

TOWN OF HIGHGATE
Planning Commission
August 15, 2023 @ 6pm
APPROVED MINUTES

Joint meeting with the DRB + SELECTBOARD

NOTE: All actions taken are unanimous unless otherwise stated.

Join Zoom Meeting: <https://us02web.zoom.us/j/89610774270>

I. CALL TO ORDER

Luc Dupuis called the meeting to order @ 6:00pm. This meeting was a hybrid of in-person and Zoom. Those participating were in-person, unless otherwise noted.

Planning Commission Board Members: Luc Dupuis, Chair; Scott Bessette, Vice-Chair; Tom Conley; Jack Pelkey; Robyn Klein

Development Review Board Members: Richard Trombley

Selectboard Members: Richard Flint; Vern Brosky III; Merry Souza; Scott F. Martin; Kyle Lothian

Town of Highgate Staff: Sharon Bousquet, Town Administrator & Wendi Dusablon, Town Clerk / Public Meetings Clerk

It is noted that Michael Johnston, Zoning Administrator, tried to participate via Zoom but there were connection issues.

Public / Other: None

The group held a moment of silence in memory of Bruce Ryan, who was a member of the PC for 25 years. Bruce passed away on July 29th.

Luc turned the meeting over to Sharon Bousquet who had prepared the materials for this meeting.

II. BYLAW REVIEW – CHANGES – EDITS – REQUESTS – CONCERNS – ETC.

The Town Plan was recently updated which included a zoning district change. The Planning Commission is also tasked with the bylaw modernization process which will result in changes to our Development Regulations document (zoning bylaws). It makes sense to incorporate any and all changes that have been needed or wanted over the last several years and include those in the new document. All three boards (PC / DRB / SLB) are involved in the process, so all have been invited to this meeting and each board was represented, as noted in the call to order notes. The State of VT has great concerns about housing assessment and affordable housing, and the bylaw modernization process is designed to address those issues by implementing certain new criteria into our bylaws. Impact fees are also something the PC will be exploring, to see if that is a good fit for our community. Accessory dwelling units (ADU) are also a big push. The Development Review Board and Zoning Administrator (current and previous) have also put together a list of changes / edits they would like to see implemented into the bylaws. The DRB uses the bylaws regularly, as does the ZA.

Topics discussed included: building heights; setbacks; minimum lot sizes; duplexes; multi-use; parking; village designations; street standards; road connectivity; accessory dwellings; administrative review; board review; multiple homes on one lot. The timeline to finalize the bylaw modernization is the end of 2023, and if we stay on track our town match money will be waived, which is approximately \$1,200.00. We got held up some in the process because NRPC got backlogged and had to cancel a few meetings with us. Scott Bessette asked if all the changes suggested by the State of VT have to be implemented – no, but those that fit our idea of what Highgate should look like should be adopted. Zoning district changes have also been a topic of discussion. A map of our current districts, which are color coded, was shared. Each district has different

zoning requirements. Lamkin Street was discussed as a possibly high-density district all the way up based on a lot of development in recent years. There were questions about spot zoning and map overlays and how those could be used. The DRB and ZA lists were reviewed which included: paving and A76 standards; clarifying language; engineer sign offs; setbacks; driveway setbacks; space between driveways; contradictions within our bylaws; footprint vs. square footage; parking standards and requirements; pick up and drop off areas; bond standards; stormwater; consistency; violations; fines; what other towns are doing; letter of compliance vs. certificate of occupancy; cul-de-sac requirements; campers; multiple housing on farm land; farm help housing; refunds; temporary permits; mobile vendors; demolition permits; trucking terminals; lot coverage; junkyards; definitions in our bylaws; pedestrian access; sidewalks and requirements; utilities underground vs. overhead; certification from plumbers, electricians, etc.; extensions for filing final mylars; signage; language within our documents needs to be consistent; Selectboard discretion on taking over private roads; lock box access for commercial development for HVFD access; enforcement and writing tickets; property values and proper permitting so everyone pays their fair share. Merry Souza added that as Health Officer for the town she deals with a lot of camper issues being hooked up to utilities and septic violations. Sharon brought up some topics to think about for the future: cow power; cannabis; helicopter pads; TIF districts; river corridors. There is concern about those who don't receive proper permitting through the town / state, which affects their assessment, which directly affects what they pay for taxes. There was discussion on the process and enforcement for those who do not or will not and why fines need to be issued, even if it's not comfortable, fines work – the ACO is a perfect example of this. She issues fines for unlicensed dogs and the system works, for the most part. A great deal of material was covered at this meeting, and Sharon kept everyone on track. She will put the information together and send it out to everyone for comments and further edits. The bylaw rewrite will also include a few public hearings this fall as part of the process.

III. MINUTES FOR APPROVAL

Motion by Robyn Klein to approve the minutes from July 18, 2023, as written. The motion was seconded by Jack Pelkey – **APPROVED**.

IV. ADJOURNMENT

Motion by Scott Bessette to adjourn the meeting @ 8:08pm. The motion was seconded by Tom Conley – **APPROVED**.

Minutes respectfully submitted by:



Wendi Dusablon, Town Clerk & Public Meetings Clerk

9-19-23
Date

Minutes approved by:



Luc Dupuis, Planning Commission Chair

09/19/2023
Date

HIGHGATE HOUSING BYLAW AUDIT

*Housing Choice and Affordability: Reducing Regulatory Barriers at the Local Level
Prepared by the Northwest Regional Planning Commission
Funded by a Bylaw Modernization grant from the Vermont Department of Housing and Community Development*

Introduction and Methodology

The Northwest Regional Planning Commission (NRPC) completed an audit of the Town of Highgate Development Regulations, adopted March 5, 2015. The bylaw audit is a component of the project: Housing Choice and Affordability: Reducing Regulatory Barriers at the Local Level, funded by a consortium Bylaw Modernization grant to St. Albans Town (lead), Highgate, Enosburgh, Sheldon and Montgomery. The bylaw audit records the type and level of each bylaw development standard that impacts housing design and permitting in the town, assesses how each standard compares to applicable “target” standards for housing choice and affordability and makes recommendations on what changes Highgate should consider to reduce barriers to housing development.

The audit includes several components. First, each applicable standard is recorded in a matrix that includes dimensional standards, parking standards, allowed use regulations, street standards and development review processes. Each type of regulation is recorded in standardized categories that can be compared across towns.

Second, NRPC completed an assessment of standards for each local zoning district intended for housing development; districts where only low-density residential development is permitted were not assessed. The assessment compares local bylaw standards with target standards to identify where potential bylaw changes would enable new housing options and/or reduce barriers to affordable housing development.

The final component to the audit is specific recommendations for revisions to the Town’s development regulations. The final recommendations will be developed based on this zoning audit, specific of local context, and the goals of the Planning Commission.

Model Districts and Target Standards for Housing Choice and Affordability

Enabling Better Places: A Zoning Guide for Vermont Municipalities¹ establishes template districts and standards for Vermont municipalities to use as a basis for zoning amendments that would enable new housing options. NRPC has adapted the guide’s template district purpose statements and standards to serve as a target comparison for this zoning audit and assessment. Each local zoning district is assessed against the model district that is the closest match in terms of intent and purpose. The model district’s standards set a target for zoning changes that will enable new housing options. The local zoning district does not always align perfectly with a model district and target standards are not always appropriate; however, the assessment takes this into account and makes recommendations that suit the context and character of the local district. The purpose and intent of each model district is provided below.

¹ Enabling Better Places: A Zoning Guide for Vermont Municipalities, August 2020. Congress of New Urbanism and the Agency of Commerce and Community Development.

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Model Districts for Housing Choice and Affordability (Adapted from Enabling Better Places: A Zoning Guide for Vermont Municipalities)

Downtown District

The Model Downtown District applies to core areas of a village, town, or city to integrate a mix of business, residential, public, and institutional uses. It is targeted for a high density and intensity of housing integrated with mixed uses. Development has a strong orientation to sidewalks and the street (public realm) and contributes to a walkable area.

Town Center District

The Model Town Center District encompasses the central mixed-use areas of small cities and towns. It is intended to provide a place of civic pride and a focal point for development in the community. Town Center Districts enable a higher-density and more compact settlement pattern than other places in town with a compatible mix of appropriately-scaled residential and business uses in a pedestrian-friendly setting.

Village Center District

The Model Village Center District encompasses the central mixed-use areas of small towns and hamlets. Village Center Districts are intended to provide a place of civic pride and a focal point for development in the community. Village Center Districts enable a variety of housing opportunities with a mix of small-scale commercial in a pedestrian-friendly setting. There is typically a focus on maintaining an established historic character and/or settlement pattern. Lack of water and wastewater infrastructure may limit potential.

Neighborhood District

The Neighborhood District encompasses the blended density of residential areas adjacent to village, town, and city centers. Neighborhood Districts are intended to permit one, two, three, and four household residences as well as neighborhood commercial uses while complementing and connecting to the adjacent centers. Water and wastewater infrastructure may limit development potential.

Highgate Zoning District Purpose Statements

The audit has recorded zoning standards for all local zoning districts; however, our intention is to include only those districts that allow for substantial and/or high-density residential development in the assessment. Rural residential, conservation, agricultural, shoreland and other districts where only low-density residential development is intended are not assessed. NRPC focused primarily on Highgate's Village District and Medium Density District which are the two districts intended for higher development densities. The purpose and intent of each Highgate zoning district included in the assessment is provided below.

Highgate Zoning District Purpose Statements

Village District (VD)

The (VD) Village District consists of the locations within the Town where it is desired that development occur which can accommodate the majority of the growth in Highgate. These districts have been selected because of existing settlements, anticipated patterns of growth, existing and future public facilities and services, suitable soils and other physical characteristics. The development of these districts with urban uses affords the best opportunity for the existing and future provision of economically feasible public facilities and services while providing an orderly separation of these uses from other legitimate land uses within

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the Town. Higher densities of residential, commercial development and many public and quasi-public facilities and services are intended to develop in this district.

Medium Density District (MD)

The (MD) Medium Density District is intended as a medium density residential area to accommodate traditional country living characteristics. Due to the soil characteristics, terrain and highway access, the land in this zone must be put to a lower intensity of use than the Village District. A medium density of development will preserve the environment and character of this zone.

Key to New Zoning Standards and Terms

The following key provides definitions for less common or new zoning terms that may be considered or recommended as part of the audit.

Build-To Zone/Flexible Setback

A zoning requirement that specifies a range of allowable distances between a front property line and the front of a building. Build-to zones may also be expressed as a minimum and a maximum front setback.

Building Coverage (Lot Coverage)

The percentage of a lot that can be covered by a building (sometimes referred to as maximum building footprint). Some municipalities regulate lot coverage, which includes building coverage plus other impervious surfaces such as driveways and parking spaces.

Cottage Court

A series of small, detached structures. Cottage courts provide multiple units arranged to define a shared court that is typically perpendicular to the street. Vermont towns often include small historic cottages scattered across neighborhoods, and introduction of this type would reflect the scale of those dwellings in a compact and concentrated way.

Townhouse

Small- to medium-sized dwellings, townhouses typically consist of two to eight (usually) attached single-family homes placed side by side.

Character-Based Frontage Requirements

Frontage requirements define how buildings should meet the street, such as requiring functional sidewalk-facing entries and requiring a minimum percentage of windows (transparent glass) on the front of buildings.

Public Realm

Areas that are available for common use without charge, including streets, sidewalks, parks, public spaces, and public buildings.

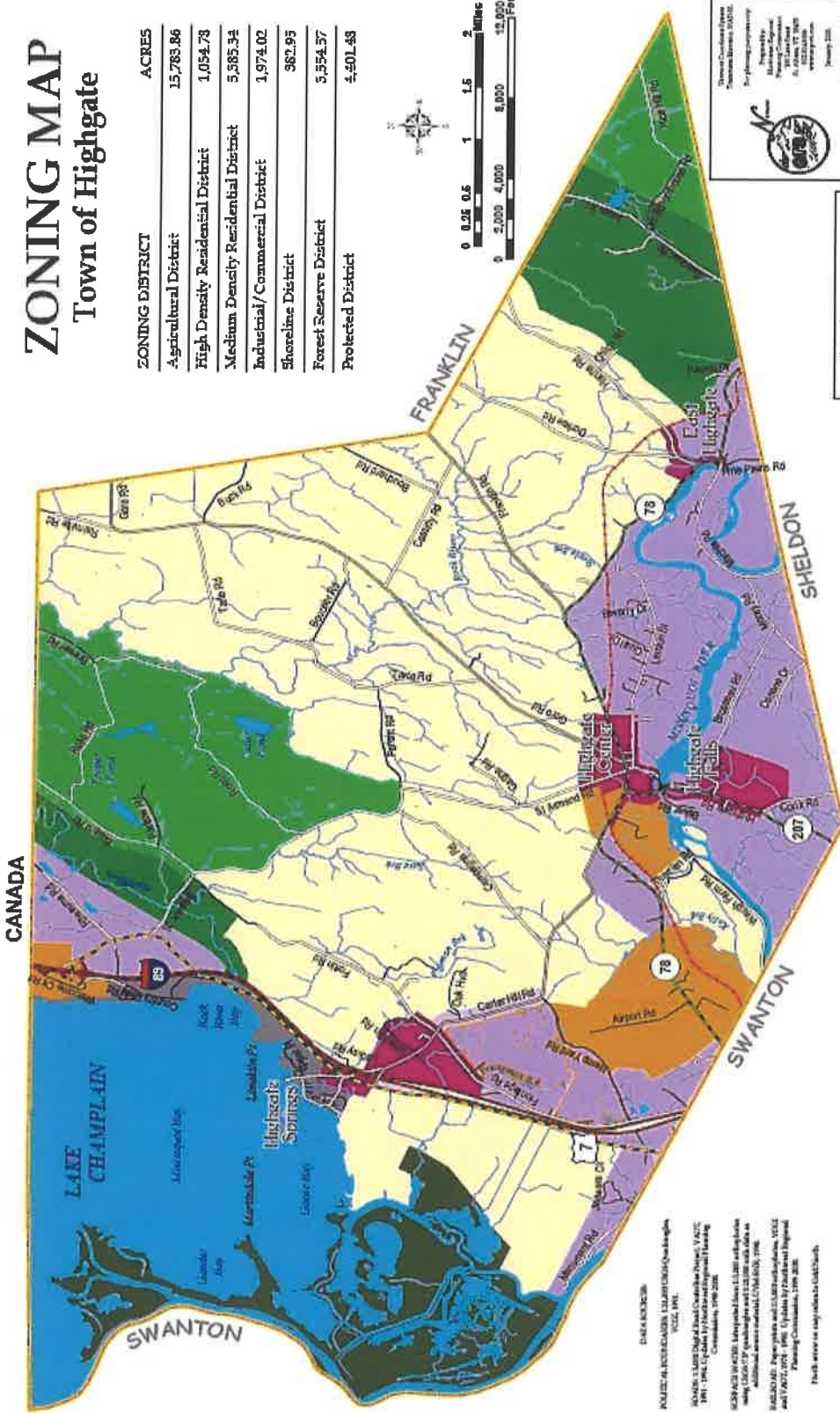
Administrative Review of Site Plan

Under 24 V.S.A. 4464 (c) a zoning administrator or other staff member may be responsible for completing site plan review if the standards are non-discretionary. This may simplify the review process.

Review Zoning districts

ZONING MAP Town of Highgate

ZONING DISTRICT	ACRES
Agricultural District	15,783.86
High Density Residential District	1,054.73
Medium Density Residential District	5,265.34
Industrial/Commercial District	1,974.02
Shoreline District	382.95
Forest Reserve District	5,354.37
Protected District	4,401.43



The official signed version is on file at the town clerk's office.

LEGEND

Zoning Districts

- Agricultural District
- High Density Residential District
- Medium Density Residential District

Industrial/Commercial District

- Shoreline District
- Forest Reserve District
- Protected District

Transportation Features

- Interstate Highway
- Federal Highway
- State Highway
- Class 2 Town Highway
- Class 3 Town Highway
- Class 4 Town Highway
- Private Road
- Railroad

Surface Water Features

- River, Stream or Brook
- Lake, Pond or River
- Other Feature
- Town Boundary