

Katherine Sonnick

From: Jason Cheney <jasoncheney@ymail.com>
Sent: Tuesday, July 7, 2020 6:23 AM
To: Chuck 1
Cc: Katherine Sonnick
Subject: Re: definitions for Town Plan

Chuck

All the thanks goes to you. You are providing constructive feedback, we need that.

Thank you.

Jason Cheney

On Jul 6, 2020, at 4:22 PM, Chuck 1 <clacy@together.net> wrote:

Thank you. I like what is here.

Please make clear in a definition that "rural character" refers to settlement pattern and not building design and not building use.

Make clear in the definitions that "encourage" and "should" are voluntary and that "must" is mandatory. Elements that effect the DRB decision should be clearly identified. Developers should not have to throw in "encourage" items to leverage approval for a "conditional use" at the DRB. Other wise "conditional use" is a license for town DRB volunteers to take over design.

I hope you can be clearer about how your objective of fitting "the local context" can impact approval of a design. Construction of MMU in 1969 met then current needs but arguably did not fit then current local context. Would something as non-aligned with local context as MMU in 1969 be denied commercial district approval for being new, big and different? Does a 75 bed skilled nursing facility, a three story apartment building or a bottling plant in the commercial district violate the local context? Who decides?

Thanks for your attentiveness to my concerns.

Chuck

On Jul 6, 2020, at 3:20 PM, Jason Cheney <jasoncheney@ymail.com> wrote:

Chuck, your comments are helpful and have pointed to the draft text that was unclear. For what its worth, most of it has changed in the latest draft. Please forgive the delay in response.

To help reduce any semantic misunderstandings could one of you send me copies of the following:

1. A copy of the “timeless architectural principals” referred to in 11.9.1

This text is removed.

2. The definition of “rural character” as assumed by the draft town plan.

To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside. -From the State Statute

To clarify - the PC is working on a draft of amendments to the Land Use and Development Regulations (zoning), and we are not drafting changes to the Town Plan. There is no draft Town Plan. The PC is working to update the zoning now in order to make the zoning more consistent with the adopted Town Plan with regard to the Commercial District.

VT planning documents refer to rural character most consistently as compact settlement surrounded by open land. This preferred pattern follows VT's historic settlement pattern, which follows European patterns. Many state and regional planning documents elaborate to describe the surrounding open land as resource lands, available for forestry, agriculture, recreation, tourism, and conservation, and to describe compact settlement as mixed use, where commercial and residential activities are combined in compact walkable village centers and downtowns. VT programs for Village Center and Downtown designations ("growth centers"), TIF districts, etc. are all based on reinforcing this pattern. Jericho's Town Plan incorporates these principles from state statute, throughout the entire Town Plan, in terms of land use, natural resources, transportation, housing, economy, etc.

Below are the key relevant VT state statute planning goals:

(A) Intensive residential development should be encouraged primarily in areas related to community centers, and strip development along highways should be discouraged.

(B) Economic growth should be encouraged in locally designated growth areas, employed to revitalize existing village and urban centers, or both, and should be encouraged in growth centers designated under chapter 76A of this title.

(C) Public investments, including the construction or expansion of infrastructure, should reinforce the general character and planned growth patterns of the area.

(D) Development should be undertaken in accordance with smart growth principles as defined in subdivision 2791(13) of this title.

The CD Master Plan that's been adopted, the Town Plan that's been adopted, and the CD zoning changes now being developed ALL focus on encouraging this compact mixed use pattern. The next step is to develop an Official Map according to this pattern.

3. Definition of “layout standard” in section 11.9.3.1. Is a “layout standard” a requirement? Does it mean that everything in following subparagraphs is required? What does “should” mean when it follows “layout standard”?

The term "layout standard" is removed, and the standards listed in 11.9.3.1 are not mandatory requirements.

4. Definition of “building design standard”. If a “building design standard” is followed by sub note that “encourages”, is the “encouraged” feature a factor in DRB approval? Or does “encouraged” mean optional to the owner?

The term "building design standard" is removed. Yes, encourage means optional to the developer.

5. Definition for “standardized box design”. Does the town plan outlaw square buildings? What makes a box design “standardized”? If I design my own square building is that non-standardized?

The term "standardized box design" is removed.

6. Definition for “the character of Jericho” as referred to in 11.9.3.2. These definitions are important because the plan currently leaves the “character of Jericho” up to the opinions of the DRB.

The Town Plan describes the character of Jericho, over several chapters. The character of Jericho is multi-faceted, and is made up of the land, the people, the economy, the community, the history, the goals, etc. The intention of the term used in 11.9.3.2 is to require corporate developers to build structures that fit the local context.

7. Definition for “partial list of additional standards” as used in 11.9.3.3. Are these required? Does a partial list mean there are other unstated standards. Are the features introduced in the sub notes as “are encouraged”, “should comprise”, and “should include”, requirements?

This term "partial list of additional standards" is removed and 11.9.3.3 is changed to be more clear. "Encourage" and "should" are not mandated requirements.

7. In section 11.4.8.1 does "lots" refer to the land only? Does this section have any applicability to the siting of the building?

11.4.8.1 is referring to the land and its access. Developers should layout lots by anticipating different options for how buildings can be sited.
11.9.3.1 applies to the siting of the building.

8. Definition for "attractive fencing" as used in section 11.8.3? Is there a definition or is this subject to the opinion of the then current DRB? What is unattractive fencing? Are murals permitted?

"Attractive fencing" is existing language that the PC is not recommending to change at this time. We are not aware this has ever created problems for the DRB or for developers. Murals are not prohibited anywhere in the regulations.

I think these definitions should be included in the pre-amble to the town plan. If the plan is going to include design standards they need to be specific for two reasons, 1) so the public can have a reasonable debate on their merit, and 2) so future DRB's can evaluate plans on clear standards and not on their own preferences with respect to "timeless" architecture, "rural character" and "the character of Jericho".

As always, thank you for your comments!

Jason Cheney

On Monday, July 6, 2020, 03:10:56 PM EDT, Chuck 1 <clacy@together.net> wrote:

Katherine and Jason,

Could one of you call me at 802-355-6596 to talk about the best way to get answers to these questions.

I'd be happy to speak with a different member of the planning commission if you are booked.

Chuck Lacy

> On Jun 28, 2020, at 4:47 PM, Chuck 1 <clacy@together.net> wrote:

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> Katherine and Jason,

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the following:

- >
- > 1. A copy of the “timeless architectural principals” referred to in 11.9.1
- >
- > 2. The definition of “rural character” as assumed by the draft town plan.
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- > 3. Definition of “layout standard” in section 11.9.3.1. Is a “layout standard” a requirement? Does it mean that everything in following subparagraphs is required? What does “should” mean when it follows “layout standard”?
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- > 4. Definition of “building design standard”. If a “building design standard” is followed by sub note that “encourages”, is the “encouraged” feature a factor in DRB approval? Or does “encouraged” mean optional to the owner?
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- > Thank you,
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- > Chuck Lacy
- > 802-355-6596
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