

APPROVED
Minutes
Hartford Planning Commission Meeting
August 10, 2022

A Planning Commission meeting was held in Room 1 of the Hartford Town Hall, 171 Bridge Street, White River Junction, Vermont. The meeting was accessible remotely and several people joined that way.

Planning Commission Members Present: Colin Butler, Toby Dayman, John Heath, Robin Adair Logan, Bruce Riddle and Chair John Reid.

Staff: Lori Hirshfield, Planning Development Director, Jo-Ann Ells, Zoning Administrator, Fire Marshal Tom Peltier and Matt Osborn, Town Planner.

Others Present: George Abetti, Susanne Walker Abetti, Aiden, Marie Alvin, Michelle Boleski, Darrell, Simon Dennis, Heidi Duto, Margo Howland-Mastro, Ann Kerrigan, Dylan Kreis, Beth Long, Karl Rosengrant, Ally Tufenkjian, Virginia Umland, Becca White and Andrew Winter.

Chair John Reid called the meeting to order at 6:00 p.m., read the hybrid meeting script followed by roll call.

1. **Minutes of the May 16th Meeting:** John Reid noted two corrections. He asked if there are other changes to the Minutes of May 16th. John Heath noted a correction. Bruce Riddle made a motion to approve the Minutes of May 16th with the noted changes. The motion was seconded by Colin Butler and approved.
2. **Zoning District Change Discussion of the Route 5/Ballardvale Drive/Jasmin Lane area from Industrial Commercial 2 to a new zoning district “General Commercial/Residential” to allow residential and mixed-use development.**

Matt Osborn reported that there have been four workshops and one community meeting on the proposed zoning district change. He noted that at the last workshop (May 16th), the Planning Commission wrapped up discussion of the permitted and conditional uses and agreed that a Floor Area Ratio of 1.0 was appropriate for the district. He noted that staff believes the bylaw amendment is ready to move to the bylaw amendment process.

As directed by the PC at the 5/16 workshop, staff worked on revisions to the zoning district objective and came up with the following language for Planning Commission consideration:

GCR Zoning District Objective: To maintain its role and function as a local and regional service center along an important Town gateway while encouraging a transition towards more compact commercial, mixed-use and multi-unit residential development. New development and redevelopment shall focus on the following elements that create a sense of place including:

- Enhance the aesthetic character of this corridor with well-designed buildings, landscaping, signage, and lighting.
- Give attention to the mass and scale of buildings including clearly delineated doors and windows, variations in building footprint, materials, and architectural features.
- Ensure compatibility of different uses.
- Provide improved walkability with connections to existing sidewalks and adjacent properties.

- Provide parking on the sides and rear of the lot, while avoid parking in the front of buildings.
- Use landscaped islands to break up expanses of pavement.
- Provide a suitable buffer from adjoining wetlands and streams.

Regarding the second bullet, John Reid did not like the phrase “give attention to”. Colin Butler suggested “recognize the importance of”. The Commission agreed.

Colin noted that Ballardvale Drive has a lot of curves and sides of buildings may be as prominent as the front of buildings. He stated that all sides of buildings should have redeeming qualities. John Heath responded that some sides of a building may not be very visible and that such a requirement may be burdensome.

Bruce Riddle stated that the zoning district objective works since we need to provide guidance to raise the bar of development.

Lori Hirshfield noted that the PC can change any part of the bylaw amendment and the Reporting Form at the public hearing.

The Planning Commission agreed to the following district objective:

To maintain its role and function as a local and regional service center along an important Town gateway while encouraging a transition towards more compact commercial, mixed-use and multi-unit residential development. New development and redevelopment shall focus on the following elements that create a sense of place including:

- Enhance the aesthetic character of this corridor with well-designed buildings, landscaping, signage, and lighting.
- Recognize the visual importance of the mass and scale of buildings, including elements such as clearly delineated doors and windows, roof lines, variations in building footprint, materials, and architectural features.
- Ensure compatibility of different uses.
- Provide improved walkability with connections to existing sidewalks and adjacent properties.
- Provide parking on the sides and rear of the lot, while avoid parking in the front of buildings.
- Use landscaped islands to break up expanses of pavement.
- Provide a suitable buffer from adjoining wetlands and streams.

Permitted and Conditional Uses: John Reid noted that the Planning Commission agreed on the list of permitted and conditional uses at the 5/16 Planning Commission meeting. Colin Butler asked if homeless shelter should be added as a use in the GCR district. Bruce Riddle responded that The Haven was approved as a planned development. He suggested leaving it that way. The PC agreed.

Area and Dimensional Standards: John Reid noted that at the 5/16 workshop, the PC concluded that a Floor Area Ratio of 1.0 was appropriate for the zoning district. He asked if the PC had any changes to the area and dimensional standards. There were none.

Public Comments: John Reid asked the public if they had comments about the proposed GCR zoning district. Beth Long of Twin Pines expressed concern that the zoning district objective

would require moving the parking lot which would cause a hardship for a redevelopment of a hotel/motel conversion. Lori Hirshfield responded that staff will look at it.

Marie Alvin stated that she is supportive of the zoning change, but she thinks the Town needs to comprehensively address the housing issue including affordable housing and the homeless. Marie requested that the PC add the area across from the Fire/Police Station on VA Cutoff Road to the proposed GCR zoning district. John Reid responded that the VA Cutoff Road zoning is not part of the GCR proposal.

Heidi Duto stated that she is against the zoning amendment noting that this is a hospitality district, and that the presence of homeless people would detract from the district.

Action on the Planning Commission Reporting Form for the Proposed Bylaw Amendment: John Reid stated that the Draft Reporting Form demonstrates the conformance with the goals and policies of the Town Plan including the effect the proposal on the availability of safe and affordable housing. He also noted that the Draft is compatible with the proposed future land uses and densities of the municipal plan.

Bruce Riddle made a motion to adopt the changes to the language of bullet #2 of the zoning district objective and approve the Planning Commission Reporting Form. The motion was seconded by Toby Dayman and approved by a 6 to 0 vote.

Decision to Schedule the GCR Bylaw Amendment for a Planning Commission Public Hearing:

Colin Butler stated that one of his major goals of applying to serve on the PC was to assist in creating more housing in Hartford. However, since the Town is soon to embark on the Bylaw Modernization grant and the update of the Housing Chapter of the Town Plan, he is reluctant to go forward with the GCR bylaw amendment at this time. He also thinks that the Town should consider changing other IC zoning districts to allow residential and mixed-use at the same time. John Reid responded that the proposed bylaw amendment is consistent with the recommendations in the 2019 Town Plan to create more opportunities for mixed-use and residential development. He also noted that there is a project that has funding to convert a hotel in the proposed GCR zoning district at this time. Further delay of the bylaw amendment could jeopardize the project. Bruce Riddle agreed with John and stated that the Bylaw Modernization grant and the update to the Housing Chapter of the Town Plan will take time. He added that going forward with the bylaw amendment at this time will create an opportunity to create more housing. Toby Dayman agreed with Bruce and John and noted that the bylaw amendment is a step in the process. Robin Adair Logan stated that she thinks the PC is moving in the right direction with the bylaw amendment.

Bruce Riddle made a motion to schedule the proposed GCR zoning district bylaw amendment for a public hearing on Wednesday, September 7th or Thursday, September 8th depending on the availability of the PC member Dillon Bianchi. Matt Osborn agreed to reach out to Dillon. The motion was seconded by Robin Adair Logan and approved by a 6 to 0 vote.

3. Discuss Amending the Zoning Regulations to Allow Recreational Vehicles to be used as Sleeping Quarters

Lori Hirshfield explained that the Commissioners should view the discussion as an informal review of the topic, similar to sketch plan review. She noted that the Commission started the

discussion in November of 2021 at the request of the Ad Hoc Committee on Emergency Shelter (Ad Hoc Committee) and that the Selectboard had asked that Planning staff work with the Ad Hoc Committee.

Lori noted that questions had come up at the November meeting which are addressed in a memo dated August 5, 2022 distributed to the Planning Commission. She pointed out there were additional items that still needed further Planning Commission review. She also noted that it was the intent to have this follow-up Planning Commission workshop prior to the sunset of the Ad Hoc Committee sunset in June but had to be postponed until now due to a heavy meeting schedule. Staff would be reporting back to the Selectboard.

John Reid asked if there was a deadline. Lori Hirshfield stated there was no deadline.

John Reid noted that he was thinking about how the Recreational Vehicles (RV's) compares with an Accessory Dwelling Unit (ADU), why a separate category is needed, and noted that RV's are usually temporary, and the proposal seems like a permanent residence.

Jo-Ann Ells reviewed the general requirements for an ADU.

John Reid asked if the RV would require a Certificate of Occupancy. Jo-Ann Ells responded that one would be needed from the Fire Marshal and the Zoning Administrator.

Colin Butler asked for clarification of the process. Lori Hirshfield explained that the intent of the meeting is to obtain informal comments that will be shared with the Selectboard who can decide the next steps. Colin asked if the proposal would require an amendment to the Zoning Regulations. Lori confirmed that it would.

Colin Butler asked if the specific charge from the Selectboard was to consider RV's as sleeping quarters. Lori Hirshfield explained that the idea came from the Ad Hoc Committee.

John Heath noted that people can use RV's as sleeping quarters for 14 days under the current regulations and the proposal would expand this if certain conditions were met. He asked if there was any time limit. John Reid stated that as drafted there was no time limit.

Bruce Riddle noted that the proposal required the RV to be owner occupied.

Lori Hirshfield noted that a Zoning Permit would be required, and the landowner would need to apply for the Zoning Permit.

Colin Butler noted that as proposed, the RV would not be connected to any utilities. Lori Hirshfield noted that sanitation is one of the items that needs further discussion.

Colin Butler stated that he was concerned with noise from generators and how power would be installed.

Robin Adair Logan questioned how this proposal could help people who are unhoused. Lori Hirshfield noted that the Ad Hoc Committee thought this non-traditional housing could be a good way of helping people who cannot afford traditional housing and an urgent need for housing especially during the winter months.

Robin Adair Logan questioned if an unhoused person could afford an RV.

Bruce Riddle questioned if a property owner could live in the RV and rent their house out.

John Reid noted that a definition of the term “single-family/household” was needed.

Bruce Riddle noted that he knows people who have lived in RV’s that are hooked up to utilities for extended periods of time. He stated that he would not be in favor of allowing a RV to be rented like an Airbnb.

Colin Butler noted he could see this working for one family if the RV had a kitchen and bathroom but was concerned with multiple families living in the RV.

Toby Dayman questioned how a property owner could end the use of the RV on their property and if tenant law would be invoked.

There was a discussion regarding how the RV compares to a mobile home which is defined as

“A prefabricated dwelling unit which is designed for long term and continuous residential occupancy that is designed to be moved on wheels. The term does not include a recreational vehicle.”

John Heath expressed concern with the distinction between an RV and a mobile home, that the structure would not be taxed and would not be hooked up to utilities.

Robin Adair Logan stated that if allowed it needs to be allowed throughout town, not just certain areas.

Colin Butler stated that he’d like additional information from the Town Assessor regarding taxes.

Bruce Riddle commented that requiring the RV to have a motor vehicle license should be considered.

John Reid asked for public comment.

Laurie Pitney introduced herself and noted that she had recently moved back to the area from Seattle. She shared her experience in Seattle where neighbors had campers/RV’s that were allowed to be used for housing and characterized it as a positive experience. She noted that the campers/RV’s were hooked up to the house’s utilities. She expressed her support for the concept and noted that the housing crisis is urgent, is not going away, and no one deserves to live in a tent.

Dylan Kreis read a statement outlining his support for the proposal, noting that property owners should be able to decide on how to use their property. The proposal will provide affordable housing. The housing crisis is critical and providing an alternative housing model is a step towards a solution.

Karl Rosengrant stated that it is very difficult for people to make enough money to afford housing and housing needs to be available for all income levels.

Aiden (no last name given) shared that the topic is very stressful for him to discuss. He stated that people should have a right to live in an RV and that unhoused people should not be judged.

A Vermont Licensed Social Worker from East Thetford stated that he works at the VA Hospital in mental health. He noted that he sees people sleeping in cars in the winter and people need a place to sleep.

Simon Dennis stated that the conversation feels like a definitive moment for the Town of Hartford. He noted that unexamined assumptions about unhoused people should be discussed, and that human necessities should not be obstructed for certain classes of people. He characterized the proposal as modest and stated that the alternative is no solution and for people to continue to live in tents which often leads to incarceration or relocation where there is no support which is morally beneath the Town.

John Reid asked Simon Dennis if he thought the proposal could help people. Simon stated that he believed it would. He noted that many unhoused people work and could afford an RV. He described the dangers people face when they live in a tent.

Michelle Boleski stated that she was concerned with the process, lack of transparency and that she believed the newly formed housing committee should take up the topic. She questioned if the Planning Commission should be discussing the RV proposed changes since the Ad Hoc Committee had sunset. She also read an email from Selectboard Michael Hoyt.

Ann Kerrigan expressed concern with oversight if the proposal is approved, lack of utilities, if the RV could be parked on the street, lack of egress from the RV, code compliance, and the lack of taxes when people will be using the town's services.

Becca White stated that she had been on the Ad Hoc Committee and was glad the topic was being discussed. She noted that life safety was discussed with the Fire Marshal as outlined in the meeting materials. She stated that there are people who want to host and people who are willing to donate an RV. She stated that camping is a death sentence for many vulnerable people. She suggested that a citizens group could move the topic forward if the Planning Commission was agreeable.

Bruce Riddle stated that he would like to see more information regarding sanitation, setback requirements, and if an RV park was possible.

Eric Krauss stated that town leadership needs to step forward and focus on a solution. He added that winter is not far off.

Lori Hirshfield thanked everyone for their input.

Colin Butler stated that he feels badly, and wants to work towards a solution, but as presented he did not feel that the proposal was ready to be reviewed by the Planning Commission. He noted that he's interested in the Planning Commission working on the topic, that it will likely take a lot of time, and a better approach might be to find a piece of land where a number of RVs could be placed. He stated he was concerned that locating RVs all over town might not be well received, and would be difficult to draft regulations. He suggested that an easier solution might be for a group to try and permit an RV campground.

Simon Dennis stated that he did not support the idea of asking the Selectboard for feedback and asked if the proposed amendment could come from an individual or group of citizens in collaboration with staff. John Reid noted that he did not see why the Selectboard could not appoint a group of citizens to work on the topic. Simon Dennis stated that this would take time and he thought since a lot of work has gone into this already, an individual group of citizens could move the topic forward with help from staff.

John Reid stated that the Planning Commission could schedule a meeting to allow a group to come talk to the Commission and provide answers to questions raised by Commissioners.

Colin Butler questioned how this would work with the new housing committee. Lori Hirshfield responded that anyone can submit an amendment to the Zoning Regulations. She noted that a new Housing Committee has been established, but members have not been appointed yet, a charge for the Committee is being discussed and offered to get more information from the Selectboard if requested.

Colin Butler expressed concern that a group could move forward and then the Selectboard could ask the new committee to work on it.

John Heath stated that he didn't want to see the issue fragmented.

Simon Dennis commented that the Selectboard had told the Ad hoc Committee that they could continue working on the issue and that the new committee will have a lot of other items to work on.

Lori Hirshfield noted that there are a lot of initiatives, and would be helpful to coordinate these. She stressed the importance of reporting back to the Selectboard so there is no disconnect with the new group and recognized the urgency of the topic.

Margo Howland-Mastro stated that she didn't want to see a new committee reinvent the wheel.

Ally Tufenkjian noted that the Selectboard had told the Ad Hoc Committee they could continue working on the topic after the Committee sunset and stated she was happy to relay information to the Selectboard.

John Reid stated that he was interested in working with a group of citizens who are/have been working on the topic as long as there is no conflict with the new Housing Committee.

4. **Adjournment:** Bruce Riddle made a motion to adjourn. It was seconded by John Heath and approved. The meeting was adjourned at 9:19 p.m.