

**SOUTH BURLINGTON PLANNING COMMISSION
MEETING MINUTES
27 OCTOBER 2020**

The South Burlington Planning Commission held a regular meeting on Tuesday, 27 October 2020, at 7:00 p.m., via Go to Meeting remote technology.

MEMBERS PRESENT: J. Louisos, Chair; B. Gagnon, T. Riehle, M. Ostby, M. Mittag, D. Macdonald, P. Engels

ALSO PRESENT: P. Conner, Director of Planning and Zoning; C. & A. Long, L. Ravin, A. Jensen-Vargas, T. Barnes, L. Kingsbury, S. Dooley

1. Agenda: Additions, deletions or changes in order of agenda items:

No changes were made to the agenda.

2. Open to the public for items not related to the Agenda:

Mr. Barnes asked about proposed protection areas and how this could affect housing in the city. He was concerned that density could be increased in areas where development is allowed and that affordable housing would be affected. He was particularly concerned with the Wildwood Drive neighborhood.

Ms. Louisos said the Commission is evaluating habitat blocks that would have limited development as well as other changes in PUDs. The Commission thinking about the concerns mentioned including the affects on existing neighborhood.

Ms. Ostby asked if there is a way to bring the community up to speed on what the Commission is doing to prepare people for what is coming up.

3. Planning Commissioner announcements and staff report:

Ms. Ostby that on 17 October the girls' soccer team collaborated with UVM athletes to share experiences as people of color in Vermont. She noted that in Vermont, only 4% of people of color own homes compared to 70% of white Vermonters.

4. Work Session on Land Development Regulation Amendments:

a. Draft Subdivision Standards

Ms. Louisos noted the differences between subdivision, Master Plan and PUD standards.

Ms. Ostby asked whether street orientation in subdivision would be carried over to a PUD. Mr. Conner said generally it would with some more flexibility in some areas. The intent is that the subdivisions are the foundation.

Mr. Mittag said that in 15A #11, he would also exclude level 2 from the buildable area to keep as much open space as possible. He also felt that in #15 roads should be built to public standards under all

circumstances, not only when connecting to a public road. He cited a problem in neighborhood where not building a road to public standards has created a problem.

With regard to #11, Ms. Louisos said excluding level 2 from the buildable area creates a potential legal problem for reducing property values. Mr. Conner added that the standards in Article 12 would apply regardless, so level 1 resources would have to be adhered to. Mr. Gagnon noted that the Commission allowed flexibility in level 2, and that is why it was left as part of the buildable area calculation.

Ms. Ostby said she was all for protecting resources, but in terms of calculation of density, she didn't know why the number of units, even from level 1, can't count for density. She felt level 2 could be built on with restrictions because that is what Articles 10 and 12 are protecting. Ms. Louisos noted that in PUDs, level 1 resources do count toward density. They don't in subdivisions.

Mr. Barnes asked if a PUD is more restrictive. Mr. Riehle noted that there is a development planned where Mr. Barnes lives. Mr. Conner said that is a 6-7 acre parcel with a wide area at the end of Wildflower Lane. It would be a Traditional Infill neighborhood which allows for single family and duplexes and some multiplexes if they look like single family buildings. There would also be the need for a small park in the neighborhood. Mr. Conner noted the DRB saw a plan for a proposed neighborhood in that area, something like what would be allowed, possibly more creative in how buildings would be shaped. Mr. Barnes said that plan allowed for only 6 parking spaces, so parking would have flowed onto the street. Mr. Conner said there was also a dead-end street, which would be discouraged in the new regulations. The idea is to create a functional neighborhood.

Ms. Dooley said the last she knew you needed at least 4 acres for a PUD under the draft regulations. Some infill is less than that, so they wouldn't qualify for a PUD. That seems contrary to what is being said. Mr. Conner said a PUD is required at 4 acres; it is optional at 2 acres. That is consistent with current regulations in R-2 zoning districts. Ms. Dooley said then you still couldn't do Kirby Cottages, which are built on 1.6 acres, so the PUD is not necessarily the answer as it is inaccessible for a small development.

Regarding historic sites, Mr. Conner noted that there are a few eligible ones and some stone walls. The consultant said these should be identified. Ms. Ostby asked if a property owner was willing to tag and protect a feature, could they get some consideration as an incentive. Mr. Conner said there is credit given for retaining trees, and that could be extended.

Regarding street networks, Mr. Conner said that currently the city discourages dead end streets and has a length limit in the Southeast Quadrant (SEQ). In the new language, dead end streets would not be accepted anywhere in the city except for a short length with DRB criteria.

Mr. Riehle said he had mixed feelings about dead end streets as kids safely play there. He wasn't sure why to preclude them if they are appropriate. Mr. Gagnon questioned the ability to plow them. Also, if a street is too long and the entrance is blocked, emergency vehicles can't get there. Mr. Conner said the big cost is long-term maintenance, including plowing and looping of utilities.

Mr. Barnes said he would much rather have Wildflower loop around and connect with Hinesburg Road. There are many vehicles that come into the neighborhood, get frustrated and speed out at his speeds. The plow got stuck last year, and trash trucks often get stuck.

Mr. Conner said the critical component is street type, so that streets are appropriately scaled to the neighborhood. Mr. Gagnon said if you have a large piece of land, the developer or the city might want streets to go a certain way and suggest saying “as it logically relates to topography, level 1 resources, etc.” instead of “to the extent feasible.”

Ms. Ostby said they should add having rooftops face in a certain direction. Even if the street doesn’t face in a direction, part of the roof can.

Regarding sidewalk requirements, Ms. Ostby didn’t necessarily agree with having a required sidewalk on one side of the street. She said there are areas where people walk in the streets, and you get more green space without sidewalks. Mr. Conner noted that sidewalks are required on both sides of the street in City Center and on one side in the SEQ. He felt that where there are more than 4 units per acre, there should be sidewalks on both sides. He noted there is a Vermont mandate that might make it difficult not to have a sidewalk on either side.

He also noted there is a street type where the street is 20 feet wide but there is a different texture in one part to indicate public walking space.

Mr. Gagnon said he favored sidewalks on one side of the street. Ms. Ostby said she would favor flexibility on a neighborhood by neighborhood basis. Ms. Louisos said they would have to create a street type to accommodate that. Mr. Gagnon said accessibility is important for everyone. He would leave it as written to provide a safe form of walkability. Mr. Riehle added they are also important for seniors.

Regarding building roads to public standards, Mr. Mittag said the city should never take over any roads that aren’t built to public standards. Mr. Gagnon noted occasions when HOA run out of money and can’t maintain private roads. He favored building to city standards. Ms. Louisos noted the City Council has a policy on this. Mr. Conner noted there are times when a road is built to city standards but the city doesn’t take it over until it connects to something else.

Members agreed the city should not take over a road not built to city standards.

Mr. Riehle asked if they are talking about a grid system or meandering streets. Mr. Conner said more of a network as in the Orchards neighborhood. The idea is to create blocks, which can be different shapes. Wherever it can be done, streets can become the delineator between a park and a neighborhood or a resource and a neighborhood. Mr. Riehle noted that in Dorset Farms there is a grid inside with more meandering around it. He felt that was nicer than looking down a straight street. Mr. Conner said connectivity within the block would be up to the developer.

Regarding “blocks,” Mr. Conner noted that 10% of a block must be a “civic space,” usable for people in the neighborhood. It can’t be something that isn’t buildable per Article 12. This is already required in the SEQ and in PUDs. The consultant recommended this be part of a subdivision as well. Ms. Ostby questioned whether a civic space is necessary in a very small subdivision. Mr. Conner agreed there should be a minimum below which it doesn’t have to happen.

Regarding renewable energy facilities, Mr. Mittag felt the word “shall” should be used instead of “must.” Mr. Conner said “must” was recommended by the legal department because “must” is a stronger word. The intent is to be stronger.

Mr. Engels asked about connectivity in relation to Swift Street and other major connections.

Mr. Conner said before the Commission gets to the end of this discussion, they will have to specifically discuss Swift Street. It is a potentially significant roadway. Mr. Gagnon added it relates to the Official City Map. Members felt this should be an independent agenda item. Mr. Riehle noted that “connectivity” can be for vehicles or as a bike path, etc. Mr. Engels noted that neighbors can be next to each other, and you still have to drive miles to get from one to the other.

Mr. Mittag felt that at the end of the sentence in 15A #17, language should read, “Use of energy resources must include one or more of the following....”

Mr. MacDonald asked what the unintended consequences of that would be regarding pricing of housing. Mr. Mittag said they should do everything to ensure the health and welfare of those who live here in the next century.

Mr. Gagnon suggested adding a 6th item: participation in a community solar project that may be off-site. He felt that would accomplish the same goal. Ms. Louisos felt those areas should not be removed from the buildable area. Members agreed that made sense. Ms. Ostby said you could combine solar with a civic/public space. She added that new homes should have a level 2 capable electric panel. A charger could be added later.

Mr. Conner suggested making these additions to the buildings section. He also wanted to talk with the city’s electrical inspector.

Regarding 15A #11, Ms. Ostby asked if they are increasing or decreasing the number of units. Mr. Conner said today, in a straight subdivision, each lot has to stand on its own. The draft language might have some reductions that take place. In a PUD, density can be moved around, but because of resources, etc., that may not be feasible. In a Conservation PUD, units in a Level 1 area can be transferred to a developable area for the density. In TND and NCD, you take off the Level 1 area but the ceiling becomes a higher density. Regulations in PUDs in the future will allow for more density than now, but it won’t feel like more. Where it might be less would be areas with a lot of certain resources, but using a Conservation PUD could bring that density up.

Public comment was then solicited:

Ms. Dooley suggested reducing the minimum size for a PUD from 2 acres to 1 acre and requiring homes to have enough power for a charger for an electric vehicle.

Ms. Jensen-Vargas noted she had gotten stuck because of a 'no sidewalk' situation. She was also concerned with running gas lines to houses that are being added onto. This caused an explosion in New York. She said she would look skeptically at gas lines if electricity is available.

Mr. Mittag was concerned with opportunities for waivers that might cause deviation from what the Commission is trying to accomplish. Mr. Conner noted that in order for the DRB to grant a waiver all 4 criteria must be met. He felt that was very tight. What happens now is that if you can't meet a subdivision standard, you get a watered down PUD. Mr. Conner added that he will be speaking to the DRB next week and can bring this to them.

Mr. Gagnon said he was concerned with a sentence that begins "or other..."

Ms. Louisos was concerned with the "ownership" of a civic space lot and felt there should be language about that.

Ms. Louisos also noted comments in the chat box that members should read. Mr. Conner said he would download them and forward them to members.

Members agreed to consider Master Plans at tomorrow's special meeting.

5. Possible discussion of Presentation to the City Council November 2:

Ms. Louisos said she will attend that meeting but hasn't yet planned a presentation. Ms. Ostby suggested showing some maps. Mr. Conner noted that the RPC has gotten updated maps to him which he will share at tomorrow's meeting.

6. Meeting Minutes of 9 and 29 September:

Mr. Mittag moved to approve the minutes of 9 and 29 September 2020 as written. Mr. Gagnon seconded. Motion passed unanimously

As there was no further business to come before the Commission the meeting was adjourned by common consent at 9:12 p.m.

Minutes approved by the Planning Commission November 10, 2020