



City of Barre, Vermont

April 11, 2024, 5:30 PM

Regular Meeting of the Barre City Planning Commission

Venue Options: IN PERSON ONLY
First Floor Conference Room of Alumni Hall

Agenda

1. Call to order - 5:30 PM
2. Adjustments to the Agenda
3. Approval of Minutes
 - a. ~~March 14, 2024~~ regular meeting Correction: February 8, 2024 minutes
4. Public comment (for something not on the agenda)
5. Old Business
 - a. Interim Zoning Changes Discussion
6. New Business
 - a. Flood Hazard Regulations: proposed changes
 - b. Meeting Schedule discussion
7. Confirm date of next meeting – May 16, 2024
8. Staff updates – as needed
9. Roundtable
10. Adjourn

Barre City Planning Commission

February 8, 2024 Meeting Minutes

Present: David Sichel (Chair), Becky Wigg (Vice Chair), Joe Reil (Secretary), Rosemary Averill, Caitlin Corkins, Raylene Meunier

Absent: None

Staff: Janet Shatney (Director of Planning, Permitting & Assessing)

Visitors: None

1. Call to Order.

5:30pm.

2. Adjustments to the Agenda.

None.

3. Approval of Minutes.

a. December 14, 2023 regular meeting.

Meunier moves to approve, Corkins seconds, unanimous in favor.

4. Public comment (for something not on the agenda).

None.

5. Old Business.

a. Interim Zoning Changes Discussion – density and lot information

6. New Business.

a. Interim Zoning Changes Discussion – housing configurations

Discussion for Agenda Items 5a and 6a were intermingled. Shatney presented a draft of possible changes to the Unified Development Ordinance, as discussed in previous meetings and these were discussed.

Most discussion was around proposed density changes to R4, which could be difficult to administrate and allow construction out of step with current neighborhoods.

Possible solutions included adjusting or adding conditional restrictions, removing or clarifying density restrictions while maintaining existing dimensional requirements (ground coverage, setbacks, building height, etc.). Consensus was for the latter and Shatney will draft further changes for review and possible approval.

7. Confirm Date of Next Meeting.

- a. March, 14, 2024.

8. Staff Updates.

- a. Shatney gave some general updates, Assessors are catching up, buyouts are progressing. Possible energy grant to improve the Barre Auditorium.

9. Round Table.

Averill thanks Shatney for her efforts in representing the city.

Wigg asked for an update on the Summer Street plan, Shatney will check with VHB for an update and added that extensions for other grants are in progress.

10. Adjourn.

6:43pm, **Averill moves to adjourn, Corkins seconds, unanimous in favor.**

Scenario #2

2116 Dimensional Table

Commented [A5]: Updates made to the minimum lot size and the density requirements based on the HOME Act requirements, and as proposed by PC.

USE & DEFINITION	UC-1	UC-2	UC-3	MU-1	MU-2	MU-3	R-16	R-12	R-8	R-4	GB	IN	CIV	CON
LOTS														
Minimum lot size Inclusive of all land within the property boundaries, but excluding any land within a street right-of-way.	2,000 sf	3,000 sf	3,000 sf	4,000 sf	4,000 sf	10,800 sf	4,000 sf	4,000 sf	5,400 sf	10,800 sf	10,000 sf	20,000 sf	20,000 sf	40,000 sf
Minimum lot frontage On a maintained public or private street, excluding any frontage on limited access highways, or Class 4 roads or unimproved rights-of-way.	15 ft	30 ft	45 ft	30 ft	30 ft	60 ft	30 ft	30 ft	45 ft	60 ft	60 ft	90 ft	90 ft	180 ft
Maximum lot coverage Total amount of impervious surface as a percentage of total lot area.	100%	90%	80%	80%	80%	50%	80%	70%	60%	50%	80%	80%	40%	20%
SETBACKS														
Minimum front setback Measured from the edge of the street right-of-way, or if no right-of-way from the front lot line. For accessory structures, also see Section 3005.	0 ft	0 ft	8 ft	8 ft	8 ft	12 ft	8 ft	12 ft	16 ft	16 ft	12 ft	16 ft	20 ft	40 ft
Minimum side setback Measured from the side lot lines. For accessory structures, also see Section 3005.	0 ft	8 ft	8 ft	8 ft	8 ft	12 ft	8 ft	8 ft	12 ft	16 ft	12 ft	16 ft	20 ft	40 ft
Minimum rear setback Measured from the rear lot line. For accessory structures, also see Section 3005.	0 ft	8 ft	8 ft	12 ft	12 ft	16 ft	12 ft	16 ft	16 ft	16 ft	12 ft	16 ft	20 ft	40 ft
BUILDINGS														
Build-to-line Measured as a line drawn the specified distance from and parallel to the street right-of-way.	8 ft	16 ft	24 ft	24 ft	n/a	n/a	n/a	n/a						
Minimum build-to-line coverage Percentage of the build-to-line that must be covered by a principal building.	80%	65%	50%	50%	n/a	n/a	n/a	n/a						
Minimum principal building height Measured from the average finished grade at the base of a principal building to the eaves or the roof deck if roof is flat.	18 ft	18 ft	18 ft	18 ft	n/a	n/a	n/a	n/a						
Maximum structure height Measured from the average finished grade at the base of the structure to the highest point of the structure, excluding architectural and roof-top elements listed in Paragraph 2005.G(3). For accessory structures, also see Section 3005.	72 ft	60 ft	48 ft	36 ft	48 ft	48 ft	36 ft	30 ft						
DENSITY														
Maximum residential density Measured as number of dwelling units per square foot of total lot area, except that accessory dwellings in accordance with Section 3202 will not be included.	no maximum	no maximum	1 du per 1,800 sf	1 du per 2,100 sf	1 du per 2,700 sf	1 du per 8,700 sf	1 du per 2,700 sf	1 du per 3,600 sf	1 du per 5,400 sf	1 du per 8,700 sf	1 du per 2,100 sf	n/a	n/a	n/a

Deleted: 1 du per 1,200 sf
Deleted: 10,800
Deleted: 10,800

Remove Density

leave lot sizes as is - would allow for more du's in each zoning district except for R-4 & MU-3 to meet the Rule of 1/5th of an acre.



Scenario #2

Vacant Lot R-4

City of Barre, VT

1 inch = 68 Feet



www.cai-tech.com

March 11, 2024



0.156 ac = 6,795 sf.
meets small lot definition
a 2-unit is allowed
a 3 or 4 unit would
be allowed

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Vacant Lot R-4

City of Barre, VT

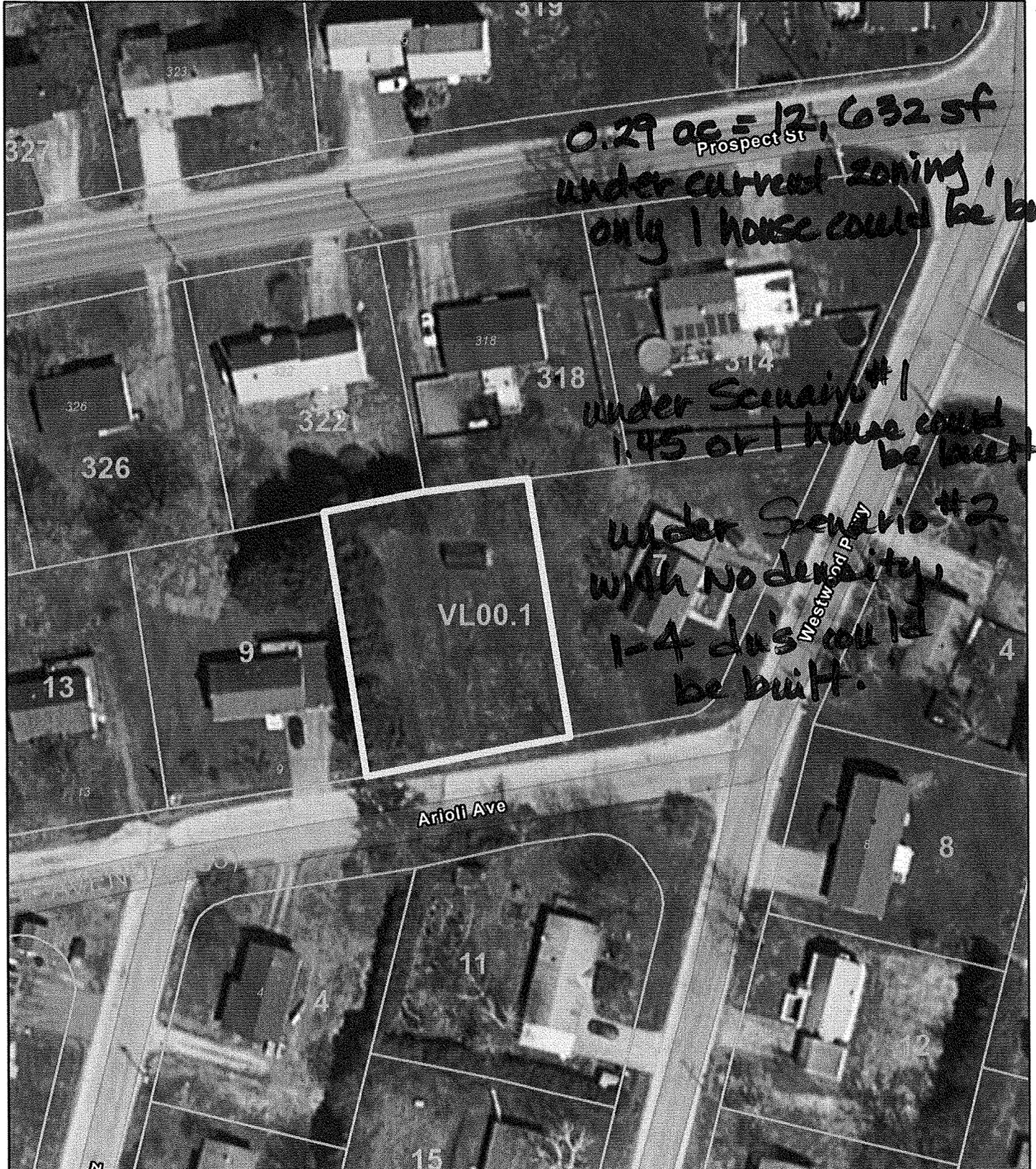
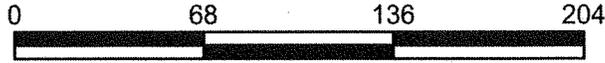


Both
Scenario #1 & #2

1 inch = 68 Feet

www.cai-tech.com

March 11, 2024



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CITY OF BARRE

FLOOD HAZARD AREA REGULATIONS

Version Date: August 27, 2010

DRAFT Amendments to Planning Commission April 11, 2024

Department of Zoning Inspections, Permitting, & Planning, Permitting & Assessing

City of Barre
6 North Main Street
Barre, VT 05641

802-476-0245

Section 5. Substantial Improvement/Damage Determinations

5.01 Determining Substantial Improvements

- (A) Applicability. Where development constitutes a substantial improvement to an existing structure, the existing structure shall be improved to NFIP standards and to the standards of these regulations.
1. Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which either equals or exceeds ~~\$50,000~~ or exceeds 50 percent of the market value of the structure, ~~whichever is less~~, before the start of construction.
 2. -This term includes structures which have incurred "repetitive loss" or "substantial damage", regardless of actual work performed.
- (B) Calculating Substantial Improvements. The following shall apply when calculating substantial improvements:
1. Unless stricter rules are described in this section, FEMA NFIP guidance such as the *NFIP Flood Plain Management Requirements- Desk Reference* shall be used to guide calculation of market value of structure and costs.
 2. Where one building is attached to another through a covered breezeway or similar connection, the two buildings are considered separate and substantial improvement calculations shall be made for each structure independently.
 3. All improvements shall be counted cumulatively over 5 years to determine if a substantial improvement of a structure has occurred.
 - a. Any non-permitted improvements discovered after the fact shall be considered to have all occurred at the same time for purposes of determining substantial improvements.
 4. In general the City of Barre shall use the assessed value of the structure as the default value of the structure, and does not preclude an appraisal from being used.
The value of the land should not be included in the valuation of the structure.
- (C) Substantial Improvements of Existing Structures. The following shall apply to govern structures that are substantially improved:
1. Where an application proposes to make a substantial improvement to an existing structure, that structure shall be brought into conformance with these regulations. For example a structure with the lowest floor below BFE may be required to elevate the structure.

2. Where one structure is attached to another through a covered breezeway or similar connection, it is a separate structure and not an addition. Therefore, substantial improvement of a structure would require the elevation of the structure and all additions but not separate structures.
 3. Regardless of substantial improvement determination, all additions (i.e. expansions of building footprint) shall meet NFIP requirements.
- (D) Non-Substantial Improvements of Existing Structures. The following shall apply to govern structures that are not substantially improved:
1. Where a proposal is determined to be a non-substantial improvement only the improvement will be reviewed for conformance with these regulations.
 2. Non-substantial improvements to existing structures apply to existing structures on their existing footprints. Additions to structures must be compliant with all relevant requirements of these regulations.
- (E) The term 'substantial improvement' does not include the following:
1. The cost of improvements of a structure to correct existing violations of state and local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions;
 2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure. The Administrative Officer may request from the applicant a Section 106 report, prepared by a qualified professional, to demonstrate compliance with this provision.
 - a. This exemption does not apply to additions (i.e. expansions of building footprint) to historic structures which must be built in compliance with these regulations.

5.02 Determining Substantial Damage

- (A) Applicability. Where a substantially damaged structure is proposed for redevelopment, the structure shall be redeveloped to the standards of these regulations.
- (B) Calculating substantial damage. The following shall apply when calculating substantial damages:
1. Unless stricter rules are described in this section, FEMA NFIP guidance such as the *NFIP Flood Plain Management Requirements- Desk Reference* shall be used to guide calculation of market value of structure and costs to repair.
 2. In general the City of Barre shall use the assessed value of the structure as the

default value of the structure. The value of the land should not be included in the valuation of the structure.

- (C) Substantial damage of existing structures. The following shall apply to govern structures that are substantially damaged:
1. Where a substantially damaged structure is proposed for redevelopment, that structure shall be brought into conformance with these regulations. For example a building with the lowest floor below BFE which has been substantially damaged may be required to elevate the building during reconstruction.
- (D) Non-Substantial damage of existing structures. The following shall apply to govern structures that are not substantially damaged:
1. Redevelopment of a structure which has sustained non-substantial damage shall have that development reviewed under the rules regarding substantial improvements above (Section 5.01).

6. Where an individual mobile home lot in an existing mobile home park is vacated, the lot shall not be considered discontinued or abandoned even if either the lot or park is non-conforming. Replacement mobile homes shall be regulated per section 8.14(B) of these regulations.

Subsection 8B Specific Uses & Structures Review Criteria

8.10 Alteration of a Watercourse

- (A) Alteration or relocation of watercourses. The alteration or relocation of a portion of a watercourse within the Flood Hazard Area is prohibited unless part of an overall plan (adopted by the municipality) involving river restoration, flood mitigation, or other public purpose. In these instances, the alteration or relocation may be permitted only if the flood carrying capacity within the altered or relocated portion of a watercourse is maintained or increased.

8.11 Filling and Other Earthwork

- (A) Requirements regarding filling in the Flood Hazard Area.
 1. In instances where these regulations allow fill, all fill must be properly compacted, graded, and, where appropriate, re-vegetated. All filling must be in compliance with Technical Bulletin 10-01 *Ensuring that structures built on fill in or near special flood hazard areas are reasonably safe from flooding.*
 2. Landfilling is not permitted within the stream or river setback, wetlands or wetland setback, nor in the floodway.
 3. The practice of removing unsuitable existing material (topsoil) and backfilling with structural material is not considered the placing of fill.
- (B) Where an applicant wishes to remove a property from the Flood Hazard Area by elevating the natural grade (adding fill in the flood hazard area) the applicant shall provide a CLOMR-F or LOMR-F, as appropriate to the project.

8.12 Fuel Tanks

- (A) All fuel storage tanks (e.g. liquid propane, diesel, home heating fuel, kerosene, etc.) in the Flood Hazard Area shall be placed at or above DFE (Design Flood Elevation) or a minimum of one foot above the base flood elevation and be securely anchored to prevent flotation; or storage tanks may be placed underground if securely anchored as certified by a qualified professional.
- (B) Fuel storage tanks located below the DFE must have all filler pipes and vents located at or

above the DFE.

8.13 Manufactured (Mobile) Homes

- (A) No provision of these regulations shall have the effect of excluding mobile homes, modular housing, or other forms of prefabricated housing from the municipality, except upon the same terms and conditions as conventional housing is excluded. [§4412(1)(B)]
- (B) Within these regulations, mobile homes and manufactured homes are synonymous.
- (C) In non-conforming manufactured home parks, manufactured homes shall be treated the same as conventional housing except that manufactured homes shall demonstrate that they are securely anchored to foundation system to resist flotation, collapse, and lateral movement.

8.14 Manufactured (Mobile) Home Parks

- (A) Manufactured home parks are prohibited in the Flood Hazard Area.
- (B) Any manufactured homes to be replaced or substantially improved that are located in an existing manufactured home park, where elevating a replacement home to or above the base flood elevation is not possible, the lowest floor shall be supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 48 inches in height above grade and be securely anchored to resist flotation, collapse, or lateral movement.
- (C) An evacuation plan for any existing manufactured home parks and subdivisions indicating alternate vehicular access and escape routes shall be filed with the State Civil Defense Office. (See §1910.3(b)(8) of the Federal Register and the FEMA manual, "Manufactured Home Installation in Flood Hazard Areas" for anchoring standards.)

8.15 Public Infrastructure

- (A) Bridges, culverts, channel management activities, or public projects which are functionally dependent on stream access or crossing are permitted in the Flood Hazard Area provided they are part of an overall plan (adopted by the municipality).

8.16 Recreational Vehicles

- (A) Storage or use of recreational vehicles is prohibited in the flood hazard area.

8.17 Subdivisions

- (A) The subdivision of land within the Flood Hazard Area is allowed only if it can be demonstrated by the applicant that each parcel created will have some permissible use. Each new parcel, for instance, shall have sufficient areas outside of the floodway which are suitable for

Staff Updates – Week ending April 5, 2024

- I am involved with oversight of the Barre City Infill Study being performed by the Central Vermont Regional Planning Commission – we've been meeting bi-weekly and progress is great.
- The Development Review Board has met last week for a request for a pellet silo to be placed at Nelson's Hardware at 180 N Main Street, on the Merchants Row side of the structure – was approved. The Director needs to finish the meeting minutes and Decision to get signed. There are applicants for the May DRB meeting, including 46 Summer Street for the demolition of a dilapidated garage on the property; and for 168 N Main Street for building façade work.
- The Municipal Planning Grant for the Summer Street Plan, is still viable and the Director is in contact with VHB to get that done this year.
- The Bylaw Modernization Grant does not have the ability to extend the grant; the Counsel for ACCD suggested since we had no applicants for the RFP, to follow our procurement policy.
- I finished the Substantially Damaged List last month that was sent to partners needing it reported. There were a total of 38 Substantially Damaged properties, of which many received such a designation through the permitting process, and the remaining were determined based on visual observations last year at the end of July as well as Board of Abatement requests, red-tagging through the fire department, requests to be bought out, etc. Of that list, 14 properties have been instructed to elevate to date.
- Granite City Apartments, run by Downstreet Housing, of which the project consists of the Ward 5 School rehabilitation and up on Bromur Street, converting 1 apartment into a fully accessible unit as well as some new sidewalks and refreshing of the site has begun.
- Turning Point Center has moved out of their location in the North End, and now occupies some space in the Downtown, is finalizing final pieces to the final point of funding. Once that is done, they will be able to purchase the site at 18 S Main Street, and work on their grant funding the City agreed to do for \$500,000 will ramp up.
- The permitting office continues to be very busy with applications – those still coming in from the flood, and now that spring is here, the usual decks/porches/sheds are trickling in.
- Working to assist Code Enforcement continues with the new staff there. They are really on the ball and have grabbed onto the Minimum Housing inspections needed that really lapsed from the Covid days. The new electrical inspector is also keeping even our veteran electricians on task to fill out applications more thoroughly and know that the City Inspector is on the job.
- Spaulding High School permitted the ability to renovate a mobile home with their Career Center, and the intent is to then sell it in 2024.

- The Assessing office is very busy with the hiring of a contract assessor and assistant assessor. They have been working on reviewing the flood damaged structures and getting a value in place for the April 1 deadline. The reappraisal company also has been busy helping us with a side contract to assist with getting caught up on work in the City from building and zoning permits that were not reviewed by the former assessor for up to the last 7 years. Understand that all values have to be placed against the last reappraisal, which was the baseline, and in 2006. This work will assist them when they start the actual reappraisal work, which will put all city structures at current value by the market, for a 2026 change to the grand list.
- The City Manager, staff and City Council approved with Vermont Emergency Management, to start obtaining application paperwork for city buyouts. Not all will ultimately be chosen, and there may be properties added to the list as time progresses. As of right now, 17 flood damaged properties have been notified that they qualify for a buyout, doesn't mean they will be bought out, but to submit FEMA paperwork to me to be that much more prepared. I have received paperwork from 8 of those 17 properties to date.
- Landslide buyouts for the 2 properties on Pike Street were approved by City Council, and I have worked with the owners of those 2 properties to obtain all their FEMA paperwork and have been submitted; we now wait to see what Vermont Emergency Management and FEMA can offer us for financial assistance for the buyout. Note there have been 3 more landslide properties added to the tentative list by the Manager, but has not received Council approval to move forward on those applications as yet.
- Barre Area Development Corp. Executive Director Aimee Green last year applied to a grant funding agency called the Northern Borders Regional Commission to be invited to apply for grant funding for Prospect Heights, a 24-acre property off Prospect Street that has an existing but old subdivision, for development. They were not invited to apply.

This past month, it was agreed to try again to apply to NBRC but do it in partnership with the City as the City as-applicant. We were approved to apply! I am so pleased that this occurred, so now the BADC Director with a little assistance from me, but largely Aimee will be going through the grant application process to see if we can be funded to develop that property. Stay tuned!