



CITY OF BURLINGTON, VERMONT  
CITY COUNCIL COMMUNITY DEVELOPMENT &  
NEIGHBORHOOD REVITALIZATION COMMITTEE  
c/o Community & Economic Development Office  
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**Councilor Selene Colburn, Chair**, East District

**Councilor Tom Ayres**, Ward 7

**Councilor Adam Roof**, Ward 8

Tuesday, March 22, 2016

6.00 - 8:00 PM

Robert Miller Center

130 Gosse Court, Burlington

### **Draft Minutes 03.22.16**

#### 1. Review Agenda

**Chair Selene Colburn** opened the meeting at 6:08 p.m. with a review of the agenda. The Chair moved a Motion to amend that agenda, interchanging item #4: Update of UVM off-campus housing tracking – and item #5: Review of revised RFP for Inclusionary Zoning, so as to allow sufficient time for presentation and discussion of the latter. The Motion to amend the agenda was seconded by Councilor Roof.

#### 2. Public Forum (20 minutes)

**Florence Becot** and **Joy Dublin Grossman**, graduate students at the University of Vermont, presented a policy brief on gentrification. Entitled, **Gentrification: Risks, Assessment and Policy Interventions**, the presenters opened their presentation with three takeaways. These were: (i) gentrification is a process and once started is impossible to reverse (ii) housing should be available for all and be affordable at different levels and (iii) gentrification can be assessed through two tools – the gentrification risk assessment tool and the drill down approach. The gentrification risk assessment tool relies on GIS technology to produce maps that include measures such as median income, educational levels and changes in housing prices. The drill down approach, complementary to the mapping tool, addresses questions related to how neighborhood changes and gentrification can affect communities, including changes in culture, racial and ethnic environments.

Regarding gentrification, the various policy measures adopted by Burlington were highlighted. These included, inclusionary zoning, affordable housing through the work of Champlain Housing Trust and efforts by the Housing Trust Fund to provide affordable housing.

**Chair Colburn** noted that gentrification had long been a topic discussed in Burlington, including in the Housing Action Plan and PlanBTV South End. She also noted that rent control was one tool used in the past to keep housing affordable in Burlington.

**Councilor Roof** queried whether gentrification was impossible to reverse.

**Dublin Grossman** responded that gentrification can be slowed down with appropriate policy tools and when the city is aware that “it has legs.” While reiterating again that gentrification is hard to reverse, she added that people can return to an area in which they once lived, but there has to be a cultural shift.

**Chair Colburn** pointed out that a critical question regarding gentrification that must be answered is: “Where are we in Burlington?”

**Keith Pillsbury** said that the issue of gentrification is an interesting one for Burlington. According to him, houses are purchased as investment property and being rented to students; the prices were out of reach of residents. He opined too, particularly in Wards 1 & 8, there wasn't a good mix of residents and those areas tipped towards students. The city has a social responsibility to ensure that low-income, lower-income and young families are not displaced, he said. Pillsbury also noted that UVM has a responsibility to house its students.

**Sue Reardon** provided an update on the proposed development at 451 Ethan Allen Parkway. According to her, none of the homeowners on Moore Drive or Moore Court had received written notification. Planning and Zoning confirmed that homeowners had been written to, she said, although this could not be proven. While Reardon was unsure of the next steps, she opined that homeowners had until April 6, to file an appeal. Alternatively, the city could vacate the preliminary plat approval. Reardon sought the Committee's help to redress the situation.

**Councilor Ayers** offered to follow-up and determine whether or not certified letters were sent to homeowners. He noted that preliminary plat approval had been granted by Planning & Zoning, and final approval is contingent on several factors. He also observed that the situation was a difficult one, given that Vermont Wetlands Conservation Board had already granted renewal of the permit and had made a similar recommendation to the Development Review Board (DRB). In his view, the developers appeared to have met most of the hurdles and the process seemed well advanced.

**Chair Colburn** queried whether or not an appeal had been made to DRB, who had granted preliminary plat approval on March 7, 2016. She proposed sending a communication to DRB and Planning and Zoning, indicating there are concerns regarding preliminary plat approval which appeared to have been done prematurely and without proper notice.

**Keith Pillsbury** opined that some homeowners had received letters from the DRB, but they had not been certified.

The meeting was informed that a third party assessment was being done of the area and agreement on the engineering firm was yet to be reached.

3. Approval of Minutes – 23/16 (5 minutes)

Councilor Roof moved a Motion to approve the minutes, which was seconded by Councilor Ayers.

4. Update on UVM off-campus housing tracking (25 minutes)

Following an introduction from **Joe Speidel** of UVM, **Gail Shamponis**, UVM – Community Coalition, noted that the Coalition is engaged in mediating in lots of areas that build community safety. In addition to tracking when students are given tickets, she opined that the Coalition intervenes early regarding problem properties. According to her, when this occurs, the incidents don't continue. Shamponis said too that, officers from the Burlington Police Department had been increasing their overtime patrols and even though alcohol tickets had increased, noise pollution ticketing had declined. She informed that the number of responses from officers had increased while the number of calls from neighborhoods had in fact dropped.

**Joe Speidel** said that, in accordance with the 2009 Agreement between the City and UVM, the university had complied with a number of issues. He explained that UVM has heightened its tracking of off campus under-graduate students in terms of the numbers and their locations. This is being done through the Registrar's Office website visited by 95% of students who go there to check on schedules. Speidel elaborated that since 2009, despite a pop-up box in which students could enter their address and contact information, UVM observed that the number of students updating their information was declining. Maps with estimates of where students lived were made of wards 2, 6 and 8, he said. In fall 2014, the university saw its lowest response rate and the view was taken that student information was not accurate. In 2015, a survey was initiated to all off-campus students to more accurately capture the number and location of where students are living. According to Speidel, the survey yielded a 44% response rate. He also said that of the 65% of off-campus students live on 24 streets.

**Lisa Kingsbury** of UVM discussed the UVM Master Plan. According to her, even though the data is not perfect, the university has a "good idea where students live." She mentioned that a change was instituted in relation to the pop-up box which now required students' local address before being able to move forward to the next screen. Since this change had been made in June 2015, 83% of all UVM students had updated their information. She also said that, once the current registration period was over, the university would have better data. Another survey was being sent out to all off-campus students.

**Councilor Roof** queried as to the remainder – 17% - of students.

**Kingsbury** pointed out that 17% of students had not yet logged onto the system. She expected that 90% would do so.

**Keith Pillsbury** questioned the utility of the 'UVM Spring 2015 Off-Campus Student Address Survey' map that had been distributed at the meeting. He opined that while 55 undergraduate students live on University Place, the map did not indicate any students living on that street.

**Lisa Kingsbury** noted that the map only reflected those locations where at least 1% or more of students live.

**Councilor Ayres** enquired about the relationship between UVM and major landlords.

**Joe Speidel** said that the university had worked hard to develop a strong relationship with landlords.

**Gail Shamnois** noted that the Coalition works closely with Code Enforcement, tenants and landlords. When incidents occur, house visits are made to tenants and landlords are communicated with through Code Enforcement. She added that her office also engages in conflict resolution.

**Joe Speidel** explained the 'Smart Party' program that had been adopted by the University of Colorado. According to him, any student throwing a party on Friday or Saturday night is encouraged to register the event with Off Campus Housing, and provide their student ID, address and two phone numbers. If there's a noise complaint, dispatch will call and give a warning, after which there's a 20-minute window to shut the party down and avoid the cops. The 'Smart Party' program allows students to take responsibility before the cops arrive. He suggested that the city and university might want to consider introducing a similar program in Burlington.

He informed that off-campus workshops had revealed the reason why students want to live off-campus was largely due to privacy and having independence and freedom. While cost was a factor in students' deciding to live off-campus, it wasn't the most important issue. The vast majority of students turning 19 or 20 years desired to live on their own, he said. About 10% favored living on-campus.

**Lisa Kingsbury**, citing 2011 data, noted that most students pay between \$560-\$800 per month, per bed, to live on campus. There is an additional \$380 per month for meals. She added that, while on-campus accommodation comes in higher than off-campus, which could range from between \$550 to \$1,000 per month, UVM on-campus students had the benefits of utilities, common area usage and safety measures, among others. Kingsbury also noted that 70% of off-campus students signed 12-month leases.

**Selene Colburn** suggested that it would be useful for the university to determine the cost of on-campus housing according to square footage so that a useful comparison might be made with off-campus housing.

**Councilor Ayres** queried whether the university had looked into the purpose-built campus housing model. He cited state college in New Jersey where four students shared accommodation in a single unit, which had a kitchen.

**Lisa Kingsbury** observed that the UVM Master Plan goes through a developmental progression and that the university was open to the idea of third party relationships.

**Troy Headrick, UVM Conduct Officer**, explained that his office responds to any incident from which reports originate, whether from campus police or Burlington Police Department (BPD). He observed that citations fall into three categories, from minor incidents (Tier 1), such as noise complaints where there's no history or prior complaint to alcohol violations (Tier 3) where there could be a formal hearing, due process and sanctions or fines. Headrick reported that in fall 2015, there had been 202 referrals from BPD, the vast majority (127), falling into the Tier 1 category. He also opined that citations usually decline in the winter months, but as spring approaches, these could be in the range of 150 to 200. The key was to reach students before incidents occurred, he said. This year was a great one not only because the data was trending in the right direction, but there had been lots of feedback from neighborhoods.

#### 5. Review of revised RFP for Inclusionary Zoning (25 minutes)

**Gillian Nanton** introduced the revised Inclusionary Zoning Request for Proposals (RFP), observing that the current draft represented a major overhaul of the previous version that had been presented to the CDNR Committee on December 14, 2015.

She pointed out that several features had been introduced into the current draft RFP, including a 'Background' section which she viewed as important to set the context for the proposed work to be undertaken. Nanton opined that the revised RFP takes on board public comments and observations made in a memorandum from the CDNR Committee to CEDO dated January 20, 2016. Most importantly, the evaluation of the IZ Ordinance commences with looking at the intent of the regulations enacted some 25 years ago, she said. In this regard, language from the existing IZ Ordinance as laid out in Article 9, Part 1: Section 9.1.1., Burlington Comprehensive Development Ordinance, was used in crafting the Scope of Work of the revised RFP.

Nanton also noted that a section 'Proposal Requirements' which includes qualifications required by prospective consultants and far more robust sections pertaining to how proposals will be evaluated and selected, have been introduced in the current draft RFP. 'Deliverables' and 'Timelines' sections, matters on which the CDNR Committee wished to see more rigor, had also been included. She also opined that an additional \$5,000 for travel expenses had been introduced so as not to limit prospective consultants to the local area, and as recommended by some members of the public and the CDNR Committee in the meeting on December 14, 2015.

Nanton concluded by observing that she had tried to reflect all of the concerns raised in this current version of the draft IZ RFP and particularly, the feedback given by Chair Colburn who had provided input on the revised version before the meeting.

Members of the public and CDNR Committee expressed their appreciation for the work that had been undertaken on the revised Inclusionary Zoning RFP. The view was broadly shared that the timeline to conduct the consultancy was too tight. It was suggested that more time should be allowed between presentation of the draft report and the final document. Although implied, it was also recommended that the RFP specifically require prospective consultants to submit resumes along with names and contact information of references.

**Ted Wimpey**, commenting specifically on the penultimate paragraph of the 'Background' section said, while all of the statements regarding downtown housing were true, there had been a spurt in market-rate housing development in Burlington over the last two years. He proposed that the language be tweaked so as to eliminate any bias and allow for exploration of all potential reasons for the dampening of market-rate housing over the past decade.

Noting that potential consultants would be ranked, in part, based on their knowledge of Burlington, Wimpey expressed the view that this ought not to exclude out-of-state consultants who are skilled and knowledgeable on inclusionary zoning.

**Chair Colburn** suggested that beneficiaries of inclusionary zoning housing programs should be interviewed by the consultant/firm undertaking the consultancy. She also said that while the language in the penultimate paragraph of the 'Background' section of the revised RFP could be tweaked, she could live with what had been written.

**Councilor Roof**, commenting on the 'perceived' bias issue, also said he was happy to live with the existing language in the revised draft RFP.

**Gillian Nanton**, responding to the issues said, it was not clear there was bias in the revised draft RFP, but she could tinker with the penultimate paragraph in the 'Background' section. She also said the time schedule would be extended between presentation of the draft and final reports. A sentence would be inserted in the 'Proposal Requirements' section of the RFP, requesting prospective consultants to submit their resumes and at least three references. Nanton also clarified that requiring proposers to have knowledge of the local area was not meant to exclude out-of-state consultants. Instead, consultants submitting proposals should demonstrate their knowledge of the area through their submissions, she opined.

**Chair Colburn** proposed that the Inclusionary Zoning RFP be finalized, along the lines recommended, and the process moves forward.

6. Next Meeting – April 26<sup>th</sup> at 6:00 p.m., Fletcher Free Library

Chair Colburn, while observing that, there's no shortage of agenda items for the CDNR Committee, suggested one agenda item for the next meeting might be an update on the Neighborhood Stabilization Program.

A Motion was made to adjourn the meeting by Councilor Tom Ayres and seconded by Councilor Adam Roof at 7:58 p.m.

Respectfully submitted,

Gillian Nanton  
Assistant Director  
Sustainability, Housing & Economic Development  
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