

Minutes Vermont Downtown Board 9/24/2018

Calvin Coolidge Conference Room, 6th Floor, National Life Bldg., Montpelier

Members Present (11):

- Katie Buckley (*chair*), designated by the Secretary of Commerce and Community Development
- Jackie Cassino, alternate, designated by the Secretary of Transportation (departed at 4pm)
- Peter Walke, designated by the Secretary of Natural Resources (departed at 3pm)
- Michael Desrochers, designated by the Commissioner of Public Safety
- Laura Trieschmann, State Historic Preservation Officer
- Patricia M. Sears, appointed by the Governor, representing the Vermont Natural Resources Council and the Preservation Trust of Vermont (via phone)
- Gabrielle Ciuffreda, designated by the Vermont League of Cities and Towns
- Michael McDonough, appointed by the governor, representing local government (via phone, lost connection from approximately 1:30pm – 2:20pm)
- Liz Gamache, appointed by the Governor, representing local government (via phone)
- Chip Sawyer, designated by the Vermont Planners Association (via phone)
- Donna Casey, designated by the Chair of the Natural Resources Board
- Tasha Wallis, designated by the Vermont Association of Planning and Development Agencies
- Tom Torti, appointed by the Governor, representing the Vermont Association of Chamber Executives

Attending Community Planning and Revitalization (CP+R) Team Members (6): Chris Cochran, Richard Amore, Gary Holloway, Faith Ingulsrud, Caitlin Corkins, and Jenni Lavoie.

Guests (12): Michael Walker, Town of Pownal; Nelson Brownell, Town of Pownal; Steven Campbell, Town of Strafford; Sven Fedorow, Town of Weathersfield; Jason Rasmussen, Southern Windsor County Regional Planning Commission; Doon Hinderyckx, Town of Rochester; Anni Mackay, Town of Rochester; Sarah Hadd, Town of Colchester; Kathi Walker O'Reilly, Town of Colchester; Aaron Frank, Town of Colchester; Robin Jeffers, SD Ireland; Kate McCarthy, Vermont Natural Resources Council.

Katie Buckley brought the meeting to order at 1:02 pm in the Calvin Coolidge Room, 6th floor of the National Life Building, Montpelier.

Additions or Deletions to Board Agenda

There were no additions or deletions to the Board Agenda.

1. Approval of Minutes from July 23, 2018

Gabrielle Ciuffreda made a motion to approve the July 23, 2018 minutes, no edits noted, and Laura Trieschmann seconded. The motion carried 10-0, with one abstention.

2. Public Comment Period

Katie Buckley opened the meeting to public comment: there were no comments.

3. Village Center Designation New – 8 – Richard Amore

North Pownal Village Center

Richard presented the complete application for North Pownal's village center designation. The proposed boundary runs primarily along VT Route 346 including the post office, Jelley's Store, the Congregational Church, the Old Church, fire station, old general store (vacant), Pownal recreation fields, and several multifamily and single-family residences. All requirements have been met. The town worked with staff to define the boundary that meets statutory definition and submitted a map that meets the program's requirements.

Michael Walker, Town Administrator and Nelson Brownell, Selectboard Chair, shared that the general store in the village was recently acquired by a proprietor that will offer sewing classes and a tailor shop and the challenges of water issues in the village, resulting from the PFOA water contamination.

Michael McDonough commented that the re-designations and the addition of all three villages in Pownal, really reflects a lot of community action taking place in the community and commended Mr. Walker and Mr. Brownell for their efforts.

Peter Walke made a motion to approve village center designation for North Pownal and Tasha Wallis seconded. The motion carried 11-0.

Pownal Center Village Center

Richard presented the complete application for Pownal Center's village center designation. The proposed boundary runs primarily along Route 7 and Center Street including the town hall, fire station, Studio Club Art Works, senior center, Pownal Market and Deli, elementary school, Cozy Meadow Mobile Home Park, several commercial businesses and multifamily and single-family residences. All requirements have been met. The town worked with staff to define the boundary that meets statutory definition and submitted a map that meets the program's requirements.

Michael Walker and Nelson Brownell commented that they are also dealing with PFOA water contamination in this village.

Gabrielle Ciuffreda made a motion to approve village center designation for Pownal Center and Tasha Wallis seconded. The motion carried 11-0.

Pownal Village Center

Richard presented the complete application for Pownal's village center designation. The proposed boundary runs along VT Route 246, Church Street, Route 7 and Orchard Street including the post office, fire station, Methodist Episcopal Church, library, Baptist church, American Legion, Cherry Court, several commercial businesses and multifamily and single-family residences. The Town worked with staff to define the recommended boundary; however, the town proposes to expand the northern and southern boundaries to include residential areas (the Burdicks mobile home park, Green Mountain mobile home park, the Alta Gardens mobile home park, and single-family residences). Including these residential properties conflicts with the statutory definition of a village center as well as board precedent because they are not anchored by civic/commercial uses. Staff recommended a smaller boundary that is anchored to north by the Pownal Baptist Church and the Solomon Wright Public Library and to the south by the post office, fire station, American Legion and Cherry Court.

Michael Walker and Nelson Brownell shared with board members the planning goals and future community development efforts in the town. Michael and Nelson expressed why the

Town requested the residential areas to be included in the proposed designated boundary. Michael and Nelson shared that these residential areas have future potential for mixed-use development, including housing and commercial uses due to the water, sewer, and three-phased power infrastructure and shared various town initiatives for growth including the recent update of the Municipal Plan.

Board members, while recognizing the progress that the town has made, questioned what incentives that the village center designation could provide to the residential areas. Further discussion involved advising the town that village center designation could still provide priority grant consideration even for parcels not located within the boundary and that the town could apply to the board for a boundary amendment in the future or apply for Neighborhood Development Area designation.

Peter Walke made a motion to approve village center designation for Pownal with the staff recommended boundary and Laura Trieschmann seconded. The motion carried 10-0.

Rochester Village Center

Richard presented the complete application for Rochester's village center designation. The proposed boundary runs primarily along Route 100 and encompasses the village green including the post office, fire house, library, elementary school, health center, town office, village park, river park, two churches, hardware store, Pierce Hall, numerous commercial businesses and multifamily and single-family residences. All requirements have been met. The town worked with staff to define the boundary that meets statutory definition and submitted a map that meets the program's requirements.

Doon Hinderyckx, Selectboard Chair and Anni Mackay, owner of the BigTown Gallery, shared the success of the newly built town park, which was the site of FEMA buyouts from Tropical Storm Irene through the CDBG-DR program. As well as the challenges, of a smaller tax base due to the large amounts of State and Federal land within the town. Doon shared the positive economic impacts that recreation is having in the village and region.

Gabrielle Cuiffreda made a motion to approve village center designation for Rochester and Michael Desrochers seconded. The motion carried 10-0.

South Strafford Village Center – 150th Designated Village Center

Richard presented the complete application for South Strafford's village center designation. The proposed boundary runs primarily along VT Route 132 including Barrett Memorial Hall, Universalist Society of Strafford church, the elementary school, masonic hall, recreation fields, Coburn's General Store, several commercial businesses and multifamily and single-family residences. All requirements have been met. The town worked with staff to define the boundary that meets statutory definition and submitted a map that meets the program's requirements.

Steven Campbell, Planning Commission Chair, spoke to recent improvements in the village including; the installation of new sidewalks, the renovation of Barrett Hall which houses the Senior Center as well as the site of school performances, and the renovation of the village tennis and basketball courts.

Gabrielle Cuiffreda made a motion to approve village center designation for South Strafford and Tasha Wallis seconded. The motion carried 10-0.

Strafford Village Center

Richard presented the complete application for Strafford's village center designation. The proposed boundary runs along Justin Morrill Memorial Highway including the town office, post office, the Meeting House, United Church of Christ, the Stone Soup restaurant, historical society, Justin S. Morrill Homestead and Harris Library, and single-family residences. All requirements have been met. The town worked with staff to define the boundary that meets statutory definition and submitted a map that meets the program's requirements.

Steven Campbell advised board members that the town had recently focused on the proposed New Vistas project and implemented new zoning bylaws to assist with any potential impacts. The project has since been abandoned. Additionally, Mr. Campbell reported that the town's iconic meeting house spire is being renovated with assistance from DHCD's Historic Preservation Grant.

Laura Trieschmann commented that as the state steward for the Justin S. Morrill Homestead, the Division for Historic Preservation greatly appreciates the towns support and assistance and is a terrific partner for the State Historic Site.

Laura Trieschmann made a motion to approve village center designation for Strafford and Michael Desrochers seconded. The motion carried 10-0.

Ascutney Village Center

Richard presented the complete application for Ascutney's village center designation. The proposed boundary runs along US Route 5 including the town office, the post office, library, Union Church, SWCRPC offices, residential care home, several commercial businesses and multifamily and single-family residences. All requirements have been met. The town worked with staff to define the boundary that meets statutory definition and submitted a map that meets the program's requirements.

Jason Rasmussen, with the Southern Windsor County Regional Planning Commission, and Sven Fedorow, Land Use Administrator, shared that the preparation for village center designation and village revitalization started about a year ago and community feedback indicated that focus on the restoration and re-use of existing buildings as well as infrastructure improvements should be a primary focus for the town. Mr. Fedorow shared that several historic buildings are on the market and they hope that village center designation will spur investment and growth in these buildings.

Gabrielle Cuiffreda made a motion to approve village center designation for Ascutney and Laura Trieschmann seconded. The motion carried 10-0, with one abstention.

Perkinsville Village Center

Richard presented the complete application for Perkinsville's village center designation. The proposed boundary runs primarily along VT Route 106 including the Perkinsville Community Church, village green, grange hall, former general store, former K-3 school, and multifamily and single-family residences. All requirements have been met. The town worked with staff to define the boundary that meets statutory definition and submitted a map that meets the program's requirements.

Jason Rasmussen and Sven Fedorow shared the primary focus is on water and wastewater improvements in the village and the redevelopment of the Grange Hall. Jason and Sven shared that the village benefits from the VAST Army Corp. trails adjacent to the village. Sven shared that the village has many historic buildings with small lot sizes, impacting septic ability

and creates a challenge for redevelopment. Sven shared the town is exploring future wastewater planning efforts to address these challenges.

Peter Walke made a motion to approve village center designation for Perkinsville and Laura Trieschmann seconded. The motion carried 10-0.

5. Village Center De-designation – 1 – Richard Amore West Fairlee Village Center

West Fairlee's municipal plan does not currently meet statutory requirements and therefore an application for renewal of village center designation for West Fairlee village center was not submitted. The Town is working to update their municipal plan and intends to reapply for designation later this year. Staff recommends that the Board proceed with de-designation.

Peter Walke made a motion to de-designate West Fairlee village center and Laura Trieschmann seconded. The motion carried 11-0.

Board Chair Katie Buckley, commended Richard on expanding the village center designation program which had approximately 80 village center designations five-years ago to the robust program it currently is, with 152 village centers currently designated.

6. Downtown Transportation Fund Amendment – 1 – Gary Holloway

City of St. Albans

The City of St Albans is requesting an amendment to grant 2016-05 for the Kingman Street Project. On 4/25/16 the city was awarded a \$100,000 grant for a streetscape improvement project including new sidewalk, trees, street lights, crosswalk, wayfinding signage and landscaping. Initially the project was scheduled to commence on 10/25/17 and be completed by 10/25/18. Due to the complexity of engineering and design of the project the city is requesting an extension of the project to be completed by 12/31/20. Downtown Transportation Fund grants allow 18 months to commence construction and 30 months from award date for projects to be completed. This request is for an additional 26 months or a total of 56 months from award date with construction starting and completed in 2020.

While staff recognizes that the City finds themselves in this position due to no fault of their own and understand the complexities of this type of project, the proposed schedule of construction exceeds what is considered a reasonable timeframe within the DTF grant program. Staff is supportive of the project overall and believes DTF funds will support streetscape improvements at the end of this multimillion-dollar project. However, staff recommends rescinding the grant and reapplying later when the project is nearer to completion. The City has previously been awarded seven grant extensions on three different grants the past few years and Furthermore, instead of tying up the \$100,000 for two years, we can reallocate the money towards a project that can be implemented sooner. Staff encourages the town to reapply for a DTF grant in 2019 or 2020 and can work with them to develop a competitive application.

Chip Sawyer, Planning Director for the City of St. Albans, shared that the City has overcome the major hurdles for getting the environmental approval for this project and that this is the cities' only active DTF grant. Additionally, the request for a two-year extension was an attempt to be conservative and not have the project come to the board for another extension. The city planned to have companies bid on the project in the fall of 2019, with 2020 being the construction year.

Board members inquired if the program materials reference the option of grant extensions, and if not, was the decision made by staff or the board. Gary advised that the program materials do not reference extensions and that the board approved this staff recommended

decision. Additional board comments included the viability of the project, should the funds be rescinded, or a future application not awarded, as well as, inquiring if the rescinded funds would be given to the next highest score application from the original funding round. Chip indicated that while aspects of the project may need to be scaled back if additional funding is not available, the overall project would still move forward. Gary advised that any rescinded monies would be added to the next round of grant applications and the City could reapply in another competitive grant round.

Gabrielle Cuiffreda made a motion to approve the staff recommendation and rescind the \$100,000 grant, Peter Walke seconded. The motion carried 6-0, with four abstentions and one recusal.

7. Downtown and Village Center Tax Incentives – Caitlin Corkins

At its July meeting, the Board began a discussion on ways to improve the scoring process for the Downtown and Village Center tax credit and Sales Tax Reallocation programs. This discussion was partially driven by the steps the Board took during our FY 2019 awards meeting to grant three sales tax reallocation applications partial awards allowing funding to go to a larger number of projects overall.

Caitlin Corkins prepared and presented to the board, three options for capping the total amount of Sales Tax Reallocation (STR) funding available per round including; setting a maximum dollar cap per funding round, setting the cap at a percentage of the total amount of available funding, or setting a per-project cap. Additionally, the board considered allowing STR applicants the option of applying for multiple allocations in consecutive years for a single project.

Board members responded favorably to the option of setting aside a percentage of the funding available. This would allow for flexibility as the available funding fluctuates from year to year, as will reduce the need for staff and board time to make similar decisions on an annual basis. Board members indicated that 30% of the available funding would be a fair amount and consistent with the community cap, the maximum amount awarded to any given municipality per funding round. Should funding requests/awards not reach the cap in any given funding round, remaining funds could be allocated to tax credit projects.

The Board inquired if STR projects are larger financial requests by nature. Caitlin explained that STR projects are typically larger than tax credit projects and thus routinely request a larger award. This is due to the cost and complexity of infrastructure improvements associated with new downtown developments. Board members also inquired if STR applicants would benefit from being allowed to apply in subsequent years for additional phases of the project or if a phased approach would be difficult since financing typically needs to be fully secured before projects move forward. Chip Sawyer indicated that as an applicant himself, he believes other applicants would appreciate having the option to reapply. Additional board comments and discussion pertained to the amount of times applicants should be allowed to request additional funding. The consensus was an applicant may apply a total three times for a project.

Gabrielle Cuiffreda made a motion to cap Sales Tax Reallocation awards to no more than 30% of the funding available, while giving applicants option to reapply for subsequent phases of work and receive funding up to three times in total. Chip Sawyer seconded and added a friendly amendment to include that the board will not lose the flexibility to adjust funding as needed during award decision meetings. Laura Trieschmann seconded the amendment. Motion carried 10-0.

8. New Town Center – 1 – Faith Ingulsrud

At its November 2015 Board meeting, the Town of Colchester submitted a one-year progress

report as required by the New Town Center renewal approval from December 1, 2014. While the Board recognized the town's effort to meet statutory requirements, members continued to express concern regarding the town's ability to meet the requirement for public and civic buildings in the New Town Center as required in 24 V.S.A § 2793b (F).

(F) Evidence that civic and public buildings do exist, or will exist in the center, as shown by the capital improvement plan or the capital budget and program, and the official map.

The Board required Colchester to show evidence that at least one additional civic building and one public building will be established within the New Town Center before its next renewal, due November 2019 (June 2019 if combined with the Growth Center review). The Board requested the department draft a guidance letter to clarify the types of buildings in the New Town Center that would meet the statutory requirement. The letter was issued in 2016 and distinguished between "public" and "civic" buildings. The "public" building requirement is met by the restaurant and other business that bring people to the New Town Center.

Colchester recently submitted documents requesting preliminary comments from the Board on their proposal for a civic building. They plan to acquire the existing gazebo and green currently owned by Severance Corners Village Center, LLC, and provide recreation and library programming for the site. Public access and parking are assured through protective covenants, and up-keep of the building and green will be in the Capital Plan.

Staff recommended the board acknowledge that a town-owned and programmed green and gazebo with full public access meets the requirements for a civic building in the New Town Center and require that the town acquire the green and gazebo and show progress in implementing the programming proposal when the town returns for the five-year review of the Growth Center / New Town Center renewal in 2019.

Sarah Hadd and Aaron Fink, with the Town of Colchester, advised Board members that while some community residents are reluctant visitors to town public buildings, they have noticed that the community events are well attended often are better ways to support community participation and engagement. They have found programming community events is one of the best ways to promote a sense of place and community.

Some board members questioned whether a gazebo and green satisfied what the New Town Center program originally envisioned and expressed concern that approval could potentially set a precedent for the program in the future.

Kate McCarthy with the Vermont Natural Resources Council noted there were unusual facts and circumstances that led to this New Town Center dilemma for the town and the board. She recommended the board acknowledge that this outcome was not what was envisioned in statute.

Chip Sawyer made a motion to accept the staff recommendation, Laura Trieschmann seconded. Trish Sears added a friendly amendment to require that the Colchester's Capital Plan be updated to include the Gazebo and Green to "solidify the Town's commitment to continue civic use of the green." Chip Sawyer agreed to the amendment. The motion carried 7-1.

9. Old Business / New Business Announcements

Chris Cochran advised board members that Act 250 Commission is required to evaluate outcomes of the state designation programs as part of a larger effort to modernize the Act. They will develop recommendations for the 2019 legislative session.

October Board Meeting:

Chris also reminded board members that the October meeting will be held in St. Albans, the meeting portion will start at 1:00pm, but those who are available can come early to enjoy a tour and lunch.

10. Adjourn

Gabrielle Cuiffreda made a motion to adjourn and Tasha Wallis seconded. The motion passed unanimously. The Downtown Board meeting was adjourned at 4:25 p.m.

Respectfully submitted, Jenni Lavoie