

Letter from Randy Clark to the Planning Commission, September 2020  
Response from Jason Cheney, Planning Commission Chair, September 2020

These are views and opinions from someone that has lived in this community all his life (55 years to date), is part Owner and the General Manager of a company that generates \$36 million in annual revenues and someone that has spent nearly 40 years as a Volunteer Firefighter with UJFire (10 of those as Fire Chief).

**Thank you for sharing your views with the Planning Commission.**

It is my opinion that these proposed changes are first, not able to happen without infrastructure being put in place such as a municipal water system, second they are bad for welcoming business to Jericho and third bad for Jericho as a community.

**While I appreciate your sharing your opinion, some of your statements about the drafted changes are incorrect, so I will reply in detail.**

**The PC has not yet recommended any changes to the Selectboard. We hope to finalize our recommendations soon. We held a public hearing on September 8, 2020 to receive public feedback on the most current draft of proposed changes.**

**The drafted changes do not require higher density development to “happen” in the Commercial District. We are aware that higher density development is more likely and more affordable when infrastructure is shared. As you are aware, the PC already applied for and will receive assistance from the Chittenden County Regional Planning Commission to investigate infrastructure options. We will begin the infrastructure project once zoning changes are done.**

**The PC does not agree the zoning changes would be bad for business. The PC drafted the zoning changes to make the CD better for businesses and residents. Home buyers, renters and customers prefer compact walkable pleasant locations.**

**The CD could be developed so people could more easily walk from Autosmith to Dollar General while waiting for their car – better for both businesses. Attractive convenient walkable areas get higher sale and lease values. Higher density development delivers more profit per parcel. Smaller parcels offer more affordable locations for smaller businesses. Larger businesses could still locate in the CD, far from other buildings, if they need to.**

**The PC does not agree the zoning changes would be bad for the community. The community wants development that occurs to be walkable, smaller scale, relatively green, somewhat local, basically attractive, preserves the mountain views, and does not turn Route 15 into Shelburne Road or Williston Road. The community would benefit from small scale businesses, more efficient land use, smaller affordable houses on smaller lots, multi-unit housing, senior housing that**

**is closer to services, and reduced emissions from not driving from parking lot to parking lot.**

These changes to the Land Use and Development Regulations would make nearly every business currently in the commercial district “pre-existing non-conforming”, not a good feel for a business that wants to grow and thrive in the Town of Jericho.

**The PC is not proposing any changes to the regulations related to pre-existing businesses. No business has to make any changes. The current regulations allow existing businesses to remain as is. But any NEW uses, NEW structures and significant expansions will need to comply with whatever are the most current standards at the time. This is how regulations can change over time. Jericho offers a waiver process for specific situations.**

Concerns:

5.7 & 5.8 (page 40), SETBACK TABLE; the setbacks or minimum distance allowed between buildings are not able to be done due to the lack of a water system to support an NFPA Sprinkler system or firefighting activities.

**The SETBACK TABLE shows the minimums allowed; these are not required setbacks. This change would allow smaller setbacks in the CD to encourage more compact walkable development. A building can be set back further, if conditions like water require larger setbacks or if the developer chooses a larger setback. There is no restriction on that.**

11.2.3.3 (pg 135), FRONT YARD PARKING; I still do not understand why parking in front of a “business” is a bad thing?

**Parking in front of a building doesn’t have to be bad thing. It is however one of the characteristics of strip development that the State and the Town limits. The public has stated that they do not want RT 15 to become Williston or Shelburne Rd. The vision for the Commercial district is for a mixed-use walkable district and walking or driving past a sea of cars is not a lively streetscape. The CD includes homes and might include neighborhoods.**

**The drafted changes would allow parking in the front setback, just not directly in front of the building, to connect the building to the street. These changes are similar or less restrictive than parking regulations in neighboring towns’ mixed-use commercial areas, and they only apply to larger parking areas.**

11.2.3.4 (pg 136), PARKING; Parking not to be seen from the road? Yet a park and ride is proposed for the CD? *“People traveling on a road in a car should not be able to see parked cars?”* (my friend Chuck Lacy asked this question at a meeting a few years back)

**The changes would not require parking to be invisible. The zoning changes add specifics to existing requirements for parking areas so they can be screened, not hidden. Landscaping adds green space, shade, stormwater handling, and counteracts the heat and imperviousness of more pavement. A park and ride would be an allowed use; the PC is not proposing a park and ride. A park and ride would also require screening and landscaping.**

11.4.7.1 (pg 139), BUILDING FACE; in the CD a building MUST face the collector road? This is ridiculous... you want to look at the back side of a building along VT Route 15?

**The CD has a better chance to become compact and walkable if the buildings and sidewalks are oriented to one or more new smaller streets that network with North Main Street, rather than Route 15. The downward slope of the land, green space and landscaping would help views from Route 15.**

11.8.3 (pg 143), SCREENING FROM RACEWAY AND ROUTE 15; I can somewhat follow the idea of screening from a residential area that is next door but from Raceway Road or VT Route 15... Crazy and bad for business!

**The community has made a reasonable request – “don’t ruin what we love.” They don’t feel that it’s crazy to want to retain what they love about Jericho.**

**The views from Raceway and Route 15 are EXTREMELY IMPORTANT to many people who participated in this process since 2015.**

**Screening and landscaping make business areas attractive and healthy for customers, employees, investors, and residents. Williston is intensely developed for business – with screening and landscaping required. Screening requires developers to respect the landscape and the preferences of the community. Screening doesn’t mean creating a “wall.”**

11.9.3 (pg 146) (third paragraph) PEDESTRIAN ACTIVITY; All buildings must engage and encourage pedestrian activity? What does this mean? Not too many buildings do not do this. Most any building I have ever been in can be walked through without issue. (forth paragraph) OLD TOWN LOOK; suggesting that buildings need to look like a barn, town hall or general store... what is this about? There are a lot of new construction that is very pleasing to the eye, I noticed this recently driving through Winooski.

**Pedestrian activity means people can walk around, stay awhile, recreate, enjoy their neighborhood, spend money with businesses – without needing a car to get around. Inviting, interesting, and easily accessed buildings will attract pedestrians. This section gives developers ideas and choices – not requirements - about how to accomplish this.**

**Your interpretation of the text is not correct - there is no “old town look” mentioned or required. The standards do NOT say buildings need to LOOK like a barn, or town hall or general store. The text mentions these building TYPES because their characteristics WORK well and LAST in Vermont, like - to be energy efficient, use local materials where possible, basically proportioned to fit into the landscape and a small Vermont town with harsh winters. The community strongly preferred retaining the existing character of Jericho, which is defined by scale, proportion and function. There are NO style requirements, no design board, no need to look old or cute.**

11.9.3.1 (pg 146), CLOSE TO THE ROAD; Again, it is talked about having buildings that are pedestrian friendly? Buildings should be as close to the minimum lot set back as possible? I strongly do not like this idea. If we are trying to build a city, then do it. If we want better looking lots and buildings then set them back from the road. The new Union Bank looks very bad and out of place sitting right at the road.

**The community wants the CD to be walkable. Buildings closer to the road create more walkable areas. Close to the minimum setback is not a requirement, it is a recommendation, “should” means it’s optional for developers.**

**The new Union Bank is the first new building on the old sawmill site, so it appears to be sitting alone right now. The two lots east of the Bank will be developed with a similar setback. In fact, these closer setbacks help the new buildings blend in with the Episcopal Church, the Sinclair Inn, and the houses that already exist close to Route 15. The Commercial District setbacks will still be larger than these Village Center setbacks.**

11.9.3.2 (pg 147), DESIGN AND COLOR; specifying the color, and the material to be sided with? Come on!! Not allowing a Franchise architecture? So, are you telling me that The Autosmith could not become Bugbee Ford and have required Ford dealership frontage and building color? Do not understand why this is bad... Companies spend millions of \$\$\$ to keep their image sharp and appealing. Just look at a McDonalds of today vs. 30 years ago and how they are continually working to keep their image updated.

**Your interpretation of the text is incorrect. Neutral colors and durable local materials are recommended because they help buildings last, but these are encouraged and optional, they are not required. Any color and any design can be used.**

**Franchise businesses can locate in the CD, they can use their logos, branding, colors, etc. The zoning changes would simply require a franchise building to include something unique in the design, to keep Jericho a special place. This requirement is very flexible.**

11.10.1 (pg 148), RETAIL DISPLAYS; This should have been fixed to allow business in the commercial district to have outside displays visible from the front and roads. This is a very important part of “business”. It is almost like telling a realtor that you cannot put the “house for sale” sign in front of the house... what???

**This section was not changed. The PC’s changes were generally related to the Commercial District and this change was not reviewed by the public process for the Master Plan or this round of zoning changes.**

11.10.4 & 5 (pg 148), UNDERGROUND TANKS; why is the Town involved in a regulation that is handled by the State of Vermont? This should be removed or just state that it must follow the current laws of the State of Vermont.

**Your suggestion is consistent with how the PC has handled other issues the state already regulates. Good call.**

Somewhere in these regulations it talks about maintaining the views of Mount Mansfield from VT Route 15...If you want that to happen allow new buildings to be built with setbacks from the road and then bury the utility lines that crisscross VT Route 15. Anyone that has driven East on VT Route 15 from Jericho to Underhill would have to agree that the only thing disturbing the view of the mountain is utility lines.

**Burying the power lines would improve the view. Any new power lines that go in are required to be buried through zoning. Existing powerlines are not covered by zoning and the PC. You could make this suggestion to the Selectboard.**

With the changes that have been put forth, it would appear to me that all of the effort to engage the landowners within the CD and the work of the special committee that the town established has been almost completely ignored.

**We disagree. The CD Master Plan, the updated vision of the CD, the Purpose of the CD were all created based on areas of general agreement of the CD property owners – mixed-use, higher density, opportunities to develop commercial, business, professional, retail and residential properties.**

**However, you seem disappointed that the PC did not and will not ignore the input from the rest of the community. It’s quite reasonable to request, and in some cases require, developers to include landscaping, sidewalks, and sustainable architecture.**

These issues are important enough that they should not only be considered with a couple of Public Zoom Hearings and then allowing the Selectboard to adopt. These matters MUST be put before the voters with a ballot vote.

**Jericho’s process - approved by the state and the Selectboard - is for the Planning Commission to recommend, and then the Selectboard to adopt, zoning**

changes. The PC has made a point of making sure that all people are heard during their hearings and also has and will continue to provide alternative opportunities for citizens to comment on the draft.