

**Approved Minutes
Vermont Downtown Board
3/25/2024
via MS Teams Virtual Meeting**

Members Present (12):

- Alex Farrell (*Chair*), designated by the Secretary of Commerce and Community Development
- Charlie Baker, designated by the Vermont Association of Planning and Development Agencies
- Michelle Boomhower (*Vice-Chair*), designated by the Secretary of Transportation
- Bruce Cheeseman, appointed by the Governor, representing local government
- Billy Coster, designated by the Secretary of Natural Resources
- Cathy Davis, appointed by the Governor, representing the Vermont Association of Chamber Executives
- Michael Desrochers, designated by the Commissioner of Public Safety
- Sarah Hadd, designated by the Vermont League of Cities and Towns
- Sabina Haskell, Chair of the Natural Resources Board
- Jaime Lee, appointed by the Governor, representing the Vermont Natural Resources Council and the Preservation Trust of Vermont
- Michael McDonough, appointed by the governor, representing local government
- Chip Sawyer, designated by the Vermont Planners Association
- Laura Trieschmann, State Historic Preservation Officer

Attending Community Planning and Revitalization (CP+R) Team Members (8): Richard Amore, Chris Cochran, Caitlin Corkins, Alice Dodge, Natalie Elvidge, Jacob Hemmerick, Jenni Lavoie, and Amy Tomasso.

Guests (7):

Andrew McKeever and Rob Zeif, Sunderland Planning Commission; Janet Hurley, Bennington County Regional Commission; Samantha Page, Bennington County Regional Commission; JB Weir, Planning & Zoning Administrator, Town of Waitsfield; Sam Robinson, Community Planner, Mad River Valley Planning District; AnnMarie Harmon, Waitsfield Planning Commission

Alex Farrell brought the meeting to order at 1:01 pm.

Additions or Deletions to the Board Agenda

There were no additions or deletions to the board agenda.

1. Public Comment Period

Alex Farrell opened the meeting to public comment; there were no comments.

2. Consent Agenda Items:

- February 26, 2024, Draft Minutes
- Village Center Designation Renewals (2):
 - Town of Stowe – Stowe Village Center (Lower Village)
 - Town of Weston – Weston Village Center

Michele Boomhower motioned to approve the consent agenda items, and Bruce Cheeseman seconded. All were in favor, with none opposed. The motion carried.

3. Village Center Designation – New Application – 1

Town of Sunderland – Sunderland Village Center

Richard Amore presented staff findings and recommendations on applications. Andrew McKeever and Rob Zeif, from the Sunderland Planning Commission, and Janet Hurley, Bennington County Regional Commission (BCRC), presented on behalf of the town. Staff found that the application was complete, including all requirements. Sunderland updated their town plan in 2018. The proposed Village Center includes the Ira Allen House, a historic property now an inn, and the Sunderland Union Church, which needs rehabilitation. They are also working with BCRC and the Vermont Agency of Transportation to reduce the speed limit along Route 7A through the village and via transportation investments to reduce speeds and make the area more welcoming to pedestrians.

Staff worked with the town to define a boundary that meets the statutory definition; the proposed designated area is in the Roadside Commercial and Rural Residential zoning districts. Janet Hurley added that this is a rural, spread-out area without a clearly defined village center, and the town sees designation as a first step towards creating a shared vision for a center. Andrew McKeever notes that the selectboard is fully behind the proposal. Staff recommends that the board approve the application and award designation.

Michael McDonough motioned to approve the application, and Laura Trieschmann seconded. Before a vote was taken, Michael McDonough added that, in his view, Sunderland is unique in its lack of density and that it may be reasonable to extend the proposed boundary to include the Hill Farm and some properties near Skyline Drive and asked that staff and representatives from the town further details about the thinking behind the proposed boundary. Richard Amore responded that the additional properties near Skyline Drive were 70s-80s construction and that he had considered the precedent of past board decisions, the program guidelines, and requirements of state statute, as well as the distance and undeveloped land between the church and the Hill Farm, in recommending the proposed boundary. Rob Zeif discussed that the owners of Hill Farm did not wish to be included in the designated area; he also voiced the planning commission's desire to include those other properties along Route 7A and if it would be possible to extend the boundary.

Michael McDonough offered an amendment to his motion, which would extend the boundary of the Sunderland Village Center to include a larger area to the east along Route 7A, including three properties past the intersection of Route 7A and Skyline Drive. Cathy Davis seconded.

There was a robust discussion of the proposed and possible extension to the boundary, how it might change under designation reform that the General Assembly is now considering, and how the proposed extended area needs to conform to the legal definition of a village center and past board decisions delineating village center boundaries. The town expressed their desire to control the architecture and aesthetics of possible future development along the corridor; program staff and board members discussed how that could be accomplished through local land use regulations and that it could not be accomplished through designation, given it only offers incentives. BCRC offered to discuss this further with the town.

Michael McDonough withdrew the amendment to his motion, and Cathy Davis withdrew the second, leaving the original motion intact to approve the proposed staff's recommended boundary and approve village center designation for Sunderland Village Center. Michael McDonough abstained; all others were in favor, with none opposed. The motion carried.

4. Neighborhood Development Area Designation – New Application – 1

Town of Waitsfield

Jacob Hemmerick presented staff findings and JB Weir, Sam Robinson, and AnnMarie Harmon presented on behalf of the Town of Waitsfield. Staff found that the application was complete and program requirements met. Waitsfield's designated Village Center, which anchors the proposed NDA, was designated in 2009, and renewed in 2019. The Town proposed boundaries beyond the ¼-mile planning area, requiring at least 80% and no fewer than 7 members of the Downtown Board reviewing the NDA agree that the boundary meets criteria (A)-(D) in the application. There are flood hazard and river corridors present, but excluded from the proposed NDA. Staff noted that Waitsfield deserves credit for inventorying wetlands and planning around them; some wetlands would be included in the boundary, but would be protected by State wetlands permitting. There are conserved lands adjacent to the proposed boundary, steep slopes are minimally included, and there are some other natural resource constraints. There are historic resources and some overlap with the National Register Historic District. The proposed NDA includes infrastructure and facilities, such as the library within walking distance and the Town Hall. There are paths and sidewalks that serve the NDA. Waitsfield scored 9/10 in terms of regulatory and planning conditions for multimodal transportation, and 10/10 for building & lot pattern. Staff recommended that the board approve the neighborhood development area and acknowledge that the boundary meets the established criteria for an extension beyond the planning area.

JB Weir added that this designation is an important piece of the puzzle of all the work Waitsfield is doing and will help augment other smart growth projects. They have done preliminary engineering and are in the 30% design phase for their wastewater project, and are embarking on village master planning for Irasville (the area south of the designated village on Route 100), which will allow for infill development and the addition of a third story, enabling commercial growth while adding wetlands resiliency.

Michael McDonough asked for clarification on two points, one area of the map that seemed to be an excluded 'hole', which JB Weir confirmed is a wetland, and one non-contiguous portion of the boundary, which is the portion to the east of the covered bridge, before Bridge Street splits off to East Warren Road. These are not possible to connect because the program guidelines do not allow inclusion of river corridors and flood hazards, unless the municipality has River Corridor and Flood Hazard bylaws applicable to the entire municipality and approved by ANR; staff noted this is not the first non-contiguous area in an NDA.

Chip Sawyer motioned to approve the neighborhood development area for Waitsfield and acknowledge that the boundary meets the established criteria for an extension beyond the planning area. Bruce Cheeseman seconded. Ayes: Billy Coster, Bruce Cheeseman, Cathy Davis, Chip Sawyer, Jaime Lee, Laura Trieschmann, Michael McDonough, Michele Boomhower, Sabina Haskell, Sarah Hadd, Alex Farrell. The motion carried.

5. Tax Credit Review

Caitlin Corkins presented a summary of the bonus round of FY24 Tax Credit applications. There were 22 applications, with requests totaling over \$2.2 million and \$1.5 million in available funding. This was enough to fund fourteen top-scoring applications, with a very small amount of funding left over; given the amounts, she did not recommend partial funding for any applications. The three next-ranked applications will be alternates for funding, in ranked order.

Sarah Hadd motioned to accept the funding recommendations and award the tax credits; Michelle Boomhower seconded. All were in favor, with none opposed. The motion carried.

6. Old Business / New Business

The Homes for All Toolkit Trainer Summit on March 14 in Barre was a smashing success and far exceeded our expectations. We had over 200 people attend, with 50 on the waitlist. The whole CP+R team pitched in, and we saw many small-scale developers who hadn't previously met or had an opportunity to network with each other. We had a successful board game activity that explained how zoning can limit development options, which was enthusiastically received – we were thrilled that so many people wanted to take copies of the game home. The next step in Homes for All is revising the RFP responses to develop a curriculum, training program, and alliance network to help small-scale developers. We have added resources to the website and still have printed copies of the toolkit available.

The legislative update is that the land use bill, which modernizes Act 250, RPC maps, and the designation program, will be on the house floor tomorrow and is expected to pass. The Governor recommended a \$2 million increase to the tax credit program. While the House Committee on Ways and Means removed the proposed increase, it kept policy changes, including making properties in NDAs eligible for tax credits and changes to improve the flood mitigation credit. There was a brief discussion of the proposed changes and if there was a bill summary where members could learn more about the details. Chris and Sabina recommended the House Committee on Environment and Energy webpage and finding the section-by-section summary of the bill. We expect the Senate to take up the bill next week.

Michelle Boomhower wanted to alert the board that Act 145 is affected by the new legislation that proposes to exempt certain qualified centers from Act 250 review. This law was developed to reduce costs when a development triggered significant transportation infrastructure investments to move the project forward. Act 145 changed the required contribution to a 'fair share' based on usage rather than the full cost of the upgrades. Under the proposed new legislation, this could revert to the previous system, which could negatively impact development. VTrans is communicating with their partners in the Senate on this issue.

The board and Chris Cochran kindly thanked Alice Dodge for her work supporting the Downtown Board for the past year, as she will be leaving CP+R soon to pursue other opportunities.

7. Adjourn

Alex Farrell adjourned the meeting at 2:20 p.m.

The next Downtown Board meeting will be on April 22, 2024.

Respectfully submitted, Alice Dodge and Jenni Lavoie