

MEETING MINUTES
ST. ALBANS CITY PLANNING COMMISSION
SPECIAL MEETING VIA TELECONFERENCING
6:00 PM THURSDAY AUGUST 03, 2020

Approved August 17, 2020

Board Members Present: Stan Bradeen, Chair; Denise Smith, Vice-Chair; Michael Gawne; Luke Richter

Board Members Absent: Amy Paradis

Staff Members Present: Chip Sawyer, Director of Planning Development; Wendy-Ayn Coy, Minute Taker;

Public Present: Representative Casey Toof; Senator Corey Parent; Catherine Dimitruk, Northwest Regional Planning Commission; Representative Mike McCarthy; Representative Carl Rosenquist; Karen Horn, VT League of Cities and Towns; Senator Randy Brock; Zach Nuse; Marty Manahan, City Director of Public Works.

- 1. Open Meeting – Chair Bradeen called the meeting to order at 6:05 pm.**
 - 1. Introduction of Attendees** – All attendees were introduced.
 - 2. Public Comment on issues not on the agenda** – None
 - 3. Discuss additions or deletions to the agenda** – None

- 2. Discuss State legislation concerning housing density and local response** – Chair Bradeen started by giving his opinion of the bill S.237 and a summary of the Commission’s issues with it. Member Gawne gave a background on his reasons for moving to Vermont. He showed the Google map of his property on Rugg Street and what could happen to his property to maximize its affordability with the Section 2 mandates in S237. His property could have 4 or 5 lots. Each lot could have a single family resident with a dwelling unit. With conditional use, it could have a duplex on each lot. It would make 8 dwelling units. The house would make two dwelling unit. A driveway would be added. The trees would be cut down. A parking area would be added. There would be storm water issues. The affordable housing should be put where it is appropriate. There are buildings in Downtown that have been subsidized and are affordable. If this was in effect, he would look for property in the country where there is no public water and sewer. Chair Bradeen asked for someone to talk about the creative ways that the Planning Commission has come up with to deal with affordable housing and density issues. Member Richter gave his opinions. He believes that this mandate would start a race to the bottom. Affordable housing shouldn’t mean poor quality housing with the big old houses being divided up. The Planning Commission is not deaf and blind to the issues. This law takes away the ability of the Commission to make their own decisions. St. Albans has recovered over the last 15 years. It would not be good to go backwards. Affordable housing and St. Albans City is not anathema. Maybe there could be a carrot for people who do good quality affordable housing. This is a very heavy handed law that undoes what St. Albans has been doing. Vice-Chair Smith concurred with what the Commission was saying. This law pre-empts the local laws that allow the City to be thoughtful about the growth of the City. Just because a lot has sewer and water should not

change its density and the law is a slapshot approach. It takes away the thoughtful planning. This would permit a haphazard approach that would be detrimental to the community. It would negate the work and care that goes into the management of our community. Mr. Nuse stated that one of the reasons he chose his property was for its space, access to local area resources and the green space. It has a good size lawn. It was a critical piece to the purchasing of the property. No lawn space because of lot sizes would have removed this property from consideration. His sister is on the selectboard in another town and didn't know about bill. There should be better outreach. He questioned does this affect long-term affordability. He has researched affordable housing. New research shows that the size of the housing structure is a better proxy for affordability not necessarily the number of houses. Affordability is important. Ms. Dimitruk has provided comments on this bill. She personally believes that there needs to be increased housing choices and increased affordable housing in good neighborhoods. The piece about accessory dwelling unit should stay in the bill as well as the part about multifamily units. She thinks that this bill has the ability to really benefit the City. Chair Bradeen stated that State land use rules chopped up land parcels into 10 acre lots. This bill is chopping them up into 1/8 acre lots. He agrees that there should be an increase density but don't do it in a haphazard fashion. We need smaller units but we don't need to chop up our land. He brought up the example of 99 High Street in St. Albans. There was an absentee landlord. The foundation wall was buckling making the building unsafe. The tenants got twenty four notice to move. The improvements made can't throw it away with one hamhanded law that takes away flexibility. Ms. Dimitruk clarified that the State subdivision law is what resulted in ten acre lots. Mr. Manahan spoke saying that it seemed like developers and supporters of this law live in the country. The City has made improvements to its housing. This law bypasses local control with no care to parking. The City has invested substantial funds to improve neighborhoods. 99 High Street was owned by slum lord and had an illegal 5 unit building there. The City has also been cleaning up lake but adding additional impervious surfaces will not help the quality of the water due to the run off. Mr. Sawyer stated that the City is up to the challenge of dealing with affordable housing. There could have higher housing density goals in the bill, but a direct mandate from Montpelier takes away local control. If this law is passed, the City is going to have to spend time retro fitting a mandate to fit its community. He suggested that the State give the City a chance to have performance measures; true up our residential districts. There is no planning in this bill, just rules. The City is working on commercial corridor rules that would increase residential housing and a measure for blighted homes. He wants the State to let the City design the program that makes it happen. Give performance measures or let the City have more time to digest this law. St. Albans City has permitted two hundred housing units in the last ten years; a mix of homes, apartments, and duplexes. If the State asks the City to do more, it will. Senator Parent clarified that the bill is not in its final form. The best solution would be for the State to set a goal/goals and allow the municipalities to work towards them. He stated that he was not sure the House had the time to take up this bill. He listed the takeaways –

1. Send language that folks would support.
2. Talk about setting a goal and allowing the communities to design it themselves.

There will be pressure to pass legislation to allow more developments in the downtowns; a drive for more housing units in more compact spaces. Representative McCarthy appreciated getting more comments about this. He started that the bill hasn't had a single minute of testimony on

the House side and that it probably wouldn't get resolved in the next session though it does have legs. It would have to fly through so it was good to hear the comments. He stated that he would talk to Tom Stevens, the Chair of the committee that it is in, and explain the reservations that people have expressed with the condition that the bill is in. Representative Rosenquist told the Commission that he hadn't spend much time on this until he received the invite to the meeting. He believes that this is overreach of central government to take the preemption of local control. Time and energy would be better spent in the home share project. Allow home owners to make accommodations on their property for someone to share their home such as a small accessory unit. Levittown, PA was created as moderate to low income housing outside of the city. It was not forced into it. People were expected to respect property rights. There are options for affordable housing such as prebuilt housing. Oftentimes things are built as affordable housing but cost \$230,000 which is not affordable. It needs to be less than \$150,000 to make them affordable. Representative Toof stated that he was listening and got the message loud and clear. He will spend time getting to know this bill. Senator Brock has sent a statement to the Commission that gave background on this bill and how Section 2 got into it. The Administration wrote it. He stated that St. Albans has done a great job in terms of affordable housing and densities. The State of Vermont has not. Hearings were held around the State and they heard from several hundred people. The things created by CHT and public and private entities are not adequate. Bellows Falls housing project for 1 bedroom and studio costs \$325,000 per unit. He believes that this bill is not beyond the realm of repair. He heard about the concerns with the bill in May and the bill was passed out of the Committee in March. The League of Cities and Towns stated that they would come back with a revision but they didn't. The bill needs to go back to Economic Development Committee after the House passed it. He suggested that the City articulate what you want to have happen; have some basic standards or ideas or plans or goals with housing and density. It can be articulated in many ways. This bill has to happen. People can't find housing which is why it costs so much to build and rent things; Medical professionals are having difficulty in finding a place to live. St. Albans was the only municipality to speak up. There needs to be an effort to reach out to Planning Commissions around the state. He will work to find an amendment. It will go to the House as a bill and likely not to be challenged in the Senate. It would also come back to the Committee of Jurisdiction before a yay or nay on the floor. There would probably be a conference committee which he could be on it because he voted for the bill; if he hadn't voted in favor he could not be on the committee. He believes that all of this is doable and fixable. The issues can be dealt with ending in results that makes all happy. He doesn't want to impose impossible conditions that make things worse. Member Gawne stated that part of our problems with affordability in St. Albans is because of scarcity of housing in Burlington. People living in St. Albans work in Burlington. The areas that are affordable are because nobody wants to be there. Regulations are on paper not stone. They need to be flexible to respond to what is needed. Cities either grow or die. Ms. Dimitruk stated that the Board had not discussed this bill. She supports the accessory dwelling unit changes. She and Member Gawne agreed that there needed to be more conversations. Mr. Sawyer stated affordable housing is the third rail of politics but that this conversation needed to be taken to heart. There is a gauntlet in front of us and everyone needs to be careful about choices and look carefully at options. Bill 237 isn't necessary to make these choices. Senator Brock stated that it was now August 3rd. The legislature comes back on August

25th. The work needs to be done week before the legislature comes back. Break it down. Define how the changes, incentives and goals are going to look. Suggest a year for a study commission to come up with goals to reach the density levels to create affordable housing. It would be an easier and likely way to get the ball rolling. Mr. Nuse asked for someone to connect how the measures in this bill would make housing affordable. In Burlington, there was a big project that used low income housing tax credits to build it but the units were built for market rate not long term affordability. We need to not just create temporary housing. It needs to be something that will last. In the long run, it should not just be based on the number of units, but that housing options offering a variety in the number of bedrooms, when compared to all units on the same parcel, and housing options offering a variety in the square footage, when compared to units of similar number of bedrooms, were better indicators of long term/permanent affordability. The affordable housing needs to meet standards such as high weatherization and low carbon emission. Chair Bradeen appreciated the idea of outreach to other towns. The message is that Section 2, as it is currently drafted, is fatally flawed. He also pointed out that, while trying to expand the number of available affordable housing options, it doesn't address the issue of income disparity. As long as the minimum wage stays low enough that it doesn't address the income disparity this is doomed to be a partial solution. He had two ideas going forward

- i. Adaptive Reuse - Current buildings can be used to encourage reinvestment in our current housing stock and right sizing it that meets current housing size needs
- ii. Urban Typicals – Looking at Vermont, everybody wants the ideal family home. We need to come up with ideas for urban typicals – We don't see apartment housing above the TD Bank north as typical. We need to rethink what we think of as typical in the urban environment. We need to rethink the standards of everybody gets their own plot of land with their own home.

3. Discuss Municipal Planning Grant – Mr. Sawyer stated that the City should go for the municipal planning grant this year. The funding could be used to create a tool to do an analysis of our residential districts; It would combine efforts to right size our districts to what is on the ground and whether there should be a percentage density increase. There will need to be a resolution that the Commission has to pass so it can go in front of the Council. Mr. Sawyer stated he would bring it to the Commission at the next meeting.

4. Adjourn - Member Gawne made a motion to adjourn at 7:40. Chair Bradeen seconded the motion. It passed unanimously.