

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
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www.ci.burlington.vt.us/planning

Peter Potts, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Lee Buffinton
Andy Montroll
Harris Roen
Jennifer Wallace-Brodeur
Vacant, Youth Member



Burlington Planning Commission

REGULAR MEETING

Tuesday, September 13, 2011 - 6:30 P.M.

Conference Room #12, Ground Floor, City Hall

AGENDA

Note: times given are
approximate unless
otherwise noted.

- I. Agenda
- II. Public Forum - Time Certain: 6:35 pm
The Public Forum is an opportunity for any member of the public to address the Commission on any relevant issue.
- III. Report of the Chair – Peter Potts, Chair
- IV. Report of the Director – David E. White, Director
- V. Transportation Projects Update
The Commission will hear updates on transportation projects in the city from Department of Public Works staff.
- VI. Downtown & Waterfront Plan Update
- VII. Non-Conforming Structures Additions
- VIII. Sight Triangle – review of memo to City Council
- IX. Municipal Planning Grant Application
- X. Committee Reports
- XI. Commissioner Items

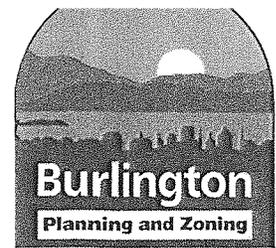
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- XII. Minutes / Communications - Minutes for the , 2011 Commission meetings.
- XIII. Adjourn (9:00 p.m.)

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MEMORANDUM

TO: Burlington City Council

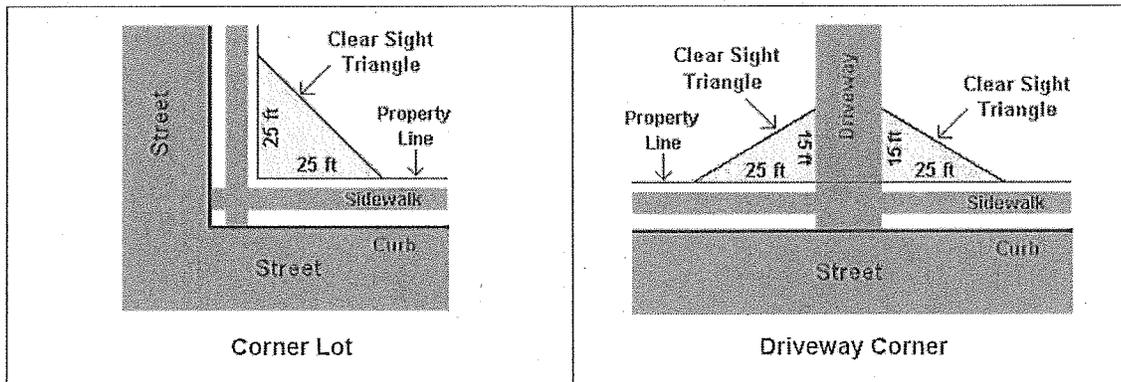
CC: Steven Goodkind, Director of Public Works
Mari Steinbach, Director of Parks and Recreation

FROM: Peter Potts, Chairman

DATE: Wednesday, September 07, 2011

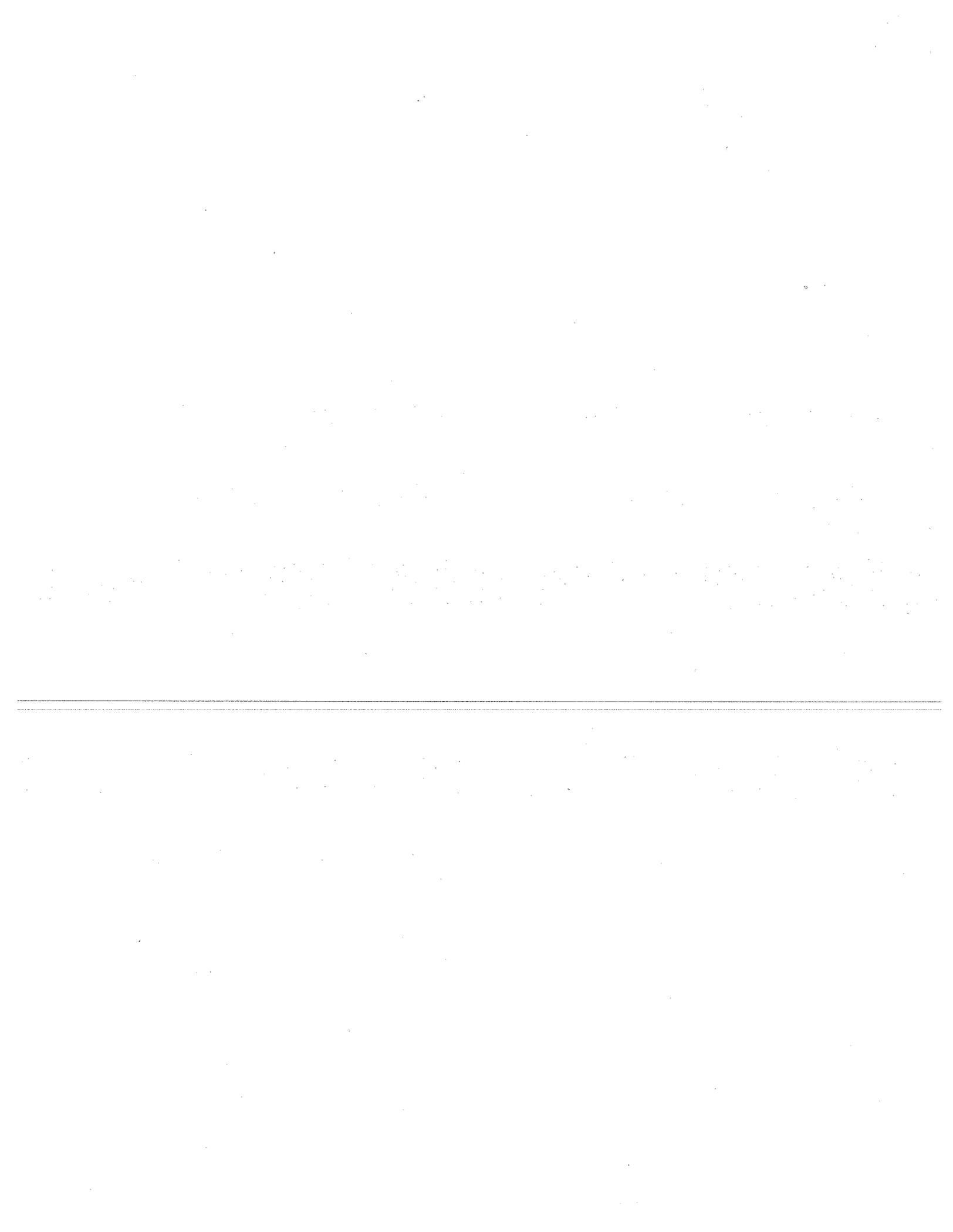
RE: Intersection Safety

For many months the Planning Commission has been wrestling with a proposed ordinance amendment regarding clear sight distances at intersections. More specifically the CDO attempts to prevent the placement of obstructions (buildings, fences, signs, and solid hedges or shrubs) within a "clear sight triangle" at street intersections and between streets and driveways in order to preserve sight distances for drivers and pedestrians.



In considering this issue in some depth, the Commission has come to the conclusion that in most cases, obstructions that impair clear sight distances at street intersections are typically found within the public right-of-way and outside the jurisdiction of the CDO. These obstructions are typically parked cars, utility poles, street signs and trees. Therefore they find little point to make changes to the CDO at this time. However, the Commission has unanimously asked that this matter be brought to the attention of the City Council and considered for further review by the Depts. of Public Works and Parks and Recreation who have direct authority and responsibility for managing the City's public rights-of-way.

Thank you, and please feel free to contact us should you have any questions.



AUTHORIZATION FOR EXECUTION OF APPLICATION FOR 2011 MUNICIPAL PLANNING GRANT PROGRAM FROM THE VERMONT DEPARTMENT OF ECONOMIC, HOUSING AND COMMUNITY DEVELOPMENT

CITY OF BURLINGTON

In the year Two Thousand Eleven
Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, the City of Burlington is applying, through its Planning and Zoning Department, for funding as provided for in the State of Vermont's FY 2011 Budget Act and may receive an award of funds under said provisions; and

WHEREAS, the Vermont Department of Economic, Housing and Community Development (DEHCD) may offer a Grant Agreement to the City of Burlington of said funding for an amount up to \$15,000; and

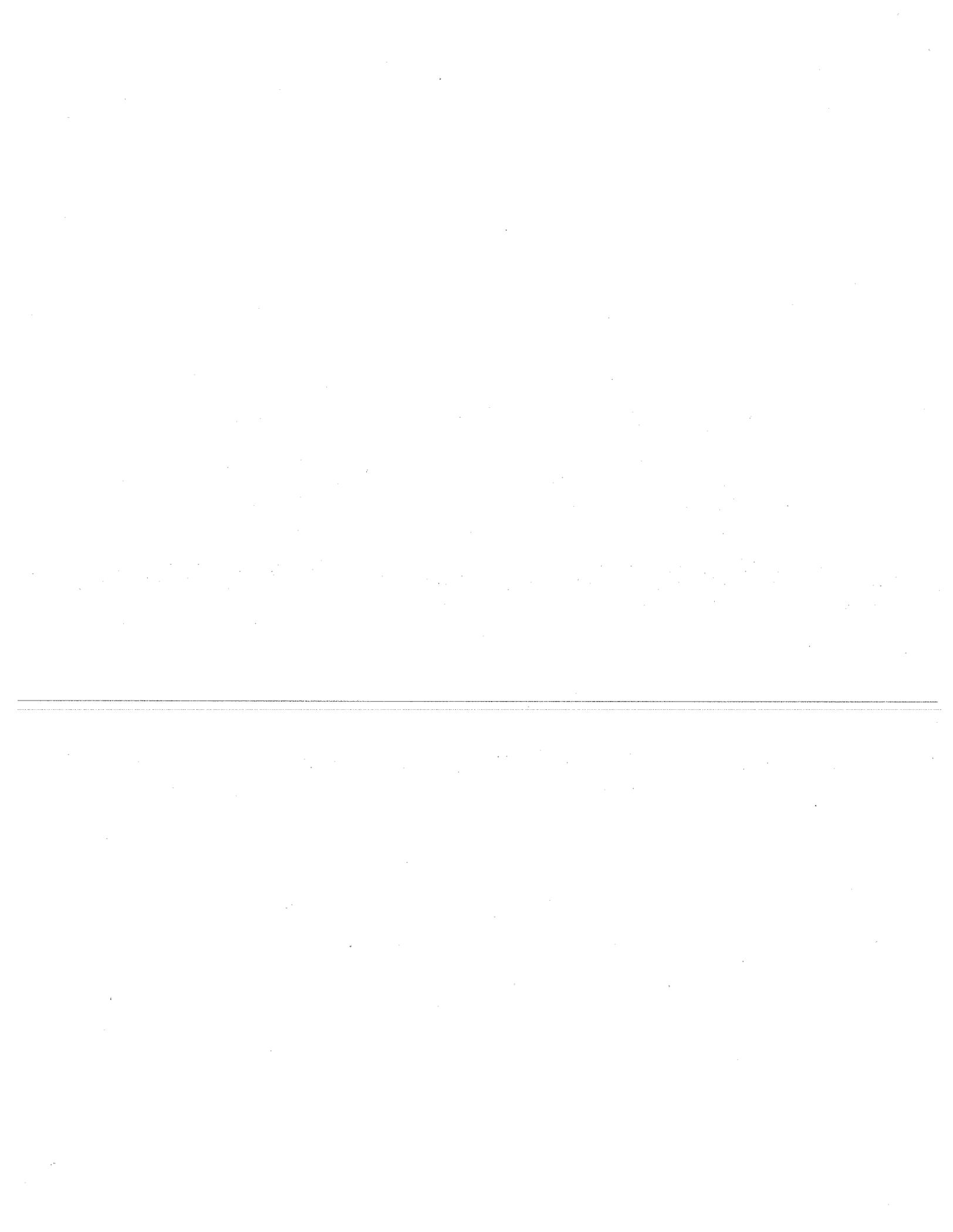
WHEREAS, the City of Burlington is maintaining its efforts to provide local funds for municipal and regional planning purposes; and

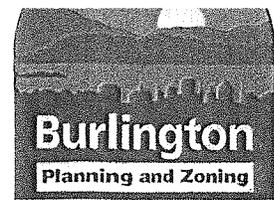
WHEREAS, the Burlington Planning Commission has indicated its unanimous support for such an application;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the filing of an application with the Vermont Department of Economic, Housing and Community Development for a local planning grant to promote community revitalization and development activities that maintain Vermont's land use goal of compact settlement separated by rural lands; and

BE IT FURTHER RESOLVED that should the grant funds be awarded to the City of Burlington as requested:

1. the Burlington City Council enters into and agrees to the requirements and obligations of this grant program; and
2. the Mayor is hereby designated to serve as the Authorizing Official for the Grants Management On-Line System, Intellgrants, and to execute the Grant Agreement and other such Documents as may be necessary to secure this funding subject to the prior review of the City Attorney.
3. the City's Comprehensive Planner, Sandrine Thibault, subject to the supervision of the Planning & Zoning Director, is hereby designated as the Grant Administrator, the person with the overall Administrative responsibility for Municipal Planning Grant program activities related to the application, and any subsequent Grant Agreement provisions.





Burlington Planning Commission Minutes **Tuesday, July 12, 2011 - 6:30 pm**

Present: L. Buffinton, P. Potts, A. Montroll, B. Baker, H. Roen
Absent: Y. Bradley, J. Wallace-Brodeur
Staff: S. Thibault, D. White, E. Tillotson

I. Agenda

No changes.

II. Public Forum

P. Potts – Opened the public forum at 6:35pm.

P. Potts – Closed the public forum at 6:36pm.

III. Report of the Director

The Chair presented the following report:

- He is canceling the October 28 meeting since there will be three meetings in the immediate time surrounding this scheduled meeting and four evenings in quick succession is just too much to expect of the Commissioners.
- S. Thibault gave an update on the Downtown & Waterfront Plan.
 - The first Speaker Series Event with Todd Litman of the Victoria Transport Policy Institute is scheduled for Wednesday night.
 - Proposals have been received from the 4 shortlisted top consulting teams. Interviews will be held on July 21 and a decision meeting date of July 27.
 - Work on the Land Use Inventory and Buildout Analysis was completed by Milone and MacBroom at the end of June. The report is available on line on the Downtown and Waterfront web site.
 - Staff is working on a scope of work for the Cultural, Arts and Entertainment Facilities Analysis. The work will likely be completed by city staff but that is not yet decided.
- The Director has been asked by the APA to be involved in the Sustaining Places Study.
- All of the staff is working in the office on the aftermath of the flooding. S. Gustin is taking the lead and working with the Code Enforcement and DPW, S. Thibault working with FEMA exploring opportunities for homeowners and for staff education. The new official FEMA maps take effect on July 18.th
- Staff is also working with the Intervale Center to understand and clarify the methods necessary to use hoop houses without creating violations of the flow of water during a flood. The Vermont

Flood Management Agency wishes to support the hoop houses, FEMA seems to have more difficulty with this concept. The Intervale Center has created a flood management plan.

- The Downtown Transit Center Project has been taken over by CCTA and the Director has met with this group which is doing reexamination of all possible sites, including bus parking within the sites as well as on streets, depending on the site. The project is primarily a CCTA facility but it would be nice if it were multi modal. There will be public input process which will coordinate wonderfully with downtown planning project.
- Tomorrow there is to be an announcement in City Hall Park that Burlington City is the recipient of a National Endowment for the Arts Grant which will allow for planning for the park to enhance its functioning. Planning & Zoning will act as an advisor.

L. Buffinton - Is there an overall plan for the city in terms of interconnectedness?

D. White - Present street improvements were a coordinated effort with merchants to encourage streetside dining.

IV. Annual Organizational Meeting

Commission Chair

B. Baker nominates P. Potts as Chair. All vote in favor.

Commission Vice-Chair

H. Roen nominates B. Baker as Vice Chair. All vote in favor.

Executive Committee Member at-large

B. Baker nominates Y. Bradley as Member at Large. All vote in favor.

Clerk

P. Potts appointed E. Tillotson as Commission clerk.

Committee assignments

~~On a motion by B. Baker, seconded by L. Buffinton, the Commission unanimously nominates Y. Bradley, J. Wallace-Brodeur and H. Roen on the Long Range Planning Committee.~~

On a motion by H. Roen, seconded by L. Buffinton, the Commission unanimously nominates B. Baker, A. Montroll and L. Buffinton on the Ordinance Committee.

V. Public Hearing – ZA-11-10 – Retaining Walls – Time Certain 7:00pm

D. White - Three sections of the ordinance require clarification to resolve the issue of appropriate retention.

L. Buffinton - Questions Section 6.2.2 only over five feet tall?

D. White – Retaining walls no greater than 5' tall may project into yard setback, but retaining walls should be set back a minimum of 2' from a side or rear property boundary. Retaining walls projecting into a required side or rear year setback that exceed 5' in height and/or come within 2' of a side or rear property boundary shall be subject to Development Review Board review.

This zoning amendment should be on the August 8th agenda of the City Council.

On a motion by A. Montroll, seconded by L. Buffinton, the Commission unanimously approved ZA-11-10 and referred to the City Council for adoption.

P. Potts - Closed the public hearing at 7:37pm.

VI. Proposed Zoning Amendments

Bed and Breakfast definition

The purpose is to clarify the number of rooms to five and remove the number of rooms from the definition. The use appendix is okay.

On a motion by A. Montroll, seconded by L. Buffinton, the Commission unanimously warns for public hearing on August 9, 2011.

Clear sight triangle

This proposed amendment was initiated by a Notice of Violation in 2009 to clarify obstructions in reference to setbacks, Section 5.2.5. This is actually a health and safety issue and should be handled by DPW and Parks & Recreation.

On a motion by A. Montroll, seconded by B. Baker, the Commission unanimously elected to ask that staff send a memo to City Council explaining the issue of safety.

Home Occupations

Home occupations need to be modified by adding in residential and institutional districts food production. The purpose is to be able to approve these permits administratively.

Signs in Enterprise District

This proposed amendment clarifies the maximum square footage of a free standing signs. Sec 7.2.5.

On a motion by H. Roen, seconded by L. Buffinton, the Commission unanimously warns for public hearing on August 9, 2011.

Planned Unit Development Adaptive Reuse

Non conforming density for minor PUDs requires an adjustment in order to work.

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously warns for public hearing on August 9, 2011.

VII. Committee Reports

The Ordinance Committee meets on Thursday. The Executive Committee meets on 18th. The Chair is canceling the second meeting in August. Neighborhood improvement nights are scheduled in September, the November 8th meeting and the November 22nd meeting will be canceled, also the second meeting in October.

LRPC - The contract is to be decided on July 27. The form based code process can be adopted as the city is ready to adopt and implement it. The Chair will spend some time reviewing the contract before it goes to the City Council. The contract can yet be fine tuned with specifics if the city wishes until August 9th.

VI. Commissioner Items

H. Roen - The park and ride plan seems to prioritize south end transit sites. Regarding the location of potential sites, the Shelburne Rd sites had very low priority; what should his priority as a commissioner be?

D. White - The emphasis stays on the south end transport center as the highest priority and suggests that the Planning Commission have Nicole Losch, come to talk about her priorities.

The reports are that the public meeting for people affected by the flooding at the Miller Center was attended by city representatives Scott Gustin, Planning & Zoning, Bob Kiss, Mayor, and FEMA personnel. It is understood that our personnel is doing a good job representing the department.

VII. Communications

On a motion by A. Montroll, seconded by L. Buffinton, the Commission unanimously adopted the minutes from April 5, 2011 and June 14, 2011 as amended.

VIII. Adjournment

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously adjourned the meeting at 8:30 pm.

Peter Potts, Chair

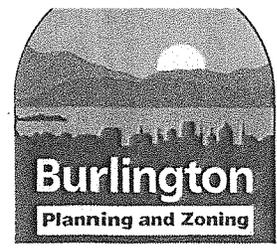
Date

Elsie Tillotson, recording secretary

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Burlington Planning Commission Minutes Tuesday, July 26, 2010 - 6:30 pm

Present: B. Baker, Y. Bradley, L. Buffinton, H. Roen, P. Potts, A. Montroll
Absent: J. Wallace-Brodeur
Staff: S. Thibault

I. Agenda

No changes. Moving parts around if needed.

II. Public Forum

P. Potts – Opened the public forum at 6:31pm.

S. Rubin – Thank you for adding Todd Litman's presentation to the website. Is the Commission looking at soundscape for noise abatement or new technology for less noisy roof mechanicals? Behind 40 College Street, the Hilton and Marriott hotels, there is a waste land there and the mechanicals create a lot of noise. The city should also think about walkability in the block there.

P. Potts – Closed the public forum at 6:35pm.

III. Report of the Chair

The Chair presented the following report:

- He attended the first speaker series on July 13 – Todd Litman. He discussed the effects of sprawl versus denser development on traffic and pedestrian safety. Mentioned that there is a higher level of fatalities in suburbs versus in the more urban areas. He also presented arguments for the economic impacts of denser development v. suburbs.
- He also attended the Transportation forum the next day with Todd Litman and business community invitees. There was a lot less discussion then expected. There is a follow-up meeting on August 3 with participants.
- The members of the Downtown & Waterfront Plan Selection committee will meet tomorrow to make a recommendation for the consultant team for activities 2 & 3.

IV. Report of the Director

No Director's report.

V. HVAC Vents Exemption

Deferred until August 9.

As approved by the Burlington Planning Commission on.

VI. Downtown & Waterfront Plan

Land Use Inventory and Buildout Analysis Report

S. Thibault – She briefly presented the summary results of the study, pointing out the fact that most of the work products are in the form of a database and GIS layers. She also pointed out that the buildout analysis numbers are out of proportion, looking at the full potential buildout and imagining that everything would disappear to then rebuild to buildout. A very small percentage of the total buildout is actually likely to ever happen in Burlington as demolition of existing structure will be very minimal.

A. Montroll – This is great basic information. It would be interesting to look at the potential buildout for each parcel and isolate those parcels where redevelopment is available.

H. Roen – Will there be a parks inventory as part of this work?

S. Thibault – Parks have been identified in the land use inventory and there will also be Cultural, Arts and Entertainment Facilities Analysis that will be performed for the project.

A. Montroll – Downtown housing is not just within the core of the downtown. We need to make sure that's taken into consideration for the study.

Transportation Presentations

S. Thibault – Briefly highlighted the two presentations by Todd Litman last week as part of the Transportation work of the project.

L. Buffinton – Is the study considering boaters traffic?

S. Thibault – The scope of this study considers only ground transportation but the planning process will evaluate marine traffic later on.

Y. Bradley – What was Todd Litman's understanding of Burlington and our reality here? We need to make decisions based on the reality of the market here.

A. Montroll – What would the Transportation Management Agency (TMA) look like?

Y. Bradley – When a TMA was explored for downtown a few years back, it equated to the bus being downtown. A TMA has a focus of multi-modal place and system. We need to get the bus off crossing Church St.

S. Thibault – ~~A TMA is usually a non-profit, member-controlled organization that provides an array of transportation management services, from parking management, to rideshare programs, to carpool, to bike and pedestrian incentives for employees, etc.~~

A. Montroll – The city should identify specific areas where redevelopment should be happening in the downtown and concentrate on that.

B. Baker – Government is slow and when we do the changes in the ordinance until the market has changed.

A. Montroll – It's a matter of how we talk about it. Base plans in reality and focus on only a few areas to make it happen.

VII. Committee Reports

P. Potts – The Neighborhood Improvement Night (NIN) topic this year will be the Downtown & Waterfront Plan and has been delegated to the Long Range Planning Committee.

He is cancelling the 2nd August meeting. He will likely also cancel the last meeting in October and both in November. The director's evaluation will happen early October.

H. Roen – The urban agriculture taskforce will bring forward recommendations in October or November. Please defer the home occupations request at the ordinance committee level. This will come to the committee in the fall.

LRPC is meeting August 5, 2011 at 11:00am.

VIII. Commissioner Items

L. Buffinton – Do we get presentations sometimes from Community and Economic Development Office on Economic Development in Burlington? She would like more information on what is going on in the city.

IX. Communications

On a motion by Y. Bradley, seconded by A. Montroll, the Commission unanimously accepted the communications and placed them on file.

X. Adjournment

On a motion by A. Montroll, seconded by L. Buffinton, the Commission unanimously adjourned the meeting at 8:03 pm.

Peter Potts, Chair

Date

Sandrine Thibault, recording secretary

