Complex area, which we are currently contemplating combining with the V/C district (Railroad St). In the last conversations I had with Heidi Bormann (C) and Dan Noyes (V/C), both said they didn't want any residential uses in their districts, but we need to have further conversations about this, because I'm not sure that this is what they or we really want. I really think these two districts need to be looked at wholistically, at which time we can add them to the PUD section similarly to what we are doing for the I/C here if those changes seem suitable. Meanwhile, they will just have to muddle along as they have been doing, with just a slight improvement in the clarity of the PUD section.

End result: just the I/C has the key change. Much simpler and easier to move through the PC and SB public hearing process. Many less owners to notify. Other districts we will consider later.

The other improvement we talked about was making sure that the language prevented the gradual conversion of lots to residential- only through a series of (unlikely) steps: mixed- use- PUD-to- undeveloped-lot-to-residential-PUD. I'm pretty sure the existing language does this by way of the "date of adoption" being the absolute cut off for a lot being able to utilize this provision, but I changed it to "prior to" rather than "as of" which I think is a brighter line. We also added a sentence into 5.12.2(b) saying

"In the I/C no new lots that contain only residential uses shall be created after this date."

And a sentence at the end of 5.12.4(c)(viii)

"If a new subdivision is proposed, the subdivision review shall occur concurrently with any review of the amended PUD."

So also in the packet is the mini-redline, the clean copy, the bylaw report, a letter going out to the I/C owners, and the motion to approve. Full redline to follow. The town attorney may or may not have a chance to look at it by 10.18.23.

#6. Following up to Alison's concern, regarding the recent flooding, I read over the language in Act 47 that provides an extensive definition of an area "served by municipal water and sewer infrastructure" [24 VSA 4303 (42)(A)] which seems to provide the exemption we need to not have to require the 5 U/A

minimum density (.2A or 8,712 sf) in areas which flood. We can discuss this a bit. I have also sent a question to Jacob Hemmerick about this. Looking at the Flood Hazard map, there are a number of residences that are in the Flood Hazard Zone in our VRN's, and we will need to identify these if we are going to exempt them from Act 47 as we move forward with these districts.