

**MEETING MINUTES  
ST. ALBANS CITY PLANNING COMMISSION  
REGULAR MEETING VIA TELECONFERENCING  
6:00 PM MONDAY JULY 20, 2020**

*Approved August 17, 2020*

**Board Members Present:** Stan Bradeen, Chair; Michael Gawne; Amy Paradis

**Board Members Absent:** Denise Smith, Vice-Chair; Luke Richter

**Staff Members Present:** Chip Sawyer, Director of Planning Development

**Public Present:** Zac Nuse

1. **Begin Recording**
2. **Open Meeting – Chair Bradeen called the meeting to order at 6:02 pm.**
  - a. **Introduction of Public Attendees – Zac Nuse**
  - b. **Public Comment on issues not on the agenda – None**
  - c. **Discuss additions or deletions to the agenda – None**
3. **Approval of Minutes:**
  - a. **May 18, 2020 Meeting Minutes – Minutes were tabled until next meeting.**
4. **Regular Business –**
  - a. **Planning and Development Update –** The Board liked the last Planning and Development email.
  - b. **Update on State Housing Legislation –** S237 passed the Senate with all of the land use mandates intact on the last day in session, June 26<sup>th</sup>. Both of our senators voted for it and were on the committees that reviewed it. Member Gawne asked if our senators should be invited to the next meeting so the bill and its mandates could be discussed. Mr. Sawyer stated that he would invite them to the next meeting. The bill has been referred to House General Affairs. The legislative session resumes on August 25<sup>th</sup>. There was an amendment that was killed that would have removed the land use mandates. This bill may die in the House. The Act 250 exemptions have been removed. Mr. Sawyer believes that a greater number of parties will be speaking up against S237 in the House. Chair Bradeen asked if the Commission should be contacting other Planning Commissions. Mr. Sawyer stated that he discussed the issues with the VT Planners Association and the reason there were not more people talking about this originally was that they and Mr. Sawyer were told, by the State, that the Administration didn't support the mandates so they shouldn't worry about it. There seemed to be an assumption that the VT league of Cities and Towns and the VT Planning Association were just two individual voices while others in the State House and Committees were representing many, many stakeholders. Many voices need to be encouraged to speak up while the bill is in the House. Mr. Sawyer is following up with the Regional Planning Commission

as they seem to be mostly negative towards this bill. Chair Bradeen asked if he / the Planning Commission could meet with the Regional Planning Commission before next August. He also wanted a list of towns and cities with municipal water and sewer which would serve as a contact list. Mr. Sawyer said he would follow-up. He has the list of communities that have water and sewer in our county. He will send it to Chair Bradeen. Member Gawne stated that the city and the town reps should be invited to the next meeting as well. He offered to talk to the Chair of the St. Albans Town Planning Commission. Member Paradis thought the ideas the Planning Commission had were good.

- c. **Update on equity/inclusion training** – Mr. Sawyer stated that he believes that the City Council is going to require the training as they have received many comments on the policing issues in St. Albans. The original idea was to get updated on equity, inclusiveness and constructive dialogue. The Restorative Justice Center is also looking at getting training for their staff and volunteers. They will be looking at what different organizations Nina Curtiss, the director of the RJC, and Mr. Sawyer are looking at what different organizations offer for public appointees that engage in processes and public meetings though they are at the beginning of that process. Chair Bradeen asked how widely the list of organizations was going to be shared. Mr. Sawyer said that they weren't. Chair Bradeen was concerned with the training being an academic exercise; simply a box checked off. He would like the community engaged and a real world kind of engagement. He stated that this is not an abstraction; these are our lives and communities. Member Gawne stated that he does not think that the Planning Commission has any effect of excluding anybody. It doesn't appoint Board members. He wanted to know what the course going to teach that would be helpful. Chair Bradeen brought up the meeting that where the Commission was talking about potential investment in the blighted buildings in our community. The Commission needs to make sure that the regulations are impacting people fairly. Member Gawne asked if that impact of day to day actions and sensitivity would be taught at the training. Mr. Sawyer stated that people don't know what they need to be taught until they are taught. Chair Bradeen was concerned that the many times training sessions are being taken but have not historically translated to real change. Mr. Sawyer wants to make sure that the City employees and Board / Commission members are more aware of implicit biases. Member Paradis stated that the Commission could do research on how zoning impacts socioeconomic and racial biases.
  - d. **Next Meeting Date** – August 17, 2020 6:00 p.m. Member Gawne asked if that was enough time before the legislature goes into session. Mr. Sawyer stated that it was a week before the session begins so it should be fine.
  - e. **Other** – None
5. **Discuss proposals for Land Development Regulations** – Mr. Sawyer started with the Density Bonus program. He had not been able to sit down with the Mayor or the City Manager to discuss the program. He reviewed the changes that were made since the last meeting. Code Requirements and definitions were added.

- a. **Blighted** - The Commission discussed the use of the word blighted. It is a term that is used regularly in State and local zoning laws. Chair Bradeen asked if this program should be limited to blighted homes. Member Gawne gave examples of the large homes in St. Albans that are two person homes. There should be an opening of how those houses are used so that they can be reasonably productive. Chair Bradeen wanted to encourage the reinvestment of current housing stock. He wanted to see this program broadened. Mr. Sawyer stated that if the regulations no longer match the average household size to dwelling units to lot size that the rules should be changed and not create a program. This is for special situations of a blighted building producing no cash flow that is bringing down entire neighborhoods. Another trigger could when you have a huge old house and a tiny lot that would be limited by the density limits. Chair Bradeen asked if this program was more targeted than the Commission wanted it to be. Mr. Sawyer responded that they know that the two residential districts in St. Albans do not accurately represent the range of neighborhoods. The rules need to be modernized based on household size, lot size, density and lot coverage. He wants this program to get the properties that would not be allowed even with the modernized rules. He suggests that the program be phased in. Start with the blighted homes and, on Phase Two, find other properties that this program could be used for. Member Gawne stated that he understands what Mr. Sawyer is saying but doesn't necessarily agree with him. Member Paradis asked for more time to consider everything. Member Gawne stated that they were coming up with a reasonable use not necessarily best use. Mr. Sawyer stated that it is built into the program.
- b. **Owner Occupation** - They are able to legally require owner occupied. However, there should be buildings that do not require owner occupation. He feels that this program, as written, is almost owner / renter proof. Member Gawne stated that if owner occupied was a requirement than it might leave out Champlain Housing Trust. Chair Bradeen stated that it shouldn't as there is a land lease program. Mr. Sawyer said that there needed to be a standard that could be applied when the DRB required an owner occupied building. Chair Bradeen commented that the Commission would want it to be conscientious but not exclusionary. Member Paradis stated that she would be opposed to making this only owner occupied. Chair Bradeen was talking about an owner occupied incentive. He stated that this does not finish the job that he was hoping to accomplish as a Planning Commission. Member Paradis added that it wouldn't be feasible to have the owner occupied stipulation in this program in written form. When banks foreclose, there is the First Look Initiative. There might be a consideration on the financial feasibility that the person get a rehab loan as an owner occupant. Mr. Nuse asked that the Commission consider the timing between application, when the loan application would be submitted and the contract itself.
- c. **Parking** – The applicant would be able to set a baseline of parking needs based on similar properties, neighborhood, etc. Member Gawne made a point that many of the streets were made before there were automobiles so, if on street parking is overused, the streets become hard to navigate. If on street parking utilization is not what the Commission wants then green spaces would be given up for garages. He is okay with the streets becoming one way streets.

- d. **Phasing** – Phasing is used in projects when the costs need to spread out over a period of time. The Commission discussed the different uses of phasing. Mr. Sawyer stated that this had to do with phasing in conditions not the project itself. When the project is at the point of renting the units, all conditions must be met at that time. Chair Bradeen stated that he is not sure it should be there.

Chair Bradeen asked what the next steps would be. Mr. Sawyer stated that he would like to get more developer and City Leadership input and meet with the City leadership. If the City Council wanted the Commission to draft this would they approve what has been written so far. Chair Bradeen stated that he thinks it needs more work. Member Gawne agreed with the Chair. He felt that priorities needed to be set between this and the S.237 effort. Chair Bradeen stated that this program went hand in hand with the district zoning changes. Mr. Sawyer stated that there was a dire situation that required moving this forward more than anything else that is being worked on. Member Gawne suggested two meetings in August. Chair Bradeen suggested that a night be found for the Legislators. Mr. Sawyer asked for a list of nights that the Commission would be free. Mr. Sawyer stated that he needed to know what the deal breakers are in the proposal. Chair Bradeen, Member Gawne and Member Paradis had no deal breakers but some rewrites were needed. Mr. Sawyer asked for clearer guidance on what needs to be rewritten. He wanted the next meeting be the go/no go for the September meeting being the hearing on the program. Member Gawne had a concern that there would be too much power in the hands of the City manager. Per Mr. Sawyer, if someone has a problem with the City Manager decision, they bring it to the City Council. Chair Bradeen was hoping for something a little less cumbersome. He would like something that is a little simpler and just simply part of the review. Member Paradis suggested a more formal appeals process to address Member Gawne's concerns. Mr. Nuse stated that though, the current manager and administration has good interpersonal skills and knows the lay of the land, Member Gawne might be concerned with down the road when this administration is no longer in City Hall and a new manager might use this position as a pedestal of sorts. Mr. Sawyer stated that he proposed the program more on structure more than personality - the City can do more vetting than the DRB. Chair Bradeen asked for an appeal process. Mr. Sawyer is going to talk to the City Leadership.

**6. Adjourn - The meeting closed at 8:11 p.m.**