DATE: Wednesday, November 7, 2018
TIME: 2:30 p.m. to 4:30 p.m.
PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT

Members Present:
Jessica Draper, Richmond
Michael Burris, Milton
Victor Sinadinoski, Milton
Meagan Tuttle, Burlington
Robin Pierce, Essex Junction
David White, Burlington
Daryl Benoit, Charlotte
Joss Besse, Bolton
Matt Boulanger, Williston
Larry Lewack, Bolton
Darren Schibler, Essex
Alex Weinlagen, Hinesburg
Eric Vorwald, Winooski
Cathayn LaRose, So. Burlington
Everett Marshall, Huntington

Dean Pierce, Shelburne
Sarah Hadd, Colchester
Wayne Howe, Jericho

Other:
Jacob Hemmerick, DHCD
Faith Ingulsrud, DHCD
Seth Jensen, Westford Planning Commission
Jason Grignon, Shelburne Planning Commission Chair
Dick Elkins, Shelburne Planning Commission

Staff:
Regina Mahony, Planning Program Manager
Emily Nosse-Leirer, Senior Planner
Melanie Needle, Senior Planner

1. Welcome and Introductions
Joss Besse called the meeting to order at 2:30 p.m.

2. Approval of September 12, 2018 Minutes
Alex Weinlagen made a motion, seconded by Dean Pierce, to approve the September 12, 2018 minutes. No further discussion. MOTION PASSED.

3. Neighborhood Development Area
Jacob Hemmerick and Faith Ingulsrud from the Department of Housing and Community Development (DHCD) provided an overview of the Neighborhood Development Area (NDA) Designation, and presentation on the difference the Priority Housing Project benefit is making. The presentation is attached to these minutes. A few notes from the presentation include:

- The NDA designation is an add on designation (on top of and surrounding a downtown, or new town center designation).
- A NDA can help you build affordable housing, in centered/walkable places, using traditional neighborhood design policies.
- Developments can be exempt from Act 250 Review, if they include priority housing. DHCD has proposed an enhanced designation that would provide a complete exemption from Act 250.
- Ag soil mitigation fees differ by district. The fee is currently $5,295/acre in District 4 (Chittenden County).
- NDA’s can be applied for by an individual land owner (they have to get municipal approval).
- Natural resources need to be excluded from the NDA designation. The new NDA in Manchester has the river corridor removed so the parcels are not contiguous.
- Proposed changes on the horizon include an exemption of all designated centers from Act 250 (except Village Designations). Municipalities would have to do some work around flood resiliency to qualify.

Seth Jensen explained Westford’s recent efforts in trying to plan for increased growth and housing opportunities in their Village Center. This effort includes working on a solution for wastewater, and considering a NDA designation for Westford. They have form based code zoning that doesn’t identify density as du/acre so they are working with
DHCD to figure out how to prove that they meet that requirement. A housing project will help pay for an incremental wastewater system, so it could help to have the NDA first to help incentivize the program.


Joss Besse opened the public hearing at 3:00pm; hearing none, the public comment period was closed.

Melanie Needle provided an overview of the staff report for Charlotte’s enhanced energy plan. The Town Plan is already adopted, so this is just an amendment for the enhanced energy component. Staff has found that the Plan amendment meets that standards. Charlotte has a public hearing scheduled for November 15th; and then the Town will need to vote on the Plan either on Town Meeting Day or April 11th.

Daryl Benoit added that the technical assistance from CCRPC staff has been excellent.

Thoughts/comments from the PAC:

- The tomorrow chapter talks about doing the energy update to get substantial deference; but if this amendment is approved this will be done. Will this be updated? Daryl indicated that it won’t likely be updated. Ultimately it would be better if there weren’t two chapters (today and tomorrow).
- Table B-1 – there was a question about the efficiency gains in the transportation sector. EV’s are much more efficient than fossil fuel vehicles so that is the difference.
- It would be helpful to add 2015 data to some of the tables even though it shouldn’t be compared to the modeled data in 2025, 2035 & 2050.
- There was a suggestion to disclose the challenge of estimating industrial electricity use; it isn’t currently stated anywhere in the Plan.
- Map 18 – title is known constraints, but it looks like this is the possible constraint map.

Alex Weinhagen made a motion, seconded by Dean Pierce, that the PAC finds that the 2018 Charlotte Town Plan with the draft energy amendments, as submitted, does meet the requirements of the enhanced energy planning standards set forth in 24 V.S.A. §4352. Upon notification that the Plan has been adopted by the municipality, CCRPC staff will review the plan amendment. If staff determines that substantive changes have been made, the materials will be forwarded to the PAC for review. Otherwise the PAC recommends that the Plan should be forwarded to the CCRPC Board for an affirmative determination of energy compliance. No further discussion. MOTION PASSED.

5. 2019 Shelburne Comprehensive Plan & Enhanced Energy Review

Joss Besse opened the public hearing at 3:15pm; hearing none, the public comment period was closed.

Emily Nosse-Leirer provided an overview of the staff report for the Shelburne plan. This is the first time we are looking at both a Plan update and enhanced energy component. One thing that is needed for Plan approval and confirmation is a reference to the Tactical Basin Plans. Regarding the enhanced energy component there are some data additions that are needed. There are also some recommendations about where the Plan itself could be strengthened and clarified regarding use of the plan by the PUC, though these comments are not required changes for enhanced energy approval.

Dean Pierce introduced and thanked Jason Grignon, PC Chair, and Dick Elkins, PC Member. Dean also thanked Dana Hanley for using a designer to make the Plan much more readable. Shelburne’s plan is a visually pleasing plan and is much more readable than previous versions. Shelburne no longer has a two volume plan. Dean and Jason expect that the pieces that are missing will be added back in at the public hearing. The PC is having a public hearing next week and will then hand it off to the Selectboard.

Questions/comments from the PAC:
Planning Advisory Committee

November 7, 2018

- The beginning of the Plan explains what the intent is of the various plan pieces. While the policies are relevant in Act 250, the objectives aren’t. Dean indicated that it’s probably an artifact of the old plan, and they will likely change that.

Alex Weinhagen made a motion, seconded by Victor Sinadinoski, that the PAC finds that the draft 2019 Shelburne Comprehensive Plan, with the addition of a reference to the Northern Lake Champlain Tactical Basin Plan and the Winoski Tactical Basin Plan, meets all statutory requirements for CCRPC approval, and that the municipality's planning process meets all statutory requirements for CCRPC confirmation. The PAC also finds that the draft 2019 Shelburne Comprehensive Plan will meet the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352 with the addition of the data described in #10-12 above.

Upon notification that the Plan has been adopted by the municipality, CCRPC staff will review the plan, and any information relevant to the confirmation process. If staff determines that the required data and reference have not been added, or that substantive changes have been made, the materials will be forwarded to the PAC for review. Otherwise the PAC recommends that the Plan, and the municipal planning process, should be forwarded to the CCRPC Board for approval, confirmation, and an affirmative determination of energy compliance.

Further discussion included how implementation will be handled. Dean Pierce stated that the PC is going to develop an annual workplan. They did a ranking of the current actions; and they also have a separate document with the top 3 actions from each section but it isn’t included in the Plan. Dean Pierce indicated that they are not in danger of not implementing they Plan; they will work on bylaw amendments like they usually do. Other Town committees will implement components of the Plan as well.

No further discussion. MOTION PASSED.


Joss Besse opened the public hearing at 3:31pm; hearing none, the public comment period was closed.

Emily Nosse-Leirer provided an overview of the staff report for the Burlington plan. The Plan does meet the requirements. Helpful to see that the City is undertaking a lot of effort and it is nice to see a document that brings it all together. Regarding the energy element, municipal energy targets are not set because Burlington is already meeting their target. They also meet the intent based on their net zero energy goal. Siting policies are quite different than the other municipalities. Burlington wants to recognize and promote renewable energy, but they wanted to be able to say they don’t want rooftop solar on one or two story buildings to prevent development from going up.

Meagan Tuttle and David White explained that they wanted to re-organize a 20 year old plan. There isn’t really any new policy changes. The Plan is much more readable and they are hoping the other departments will recognize it. The Plan is organized around Burlington’s distinctive characteristics; and references many other Plans that exist and made it clear how those plans help meet the required comprehensive plan elements.

Questions/comments from the PAC:

- What is the plan to get off natural gas for heating? Meagan Tuttle stated that the City’s net zero goal is to produce enough energy to meet all of the thermal, electricity and transportation goals. BED has started a partnership with VT Gas to work hand in hand to help meet the goal. The utilities have their own efficiency mandates that will help reduce the amount of gas that will be consumed. Burlington is in a good place with BED and district wide heating to offer alternatives to VT Gas – they won’t likely go away but they will probably be a smaller and smaller share over time.

Sarah Hadd made a motion, seconded by Dean Pierce, that the PAC finds that the draft planBTV Comprehensive Plan 2019 Update, as submitted, meets all statutory requirements for CCRPC approval, and that the municipality's planning process meets all statutory requirements for CCRPC confirmation. The PAC also finds that the draft planBTV Comprehensive Plan 2019 Update meets the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352.
Upon notification that the Plan has been adopted by the municipality, CCRPC staff will review the plan, and any information relevant to the confirmation process. If staff determines that substantive changes have been made, the materials will be forwarded to the PAC for review. Otherwise the PAC recommends that the Plan, and the municipal planning process, should be forwarded to the CCRPC Board for approval, confirmation, and an affirmative determination of energy compliance.

No further discussion. MOTION PASSED.

7. Regional Act 250/Section 248 Projects on the Horizon
Richmond: Nothing Act 250 related, but their Town Plan passed yesterday.
Milton: Middle Road, categorical waste facility still in Act 250. There is also an 8 unit subdivision in PUD review.
Essex Junction: 100 room hotel across from Expo. 250 housing units proposed in the Village.
Burlington: nothing right now.
Huntington: Sleepy Hollow got approval for an extra snow making pond.
Williston: 44 lot subdivision hearing tomorrow.
Winooski: There is a very small (300 sq.ft.) change of use in the designated downtown that Act 250 is reviewing. Most of the other proposed developments are in the Neighborhood Development Area and they may do priority housing and not be required to do Act 250.
Charlotte: They have a mixed use, sketch application – including TDR credits and more density.
Bolton: Nothing.
Essex: Nothing significant, just amendments.
Colchester: 90+ hotel on water tower hill. Smaller residential that will go to act 250 b/c developers are required to.
There are other early residential proposals in the growth center.
Shelburne: Snyder golf course project still moving forward.
So. Burlington: Maplefields on Shelburne road potentially expanding. Dorset and Williston potential hotel. A number of residential projects throughout the city.
Hinesburg: A few projects that were on hold due to the water issue will get moving after the first of the year.
Hannaford back under appeal.

8. Other Business
a. Need a December PAC Meeting – Wednesday, December 12th
c. Emerald Ash Borer (EAB) Management website: https://vtcommunityforestry.org/community-planning/tree-pests. There will also be an EAB workshop with FPR on Nov. 28, 4-6 pm, at UVM Extension in Berlin. Most of the municipalities around the table are actively planning for this.
d. Enabling Better Places: Users’ Guide to Zoning Reform by CNU:
e. Municipal Enhanced Energy in Vermont – Best Practices and Resources:
https://www.ccrpcvt.org/our-work/municipal-planning-assistance/comprehensive-plans/
f. Unified Planning Work Program (aka CCRPC’s Annual Work Plan) Committee PAC Rep – any volunteers? Regina indicated that this is our full workplan. If there are any projects that you want our help on, please ask. The land use projects are fee for service, unlike the transportation projects. Dean Pierce expressed interest.
g. Alex Weinhagen asked for the CCRPC dues as he is working on his Town budget. Other municipalities have already received their letter, so it is likely in the mail.

7. Adjourn
The meeting adjourned at 4:15 p.m.

Respectfully submitted, Regina Mahony
Neighborhood Development Area Designation Program

Providing tools, training, grants, and incentives for local leaders to plan and implement projects that support thriving, walkable communities.

The 5 Designations

Civic and Commercial Core Designations
- Village Centers: 152 (as of 2012)
- Downtowns: 23 (as of 2012)
- New Town Centers, 2 (as of 2002)

Add-On Designations to a Core Designation
- Neighborhood Development Areas, 5
- Growth Centers, 6 (as of 2008)

Comparing the Designations

Comparison of Designation Programs
What can a neighborhood development area do for you?

- Develop Affordable Housing
- In Centered, Walkable Places
- Using Traditional Neighborhood Design Policies
What are the benefits of a NDA?

**Definition of Mixed Income Housing**

<table>
<thead>
<tr>
<th>Rental</th>
<th>Owner Occupied</th>
</tr>
</thead>
<tbody>
<tr>
<td>At least 20% of units are affordable housing (rented to households not making more than 80% of MSA, County or State median income) Cost of housing including rent, utilities and fees must be no greater than 30% of gross annual household income.</td>
<td>At least 15% of units initial price is equal to or less than 85% of VHA price limits or OR 90% of VHA price limits. Duration of rental affordability at least 15 years.</td>
</tr>
</tbody>
</table>

**Population and Number of Units**

Priority Housing Projects do not exceed the following limits based on municipal population. See annual population estimates.

- 10,000 or more people – NO CAP ON NUMBER OF UNITS*
- 6,000 to 9,999 people – 75 UNIT CAP
- 3,000 to 5,999 people – 50 UNIT CAP
- Less than 3,000 people – 25 UNIT CAP

**Act 250 Exemption for Priority Housing**

**PHP: Requires Mixed-Income Housing**

**PHP: Allows Mixed-Use**

**PHP: Caps Number of Units by Population**

**PHP: Existing Act 250 Permit Exemption**
Act 250: Criterion 9L Presumption

Act 250 Fee
For projects not qualifying for exemption

$306.25 $50
$870 $50
$3,000 $50
$13,500 $50

560 GPD
560 – 2,000 GPD
2,000 – 6,500 GPD
6,500 – 10,000 GPD
10,000+ GPD

$7,500 $50

ANR Water & Wastewater Fee
All Capped at $50

Act 250 & ANR Fee Reductions

$5,295

Act 250: Reduced Agricultural Soil Mitigation Fees

No Character of the Area Appeals

<table>
<thead>
<tr>
<th>Years Land Held</th>
<th>Gain, as a Percentage of Basis</th>
<th>0-99%</th>
<th>100-199%</th>
<th>200% +</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4 months</td>
<td></td>
<td>60%</td>
<td>70.0%</td>
<td>80%</td>
</tr>
<tr>
<td>4 months, but less than 8</td>
<td></td>
<td>35%</td>
<td>52.5%</td>
<td>70%</td>
</tr>
<tr>
<td>8 months, but less than 1 year</td>
<td></td>
<td>30%</td>
<td>45.0%</td>
<td>60%</td>
</tr>
<tr>
<td>1 year, but less than 2</td>
<td></td>
<td>25%</td>
<td>37.5%</td>
<td>50%</td>
</tr>
<tr>
<td>2 years, but less than 3</td>
<td></td>
<td>20%</td>
<td>30.0%</td>
<td>40%</td>
</tr>
<tr>
<td>3 years, but less than 4</td>
<td></td>
<td>15%</td>
<td>22.5%</td>
<td>30%</td>
</tr>
<tr>
<td>4 years, but less than 5</td>
<td></td>
<td>10%</td>
<td>15.0%</td>
<td>20%</td>
</tr>
<tr>
<td>5 years, but less than 6</td>
<td></td>
<td>5%</td>
<td>7.5%</td>
<td>10%</td>
</tr>
</tbody>
</table>

Tax Increment Finance Districts
Priority for State Grant Funds

What difference has the program made?

Shelburne: Harrington Village
36 Senior units
42 Mixed income units
4 Habitat homes

Burlington: BHA Community Home
Group home with caretaker apartment

Winooski: Mill House Redevelopment
25 Market Rate Apartments
10 Townhouses

Results

Project Savings
- Act 250 Savings $51,000
  + 3 months time
  + risk of appeal
- Wastewater Fee savings - $2,950
- Land Gains Tax - None
- Prime Ag Mitigation - None

Project Details
- 42 Units (1BR to 4BR)
- Rents: $650-$1425 (includes heat)
- Mixed Income
- 1.35 Acres (58% lot coverage)

Burlington – Bright Street
Cooperative

Results

Supported the development of more than 586 housing units
Saved an average of $50,000 in fees per project
Reduced project permit timelines by an estimated average of 7 months

How to prepare an application?
Confirmed Planning Process

Wastewater System

Neighborhood Planning Area

Extensions Beyond Planning Area

Site-Based, Developer-Led Designation

Natural Resource Avoidance
Natural Resource Avoidance

Vermont Planning Atlas

Mapping & Guide

Policies & Bylaw Requirements

1. Density
   Minimum 4 DU/Acre

2. Building & Lot Patterns

3. Uses

4. Complete Streets

Density

Uses, Lots, & Buildings

Complete Streets
Looking Ahead

Westford Proposed Village Wastewater System

Discussion & Questions

Thank You

Faith Ingulsrud
VT DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
FAITH.INGULSRUD@VERMONT.GOV
(802) 828.5238

Jacob Hemmerick
VT DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
JACOB.HEMMERICK@VERMONT.GOV
(802) 828.5249