



TOWN OF BERLIN, VERMONT

Town Administrator
Vince Conti

CERTIFIED MAIL

March 10, 2022

TO: Planning Commissions of the following (or Clerk of the Municipality)

City of Montpelier, 39 Main Street, Montpelier VT 05602-2905
Town of East Montpelier, P.O. Box 157, East Montpelier VT 05651-0157
Town of Barre, P.O. Box 116, Websterville, VT 05678-0116
City of Barre, P.O. Box 418, Barre, VT 05641-0418
Town of Williamstown, 2470 VT Route 14, Williamstown, VT 05679
Town of Northfield, 51 South Main Street, Northfield, VT 05663
Town of Moretown, 79 School Street, Moretown, VT 05660
Town of Middlesex, 5 Church Street, Middlesex, VT 05602

Executive Director, Central Vermont Planning Commission, 29 Main Street, Suite #4
Montpelier, VT 05602

Commission, Department of Housing and Community Affairs, 1 National Life Drive, Davis
Building, 6th Floor, Montpelier, VT 05602

FROM: Thomas J. Badowski, Assistant Town Administrator

Enclosed you will find a copy of the following:

- Proposed amendments to the Unified Code of Land Use and Development Regulations for the Town of Berlin
- Proposed amendments to Official Map
- Proposed amendments to Berlin Town Plan
- Corresponding Berlin Planning Commission Reports

Also please be advised that the Town of Berlin Planning Commission will hold a Public Hearings on these amendments in accordance with VSA 24 §4444 on Wednesday, April 13, 2022, at 6 PM at the Berlin Municipal Office, 108 Shed Road, Berlin, VT 05602

We encourage all the above parties to submit comments or attend the Public Hearings.

Join Zoom Meeting <https://us06web.zoom.us/j/89104339699?pwd=TG95VSt5aDRjOE9hUTlxcHIxcFhvUT09>
Meeting ID: 891 0433 9699 Passcode: 497558 Dial In: +1 646 558 8656

Respectfully,

Thomas J. Badowski

Thomas J. Badowski
Assistant Town Administrator

PLANNING COMMISSION REPORT

ON PROPOSED BYLAW AMENDMENTS

In accordance with 24 V.S.A. §4441, the Planning Commission has prepared and approved this written report on March 9, 2022 prior to warning and holding a public hearing on proposed amendments to the town's Land Use and Development Regulations and Official Map.

Brief Explanation of the Proposed Amendments

The Town of Berlin is proposing to revisions to make uses with specified levels of traffic generation conditional in the zoning districts where commercial and industrial uses are permitted. The PC is also proposing minor changes to the Town Center zoning district language and an update to the Official Map to comply with the conditions imposed by the Downtown Board on approval of Berlin's designated New Town Center. The zoning district changes primarily relate to clarifying language related to street frontage and on-street parking. The Official Map has been amended to reflect the most current planning for the roadway network serving the Route 62 Gateway area of the Berlin Town Center.

Statement of Purpose

The purpose of the proposed amendments is to ensure new development will not unreasonably burden or degrade the capacity of public highways and to meet the conditions of the town's New Town Center approval.

Municipal Plan Goals and Policies

The proposed amendments are intended to further a principal objective of the Berlin Town Plan to obtain New Town Center and Neighborhood Development Area designations. Those designations will support development of affordable and workforce housing. They also align with the plan's recommended action to adopt revised land use regulations that promote a safe and efficient transportation network.

Municipal Plan Future Land Use

The proposed amendments do not change the allowed uses or density of development within the Town Center or any other zoning district.

Planned Community Facilities

The proposed amendments do not directly implement any specific proposals for planned community facilities. They provide the town with greater ability to address the impacts of uses that generate higher levels of traffic, which is envisioned to lead to highway improvements when necessary to accommodate proposed development. To the extent that the proposed amendments support the town's effort to obtain New Town Center and Neighborhood Development Area designations, they indirectly further the vision for the Berlin Town Center including for public spaces and facilities. The proposed amendments do not directly create new demand for community facilities not already anticipated in the Berlin Town Plan and the Berlin Town Center Plan.

Proposed 2022 Amendments to the Berlin Land Use and Development Regulations

The PC is proposing revisions to make uses with specified levels of traffic generation conditional in the zoning districts where commercial and industrial uses are permitted. The PC is also proposing minor changes to the Town Center zoning district language to comply with the conditions imposed by the Downtown Board on approval of Berlin's designated New Town Center. Those changes primarily relate to clarifying language related to street frontage and on-street parking.

Added to 2101.B Town Center District Permitted Uses:

(32) The applicant must obtain conditional use approval from the Development Review Board before the Zoning Administrator may issue a permit for (d) A use that is expected to generate 75 or more peak hour trips accessed from a state highway or 25 or more peak hour trips accessed from a town highway.

Revised 2101.D Town Center District Dimensional Standards

The Regulating Map Notes were removed from the map and incorporated into this section. The following additional language was added:

Land development within this district must front on a street in conformance with the provisions of this section. Dimensional standards within this zoning district are established based upon the type of street a parcel or development envelope has frontage on.

(2)(b) A development envelope must front on a street and meet the dimensional standards, including lot width, for the street type they front on.

(3)(b) The tables on page 2-10 through 2-15 establish the dimensional standards associated with for development fronting on each street type are shown on the pages that follow.

(3)(d) When proposing to construct an unplanned street or develop a site or building that does not front on a street or street segment classified on the Regulating Map, the applicant must select a type for the street or street segment to be reviewed and approved by the Development Review Board as part of the development application as follows:

(3)(d)(i) An applicant may also propose to construct or extend a street, upgrade a service and circulation drive to a street or reclassify a street or street segment, subject to Development Review Board approval.

(3)(f) Service and circulation drives will not be considered streets for the purposes of this section if they do not meet all applicable standards for roads under these regulations, including the street standards of Paragraph 2101.E.

(4) Precedence. In the case of a conflict between a provision of this section and another provision of these regulations, the provision of this section will take precedence.

Added a note to the tables for A and B Streets in the Town Center District:

There must be one on-street parking space along the frontage for every 20 feet of primary street facade within the designated New Town Center.

Revised 2101.E Town Center District Street Standards:

(2) Curbing. New or reconstructed streets must be curbed except: (b) The Development Review Board may waive this requirement upon the applicant demonstrating that the street is designed (a) for slow

traffic speeds and (b) ~~that an uncurbed design would result in improved stormwater management in~~
accordance with Vermont's Green Streets Guide.

(3) On-Street Parking. (a) On-street parking may be provided on one or both sides of A, B, C and H streets
(diagrams above not to be interpreted to limit parking to one side or specify a side for parking).

(3) On-Street Parking. (c) Within the designated New Town Center, on-street parking is required along any
street segment that will serve as frontage for new development.

Added to 2102.B Mixed Use District Permitted Uses:

(40) The applicant must obtain conditional use approval from the Development Review Board before the
Zoning Administrator may issue a permit for (c) A use that is expected to generate 75 or more peak hour
trips accessed from a state highway or 25 or more peak hour trips accessed from a town highway.

Added to 2103.B Commercial District Permitted Uses:

(42) The applicant must obtain conditional use approval from the Development Review Board before the
Zoning Administrator may issue a permit for a use that is expected to generate 75 or more peak hour
trips accessed from a state highway or 25 or more peak hour trips accessed from a town highway.

Added to 2104.B Light Industrial District Permitted Uses:

(27) The applicant must obtain conditional use approval from the Development Review Board before the
Zoning Administrator may issue a permit for a use that is expected to generate 75 or more peak hour
trips accessed from a state highway or 25 or more peak hour trips accessed from a town highway.

Added to 2105.B Industrial District Permitted Uses:

(30) The applicant must obtain conditional use approval from the Development Review Board before the
Zoning Administrator may issue a permit for a use that is expected to generate 75 or more peak hour
trips accessed from a state highway or 25 or more peak hour trips accessed from a town highway.

Added to 2107.B Hamlet District Permitted Uses:

(29) The applicant must obtain conditional use approval from the Development Review Board before the
Zoning Administrator may issue a permit for (b) A use that is expected to generate 75 or more peak hour
trips accessed from a state highway or 25 or more peak hour trips accessed from a town highway.

Background

On October 9, 2018, the CVRPC Board of Commissioners approved Berlin's 2018 Town Plan titled **A Town Plan for Berlin, VT**, and it confirmed the Town's planning process. The Board of Commissioners noted that for the Town to retain confirmation of its planning process - progress towards attainment of two State Planning Goals will need to be documented in the municipal plan before CVRPC completes its next consultation in 2022.

The two goals are:

- State Planning Goal 3: To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters; and
- State Planning Goal 13: To ensure the availability of safe and affordable childcare and to integrate childcare issues into the planning process, including childcare financing, infrastructure, business assistance for child care providers, and child care work force development

Proposed new section for the Utilities and Facilities Chapter (pages 21-22):

Childcare Services

There is one licensed childcare provider in Berlin. With 8 infant slots and 10 toddler slots, it is operating at capacity with zero vacancies. Berlin residents and employees may find limited openings in surrounding towns or may rely on a neighbor or family member. There are no licensed or registered childcare providers in the region providing services on the weekends or during the evening or nighttime hours to serve families which work extra hours, second shifts or on the weekends. These schedules are often required for those working in healthcare or in the retail or industrial sectors. Recognizing the reality that most families require full or at least part-time childcare outside of their homes, childcare is critical to Berlin residents and is also vital to the stability and sustainability of the local economy especially considering the towns substantial employment base.

Proposed new language for the *Planning Considerations* section in the Utilities and Facilities Chapter (page 22):

Berlin should explore private-public partnerships with advocacy groups and large employers to expand the availability of quality childcare in town.

Through the administration of grant funds (through the allocation of municipal funds) the town may help alleviate high childcare start-up or operational costs by lowering building construction costs or facility rental costs.

Proposed new Action for the Utilities and Facilities Chapter (page 21):

Seek funds to undertake a childcare needs assessment to define the specific needs of Berlin residents and employees.

Proposed new language for the *Infrastructure Improvements* subsection of the *Planning Considerations* section in the Economic Development Chapter (page 27):

As discussed in Chapter 3. Transportation (page 19) and in Chapter 4. Utilities and Facilities (page 21), improvements to transportation infrastructure—particularly major state highway intersections—along with ensuring adequate availability of safe and affordable childcare, will also be necessary to further the town's economic development objectives.

Proposed new language for the section in the Utilities and Facilities Chapter (page 21):

Educational Facilities

There are no institutions or organizations in Berlin which provide traditional higher education or vocational training opportunities in Berlin. Residents seeking these services may enroll in programs offered in nearby municipalities such as Montpelier or Barre City or access classes remotely.

Proposed new language for the Planning Considerations section in the Utilities and Facilities Chapter (page 22)

Co locating higher education and vocational training programs and facilities that support and enhance existing local employment sectors in Berlin would both increase resident's access to broader educational opportunities and support local economic development.

Proposed addition to Policy 1 within the Utilities and Facilities Chapter (page 21):

1. Focus higher-density housing, *educational*, commercial, and industrial development in the northeast quadrant where it can be efficiently served from existing or planned utility networks, and where the availability of that infrastructure will reduce development cost.

OFFICIAL MAP

TOWN OF BERLIN, VERMONT

2022 DRAFT

TOWN CENTER DETAIL

