

**CITY OF VERGENNES
PLANNING COMMISSION
MINUTES
REGULAR MEETING
MONDAY, SEPTEMBER 16, 2013**

Members Present: Shannon Haggett-Chair, Tim Cook, Rebecca Duffy, Jason Farrell,
Morgan Kittredge, Alexandria McGuire, Stacy Raphael, Mike Winslow

Also Present: Mel Hawley, Zoning Administrator

Guests: Ozzy McGuire

Shannon called the meeting to order at 7:00 p.m.

The minutes to the regular meeting of August 19, 2013 were reviewed. Mike moved to approve the minutes. The motion was seconded by Tim with all voting in favor.

The Planning Commission held a lengthy discussion of parking on the ground floor in the Central Business District. The discussion centered on a possible proposed multiple-family residential building within the CDB which may include a parking garage at ground level. The Development Review Board had informal discussions with the property owner the previous week. During the DRB meeting, there were many different interpretations of the current regulations surrounding the topic and all were seeking guidance from the Planning Commission.

There were as many interpretations at the PC level as there were at the DRB. The difficulty in finding common ground centered on whether parking should be considered a regulated use or not. Mel articulated that on one end of the spectrum, there is the interpretation that in order to be considered a residential use, there needs to be “a place to live”. As parking does not meet that criterion, even as an adjunct to a residential use, parking at ground floor would be allowed.

At the other end of the spectrum is the argument that parking as an adjunct to residential use is still a residential use and thus would not be allowed under current regulations.

As a possible way of meeting the current regulations, the property owner had also suggested that the parking structure might contain two levels, the bottom level for commercial use (public parking for a fee) and the upper level being for residents of the building. Alex noted that this was still not meeting the regulations as we don’t list parking as a use. Shannon said that he had researched zoning regulations within the state and pointed to Burlington’s zoning regulations, where parking structures are considered a use, but so are things like Police Stations and Public Works Garages – in other words, there are certain uses that are for the public good. He also said that Burlington’s regulations allow for building height-restriction bonuses in cases where public parking is included in a private development.

Many at the table were still concerned that as our regulations don’t cover this area, there is no

clear answer to the question. Jason reminded everyone that from the DRB's perspective, if there is nothing to disqualify a proposed development, it would go through. He also noted that if the developer proposed something that clearly met the regulations for the district, but did not include the parking element – it would pass review. This was concerning as there was consensus that additional public parking in the CDB is desirable.

Morgan wondered if a parking garage of any design would effectively meet other criteria for the district. Rebecca pointed out that as a relative newcomer to the PC, the current plan and regulations are wonderfully comprehensive documents and that it is impossible to cover every potential use or proposal. Mel asked that if there were a clearly commercial operation on the ground floor, such as a laundry-mat for public and resident use, along with parking for same, would it meet the current regulations. Everyone agreed that it would.

The Planning Commission then discussed the timeline for updating the Municipal Development Plan. The current plan is set to expire on September 29, 2014. Mel relayed information contained in VT Title 24, Chapter 117, Section 4385: stating, “ (a) Not less than thirty nor more than 120 days after a proposed plan or amendment is submitted to the legislative body of a municipality under section 4384 of this title, the legislative body of a municipality with a population of 2500 persons, or less shall hold the first of one or more public hearings, after public notice on the proposed plan or amendment, and shall make copies of the proposal and any written report by the planning commission available to the public on request. A municipality with a population of more than 2500 persons shall hold two or more such hearings.”

As the city of Vergennes has a population of more than 2500 persons, the City Council (legislative body) will need to hold at least two properly warned public hearings prior to adoption of the proposed plan. Additionally, in accordance with Section 4384, the Planning Commission shall hold at least one public hearing and informal public working sessions.

Shannon mentioned that there was an article in the September ACRPC Newsletter regarding 2014 Municipal Planning Grants and he asked if there was interest within the group to pursue such a grant, or if it was not warranted. Alex pointed out that the application deadline was September 30, so it was unlikely that we would be able to meet that due date. Additionally, everyone felt that the current plan is thorough and only requires updating not re-writing.

With the deadline clearly defined, the group agreed to target June 2014 for completion of a proposed plan. Discussion then centered on steps required to meet that deadline. Shannon suggested tackling a chapter or two each month, and said he would bring a proposed schedule to the October meeting. Mike stated that by waiting for a schedule in October, we would effectively lose a month of work time and asked if it would be more productive to have everyone come to the table in October with proposed changes for the first two chapters of the plan. Jason thought we might not get through two chapters in one meeting, but that Mike's idea was sound. Everyone agreed and will come to the October meeting with proposed changes to chapters one and two. Mel also suggested that Shannon bring the list of proposed changes that the group has been keeping so that they can be worked into the schedule.

Stacy asked about the format of the current plan – whether or not it was in MS Word, or just a PDF, and if it would make sense to migrate it to a Google Docs format for collaborative editing. Mel said that the version on the city's web-site is a PDF, but he has a version in MS Word on his

system. Jason and Shannon mentioned that there might be a problem with performing the edits online as doing so might be out of compliance with open meeting laws.

Committee Updates:

Transportation: Mel suggested that Shannon attend the City Council Meeting on October 8, 2013 to officially report the Planning Commission's recommendations. Shannon said he would do that, and he would provide the City Council with an update on current activities including the schedule for updating the Municipal Development Plan.

Education: No update at this time.

Stormwater: No further update necessary as it was determined at the August meeting that the city has fulfilled current needs as outlined in the Municipal Development Plan.

Tree/Urban Forestry: Mike reminded everyone that he made the draft tree map publicly available at:

<http://maps.google.com/maps/ms?ie=UTF&msa=0&msid=205754645694191934411.0004d85bb8e444a87ab4d>

Shannon said he would bring up the tree map at the City Council meeting in the hopes of drawing more attention and contributors to the document. Jason and Tim said as part of the tree committee they would attempt to catalog city trees on the site.

New Business: Rebecca asked Mel if there were any plans for altering City Hall/Vergennes Opera House once the Police Station is re-located to the Northern Gateway District. He said that he hasn't seen any formal plans, but mentioned that the Friends of the Vergennes Opera House were looking at possibly changing the marquee and the building façade. Jason suggested that someone from the FVOH attend a Planning Commission meeting in the upcoming months as we work on updating the Municipal Development Plan. We would welcome their input on our project.

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Mel Hawley, Clerk