

Ward 1 Neighborhood Planning Assembly (NPA)
Wednesday, October 9, 2024 6:30 - 8:30 PM
In-person at the Friends Meeting House, 173 North Prospect Street
And Zoom online: <https://zoom.us/j/96245939050>
Webinar ID: 962 4593 9050 Or by phone: +1 929 205 6099 ID= 962 4593 9050

Facilitator: Tom Derenthal

Minutes: Carol Livingston

6:15 - Welcome and Food from Selene

6:30 - Formal Start - review agenda

Introductions: name, street

Announcements: share events, meetings, activities of interest to Ward 1 community

Sharon: encourage people to attend tour with Lori Anderson of Centennial Woods on Oct. 16 4:00 pm from Catamount Street

Carol Livingston - MCHV - doing construction this coming weekend, closing Mary Fletcher Rd and will be using East Ave. OSCR-Office of Student & Community Relations meet monthly as Community Coalition with whomever wants to come. Student Government very involved and concerned about community safety, raising money for homeless; supporting Troy H's resolution about capping UVM enrollment.they have monthly newsletter where we could publish.

Selene Colburn - remembering Barb Nolfi who died this past week - long-time Ward 1 resident and advocate; mentor for Selene; long institutional Memory & public service experience; spoke her mind with kindness

Sharon Bushor - on City Council with Barb - worked to get name change from alderman to city councilor; Barb concerned about impact of large hydropower plants - represented info to City Council

Mark Hughes - 4th Thursday - 10/24 - Equal Protection/Constitutional Amendment working group session at Richard Kemp Center - 6- 8 pm

Tom Derenthal - election ballots have been sent out; if not received, alert City Hall; AARP voting guide helpful about candidates

6:40 - Speakout - an opportunity to raise concerns & appreciations about Ward 1

Angie Chapple-Sokol - thank FFL for presentation by Robert Putnam (*Bowling Alone*; "Join or Die" film on Netflix) about group gatherings' impact on health of a culture; Angie thinks this Ward 1 NPA is the kind of group we need - thank you all for being part of this group and supporting community.

Kathryn Vermann - gratitude: found bike awhile ago, incredible network of people serving community by returning bicycles - webpage (Stolenbicyclesbtv), process for return. Organization returns 2 stolen bikes a day. Need to register your bike with the city and can be found through website group. If find bike, take pic, and bring to public place. Also, Kathryn is UVM graduate, got recent info from UVM soliciting info about the upcoming president search.

7:00 - City Councilor Update, Police Oversight Ballot Item - Tim Doherty, (Carter Neubieser on parental leave)

Charter Change on Nov ballot; process & question before us:

Handout: resolution and changes in charter

Key points =

Policy question facing us: when police officer is subject to significant discipline due to alleged misconduct - the ballot question is about whether the police chief assumes full decisions-making or if we include some community body; how to do that fairly. Police officers are city employees represented by union, so procedural protections; subject to oversight - Criminal Justice Council. So how to strike balance between community involvement and fair protections of police officers. Any changes have to be grounded in the charter(our constitution- harder to change) and in ordinance (city laws - easier to change).

Tim is on Charter change committee

Procedure - how we got here:

3/2023 - ballot item proposed way to oversee police; strong feelings for and against - did not pass.

In 2/2023, City Council committed to change police oversight question if ballot item didn't go through.

Process started in Charter Change and Ordinance committees as joint committee held 14 public meetings. Ultimately came out with 1/2024 proposal - referred back to committee so Police Commission to get fuller "weighing in" from Commission since it would be part of the change - City Council (CC) wanted some input from Commission because making major changes in how Commission operates. Back to Ordinance comm. Also to Charter Change committee - which is where main changes took place and are the proposal for the Nov. ballot. Went to full CC who voted on and now is ballot item in Nov.

1 aspect - creation of new board - who appointed? Number? Backgrounds? All Nov ballot: vote whether to change the charter and concurrently to create ordinance of who can be on this oversight board. (People vote on charter changes but only CC votes on ordinance - therefore, easier to change ordinance than charter.)

Handout - black = existing language; red is the change

Police Comm already exists and functional - so much of the charter change codifies into law what is already happening - how the commission and police dept function.

Changes - subsection D - if Police Comm & dept differ on discipline - Comm offer alternative or investigate independently if choose. Expectation is that it won't be often for Police Comm (PC) to do this because often the police chief and PC agree on discipline and if not, needed more info - could have authority to make inquiries.

Subsection E - now Police chief decides discipline now; but in future if don't agree, then independent panel is created at that point for short period - assuming will rarely be used. Policy implications: police dept concerned they will be judged by people not professionals and will be subject to political conditions of the time. Proponents of change - uncomfortable with police chief making all the decisions.

Compromise = creation of that ad hoc committee for just that instance. Concern about who - background, who appoints, how quickly appointed; process should move along because a lot is at stake - for professionals and community. That question will be decided in ordinance, the rest in charter change.

Example: officers have rights under their contract, oversight under Criminal Justice panel, and now new oversight will be a newly created body when it is needed.

If police officer is charged with misuse of force, police chief decides on 6-month suspension and Police Commission wants dismissal. Ad-hoc committee will make the final decision.

Tim disagreed about who is on this committee - most concerned that make-up of ad-hoc comm should be decided by ordinance - need to get it right and city having ability to make changes in ordinance in order to improve the process is important.

Process - looked at other cities, bottom line - pieces that were helpful but no cut and paste model. In most places the chief makes the call.

7:30 - Fletcher Free Library updates - Emer Feeney

Importance of strengthening community - the library is a key part.

September = library card sign-up month; encourage family & friends to sign up.

It is a way to be community engaged - using shared resources - the building, programs.

Card is symbol of engaging in the community - in downtown and New North End.

Reminder of what comes with your card: books, movies, physical media; plus digital

library - 1/2 of library is available from home - including language courses, digital NY

Times; plus many other digital resources. In library - "Ancestry" - used only in library.

Newspapers. Com - family history - hundreds of newspapers across country are

available. Program "Candid" helps non-profits to access information for resources. Many programs are available free to the community.

Status of library & staff - high percentage of applicants for open positions.

Entering into agreement with other libraries in our region to have interlibrary consortium with new software so we can share resources across regional libraries - within next year or so.

7:40 - Charles Dillard - Neighborhood Code - Second Unit (pg. 6-16)

Slideshow: Neighborhood Code 2A

1st part adopted in March by City Council with caveat that second structure decisions delayed to October. Housing Commission made changes to footprint of secondary structure from 900 sq ft to 1100 sq ft. No changes to height guidelines because of equity, fairness - looking at New North End where many houses are one story, so didn't want to restrict to 1 story with secondary structure. At City Council mtg, secondary structure placed behind primary structure.

Many other aspects of Neighborhood Code. 2 sent to City Council Ordinance Committee for further discussion and decision-making.

Sharon Bushor: concerned about Colchester Ave corridor having less intense change because of smaller lots.

Erhard Mahnke- pleased that City Council went with recommendations from Housing Commission for more consistency across the city. Lower Colchester Ave - very different than other corridors but Commission didn't support. Erhard raised affordability issue. Inclusionary zoning changes are under discussion. Meshing inclusionary zoning with Neighborhood Code - work still needs to work on by Housing Comm and then discussion among City Council.

Lisa Lax - impact on city's infrastructure. Charles: we gave data to Water Resources Dpt for them to design plan for future expansion of wastewater treatment plant. Important to Neighborhood Code designers to look at infrastructure as they develop housing plans. Need to look region-wise to how our plans affect flooding, geography.

8:05 - [Burlington Electric Dept Bond Ballot item - Darren Springer; Emily S Wheelock](#)

Darren = general manager, BED Emily Sevens Wheelock = CFO, Strategy & Innovation, BED

Slideshow Burlingtonelectric.com

Proposed Zero Energy and Grid Reliability Revenue bond proposal bond issue.

Revenue bond is a form of borrowing - asking for \$20 million to be repaid by BED.

Spent previous \$20 million bond - helped increase grid reliability; invested in EV fast charger; building EV charging stations in city; transit buses

New bond - increase reliability, increase EV vehicles for BED; matching funds for federal grants to add 200 new EV charging stations

80% for EV charging & increasing distribution grid for increased capacity.

Impact on electric bill - hard to pay for investments without the bond, so bond is a financing tool. Project change in rate change - 2%. Watching interest rates so even with bond approval will get financial advice.

9:00 - Adjourned

Jason Stuffle's presentation about the Old East End and Greenmount Cemetery:

<https://www.youtube.com/watch?v=KsZUS6Ahm88&t=270s>

OUR NEXT NPA MEETING IS NOV. 13, 2024 AT THE FRIENDS MEETING HOUSE

Ward 1 NPA Steering Committee

Tom Derenthal tomd.npa@gmail.com

Carol Livingston carol.livingston1951@gmail.com

Jonathan Chapple-Sokol chapplesokol.npasc@gmail.com

Selene Colburn selene.colburn@gmail.com

Attendees to 10/9/24 meeting:

Sharon Bushor

Troy Headrick

Marian Price

Angie Chapple-Sokol

Jonathan Chapple-Sokol

Peter Lackowski

Sharyl Green

Richard Hilyard

Kathryn Vermann

Mark Hughes

Caryn Long

Allie Shacter

Rob Gutman

Brett Bowden

Linda Bowden

Selene Colburn

Carol Livingston

Marcie Gallagher

Mike Hoey - Fox 44 News

Tim Doherty

Tom Derenthal

Emer Feeney (guest presenter)

Erhard Mahnke

Lisa Lax

Charles Dillard (guest presenter)

Darren Springer (guest presenter)

Emily Sevens Wheelock (guest presenter)

Ana-Maria Robu

Neighborhood Code 2A

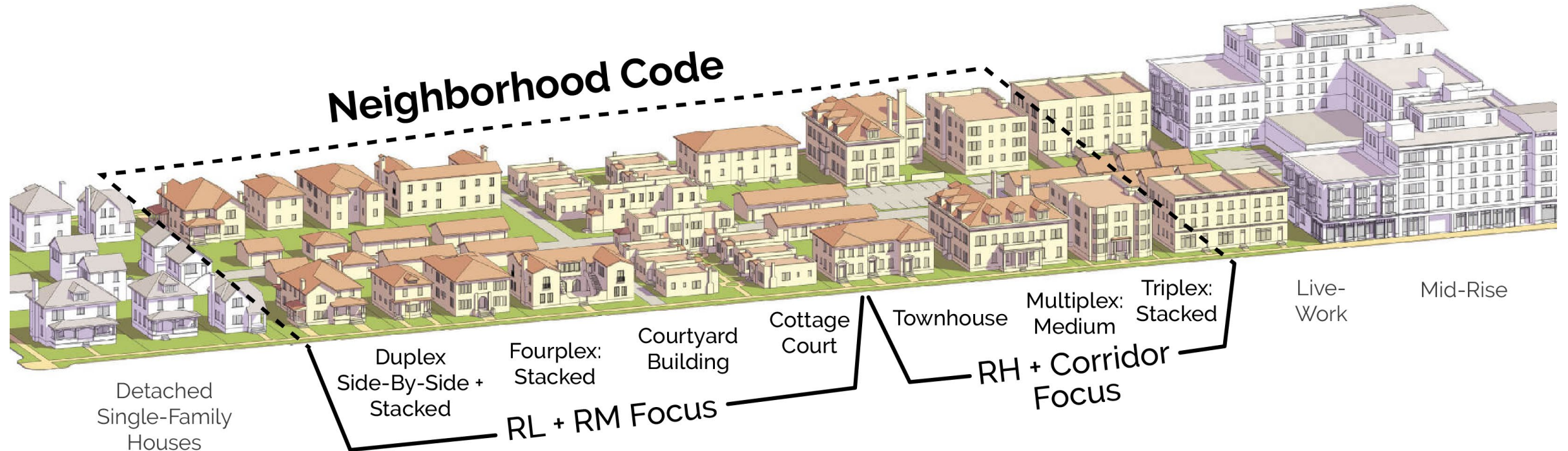
WARD 1 NPA

2024.10.09

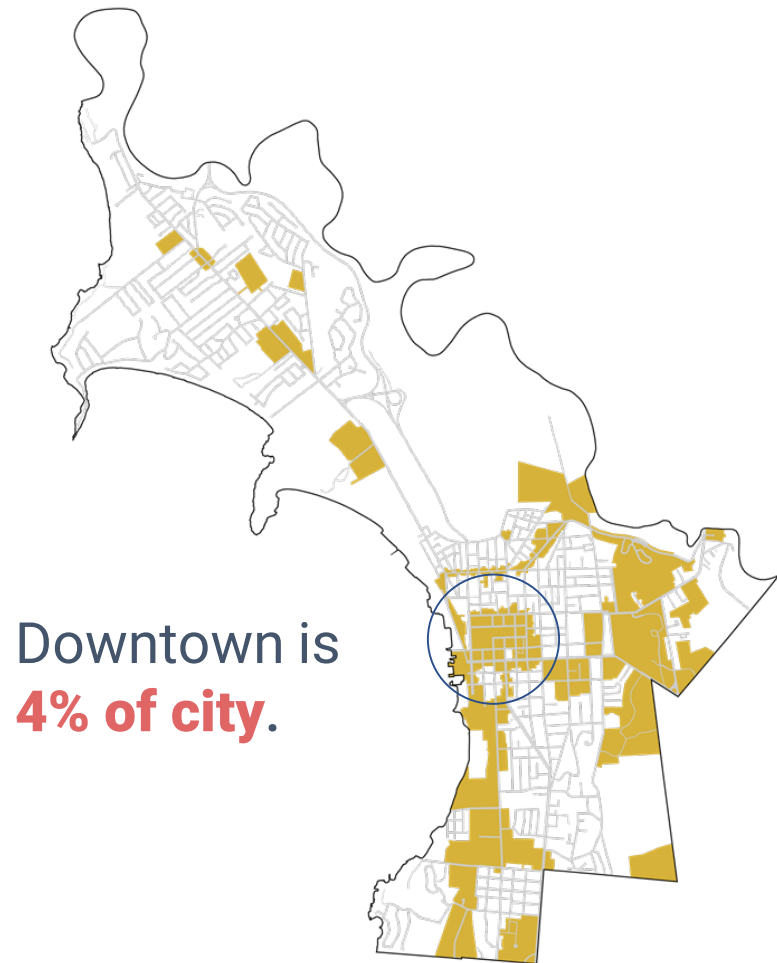
Neighborhood Code **Purpose**



Neighborhood code to allow duplex, triplex, fourplex citywide as well as townhomes and small multi-unit buildings in some locations.



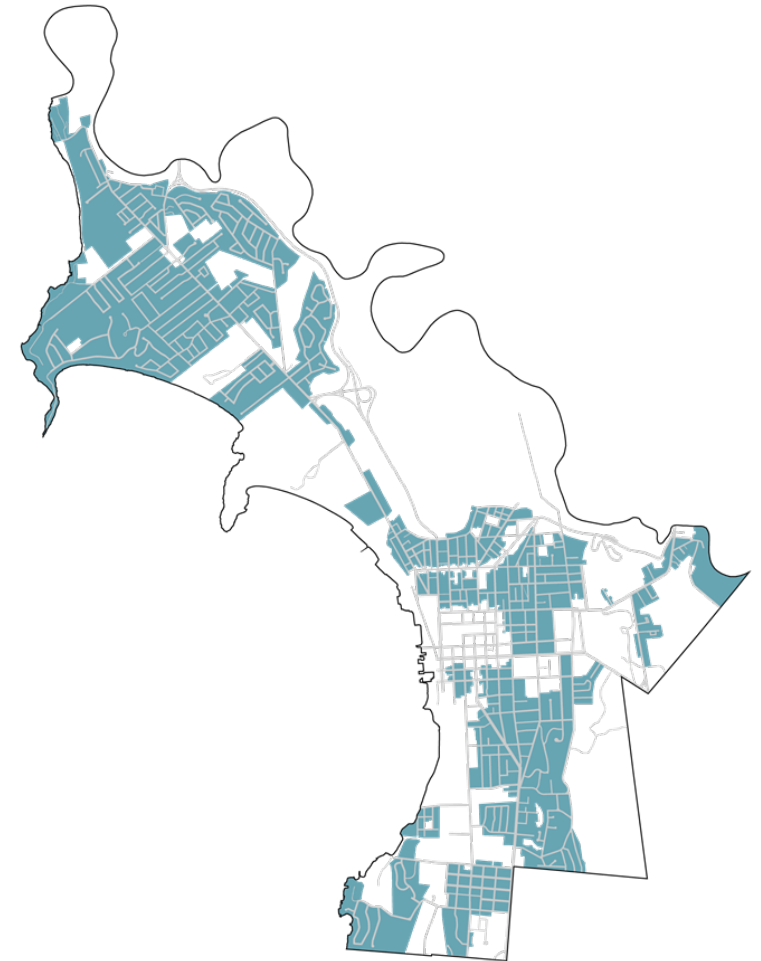
planBTV's **future land use recommendations**



planning to **grow**
20% of city's land area



planning to **conserve**
40% of city's land area



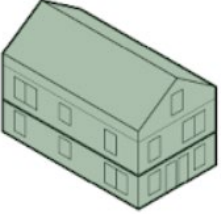
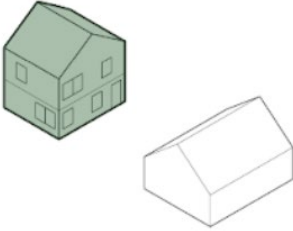
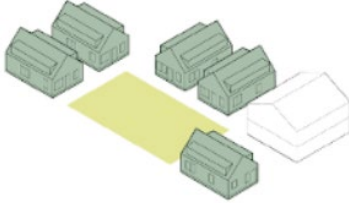
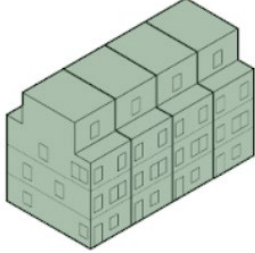
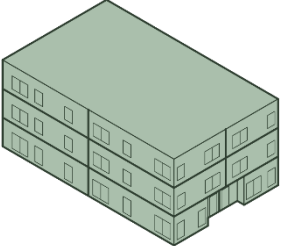
planning to **sustain**
40% of city's land area

Middle Housing Types in BTV* today



**Kirby Cottages Condos, South Burlington*

Previous Standards allowed for...

	Duplex	Fourplex	Two free standing buildings on the same lot	Cottage Court	Townhouse	Small multi-unit buildings
Low Density	 Only on lots larger than 12,415 ft²	 Only on lots larger than 2 acres	 Not Allowed	 Only on lots larger than 2 acres	 Only on lots larger than 2 acres	 Only on lots larger than 2 acres
Medium Density	On lots larger than 4,356 ft²	Only on lots larger than 8,712 ft²	Not Allowed	Only as a PUD, to have more than 1 building	Allowed if lot meets density limit	Only on lots larger than 17,424 ft²
High Density	Allowed	Only on lots larger than 4,356 ft²	Not Allowed	Only as a PUD, to have more than 1 building	Allowed if lot meets density limit	Only on lots larger than 8,712 ft²

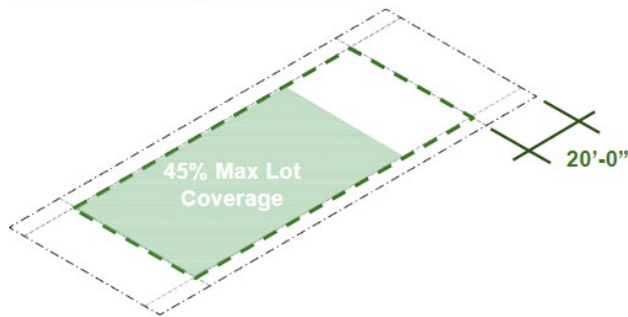
Neighborhood Code Part 1: **Core Recommendations**

Proposed Code enables more housing types citywide using tools that balance predictability + flexibility

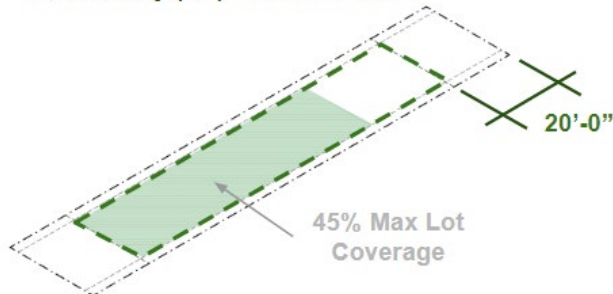
Create Flexible Dimensional Standards

Allow smaller lot size, rear setback + higher lot cover to inform building location and overall development intensity

Low Density (RL) - Wide Parcel

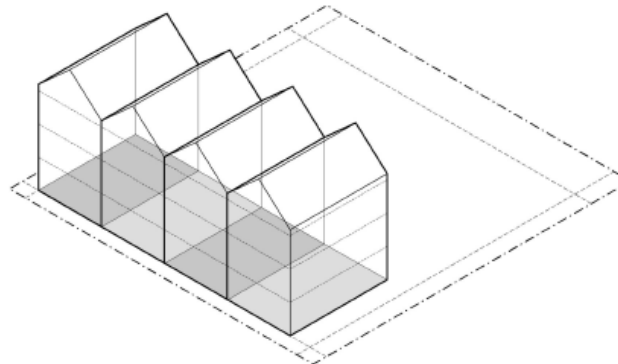
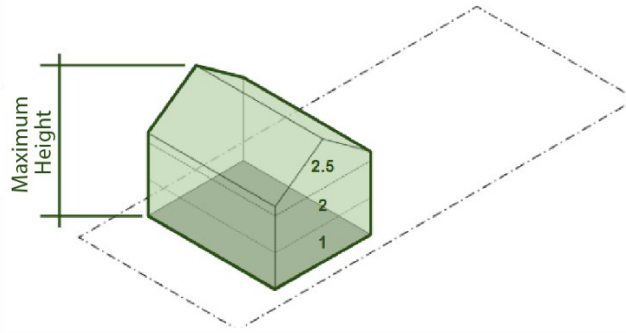


Low Density (RL) - Narrow Parcel



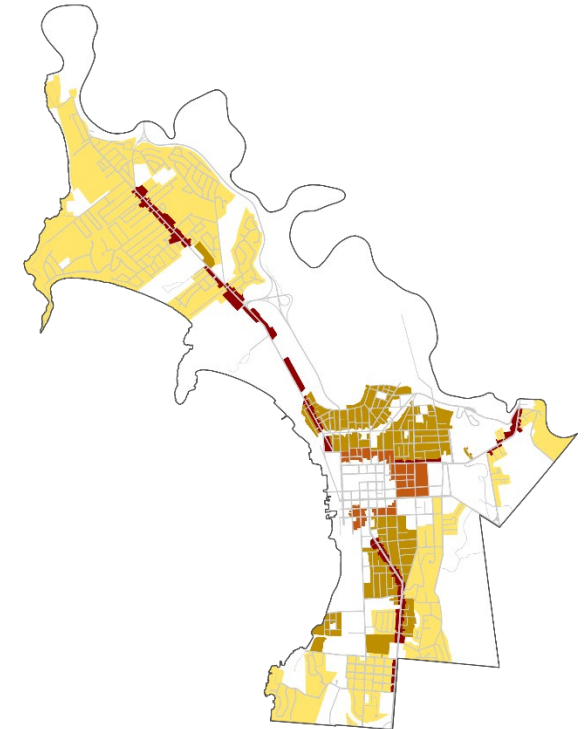
Regulate building mass instead of "density"

Use maximum building footprint, height, and number of stories to guide overall building mass & types

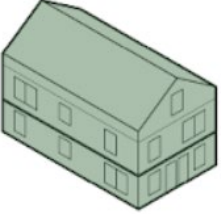
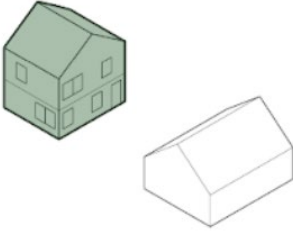
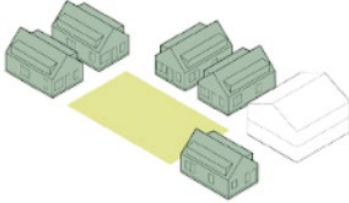
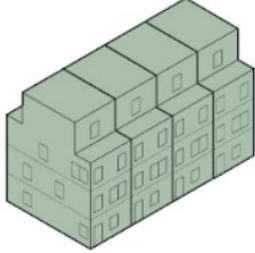
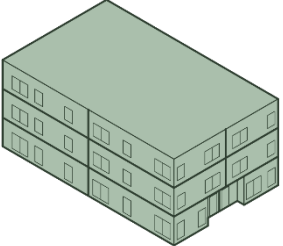


Modify Residential Districts + Boundaries

Adjust existing residential boundaries and establish a new Residential – Corridor District that also allows neighborhood commercial uses.



Neighborhood Code aims to enable **more of these housing types**

	Duplex	Fourplex	Two free standing buildings on the same lot	Cottage Court	Townhouse	Small multi-unit buildings
Low Density	 Allowed	 Allowed	 Allowed where lots make feasible	 Allowed where lots make feasible	 In Some Locations	 In Some Locations
Medium Density	Allowed	Allowed	Allowed where lots make feasible	Allowed where lots make feasible	Allowed	In Some Locations
High Density	Allowed	Allowed	Allowed where lots make feasible	In Some Locations	Allowed	Allowed
Major Corridors	Allowed	Allowed	Allowed where lots make feasible	In Some Locations	Allowed	Allowed

Planning Commission Discussion – Secondary Structures

The Planning Commission amended the Secondary Structures standards in the following way:

- Increased the Maximum Secondary Structure Footprint in the RM district from 900 sq. ft. to 1,100 sq. ft.

The PC made no changes to the height standards related to Primary or Secondary Structures

- Concerns of equity/fairness when considering limiting building height to that of the lot's primary structure (e.g. New North End)
- No clear urban design rationale; varying heights contribute positively to character of streetscapes
- If limited to Primary Structure height, that height could always increase through additions to the Primary Structure

City Council Discussion – Secondary Structures

The City Council ultimately scheduled a public hearing for the amendment, with the following proposed standards:

- Retained the Planning Commission's recommendation for Maximum Secondary Structure Footprint in the RM district: 1,100 sq. ft.
- Retained the adopted standard for Secondary Structure height:
 - RL/RM: 3 Stories or 35 feet
 - RC: 4 stories or 50 feet

Proposed Standards – Secondary Structures

District	Max Height & Stories ^{1,3}	Max Dwelling Units per Structure ^{2,3}	Max. Principal Structure Footprint ³	Max. Secondary Structure Footprint ³	Max Building face before providing offset ⁵ <u>Max. Linear Elevation before offset⁴</u>	Min. Distance between Structures on same lot
Residential Low (RL)	35' 3 stories	4	1,800 sq.ft	1,100 sq.ft.	50'	15'
Residential Medium (RM)	35' 3 stories	4	1,800 sq.ft.	900 sq.ft. 1,100 sq.ft.		
Residential High (RH)	50' 4 stories	N/A	N/A	N/A		
Residential Corridor (RC)			3,600 sq.ft.	N/A		

- Details regarding the measurement of and exceptions to height limits are found in Art 5.
- Minimum dwelling unit size is 350 sq. ft.
- Within RL and RM zones, lots may have up to one (1) Principal and one (1) Secondary structure per lot, except as may otherwise be allowed by [Table 4.4.5-3](#) or Article 11. Where an existing Principal Structure contains only an owner-occupied Single detached dwelling, and proposes to add one additional unit within the Principal Structure or in a Secondary Structure, see additional provisions in Sec. 4.4.5 (d) 4. D.
- Required on all building ~~fares~~Elevations. Minimum offset is 5 ft measured perpendicular to the building ~~face~~ Elevation in excess of 50 linear feet.

HOME Act of 2023 (Act 47) requires changes for BTV

HOME Act Requirements:	BTV out of compliance:	Neighborhood Code
Minimum residential densities of 5 units per acre	RL-Larger Lot Overlay, which limits to 4.4 units/acre	Proposes regulating building mass and scale as opposed to density
Duplex & Single Family with ADU must be treated the same as a Single-Family without an ADU	RL Districts have higher lot size requirements for duplexes than single family homes	Removes minimum lot size requirements in RL District
3 and 4-unit buildings must be allowed by-right where residential uses are allowed	3-4 unit buildings are not currently permitted in RL Districts	Provides specific provisions for up to 4 units per building in RL, 6 in RM, and new housing types in corridors.
DRB decisions may not limit density, building footprint or height, or require larger lots or more parking, than what is otherwise allowed in the ordinance.	Not explicitly out of compliance, but requires some guiding language in development review	Clarifies some standards in Article 6 related to what can be modified