



Town of Jericho
Planning Commission

Jericho Planning Commission Minutes
Regular Meeting
July 7, 2020
7:00pm
Approved July 21, 2020

Present: Jason Cheney, Susan Bresee, Sarah MacLeod, Sabina Ernst, Erik Glitman, Chris Brown, Wendy Verreri-Berenback
Absent: None
Public: Ned Dubois, Jim Carroll, David Villeneuve, Hugh Griffith
Guests: Katherine Sonnick, Nancy Hasson, Alex Weinhausen, Hinesburg Planning Director

1. Call to Order

Jason called the meeting to order at 7:00pm.

2. COVID-19 Meeting Procedures

Jason mentioned that a guest speaker is joining this Planning Commission (PC) meeting and recognized Alex Weinhausen from the Town of Hinesburg, who has donated his time to talk to the PC and thanked him for being attending.

Jason noted that he wanted to make sure that the public in attendance would be able to speak if they wanted and would take a couple of minutes to allow each of them to confirm their connection. Ned Dubois and Jim Carroll confirmed that they could be heard and that the PC could hear them.

Jason mentioned that the PC was doing some research and found out that technically the PC doesn't need to do a roll call unless a vote is not unanimous. The PC has been doing roll calls and will continue in that practice.

Jason made a motion to skip agenda item #6 Liaison Updates, seconded by Erik. Jason asked each member individually, yah, nay or abstain to the motion. Sarah abstained. Motioned passed 6-0-1.

3. Discussion Regarding Official Maps with Alex Weinhausen, Hinesburg Planning Director

Jason introduced Alex Weinhausen, Hinesburg Planning Director and stated that he was in attendance to talk about the official map process, what it has meant for Hinesburg, how they

accomplished it. Jason noted that Alex has about 30 minutes of time to share with the PC and hoped to allow some time for questions.

Alex commented he hoped to give the PC some insight into what they did in Hinesburg regarding the official map. Alex mentioned that Katherine had prepped him on the PC's discussions so he knows that the PC is familiar with the official map tool and they are really looking for some insight on how it is used in Hinesburg.

Alex mentioned that Hinesburg began looking at an official map as one of their tools in their planning tool box back in 2008. At that time they were in the process of doing a major rewrite to their village growth area zoning. They were in the process of adopting expanded village area zoning that would double the size of the village area and the area at the time was zoned for mixed-use, medium to high density and residential. The village at the time about 250 acres and they proposed to double that to 500 acres. They received some sufficient public feedback about whether the PC was planning for public spaces or community facilities that would be needed with a larger village which they anticipated building out over the next 20-50 years. So, at that point 2008-2009 they looked at an official map as a way to go about that process. They put together a committee and invited the planner from South Burlington the planner to talk about their work on their official map. The very ambitious zoning changes and the official map were adopted in 2009. More recently after 10 years of living and working with the official map they realized it needed significant adjustments, clarifications, and changes so the PC adopted version 2 of their official map earlier this year. They have been through two rounds of official map drafting and learned a lot after living with it for 10 years and feel they have done a much better job in this last go around with both public outreach and being much more specific about the types of community facilities that people were interested in seeing. Alex mentioned that he would be happy to talk more about the public outreach process they had and the landowner outreach.

Alex mentioned that most recently with the amendment process they had a controversial community facility on the official map at the location of the proposed Hannaford Supermarket site (Hannaford has since withdrawn its application).

Katherine mentioned that she would like to hear more about the process with the landowners and the outreach to the community. Alex commented that a lesson they learned in 2008-2009 that even though they tried to reach all landowners, they missed one landowner and he was very upset and came to the Selectboard public hearing at the end of that process. The landowner felt they were not consulted early enough and the Selectboard apologized. In this last year when they updated the official map, they did everything possible to contact each landowner - more than once - and invited them to have personal conversations. They learned that it is important to reach out early to the landowners and make sure they have a direct communication to the Planning Commission and staff.

Jason asked Alex, how does an official map benefit landowners who are in support of development. Alex commented that the bulk of their experience with the official map has been positive and the developers they had worked with have been happy. The benefit for the land owners is they have some certainty where these future community facilities might want to go.

Wendy asked Alex, what is the primary difference between Hinesburg's initial version of the official map and the second more current version, and what drove those changes. Alex said the primary difference are specificities both in locations and descriptions of community facilities.

Erik asked Alex if there have been any challenges to the official map since it's been in place and how were they resolved. Alex mentioned the one challenge was the Hannaford project.

Susan asked Alex, in order to be more specific the second time around how much engineering analysis was done and did they have consultants do the work. Alex commented that there are two reasons being specific is important. The first is the official map is an encumbrance on a property (like a first right encumbrance) in our case it was a hybrid model/mixed model. An official map is a planning tool.

Ned Dubois commented that he is curious about the Hannaford project and asked Alex if the loss of Hannaford was due to the lack of specificities on the original plan, or was there some other reason for why Hannaford withdrew their application. Alex commented that Hannaford did not indicate why they pulled out so he can only speculate. A group of citizens that were in opposition to it were very successful in delaying the project. The controversy was less about the official map, and more about the storm water system and the traffic impact.

Jason thanked Alex for dedicating his time.

Jason moved them forward to item #4, an open format for public comments.

4. Public Comment

David Villeneuve mentioned that he spent the first part of the meeting trying to get on to the meeting so he missed the first part of what Alex said. When Susan Bresee asked Alex a question the zoom was frozen and he said he has had enough of these meetings like this and I feel we should be able to go into the Town Hall or a public place somewhere where we can have certain restrictions like mask and distancing. He said that this kind of meetings here cannot go on. He noted that he has been listening to them for weeks and half of the time the meetings do not connect. Jason commented that David was heard and thanked him for his comments.

Jason noted that Katherine researched where the PC could go to meet in person, as they cannot meet in the Town Hall. The PC has looked into meeting in other public venues such as the schools and have been told that they are not open for anyone at this point. He stated that Katherine was able to research about going to Mills Riverside Park in the pavilion that has electricity. Its limited to 25 people. David commented that if the PC doesn't adopt something different it would probably force his hand to do something. He said that he should be able to attend these meetings and be able to speak and be heard and hear the other participants. Jason said your comments have been heard. Jason commented that there is the video available for all meetings so he can see and hear what he missed when he was trying to log in.

Jason asked Ned Dubois if there was any feedback if meeting in the pavilion fit the Commercial District property owner's needs. Ned commented that he really did not think so as you are subject to all kinds of things like rain. Ned commented that it was not a very satisfying solution

and it would seem like someplace like the community center or something like that is more open than the Town Hall.

Katherine commented that in order for the Town Hall to be open there is a strict protocol and right now we cannot have more than two people in one office or one room for long term. The conference room is too small to consider having a meeting with proper social distancing. Katherine mentioned she can talk to Todd to see if he might make a consideration for a different protocol. Todd was required to set protocol per the State requirements.

Hugh Griffiths commented that he has two concerns basically the first being is to echo David and Ned's concerns. Hugh commented that he finds it a very troubling that the Town is trying to move forward with significant changes to the town's zoning when there are members of the community that cannot be present or part of the conversation or for that matter hear what is happening.

Hugh commented that his second point has to do with the potential changes to zoning concerning development of new curb cuts on Route 15 and he's curious to know how the Town would compensate or realize the difference in land valuation that would create an essentially eminent domain situation on his parcel.

The PC looked at the draft changes to the Zoning Regulations related to the RT 15 curb cut issue. Jason read the paragraph 11.1.6.3 to the public attendees and the Planning Commission members. Susan explained that these changes do allow for development and for curb cuts for new driveways for all residential uses and to create new roads for all other uses. Hugh asked how he could develop entry/exit access, if he developed a mixed-use building on his lot, with commercial below and residential above. Susan stated that as she understood the Character Based Zoning road specs, he could probably develop that as a one-way road, with an entry point and an exit point, but she did not have the zoning specs memorized. The goals are to make sure there are few new accesses, and they are as safe as possible.

Jim Carroll thanked Jason for bringing Alex Weinhagen and the public process was messy in Hinesburg. Jim commented that the problem with Hugh's property are the restrictions on that property and thought that those should be fixed.

Jim commented that he didn't understand why Town Hall and the school buildings cannot be used. He noted that Covid-19 has to be dealt with, Ned has brought it up, it's in a letter from all the people, Hugh has brought it up, Glenn who is not here at this meeting brought it up, David couldn't get in and it's frustrating. He noted that something different needs to be done, like renting a church. The message is if the Town wants to proceed they have to come up with a better solution.

David asked Jason if he recalled that he had a couple of meetings in the Town Hall to fill in the people about the Commercial District project. Jason asked if he was referring to the advisory committee meetings and David replied yes. David mentioned that he brought up at those two meetings the protocol and that Jason was going to go away from that meeting to see who still wanted to be on the advisory committee and who wasn't and move forward and he said that Jason didn't do anything on that. Jason commented he does remember that discussion and sent

out a couple of emails to make sure that the members of the advisory committee wanted to stay on moving forward. The PC then continued to engage the advisory committee, and some of the people participated while some did not. He stated that they heard from the moderator of the advisory committee and he said it was time to put the regulations into play. David and Jason continued to discuss this issue.

Jason closed public comments.

5. Approve Minutes of June 16, 2020

The PC reviewed the meeting minutes from their June 16, 2020 meeting. Erik made a motion to approve the minutes, seconded by Sabina. Jason asked each member individually, yah, nay or abstained to the motion. Wendy abstained. Motion passed 6-0-1.

6. Liaison Updates

As mentioned above there was a motion to skip agenda item #6 Liaison Updates.

7. Discussion-Vermont State Enabling Statute

Katherine shared a PowerPoint presentation on the Vermont Planning Purpose and Goals. This is the State statute that sets out regional and local planning goals. Katherine went over the purposed and the 14 goals, which are as follows:

- 1) To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.
- 2) To provide a strong and diverse economy that provides satisfying and rewarding job opportunities and that maintains high environmental standards, and to expand economic opportunities in areas with high unemployment or low per capita incomes.
- 3) To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.
- 4) To provide for safe, convenient, economic, and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers.
- 5) To identify, protect, and preserve important natural and historic features of the Vermont landscape.
- 6) To maintain and improve the quality of air, water, wildlife, forests, and other land resources.
- 7) To make efficient use of energy, provide for the development of renewable energy resources, and reduce emissions of greenhouse gases.
- 8) To maintain and enhance recreational opportunities for Vermont residents and visitors.
- 9) To encourage and strengthen agricultural and forest industries.
- 10) To provide for the wise and efficient use of Vermont's natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities of the area.
- 11) To ensure the availability of safe and affordable housing for all Vermonters.

- 12) To plan for, finance, and provide an efficient system of public facilities and services to meet future needs.
- 13) To ensure the availability of safe and affordable child care and to integrate child care issues into the planning process, including child care financing, infrastructure, business assistance for child care providers, and child care work force development.
- 14) To encourage flood resilient communities.

Susan commented that she was encouraged to see how much the Planning Commission has done to implement these purposes and these goals in the Town Plan and Zoning, especially in this Commercial District zoning update project. She noted strong alignment between the State planning goals and the CD zoning update.

8. Discussion-Draft Commercial District Zoning Language

- a. Discussion with Selectboard**
- b. Process**

Jason commented that 8a and 8b can be covered simultaneously and asked Katherine to share the info-graphic on the screen Jericho Commercial District Planning –Project Status- January 2020.

- Master Plan-Sept 2019
- Town Plan Updates- Jan 2020
- Zoning Updates- Spring 2020
- Official Map, Infrastructure Map-Fall 2020
- Capital Plan, Town Budget- Fall-Winter 2020

Jason mentioned over the course of the last four years the PC has sat down with the Selectboard and discussed what the Planning Commission is doing be sure they are on an approved path.

- c. Review Revised Draft**

The PC reviewed the new draft of potential zoning regulations amendments, and focused on section 11.1.6.3.

- d. Possible Approval of Draft and Warning for Public Hearing**

Jason commented that they PC will not warn for public hearing at tonight's meeting.

9. Discussion- Next Projects, Short-Term and Long-Term

Jason made a motion to table agenda item's #9, 10, and 11, seconded by Chris. The motion passed 7-0-0.

10. Other Business

Tabled agenda item #10

11. Wrap up and Planning for Next Meeting

Tabled agenda item #11

12. Executive Session (possible)

None

13. Adjourn

Jason made a motion to adjourn, seconded by Erik. Jason asked each member individually yay, nay or abstain to the motion to adjourn. All members agreed to adjourn. The motion passed 7-0-0. Meeting adjourned at 9:02 pm.