

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
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www.burlingtonvt.gov/pz

Andy Montroll, Chair

Bruce Baker, Vice-Chair

Yves Bradley

Alexander Friend

Emily Lee

Harris Roen

Jennifer Wallace-Brodeur

Eamon Dunn, Youth Member



Burlington Planning Commission

Wednesday, December 13, 2017, 6:30 P.M.
Conference Room 12, City Hall, 149 Church Street
AGENDA

Note: times given are approximate unless otherwise noted.

I. Agenda

II. Public Forum- Time Certain 6:30 p.m.

III. Report of the Chair

IV. Report of the Director

V. Proposed CDO Amendment: Article 7 Sign Regulations

The Planning Commission will receive a presentation from Planning & Zoning staff and the City Attorney's Office regarding a proposed amendment to the *Burlington Comprehensive Development Ordinance* for Article 7: Signs. This presentation will cover content neutrality and updated design standards for signs. Staff will deliver a proposed amendment to the *CDO* for discussion at a future meeting.

Staff Recommended Action: No action is requested during this meeting. The Commission is invited to ask questions and provide feedback on the presentations by staff to inform future discussions.

VI. Committee Reports

VII. Commissioner Items- *Next meeting is Tuesday, January 9, 2018 @ 6:30 pm in Conference Room 12.*

VIII. Minutes & Communications

The Commission will review and approve the minutes of the November 14, 2017 meeting, enclosed in the agenda packet. Several communications are attached for the Commission's review and approval.

IX. Adjourn

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Burlington Planning Commission Tuesday, November 14, 2017, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street Minutes

Note: times given are approximate unless otherwise noted.

Commissioners Present: A Montrall, H Roen, A Friend, B Baker, Y Bradley, J Wallace-Brodeur, E Lee

Commissioners Absent: E Dunn

Staff Present: David White, Meagan Tuttle, Scott Gustin, Anita Wade

I. Agenda

The meeting was called to order at 6:35pm. No changes to the agenda.

II. Public Forum

No speakers.

III. Report of the Chair

A Montrall: City Council had the second hearing and adopted the Form Based Code. The vote was 9-3. The adoption went smoothly. No one spoke at the public hearing. There were some comments and concerns about the energy requirements on efficiency provisions. This may come back to the Planning Commission to look over.

IV. Report of the Director

D White: mentioned the process of developing the form based code, which started in 2010 with a grant from HUD. The focus was on the code with a plan in mind to develop it as part of the planning process. Legitimate concerns were expressed about green buildings requirements and decision was to allow for three options. Planning Commission may revisit this aspect to look at other options. Efficiency VT offers a number of key efficiency programs which could be combined with others.

V. 2018 Meeting Schedule

The Commission unanimously approved a motion by A Friend, seconded by H Roen, to approve the 2018 Meeting Schedule as the official schedule.

VI. Reapprove ZA-17-10 Municipal Bylaw Amendment Report

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

D White: these are ordinance amendments approved by the Ordinance Committee where there were a number of changes to the Municipal Bylaw Report.

S Gustin: City Council specifically wanted the words, generally and typically changed pertaining to green roof.
A Montroll: did the report change?

D White: no other changes to the report.

The Commission unanimously approves a motion to readopt the report by A Friend, seconded by H Roen to approve the Municipal Bylaw Amendment Report pertaining to the changes in the definition ZA-17-10 Green Roof Lot Coverage.

VII. Reapprove ZA-17-11 Municipal Bylaw Amendment Report

S Gustin: minor changes on overnight stay.

A Montroll: no changes to the report?

S Gustin: no.

H Roen: asked questions about recent changes pertaining to first page of memo.

D White: only changes were to the definition.

The Commission unanimously approves a motion to readopt the report by J Wallace-Brodeur, seconded by Y Brandley pertaining to ZA-17-11 Emergency Shelters.

VIII. Proposed ZA-18-06: Article 8 Bicycle Parking Amendments

S Gustin: everything has been reformatted back into Article 8 after taking it out of form based code. There was rewording with changes and actual standards. General comments are addressed changing the standards in the table within the amendment. Suggested that prior to public hearing, it would be prudent for staff to go over this proposal. There is no limit for maximum number. Shelter and re-shelter are redefined and there are changes to the table. Meagan has forwarded information on shared parking and changes with standards. It would be best for the staff to see what the different numbers will be and come back with a proposal.

D White: staff can rework this.

J van Driesche: executive director of Local Motion, said the substantive comments were establishing sheltered secure structures and unsheltered unsecured outdoor parking. Commented this was an important distinction. Needs assurance on long term bike parks. He will be working with Scott and Nicole to bring into alignment with the recommendations of the bike plan.

A Montroll: Scott will work on it and bring it back to the full Planning Commission.

J Wallace-Brodeur: question on the language of secure.

J van Driesche: made the distinction on the meaning of what is secure and unsecured bike parking.

A Montroll: no action will be taken on this tonight.

Y Bradley: felt it was unfair to ask the private sector to fund bike parking, with the City not participating in this. He has a problem with the private sector always being asked to fund amenities. This is not something that should be required and feels the private sector be given incentives or a bonus to provide amenities.

J van Driesche: speaking from perspective from downtown parking and transportation plan are subcontracted with BBA and DPW to secure downtown bike parking where it is most needed for secure and unsecure bike parking in the downtown where there's the most need and investment. There's been an inventory of the on street bike facilities to see what needs to be added for more unsecure bike parking. Also looking at the level of service for parking garages that will have limited access bike cages for secure bike parking. Encourages a standard of bike parking in an agreed upon standard and possibly reduce some car parking.

B Baker: it would be interesting to get ideas from people who are building this and look into ideas for co-location.

J van Driesche: should take a look at this and whether it could apply. It may be the owner's preference.

B Baker: we provide trolleys for connection may be a way to advertise this or have a security deposit to cover expenses.

Y Bradley: this needs collaboration to get a public/private partnership.

A Friend: what would be an equitable situation look like?

Y Bradley: trade car parking for bike parking. It comes from both sides using Cambrian Rise development as an example. It can be expensive and it's hard to build housing. To ask people to do the right thing it's a cost that needs to be incentivize enough to make the numbers work.

A Friend: maybe we should we have more bikes on Cherry St. He feels that businesses need vehicle parking and bike parking.

Y Bradley: said it's hard to rationalize taking away parking space that cannot be used 365 days a year. We need to assure businesses downtown have the facilities. How many of these requirements do we need to be successful?

A Friend: maybe city should have underground spaces?

E Lee: looking this again we should look at costs.

J van Driesche: the main cost is opportunity cost with the cost of car parking spaces being displaced.

E Lee: would like to see what are the associated costs.

J van Driesche: thanks the Planning Commission and appreciates the questions. He will address this with Scott and Nicole.

A Montroll: thanks everyone for the discussion saying the Commission will revisit this.

IX. CCRPC Regional Energy Plan Update

M Needle: gave an overview and update for the regional energy plan and update of the ECOS plan. Last time we reviewed the local constraints included in the ECOS regional plan. The long range planning subcommittee and staff at BED have done great work to help the City of Burlington meet their renewable energy target. Anything other new generation is above and beyond, which helps the region to meet their target. Last time we spoke about meeting with the Public Service Commission to discuss energy policy statements and local constraints. There are now two concepts within the energy policy regarding constraints and suitability. Constraint policies are found on page 103 and suitability policies are found on page 104 of the plan. There are six different scales of renewable energy within the county's infrastructure.

Y Bradley: asked for a copy of map seven.

M Needles: circulates the maps among Planning Commission members including an update on local and state constraints. Updates the local and state constraints with the ECOS plan pertaining to strategy 3 and strategy 4 addressing development restrictions as referenced in the table presented in the packet. This includes the comments from the Planning Commission members. Preliminary public comments on front porch forum ends Nov 22nd after which the ECOS plan's complete draft will be warned for public hearing in January, 2018. We have modified our methodology for establishing town renewable energy targets and the feedback that the PC Commission and BED gave has helped streamline our process.

H Roen: questioned City owned park for wind and other areas at north beach.

M Needles: this is where it could be a constraint.

J Wallace-Brodeur: why is there a difference in constraints, such as wetlands?

M Needles: wetlands are state controlled but buffers are not.

Y Bradley: what's the economic impact of big wind turbines and what does it generate in dollars?

H Roen: depends on the acreage.

D White: if it has an underlining constraint it might not happen. There are many issues to address with wind.

A Montroll: thanks M Needles for the update.

X. Great Streets Standards Presentation

M Tuttle: gave an update on the project regarding standards and its comparison to form based code. Mentioned in the past the goals for a great street and how to advance those standards which includes a walkable, bikeable, accessible, environmentally sustainable, durable, vibrant uses, functional, and how to accommodate for those uses. The vision comes from many plans and documents, and regulatory guidance from municipal, state and federal help identify the ways to achieve these goals. The three base principles are that the street will restore balance and create rights of way for all users in the community. Second principle is to create unified streets design that are predictable.

D White: streets are all different in all parts of the City, so there is no unifiable language to the visual element and identity.

M Tuttle: the last principle is to reframe the center of our downtown, corridor for Main Street, to reestablish City Hall park as the center and better connect the water front to the downtown. These standards are a tools that brings together all the elements. This will provide a sense of character for the streets that gives a consistent streetscape to combining the unique conditions for more predictability, materials, maintenance, and consistency over time into a document. These standards are for only a portion of the downtown. Standards will be phased in and will take time to achieve a unified look. There are several major users with an inventory of things like transportation and number of design considerations. This provides a recommended street type using six street types. Each street has an been identified as street type with a typical cross section with minimum and maximum sidewalk design. It identifies how streets can be built and developed. Street designers will use this document and details of the plan for guidance on street furnishings, separations, and pedestrian interactions. There are many unique conditions for streets today there may be challenges that continue to exist so we built in flexibility if these standards cannot be met, mentioning the individual elements that will go into the plan. Many of our Boards and Commissions have a regulatory role, but the Planning Commission does not have a regulatory role. We have been working closely with staff and ten divisions of the City to be sure we account for all aspects of the plan. Collaborating with this team is very helpful to go over the actual details.

D White: this gives the Planning Commission information and insight into what has been consuming Meagan and the importance of the plan in companion to the form based code. This is about how the public realm and private realm come together. These standards speak to the frontage zone which becomes a kit of parts to create an overall design.

M Tuttle: primarily a tool for any development project in the public ROW by DPW, Parks and Rec's, Stormwater department and all professionals the city hires to complete the projects. The time line for the standards can be used for many generations. Time frame for Main Street is a couple years out.

H Roen: this is a great opportunity for the City to put forth the improvements as a positive effort.

D White: essential to develop this and require a lot from developer;

M Tuttle: the challenge is the costs and the City needs to do project and maintenance in a different way.

A Montroll: important to engage with plan BTV and the streets.

XI. Committee Reports

A Montroll: executive committee had one member.

A Friend: there was a lack of quorum for the Ordinance Committee.

H Roen: Alex, David and I went to ethical training with League of Cities and Towns. It would be nice to have a list of guidelines and best practices.

D White: are some pieces that are important to be aware of, but ex parte is not issue.

H Roen: if someone brings up controversy, we need to address as a body

B Baker: a lot goes with the notion of disclosure.

XII. Commissioner Items- *Next meeting is Tuesday, November 28, 2017 @ 6:30 pm in Conference Room 12*

XIII. Minutes & Communications

The Commission unanimously approved a motion by Y Bradley, seconded by H Roen, to approve the minutes of October 10, 2017.

XIV. Adjourn

The Commission unanimously approved a motion by A Friend, seconded by H Roen, to adjourn the meeting at 7:58pm.

DRAFT

MSK

MURPHY
SULLIVAN
KRONK

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RECEIVED
NOV 27 2017

November 21, 2017

DEPARTMENT OF
PLANNING & ZONING

Judith Whitney, Clerk
Public Utility Commission
112 State Street, Drawer 20
Montpelier, VT 05620-2701

Re: **De Minimis Application**, Certificate of Public Good pursuant to 30 V.S.A. § 248a
Applicant: Bell Atlantic Mobile Systems of Allentown, Inc. and Cellco Partnership,
each d/b/a Verizon Wireless ("Verizon")
Project: Co-location of Wireless Telecommunications Equipment on
Two Existing Utility Poles
Locations: 173 and 602 North Avenue, Burlington, Vermont
Pole Owner: Burlington Electric Department

Dear Ms. Whitney:

On behalf of Verizon Wireless, and pursuant to 30 V.S.A. § 248a, enclosed is an original *De Minimis Application for a Certificate of Public Good* for the proposed co-location of wireless telecommunications equipment on two existing utility poles in Burlington, Vermont; Prefiled Direct Testimony of AJ Lanpher and Louis Hodgetts, PE, with supporting exhibits; a Notice of Appearance; Certification of Notice and a draft of the Proposed Findings and Certificate of Public Good.

Please let me know if additional information or documentation is required.

Very truly yours,



Brian J. Sullivan
BSullivan@mskvt.com

Enclosures

c: Statutory Parties on attached Certification of Notice (w/enclosures)

MSK

MURPHY
SULLIVAN
KRONK

RECEIVED

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DEPARTMENT OF
PLANNING & ZONING

November 30, 2017

Judith Whitney, Clerk
Public Utility Commission
112 State Street, Drawer 20
Montpelier, VT 05620-2701

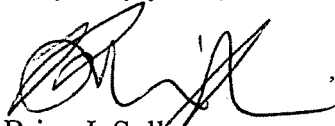
Re: **De Minimis Application**, Certificate of Public Good pursuant to 30 V.S.A. § 248a
Applicant: Bell Atlantic Mobile Systems of Allentown, Inc. and Cellco Partnership,
each d/b/a Verizon Wireless ("Verizon")
Project: Co-location of Wireless Telecommunications Equipment on
Four Existing Utility Poles
Locations: 151, 350 and 544 South Prospect Street and 14 University Terrace,
Burlington, Vermont ("Burl UVM SC1-SC4")
Pole Owner: Burlington Electric Department

Dear Ms. Whitney:

On behalf of Verizon Wireless, and pursuant to 30 V.S.A. § 248a, enclosed is an original *De Minimis Application for a Certificate of Public Good* for the proposed co-location of wireless telecommunications equipment on four existing utility poles in Burlington, Vermont; Prefiled Direct Testimony of AJ Lanpher and Louis Hodgetts, PE, with supporting exhibits; a Notice of Appearance; Certification of Notice and a draft of the Proposed Findings and Certificate of Public Good. The documents that accompany this letter have been electronically filed using ePUC.

Please let me know if additional information or documentation is required.

Very truly yours,



Brian J. Sullivan
BSullivan@mskvt.com

Enclosures

c: Statutory Parties on attached Certification of Notice (w/enclosures)



MEMORANDUM

TO: Legislative Bodies, Planning Commissions, and Town Clerks
For the Municipalities of Burlington, Colchester, Essex, Milton, Shelburne, South Burlington, Williston, and Winooski

FROM: Aaron Frank, Chair, Joint Survey Committee
Charlie Baker, Executive Director, Chittenden County Regional Planning Commission

RE: Proposed formation of the Chittenden County Public Safety Authority, a Union Municipal District to provide regional public safety dispatch

DATE: November 22, 2017

Following a 2016 [study](#), and a lot of work this year, the Joint Survey Committee appointed by Burlington, Colchester, Essex, Milton, Shelburne, South Burlington, Williston and Winooski is proposing the creation of a new organization to implement regional public safety dispatch service in Chittenden County. Police, fire, and emergency medical services are more efficiently and effectively dispatched to emergencies in a combined 911 and public safety dispatch center.

The 2016 study focused on the implementation of [two prior studies](#) completed in 1995 and 2000, both of which determined that regional public safety dispatch was feasible, desirable and worthwhile. Supported by the Chittenden County Regional Planning Commission, this effort included evaluating the technical and governmental requirements of implementing regional public safety dispatch service.

The legislative bodies of these municipalities formed a [Joint Survey Committee](#) (JSC) to consider and design an appropriate governance structure for regional dispatch. It was determined that the best approach was to form a Union Municipal District, which is the form of government utilized by the Champlain Water District and the Chittenden Solid Waste District.

The JSC has spent considerable time analyzing the value of regional dispatch and the most effective governance structure. In the process of reviewing the data and drafting an agreement, the JSC determined that a regional dispatch center, especially when combined with a regional public safety answering point (911 call center), is worthwhile because it can reduce response time for many 911 calls – by avoiding a transfer to local dispatch – **saving about 70 seconds per call**. This is a significant improvement in response time for Chittenden County residents, businesses and communities.

Other benefits of a regional public safety dispatch service include:

- Improvement of mutual aid among towns, which happens regularly for fire and rescue services,
- Increased number of dispatchers on duty in a single location, allowing more dispatchers to resource multiple emergencies in a single community,
- Additional resources to contribute to supervision, quality assurance, training, and career advancement opportunities within the field of public safety dispatch, and
- Dedicated oversight to more fire and emergency medical services, increasing responder safety.

The agreement has been approved by the Vermont Attorney General's Office as required by statute. In the near future, we will be asking each legislative body to pass a resolution enabling the placement of an item on their respective Town Meeting warnings, so that the citizens in each municipality may vote on whether to form this Union Municipal District, to be known as the Chittenden County Public Safety Authority.

Should voter approval be gained, it will authorize the Chittenden County Public Safety Authority (PSA) to form, but will not obligate municipalities to pay for or receive services.

Following the formation of the PSA, additional details will be developed to support the consolidation and operation of services. Municipalities that join the PSA would then need an additional vote of their legislative body to begin to pay for and receive services from the new entity. We anticipate that this will happen over the 12-24 months after the PSA is formed.

Therefore, and pursuant to 24 VSA 121 Section 4861, we are delivering to you a copy of the agreement, entitled, "Agreement to Create the Chittenden County Public Safety Authority." Also attached is a sample resolution and ballot language. **If you would like to place this on your Town Meeting Ballot, your Selectboard or Council will need to vote to do so by January 24, 2018**

For more information: <http://www.ccrpcvt.org/our-work/emergency-management/regional-dispatch/>