

Land Use Regulation Update Committee *Town of Ferrisburgh, Vt.*

DRAFT – Minutes for meeting of June 25, 2019.

Members present: Arabella Holzapfel (chair), Bonnie Barnes, Gail Blasius, Anne Cohn, Carl Cole, Steve Gutowski, Clark Hinsdale, Kurt Plank, Jean Richardson, Norm Smith.

Visitors: Jessy Amblo, Judy Chaves, Rick Ebel, Craig Heindel, Michael Hinsdale, Melinda Kinzie, Al McKibben, Susan McKibben, Lisa Patton, Katie Quinn, Katie Raycroft Meyer, Larry Stoneking, Nora Wright.

1. Call to order. Arabella Holzapfel called the meeting to order at 5:40 p.m.

2. Approval of minutes. Gail Blasius made a motion to approve the minutes from the meeting on June 5, 2019, as submitted. Jean Richardson seconded. Arabella Holzapfel, Bonnie Barnes, Gail Blasius, Anne Cohn, Carl Cole, Clark Hinsdale, Kurt Plank, Jean Richardson and Norm Smith voted in favor. Steve Gutowski abstained. **Motion approved.**

3. Village Center designation presentation. Arabella Holzapfel introduced Richard Amore from the Vermont Agency of Commerce and Community Development, who was on hand to give a presentation on the state's Designated Village Center Program. She pointed out the committee was not advocating the program for any section of Ferrisburgh, but had invited Amore to brief committee members and help them and other townspeople better understand the pros and cons of the program.

She said following the presentation, the committee would discuss some of the draft sections for the zoning bylaws rewrite provided by consultant Brandy Saxton.

[*Note: The PowerPoint presentation Amore used is available, as a PDF, at the Land Use Regulation Update Committee website, along with these minutes.*]

Richard Amore told the committee and visitors that the village center program is designed to recognize and support efforts at revitalization and renovation in small and medium-sized historic centers. The designation brings potential financial incentives—mostly in the form of tax credits and municipal planning grants—as well as training and technical assistance to smaller communities seeking to revitalize and attract new businesses. He said there are now 176 designated village centers in the state. Over the past four years, 45 tax credit projects have been awarded \$2.8 million in credits. He noted the tax credit program is competitive, with more than \$5 million in credits requested. In addition, \$1.2 million in municipal planning grants have been awarded to 113 village centers. In those same years, he said, designated village centers have attracted \$25.5 million in private investment.

He said the program also provides towns with priority when it comes to applying for state grants for historic preservation, transportation, community development, planning, and environmental clean-ups.

Amore emphasized the village center designation does not affect town governance, or set up any additional entities; the town's selectboard and other existing boards still make decisions about what happens in a village center. For example, he said, changes to infrastructure would have to be approved by the town, which would need to pay part of the cost of any project. At no time would the state make changes to a village's infrastructure—roads, sidewalks, etc.—without approval from the town.

He gave examples of towns that have taken advantage of the program, and he said Addison County towns with designated village centers include Addison, Middlebury and New Haven. He said tax credits are available to income-producing properties, including multi-family homes, as well as non-profits.

Amore described the application process, saying the area in question needs to be the core of a traditional settlement. The selectboard needs to approve the application, and regional planning partners must be notified. The town plan also needs to include language about village center designation, which is already the case with Ferrisburgh's plan. Designations are approved by the Vermont Downtown Development Board and need to be renewed every eight years. He said towns can have more than one designated village center.

Some visitors expressed doubt about whether Ferrisburgh's Old Hollow neighborhood was a good candidate for village center designation, since it has little in the way of commercial development or town-owned buildings, which are anchors for many village centers. Others said the designation might make more sense for the area of Route 7 near the town hall. Committee members and visitors thanked Amore for his presentation, and he distributed a hand-out with more information on the program, and his contact information.

4. Draft PUD standards discussion. Arabella Holzapfel opened a discussion of the draft standards on conservation PUDs (planned unit developments) prepared by Brandy Saxton. She said she would ask, following the PUD discussion, if the committee wanted to schedule another meeting to go over all of Saxton's drafts.

Carl Cole said he worried that the drafts already submitted had the town heading toward a zoning document close to 200 pages. He was also concerned about who would oversee the detailed requirements in many of the draft standards, and whether anyone could afford to build a subdivision that complied with all the rules and regulations.

Clark Hinsdale said the PUD standards seemed too prescriptive and would box in property owners and developers. He also said the standards did not seem to allow for the planning commission and zoning board to exercise their own judgment about proposed developments. Jean Richardson said the PUD standards did seem over the top, and both she and Carl Cole said the mantra should be to keep the rules as simple as possible.

Arabella Holzapfel said committee members would be able to question Brandy Saxton about her work on July 17, and then it would be appropriate to start boiling it down. She

asked committee members to read through the material and be sure they understand what Saxton has done so far, so they can get clarity from her on any outstanding issues in July.

Kurt Plank thought there was too much negative language, saying what's prohibited, for example, rather than what's allowed. He thought the standards needed to be simpler and more user friendly. He said that when they meet with Brandy Saxton, who has a lot of experience in writing zoning regulations, committee members may learn a lot of this is boilerplate and can then help her discover the level of detail and the tone they're after.

Gail Blasius also felt the PUD standards were too specific, the language too prescriptive for Ferrisburgh, and they should depend more on regulators using common sense in making decisions on developments.

Clark Hinsdale said it would be important to get Saxton's thoughts on these issues when she attends the next meeting. He said it was important for the town to decide the kind of development it wants to incentivize, which is really what PUD standards are all about. Things might happen if you incentivize them, he said, but certainly won't happen if you don't.

Pulling together the two topics for the evening's meeting, Carl Cole said he did not think talk about a village center designation was a worthwhile endeavor while the town is in the middle of rewriting its zoning bylaws.

The next meeting of the committee is scheduled for July 17 at 5:30 p.m., and consultant Brandy Saxton will be attending. Arabella Holzapfel said the consensus seemed to be that the committee should not hold another meeting on the draft standards before then. Members agreed to read all of her draft standards before the meeting and come prepared with questions and comments.

8. Adjournment. Arabella Holzapfel made a motion to adjourn the meeting at 7:20 p.m. Kurt Plank seconded. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells