

**CITY OF VERGENNES  
PLANNING COMMISSION  
MINUTES  
REGULAR MEETING AND ANNUAL MEETING  
MONDAY, NOVEMBER 18, 2013**

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

Also Present: Mel Hawley, Zoning Administrator

Guests: Dan Pflaster, Ozzy McGuire

Shannon called the meeting to order at 7:05 p.m.

Shannon introduced Dan Pflaster who addressed the Planning Commission with his concerns regarding the zoning regulations in the Northern Gateway District. Mr. Pflaster's contention was that Section 1613.E.3 regarding ground floor residential use is over-reaching and should be changed.

His basis for that argument is that the municipal plan states "Ground floor retail and second story offices and housing are preferred" while the regulation states "Ground floor residential is not allowed for new development, except as part of a PUD. For adaptive reuse, ground floor residential will be allowed as long as no more than twenty-five percent (25%) of the ground floor is residential." Mr. Pflaster had applied for and was denied a permit to change the use of a portion of the first floor of his building to residential by the Development Review Board.

Mr. Pflaster asked the Planning Commission to review Section 1613.E.3 to clarify and potentially recommend an amendment of the section. Mel suggested it would be helpful for the members of the Planning Commission to review the decision issued by the DRB. He said he would distribute a copy of the decision to everyone. The Planning Commission will continue discussion at a later date. Mr. Pflaster then left the meeting.

The minutes to the regular meeting of October 21, 2013 were reviewed. Mike asked that the minutes be amended in regard to the Stormwater Committee update to reflect that future updates were not necessary. Jason moved to approve the amended minutes. The motion was seconded by Alex with all voting in favor except Rebecca, Morgan and Stacy abstaining as they were not present at the meeting of October 21, 2013.

The Planning Commission Rules of Procedure requires that a reorganization meeting be held annually in November. The rules require the election of officers. Rebecca moved that the current officers (Chair – Shannon, Vice-Chair – Mike and Clerk – Mel) be re-elected for a term of one year. The motion was seconded by Stacy with all voting in favor.

The rules also require that the Planning Commission Rules of Procedure be subject to re-

adoption at the annual meeting in November. Mike moved that the Rules of Procedure be re-adopted. The motion was seconded by Morgan with all voting in favor.

The Planning Commission then discussed the status of drop-boxes and kiosks. Mel said that he had been approached by a local business asking for permission to place a clothing donation drop-box at their site. Mel said he had never been asked before, but realized that our current regulations do not address this issue. Shannon stated that he had done some initial research on the subject and that municipalities across the US have started to create regulations surrounding drop-boxes and kiosks, ranging from not allowing them at all, to requiring an applicant to conform to a lengthy set of guidelines, to just filling out a short application.

Stacy noted that some of the existing drop-boxes in the city are often over-filled with bags of clothing left out alongside. Alex asked if they would fall under regulation similar to dumpsters or other utility items – with proper screening, etc. Several members wondered if there was some kind of financial advantage to a business owner to place a drop-box on their property.

Mel pointed out that while some of the older drop-boxes were relatively nondescript, a new one on Monkton Road, for the benefit of “kiducation.org”, is boldly colored, and could be considered a sign or even a billboard. He suggested that everyone should take a look at it to form their own opinion. The Planning Commission will discuss the matter in more detail during the December meeting.

The group then started a review of chapter three of the Municipal Development Plan. Shannon stated that Mike had proposed farming out many of the sections in chapter three to “experts” within the community who would be better-equipped to update their respective areas. The group then discussed the sections to identify a contact and to determine who from the Planning Commission would start the process. Here is the result:

<b>Section</b>	<b>Contact</b>	<b>PC Initiator</b>
City Hall	Mel	Mel
Opera House	Gerianne Smart	Mel
Police	George Merkel	Mel
Fire	Jim Breur	Mel
Health - VARS	Tony Korda	Mel
Health - other	Little City Practice	Alex
Public Works	Jim Larrow	Mel
Water	VPWD	Alex
Wastewater	Mel	Mel
Storm Drainage	Mike	Mike
Solid Waste	ACSWD	Mel
Parks & Rec.	Recreation Committee	Alex
Boys & Girls Club	Mike Reiderer	Shannon
Bixby Library	Jane Spencer	Stacy
Education	ANWSU	Shannon

The updated sections will be reviewed and assembled for the December meeting. We began

discussion of chapter 3.2 regarding energy. The consensus was to update the bulk of this section after the public referendum on December 10, to include public opinion. Shannon stated that he had found the source for the chart on page 45 concerning the number of housing units by heat source in 2000, and that the information has not been updated. Everyone agreed that we should remove the chart.

Shannon reported that while attending the Vermont Downtown Networking Meeting, he and Mel learned that according to Act 59 (H.377), any Downtown Designations must be mentioned in new or updated Municipal Plans. Ours already does, so we are in compliance. Mel also stated that during the meeting, it was also discussed that planning grants may be applied for and awarded to designated downtown organizations. This may be useful to the Vergennes Partnership.

Mike added that he had learned that updated plans must also contain an element addressing flood resilience under Act 16 (H.401). Shannon said that once he had learned this from Mike, he investigated any other 2013 amendments with the state to determine if there were any other requirements needed during the plan update. No other amendments affect the plan update process.

The project calendar for the Municipal Plan update was reviewed. Everyone agreed that the group would tackle chapters 3 and 4 in December. Shannon asked Mel if there were any state requirements for properly warning a public workshop like there are for public hearings. Mel responded that there are none. Shannon asked for opinions on the timing and content of public workshops. Tim thought we should wait until we are further along in the process before holding a public workshop. Jason added that it might be helpful to include workshops on our two newest districts, the Northern Gateway District, and the Historic Neighborhood District, to assess public opinion on the districts and the new regulations for them.

Committee Updates:

Transportation: No update at this time.

Education: No update at this time.

Tree/Urban Forestry: Mike reported that his employer, the Lake Champlain Committee (LCC) would like to apply for a Vermont Watershed Grant focusing on the Urban Tree Plan for Vergennes. The LCC would like to use Vergennes as a pilot for this type of program with the rationale that the proper implementation and management of an urban tree plan will reduce the impact of stormwater runoff and provide greater flood resiliency.

If the grant is awarded, it would provide funding to complete the tree inventory that the Tree/Urban Forestry Committee had begun. The key deliverable will be the publicly available web-based tree map. The only match required of the city will be “in kind” assistance in the form of volunteer help in identification, assessment and review work by the City Manager and Planning Commission.

Tim added that his son is working on a “capstone project” for school which is focused on the tree plan and wondered if there could be some kind of educational element included. Mike said that

there was wording in the grant application for this and added that a letter of support from Tim, his son, or other students working on the capstone project would be a welcome addition to the application.

The deadline for the grant application is Friday November 22, 2013. Mike asked if letters of support for the grant application could be delivered by the City Manager and by the Planning Commission. Jason moved that Mel and Shannon write letters of support. The motion was seconded by Alex with all voting in favor, except Mike who abstained to avoid any conflict of interest or perception of conflict of interest.

New Business: No new business was reported.

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Mel Hawley, Clerk