City of Montpelier
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Agenda for Regular City Council Meeting

City Council Chambers, City Hall
Wednesday, May 11, 2016
6:30 P.M.

1) Call to Order by the Mayor

2) 16-136. Review and Approve Agenda

3) 16-137. General Business and Appearances

4) 16-138. Consideration of the Consent Agenda:

   a) Consideration of the Minutes from the April 27th Regular City Council Meeting and the May 4th, 2016 Special Council Meeting

   b) Approve purchase of a Truck Cab and Chassis for the Department of Public Works

   c) Approve Local Emergency Operations Pan

   d) Approve Community Services Facilitator

   e) Approve the Investment Committee's recommended Blanchard Trust and Montpelier Parks Funds Addendum for the City of Montpelier Parks Funds

   f) Vermont Equal Pay Compact

   g) Payroll and Bills

5) 16-139. Presentation of Part 1 Unified Development Bylaws

6) 16-140. Montpelier Energy Advisory Committee Update

7) 16-141. Goal: Maintain Excellent Services

8) 16-142. Allocation of Funds for Cross Vermont Trail Bridge

9) 16-143. Railroad Pesticides

10) 16-144. Other Business

11) 16-145. Council Reports
12) 16-146. Mayor's Report
13) 16-147. City Clerk's Report
14) 16-148. City Manager's Report

15) 16-149. Executive Session: Discussion regarding the Capitol Plaza easement.

a) It is anticipated that this entire discussion will be held in Executive Session in accordance with Title I, V.S.A. §313 (a)(2), negotiating or securing real estate purchase or lease options.

16) *Adjournment*

CITY COUNCIL Agenda Item #16-138(b).
Date: May 11, 2016
Consent _x_ Discussion ___

SUBJECT: Truck #3 Cab & Chassis Replacement

SUBMITTING DEPARTMENT: Department of Public Works, Equipment Division

RECOMMENDED ACTION: Approval of Purchase Order, to Gateway Motors, for replacement of Truck #3.

RELATED COUNCIL GOAL/PRIOR ACTION: Steady State –Equipment (Goal G).

EXPENDITURE REQUIRED: $30,048.00

SOURCE OF FUNDS: FY2017 Budget ($55,000 in Capital Equipment Plan for complete truck).

LEGAL REQUIREMENTS: N/A

BACKGROUND INFORMATION: On Tuesday, April 26, 2016 the single bid received for the purchase of a replacement for Truck #3, submitted by Gateway Motors of White River Junction, was opened. The bid price of $47,548 for a 2017 F550 Cab & Chassis was reduced by the offer of $17,500 in trade for a 2011 F550 Dump Truck, leaving a total bid price of **$30,048.00** for this equipment. Delivery is expected in August or September. The Dump Body and Hydraulics will be bid at a later date, at an estimated cost of $21,000, for a final expenditure of $51,048, which is within budget.

SUPPORTING DOCUMENTS: Bid tabulation attached.

INTERESTED PARTIES: Department of Public Works

CITY MANAGER'S APPROVAL:

CITY OF MONTPELIER, Vermont

Department of Public Works

19,500 GVW 4WD Cab & Chassis (#3)

Purchase #309400.83.01 FY 2017

Date of Opening: April 26, 2016, 10:00 am.

Item	Description	Gateway Motors White River Junction		
		Total Price	Total Price	Total Price
1	NEW 19,500 GVW 4 WDCab & Chassis	$47,548.00		
2	Trade Allowance 2011 Ford Dump Truck w/9 ft Plow	$17,500.00		
	TOTAL BID PRICE w/TRADE	**$30,048.00**		
3	OPTION: Extended Warranty 3,000 hrs/75,000 miles	$3,025.00		
	Total Bid Price w/Option	**$33,073.00**		
	Estimated date of delivery:	120-180 days		

Total Price		**Total Price**		**Total Price**		**Total Price**	

City of Montpelier
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CITY COUNCIL Agenda Item #16-138(e).
Date: May 11, 2016
Consent _x_ Discussion ___

SUBJECT: Approve the Investment Committee's recommended Blanchard Trust and Montpelier Parks Funds addendum for the City of Montpelier Parks funds.

SUBMITTING DEPARTMENT: Investment Committee/Finance Department – Please contact Sandy Gallup, Finance Director or Tom Golonka, Council Member, if you have questions.

RECOMMENDED ACTION: Approve Blanchard Trust and Montpelier Parks Funds Addendum for the City of Montpelier Investment Policy

RELATED COUNCIL GOAL/PRIOR ACTION: B. Balance and control municipal budgeting, taxes and services relative to current population and grand list tax base

EXPENDITURE REQUIRED: None for this action. When the funds are placed in an investment account there will be a 0.70% annual portfolio value fee.

SOURCE OF FUNDS: George Blanchard Trust invested for 100 years (current value $73,500) and Montpelier Parks funds donated by Hubbard and Donwoodie-principal to be invested long term (current value $14,000)

LEGAL REQUIREMENTS: The City's investment and use of these funds is restricted by the terms specified in the donators' wills.

BACKGROUND INFORMATION: In April of 2015, the City Council established and charged the Investment Committee to develop an Investment Policy that addresses "Public Fiduciary Funds" that are held by the City in trust for specific purposes. The first addendum to the Investment Policy was approved by City Council in October 2015. It addressed the investment of the Senior Center Beckman funds. This second addendum addresses the investment of Park trust funds.

SUPPORTING DOCUMENTS: Recommended Addendum

CITY MANAGER'S APPROVAL:

(802)-223-9502, Telephone 39 Main Street, Montpelier, VT 05602 (802)-223-9519, Fax
www.montpelier-vt.org

Blanchard Trust and Montpelier Parks Funds Addendum for City of Montpelier Investment Policy

The Montpelier Investment Committee has reviewed the documentation available for the George Blanchard Trust and the Montpelier Parks funds.

Based on our review of the limited documentation available we conclude the following for the funds to be invested:

1) The **funds from the George Blanchard Trust** is to be invested for 100 years maturing in 2038. At maturity three fourths (75%) of the accumulated investment are to be used by the City for development of a park as outlined in the George Blanchard will.
2) Therefore these funds can be invested long term with the objective of increasing principal through reinvestment of dividends and interest. Due to the long term nature of the funds more volatility can be absorbed over the remaining investment period.
3) **The Committee recommends investing the funds with a long term growth and income strategy**.

4) The **funds for the Montpelier Parks were donated by Hubbard and Donwoodie**. The current principal amount is $14,000. Like the Blanchard Trust funds these funds are to be invested long term. Only the investment income earned on the principal may be drawn off.
5) Therefore for the Montpelier Parks funds the goal is to maintain principal while growing income.
6) **The Committee recommends investing the funds with a long term growth and income strategy.**

Respectfully submitted by the Montpelier Investment Committee
4/27/2016.

How to make a contribution to the Cross Vermont Trail Association. CVTA is a 501(c)(3) charity and contributions are tax deductible to the full extent allowed by law. We accept direct donations, of course, and are also happy to talk with you more any time about other ways you may prefer to give, as well as about pledges for future contributions. And last but not least, just give a call if you are interested in learning more about volunteering with CVTA, helping out on the trail or otherwise. We are a small organization with a big idea, everyone who helps can make a significant difference.

PLEDGE AGREEMENT

Name(s):_____

Address: _____

Email: _____ **Phone:** _____

In support of the Cross Vermont Trail Winooski River Bridge and 2.75 miles of new universally accessible trail in East Montpelier, Montpelier, Berlin and Barre Town, **I am pleased to pledge the total sum of:**

$ _____**. With an anticipated payment schedule of:** _____

_____.

RECOGNITION:

☐ **I/we wish this donation to be recognized in the name of:** _____

☐ **I/we wish this donation to be listed anonymously in any final listing of project donors.**

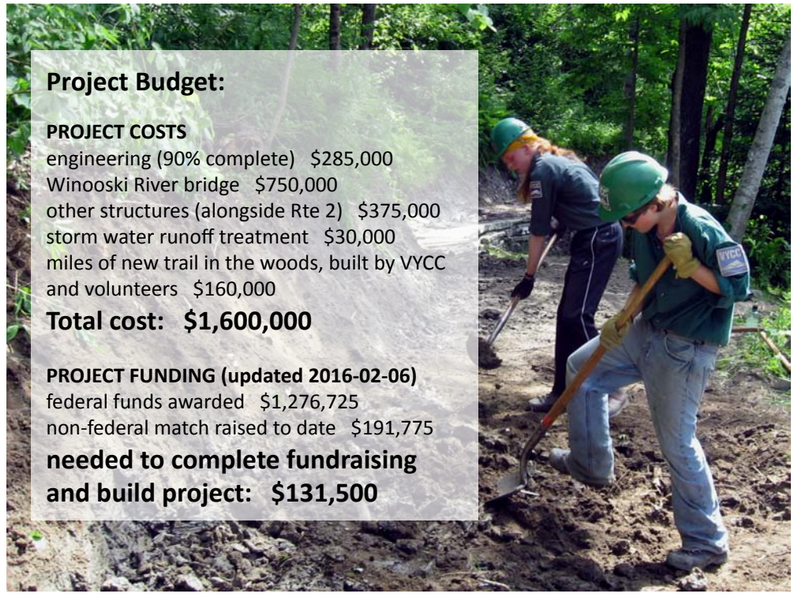
SIGNATURE(S): _____

DATE: _____

Cross Vermont Trail Association, Board of Directors and Staff:

***Rose Paul**, Chair, Plainfield*
***Keith Swann**, Vice-Chair, Plainfield*
***Rick Hopkins**, Treasurer, E.Montp.*
***Jeff Cohen**, Secretary, Jericho*
***Bill Merrylees**, East Montpelier*
***Ben Rose**, Williston*
***Mike Thomas**,Wells River*
***Collin Oneil**, Calais*
***Julie Tessler**, Montpelier*
***Kim McKee**, North Montpelier*
***Greg Western**, Executive Director*

CVTA
P.O. Box 116
(29 Main Street #4)
Montpelier, VT 05601
(802) 498-0079
www.crossvermont.org



Project Budget:

PROJECT COSTS
engineering (90% complete) $285,000
Winooski River bridge $750,000
other structures (alongside Rte 2) $375,000
storm water runoff treatment $30,000
miles of new trail in the woods, built by VYCC and volunteers $160,000
Total cost: $1,600,000

PROJECT FUNDING (updated 2016-02-06)
federal funds awarded $1,276,725
non-federal match raised to date $191,775
needed to complete fundraising and build project: $131,500

Cross Vermont Trail
Build the Bridge!

***Imagine** a multi-use, four-season off-road trail across the width of Vermont following the Winooski River & Wells River valleys, a 90 mile greenway for cyclists, skiers and walkers connecting communities, their schools, and the natural areas between.*

***You can help** move this vision to reality with a contribution to the Cross Vermont Trail Winooski River Bridge and trail construction project. 2.75 miles of new trail in East Montpelier and surrounding towns forming a keystone link joining together the growing region wide trail network.*

- **Family friendly recreation for people of all ages and abilities.**
- **Safe travel to school and work.**
- **Convenient location for daily exercise and healthy outdoor activity.**
- **A permanent greenway for easy local access to the natural world.**

Cross Vermont Trail

Our History:

The Cross Vermont Trail Association, formed in 1999, is an incorporated, private non-profit organization that is member-based and volunteer-driven. With part-time staff and donated office space, we are large enough to get things done, but small enough so that most of our funding goes directly into building new trails. We form partnerships with community organizations across the state to develop and expand local trails. Already 30 miles of Cross Vermont Trail are signed and open to the public. These 30 miles are complemented by our 60 miles of "on-road" route signs that identify the best roads people can use to link together existing trail sections. Meanwhile, we continue to work towards the ultimate goal of connecting all local trails into a continuous, statewide, off-road network.

How have we been building this trail? We use common sense, hand tools, and volunteers. We work with willing landowners to plan the best route for new sections of off-road trail. And over the years we have raised thousands of dollars of grant funds to secure easements, buy construction materials, and pay staff and youth crews. In time, we believe nearly all of the statewide route will be completed in this moderately scaled, incremental way. However, **we currently face a challenge to complete a keystone piece of the trail by making an investment on a much larger scale.**

Our Challenge:

Build a 200-foot bridge, crossing the Winooski River at the center of the state, literally the keystone piece of the statewide trail. This is a bottleneck that we can't go around, but have to build through.

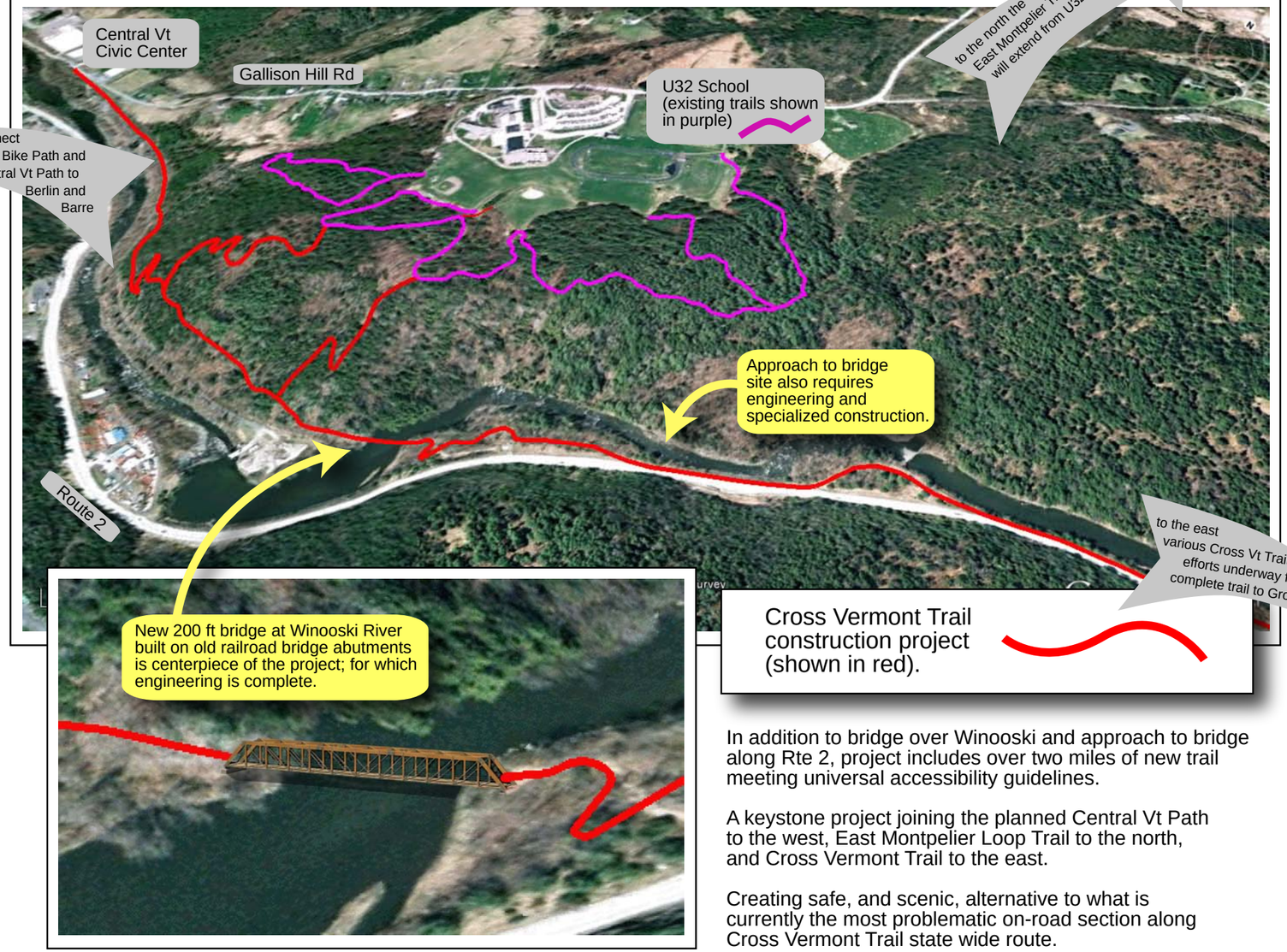
A 200 foot bridge spanning the river, and another 600 feet of structures threading the needle between the river and Rte 2, cannot be built in our normal way. Extensive engineering and heavy construction contractors are needed. This will cost over one and a half million dollars. We have already raised over $1.4 million and have about $180,000 to go.

Route 2 here is a high speed road, unsafe for bicyclists and pedestrians. Help us get the trail off Route 2 and onto a path in the woods along the beautiful and scenic Winooski River.

Committed federal funds must be matched with locally raised donations, and the federal funds may expire if construction does not begin in the coming year.

Now is a critical time. We are in the final stretch of fundraising to enable construction to get underway!

Cross Vt Trail keystone project lies at the center of a growing region wide trail network.



In addition to bridge over Winooski and approach to bridge along Rte 2, project includes over two miles of new trail meeting universal accessibility guidelines.

A keystone project joining the planned Central Vt Path to the west, East Montpelier Loop Trail to the north, and Cross Vermont Trail to the east.

Creating safe, and scenic, alternative to what is currently the most problematic on-road section along Cross Vermont Trail state wide route.

If ever there was a time to support the Cross Vermont Trail, it is now. *We are working to build a legacy that will be a permanent addition to the Vermont landscape, creating a trail that will provide accessible opportunities for outdoor exercise, safe routes to work and school, and opportunities to enjoy Vermont's natural landscapes. Consider your involvement with the Cross Vermont Trail Association as an investment in your community's green infrastructure, well being, and physical health.*

CITY COUNCIL Agenda Item #16-138(d).
Date: May 11, 2016
Consent _x_ Discussion ___

SUBJECT: Integrated Community Services Facilitator

SUBMITTING DEPARTMENT: City Manager's Office

RECOMMENDED ACTION: Proposed motion: "Authorize the City Manager to execute the agreement with Confluence Associates to provide facilitation services for the integrated community services process between now and December 2016. Authorize the use of $2,357 from the Mill Pond-Robinson House Project fund, $7,500 from the Envision Montpelier private grant, and $9,941 from Fund Balance to fund this contract."

RELATED COUNCIL GOAL/PRIOR ACTION: "B: Maintain Excellent Services – Seek opportunities for efficiencies – Complete Community Services Plan."

EXPENDITURE REQUIRED: $19,798 is required to complete this work.

SOURCE OF FUNDS: Three sources of funds have been identified to complete this work: $2,357 from the retiring Mill Pond-Robinson House Project fund; $7,500 from the balance of an Envision Montpelier private grant that will close out this old fund; and $9,941 from Fund Balance.

LEGAL REQUIREMENTS: City Council authority is needed to sign this contract and appropriate these funds to this use.

BACKGROUND INFORMATION: Since 2012, the City Council has discussed transitioning the Recreation Department to City management. Effective July 1, 2016, this transition will be in place. With this transition comes the opportunity to think about how to best provide integrated intergenerational community services in Montpelier. During the FY17 budget process and the City Council's 2016-2017 goal setting process, we discussed the opportunity to hire an independent facilitator to guide us through a process of planning for long-term intergenerational community services provided by the City of Montpelier. The Steering Committee (made up of staff and volunteer /elected advisors from the Montpelier Senior Activity Center, Recreation, Parks, and Cemetery) selected Confluence Associates to guide this process. The contract outlines the data collection and public process that will take place between now and December 2016.

SUPPORTING DOCUMENTS: The proposed contract is attached.

INTERESTED PARTIES: The Montpelier Senior Activity Center Advisory Council, the Recreation Advisory Board, the Parks Commission, and the Cemetery Commission.

CITY MANAGER'S APPROVAL:

Contract for Professional Services

This Agreement is effective as of the __ day of _____, 2016, between

Confluence Associates
PO Box 45
Taftsville, VT 05073

and

City of Montpelier
39 Main Street
Montpelier, VT 05602

Confluence Associates and the City of Montpelier are collectively referred to as the Parties. This Agreement shall remain in effect until the last day of December 2016.

Whereas, the Parties are working together to support a community conversation, study, and recommendations about the integration of community services, including the Montpelier Senior Activity Center, the Recreation Department, the Parks and Trees Department and Cemetery Department;

Then and therefore, the Parties agree to the following:

In an effort to support the development of a community conversation, study, and recommendations for the integration of community services, Delia Clark and Tim Traver of Confluence Associates shall:

1. Work with the Assistant City Manager and the Steering Committee to a establish a planning process and timeline, including a plan for community engagement and ongoing communication
2. Prepare for, facilitate, and document outcomes of up to ten regular Steering Committee meetings
3. Develop protocols for, conduct, and document interviews with all Steering Committee members and up to six additional individuals representing diverse perspectives
4. Prepare for, facilitate and document outcomes of visioning sessions with members/staff of: Montpelier Senior Activity Center Advisory Council, Recreation Advisory Board, Parks Commission, Cemetery Commission, and the Montpelier City Council
5. Prepare for, facilitate and document outcomes of a community-wide visioning event, including work to engage youth and train steering committee members for small group facilitation
6. Develop summary report on the community's vision for a future of excellence in parks, recreation, senior center and cemetery multi-generational programming and integrated management in Montpelier
7. Identify at least two comparable city models to provide organizational chart and staffing options for Steering Committee consideration.
8. Develop summary of demographic data and other social or census data to inform planning process provided to Steering Committee
9. Review vision and related research findings and draft options with the Steering Committee.
10. Refine options and facilitate a preferred option selection process with Steering Committee.
11. Prepare for, facilitate and document outcomes of community-wide listening session to present the preferred option and solicit public input
12. With steering committee members, present plan to the City Council and answer questions.
13. Work with Steering Committee to develop a recommended transition plan.
14. Develop a final report synthesizing process, findings, and recommendations.

In an effort to support this community-based planning effort the City of Montpelier will:

1. Provide background information and research materials to support the work of Confluence Associates;
2. Co-develop meeting agendas and a meeting schedule and calendar with the Assistant City Manager and Steering Committee;
3. Provide organizational hub for calendaring meetings: steering committee, departments, City Council and public events and stakeholders.

4. Manage communications and outreach: serve as a spokesperson for the project, organize and distribute press releases, co-marketing, and informational materials;
5. Identify key informants to be interviewed and help schedule phone/personal interviews;
6. Identify and reach out to key participants for the community-wide visioning event;
7. Identify and reach out to key participants for the community-wide recommendations listening session;
8. Provide timely project updates to City Councilors.
9. Provide ongoing feedback and evaluation to consultant team

The Parties agree to the following additional terms:

Where Services Are to Be Performed: Confluence Associates will be performed at such facilities as are appropriate to the task as mutually determined by the Parties.

Payment Provisions and Reporting: In consideration of the services to be performed by Confluence Associates, the City of Montpelier agrees to pay Confluence Associates, in accordance with the budget specified in Attachment A, a sum not to exceed $19,798. Confluence Associates will invoice the City of Montpelier on a monthly basis. Invoices shall be submitted to Jessie Baker, Assistant City Manager, City of Montpelier, 39 Main Street, Montpelier, VT 05602. Confluence Associates will provide a W-9 and proof of insurance coverage to the City of Montpelier upon execution of this agreement. Payment is due within 30 days of invoice receipt.

Changes to Contract: Additional services by Confluence Associates may be negotiated at a rate of $85/hour.

Independent Contractors: Confluence Associates will furnish their services as independent contractors and not as employees of the City. Confluence Associates have no power or authority to act for, represent, or bind the City in any manner.

Freedom to accomplish the scope of this contract: Confluence Associates shall have the ability to satisfy the work required by means they deem prudent and business-like.

Termination of Agreement by Notice: This Agreement is a contract relied upon by all Parties. It can only be terminated if the working relationship deteriorates to the point of rendering future work impossible, if the City is not paying invoices as required, or if Confluence Associates is not delivering product required under this agreement in a timely manner or in an unacceptable quality. If any of the above circumstances exist, then any Party may terminate this Agreement upon 14 days' notice by registered or certified mail, return receipt requested, addressed to the other Parties, mailing addresses attached hereto as Attachment B. If this Agreement is terminated, the City shall only be liable for payment of consulting fees earned as a result of work actually performed and delivered prior to the effective date of the termination. The 14 days' notice shall be measured from the date the notice is posted.

Interpretation: This contract shall be interpreted according to the laws of the State of Vermont.

_____	_____	_____
Signature, Delia Clark Confluence Associates	Printed Name	Date
_____	_____	_____
Signature, William Fraser City of Montpelier	Printed Name	Date

Attachment A:

MONTPELIER, VT

Scope of Work: Integration of Community Services

Prepared by Confluence Associates

May 5, 2016

Project Understanding: It is our understanding that the City of Montpelier is exploring options for creating an integrated community services approach in the areas of parks and open space management (including city tree programs and the stewardship of historic cemeteries), multi-generation recreational programming, and a broad range of senior citizen program offerings provided by the Montpelier Senior Center. Currently Montpelier citizens benefit from a broad range of excellent health and recreational programs offered at affordable prices at a range of high quality venues, including facilities, playing fields, pools, parks, trails and green spaces throughout the city. The purpose of this study is to determine how best to meet the evolving needs of Montpelier residents in the future. Options for increasing synergy and efficiencies between departments while enhancing programs, could include but are not limited to merging departments; and sharing staff. The impetus of this exploration is two-fold: 1) to help move the City towards a shared vision for multi-generational community services in the future and 2) to improve these services and facilities in the most cost effective way.

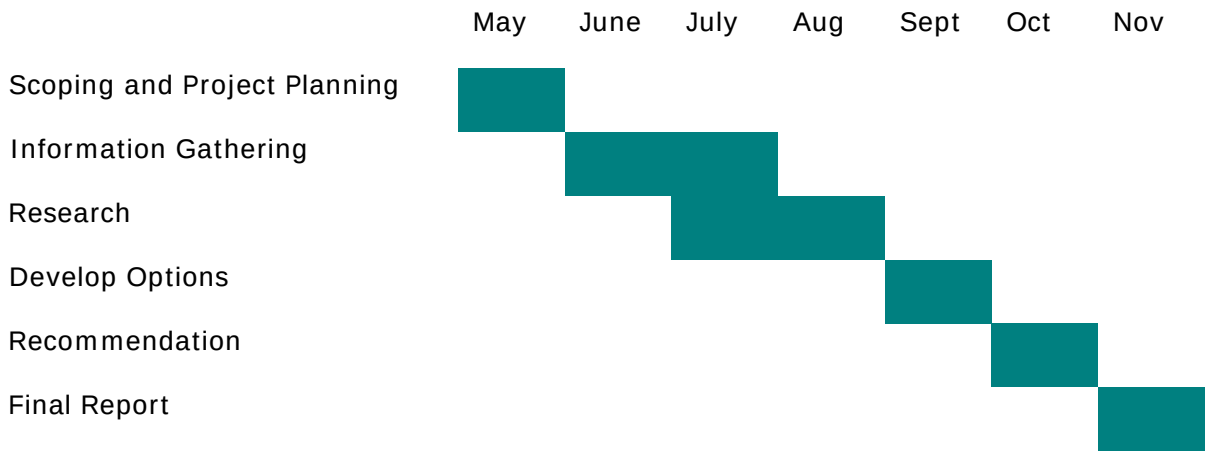
Scope: The following table lays out key project components, deliverables, and associated costs.

ACTIVITY	TIME ESTIMATE	COST including expenses	DELIVERABLE
General Scoping and Project Planning • Participate in two in person meetings with Steering Committee, one for orientation and one to develop a project plan • Work with Steering Committee to develop a project plan including dates for all meetings • Support Steering Committee in developing a public communications plan • Review materials provided about recent City efforts that inform the project • Visit key facilities in Montpelier	24 hours	$2,156	Project Plan
Informational Interviews • Prepare interview protocol for discussions • Interview all Steering Committee members and up to six additional individuals representing diverse perspectives	24 hours	$2,098	Summary Report of Informational Interviews *Assumes local partners will assist with identifying*

• Produce summary report and present to Steering Committee			*interviewees*
Visioning Sessions with Key Groups • Prepare questions for visioning sessions with members/staff of: o Montpelier Senior Activity Center Advisory Council, o Recreation Advisory Board, o Parks Commission, o Cemetery Commission, o Montpelier City Council • Facilitate sessions • Produce summary report of sessions and present to Steering Committee	36 hours	$3,292	Summary Report of Visioning Sessions
Community Wide Visioning Workshop • Prepare agenda and materials for a community event geared towards a larger audience of the Montpelier public • Facilitate event (estimate of 2 hours) • Produce summary report and present to Steering Committee	20 hours	$1,816	Summary Report of Community Wide Visioning Workshop *Assumes Steering Committee would be responsible for identifying priority participants and reaching out to them.*
Research • Identify at least two comparable city models to provide organizational chart and staffing options for steering committee consideration. • Develop summary of demographic data and other social or census data to inform planning process • Conduct related research as necessary • Produce summary report and present to Steering Committee	46 hours	$3,968	Summary Report of Research *Assumes Steering Committee would help identify priority sources.*
Develop and Prioritize Options • Review vision and related research findings and draft options with the Steering Committee. • Based on Steering Committee input, refine options and facilitate a preferred option selection process with Steering Committee	36 hours	$3,176	Summary Report of Prioritized Options

Community Wide Listening Workshop • Prepare agenda and materials for a community event geared towards a larger audience. The goal of this event would be to present a summary of the process and the Steering Committee's recommendations, get feedback and discuss next steps. • Facilitate event (estimate of 2 hours) • Produce summary report and present to Steering Committee	20 hours	$1,816	Summary Report of Community Wide Listening Session *Assumes Steering Committee would be responsible for identifying priority participants and reaching out to them.*
Final Recommendations • Present recommendations to City Council • Work with Steering Committee to develop a recommended transition plan • Develop a final report that will synthesize process and findings from all activities and share it with the Steering Committee	16 hours	$1,476	Final Report *Assumes final product will be an electronic PDF.*
TOTAL with expenses	**222 hours** **(27.75 days)**	**$19,798**	

General Timeline



City of Montpelier
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CITY COUNCIL Agenda Item #16-142.
Date: May 11, 2016
Consent __ Discussion _x_

SUBJECT: Allocation of Funds for Cross Vermont Trail Bridge

SUBMITTING DEPARTMENT: City Manager for Council Member Bate

RECOMMENDED ACTION: Approve pledges of $5,000 from Alternate Transportation Fund and $5,000 from General Fund Reserve for Cross Vermont Trail bridge; funds to be paid upon completion of the project.

RELATED COUNCIL GOAL/PRIOR ACTION: Goal: Maintain Healthy Community for people. Prior Action: Approval of Montpelier in Motion Plan.

EXPENDITURE REQUIRED: $10,000 pledge.

SOURCE OF FUNDS: $5,000 from Alternate Transportation Fund and $5,000 from General Fund Rreserve or FY18 Budget.

LEGAL REQUIREMENTS: None

BACKGROUND INFORMATION: The Montpelier Transportation Advisory Committee has requested this approval. Although this bridge will be located in East Montpelier, it will connect the new Montpelier alternate transportation path with the Cross Vermont Trail.

SUPPORTING DOCUMENTS: None

INTERESTED PARTIES: Transportation Advisory Committee, Bike Committee, Cross Vermont Trail Committee

CITY MANAGER'S APPROVAL:

CITY COUNCIL Agenda Item #16-138(c).
Date: May 11 2016
Consent _x_ Discussion ___

SUBJECT: Local Emergency Operation Plan

SUBMITTING DEPARTMENT: Fire Department

RECOMMENDED ACTION: Approval of Plan

RELATED COUNCIL GOAL/PRIOR ACTION: B: Maintain excellent services and C: Maintain a safe community

EXPENDITURE REQUIRED: N/A

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: The City must keep its LEOP current (annually) to be eligible for federal grant funding, and 75% FEMA funding in situations of a major loss from weather-related events.

BACKGROUND INFORMATION: Annual Local Emergency Operation Plan to be submitted to the Vermont Department of Emergency Management

SUPPORTING DOCUMENTS: Plan Attached

INTERESTED PARTIES: Emergency Management

CITY MANAGER'S APPROVAL:

Emergency Steps

1) Establish an Incident Command Structure and make appropriate local decisions
2) Delegate Authorities to Incident Commander and request Declaration if appropriate
3) Contact State Emergency Operations Center (SEOC) if additional help or resources may be needed beyond mutual aid and local contractors (800-347-0488)
4) Alert the general population and evacuate as needed
5) Activate your Emergency Operations Center to support the Incident Commander as needed
6) Contact the Shelter Coordinator and American Red Cross (800-660-9130) to arrange a shelter opening if needed
7) Expand the ICS Structure as needed
8) Determine if additional operational shift staffing is needed
9) Conduct damage assessment. Report to SEOC
10) Conduct and document 'Emergency Repairs'

Future steps

11) Refer to your local codes and standards, Vermont Stream Alterations Rule, and local hazard mitigation plan before undertaking permanent repairs
12) If damages result in a Federal Declaration, request 406 mitigation when completing a Project Worksheet
13) Conduct an after-action review and develop an improvement plan

Jurisdictions' Points of Contact: Identify by priority the top three people to be Points of Contact for your Town during an emergency (ex: EMD, Town Manager, Selectboard Chair, Fire Chief)

Job Title	First Name	Last Name	Work #	Radio call sign
EMD/Fire Chief	**Robert**	**Gowans**	**229-4913**	MFD K-1
Email Address	Cell #	Pager #	Home #	Time Contacted
rgowans@montpelier-vt.org	**371-9633**	**N/A**	**229-9330**	
Job Title	First Name	Last Name	Work #	Radio call sign
City Manager	**William**	**Fraser**	**229-9503**	N/A
Email Address	Cell #	Pager #	Home #	Time Contacted
wfraser@montpelier-vt.org	**522-5846**	**N/A**	**223-5936**	
Job Title	First Name	Last Name	Work #	Radio call sign
Police Chief	**Tony**	**Facos**	**223-3445**	**801**
Email Address	Cell #	Pager #	Home #	Time Contacted
afacos@montpelier-vt.org	**839-6616**	**N/A**	**223-1931**	

County: **Washington**
Date LEOP adopted: _____
Name of town EMD/C: **Robert Gowans**
Date NIMS adopted: **1-23-15**

I, the select board chair or town manager, certify that this Local Emergency Operations Plan has been adopted (certifying individual must have taken, at minimum, ICS 402 or ICS 100 training): Assistant City Manager Jessie Baker

Physical Municipal Address: **39 Main St. Montpelier, VT 05602**

Telephone: **802-223-9503** Fax: 802-223-9519 E-mail: **jbaker@montpelier-vt.org**

Alternate communication method: **Cell 802-760-9123**

This Local Emergency Operations Plan must be adopted annually, after town meeting day, and submitted by May 1st.

Response and Recovery Guidelines

Please use this as an aid for baseline actions that should occur in an incident.

1) Establish an Incident Command Structure and make appropriate local declarations	☑	Time
a. Identify the Incident Commander	☐	
b. Identify the Incident Command Post	☐	
c. Start a log of actions taken (see Appendix A3- Activity Log (ICS Form 214))	☐	
d. Assess the situation (deploy assessment teams)	☐	
Determine casualties	☐	
Determine structure/infrastructure losses	☐	
Determine resource needs	☐	
Identify emergency access sites or isolated citizens	☐	
e. Request additional resources (Mutual Aid) if needed.	☐	
f. Secure a perimeter around affected area if needed	☐	
g. Consider potential staffing needs (extended or multiple operational periods)	☐	

2) Delegate Authorities to Incident Commander and request declaration if appropriate	☑	Time
Have highest ranking town official delegate authority to and meet with Incident Commander as appropriate (see Appendix D4 – Delegation of Authority)	☐	
If needed, the highest ranking town official should sign the Local Jurisdiction Request for Emergency Declaration, and send to DEMHS. (see Appendix A1 – Local Jurisdiction Request for Emergency Declaration)	☐	

3) Contact State Emergency Operations Center if additional help or resources may be needed beyond mutual aid and local contacts.		☑	Time
Call State Emergency Operations Center and notify that additional resources may be needed.	**1-800-347-0488**	☐	
If HAZMAT involved, contact HAZMAT Hotline	**1-800-641-5005**	☐	

4) Alert the general population and evacuate as needed.	☑	Time
Alert the Public (including special needs or vulnerable populations) of the hazards of the event at the outset and during the event (including protective actions and evacuation information). Suggested methods (siren, PA, door-to-door, town website, facebook, twitter, front porch forum)	☐	
Complete Planning Task #1 (see page 4)	☐	

5) Activate the Emergency Operations Center to support the Incident Commander as needed (See Planning Tasks & on page 5)			☑	Time
Facility Name	**Address**	**Phone Number**		
			☐	
Maintain communications with the SEOC (DisasterLAN, Phone, Fax, Email)			☐	

6) Contact the Shelter Coordinator and American Red Cross (800-660-9130) to arrange as shelter open if needed (See Planning Tasks & on page 6)				☑	Time
Notify the American Red Cross that shelters are needed				☐	
Contact Shelter Manager				☐	
Shelter Name	**Physical Address/Location of the Shelter**	**Shelter Phone # and Manager Name**	**# of occupants**		
				☐	Opened: Closed:
				☐	Opened: Closed:
				☐	Opened: Closed:

7) Expand the ICS Structure as needed (see Appendix A2- Incident Briefing (ICS Form 201))

8) Determine additional operational shifts/staffing as needed	☑	Time
Determine the operational period (8hrs, 12hrs, etc)	☐	
Identify staffing for future operational periods (see Appendix A3–Organizational Assignment List (ICS Form 203))	☐	
Develop plans for the next operational period (see Appendix A3– Incident Action Plan (ICS Forms 202, 203, 204, 205, 206))	☐	
What is the Operational Period? **hrs to hrs**	☐	
What is the briefing time? **hrs**	☐	
As the incident winds down, release excess resources as per demobilization plans	☐	

9) Conduct damage assessment. Report to the State Emergency Operations Center	☑	Time
Complete Planning Task #2 (see page 4)	☐	
Conduct a complete damage assessment for public and private damages. Submit Local Situation Report to the State Emergency Operations Center (see Appendix A2 – Local Situation Report)	☐	

10) Conduct and document "Emergency Repairs"	☑	Time
Make roads passable and restore emergency access. Undertake Emergency Protective Measures (eg. removing debris threatening inhabited structures, culverts, and bridges). Emergency Protective Measures (temporary and permanent) must be consistent with the provisions of the Vermont Stream Alterations Rule (see Appendix C2)	☐	

11) Refer to your local codes and standards, including the most current Town Road and Bridge Standards as provided by the Agency of Transportation, Vermont Stream Alteration Rule (see Appendix C2), and local hazard mitigation plan before undertaking permanent repairs
Document (photographs, maps, invoices, material quantities) all repairs for future mitigation actions. (ex: roadside/ditch erosion, repair with larger culvert, replace with better materials, etc)

Area Damaged	Cost of repair	Mitigation Solution (see local Hazard Mitigation Plan)

12) If damages result in a Federal Declaration, request 406 mitigation when completing a Project Worksheet

13) Conduct an after action review and develop an improvement plan

PLANNING TASKS

Please complete the white portion of these planning tasks prior to an incident occurring. During the incident, please complete the shaded portions.

Planning Task #1
High Risk Populations List for Special attention/possible evacuation during an incident

Complete this information before an incident				Complete this information during an incident	
High Risk Population Type (school, daycare, nursing home, medical equipment-dependent resident, handicapped resident)	**High Risk Population Location** (physical location)	**Point of Contact**	**POC Phone Number**	**Evacuated To** (physical location)	**Time**
Union Elementary School	1 Park Avenue	Chris Hennessey, Principal	225-8201		
Main Street Middle School	170 Main Street	Pam Arnold, Principal	223-3404		
Montpelier High School	5 High School Drive	Michael McRaith Principal	225-8010		
Heaton Woods Nursing Home	10 Heaton Street	Jo Ann Troiano, Director	229-9232		
Gary Home	149 Main Street	Dawn Provost, Director	223-3881		
Westview Meadows	171 Westview Meadows Road	Andrea Taylor, Administrator	223-1068		
Pioneer Apartments	155 Main Street	Jo Ann Troiano, Director	229-9232		
Lane Shops Apartments	1 Mechanic Street	Jo Ann Troiano, Director	229-9232		
Prospect Place	3 Prospect Street	Jo Ann Troiano, Director	229-9232		
Senior Center	58 Barre Street	Janna Clar Director	223-2518		
Multiple Day Care Centers	See Attached List				

Planning Task #2
Major High Hazard and/or Vulnerable Sites List (locations to check for damage)

Complete this information before an incident	Complete this information during an incident

Site Type: (ex: dam, culvert, bridges, railway crossing, low-lying area)	**Site Location** (physical location)	**Checked by**	**Status**	**Time**
Lower State Street Area	State St between Bailey Ave and Gaylord Drive			
Farmer's Market Parking Lot, along North Branch of Winooski	Area of 54 State Street			
Parking lots along State St	Near 120 State St			
Municipal Bridges	Various points along North Branch and Main Branch of the Winooski River			
Waste Water Treatment Plant (if after hours)	939 Dog River Road			
Water Treatment Plant	Paine Trnpky Berlin Vt			
State Heat Plant	Behind 120 State St			

Planning Task #3 Pre-designated Local Emergency Operations Centers			
Facility Name	**Facility Address** (physical location)	**Facility Point of Contact**	**Facility Phone Number**
Primary: Montpelier Police Department	**1 Pitkin Court**	**Tony Facos, Police Chief**	**223-3445**
Secondary: Water Treatment Plant	**1480 Paine Turnpike North. Berlin, VT**	**Tom McArdle Director of Public Works**	**262-6274**
Tertiary: Public Works Garage	**939 Dog River Road**	**Tom McArdle, Director of Public Works**	**262-6274**

Planning Task #4 Functional Area/Local Support Function	
Please identify agencies responsible for maintaining resource lists, found in Appendix B5.	
Local Support Function	**Agency Responsible for maintaining resource list:** (see Appendix B5- Resource Lists)
1. Transportation - *Assets in support of the movement of emergency resources, including the evacuation of people and distribution of food and supplies.*	**Public Works, VT AOT**
2. Communications - *Includes emergency warning, information and guidance to the public and responders. Includes resources and back-up resources for all means of communication.*	**Police Department (Radio), City Hall Staff Vt-Alert, Social Media**
3. Public Works & Engineering - *Resources in support of debris clearance, road, highway, bridge repairs and restoration of essential public works systems and services and the safety inspection of damaged public buildings.*	**Public Works, City Engineers**
4. Firefighting - *Resources in support of structural and wildfire firefighting.*	**Fire Department**
5. Emergency Management, Recovery & Mitigation - *Resources in support of the local Incident Commander through a Local Emergency Operations Center. Includes personnel resources available to provide overall coordination of the town's emergency operations. Resources may serve as a remote ICS planning section to collect, analyze and disseminate critical information on emergency operations for decision making purposes. May provide liaison with state/federal government.*	**Fire Department Police Department City Administration**
6. Mass Care, Food & Water - *Resources available to coordinate sheltering, feeding and first aid for disaster victims.*	**Red Cross**
7. Resource Support - *Assets available for coordination and documentation of personnel, equipment, supplies, facilities and services used during disaster response and initial relief operations.*	**Red Cross, City Hall Staff**
8. Health & Medical Services - *Resources for care and treatment for the ill and injured. Includes lists of trained health and medical personnel and other emergency medical supplies, materials and facilities. Assets include public health and environmental sanitation services, disease and vector control guidelines and resources for the collection, identification, and protection of human remains.*	**Fire Department**
9. Search & Rescue - *Resources locally available to locate, identify and remove persons from a stricken area, including those lost or trapped in buildings and other structures. Also includes resources to coordinate S&R for those lost in non-inhabited areas.*	**Fire Department, Police Department**
10. Hazardous Materials - *Resources available for response, inspection, containment and cleanup of hazardous materials.*	**Fire Department, State HazMat**
11. Agriculture & Natural Resources - *Assets available for use in coordinated response in the management and containment of communicable diseases in an animal health or plant emergency*	**Fire Department/Health Inspector**
12. Energy - *Assets available for the emergency repair and restoration of critical public energy utilities. Includes locally available back-up power resources. Coordinates the rationing and distribution of emergency power and fuel.*	**Public Works, Green Mtn Power**
13. Law Enforcement - *Assets used for the protection of life and property by enforcing laws, orders and regulations. Resources available for area security, traffic and access control.*	**Police Department**
14. Public Information - *Pre-identified personnel and resources used for effective collection, control and dissemination of public information to inform the general public of emergency conditions and available assistance.*	**City Hall Staff**

Planning Task #5
Disaster Lead Agency/Coordinator

Who or what agency will likely be the lead for each type of disaster?

Agency	Drought	Flood	Fire	Winter Storm	Ice Storm	Power Outage	Infectious Disease	Animal/Plant Emergency	Mass Casualty Incident	Hazardous Materials Spill	Public Gathering	Civil Unrest	Other (Please Specify)	Other (Please Specify)	Other (Please Specify)
Road Crew / Public Works	X	X		X	X										
Fire Department		X	X						X	X					
Town Selectboard	X					X									
Law Enforcement											X	X			
1st Response / Rescue															
Shelter Coordinator															
Animal Control Officer								X							
Town Health Officer							X	X							
Town Clerk															
Town Treasurer															
Green Mt Power						X									
State Hazmat Team										X					
Other (Please Specify)															

Planning Task #6
Shelters

Shelter 1		
Shelter Name: Barre Auditorium	**Physical Address/Location of the Shelter:** 16 Auditorium Hill. Barre, VT	**Shelter Capacity:** 200
Shelter Manager: City of Barre Rec Dept. Stephanie Quaranta	**Shelter Manager Cell #:** 476-0257 **Shelter Manager Pager #:**	**Other Contact:** squaranta@barrecity.org
☒ Warming Shelter	☒ Overnight Shelter	☒ Red Cross Agreement?
☒ Has a Backup Generator	☐ Has wiring in-place for generator hookup	
Shelter 2		
Shelter Name: National Life	**Physical Address/Location of the Shelter:** 1 National Life Drive	**Shelter Capacity:** 100
Shelter Manager: Fred Barnett, Facilities Manager	**Shelter Manager Cell #:** 229-3441 **Shelter Manager Pager #:**	**Other Contact:**
☒ Warming Shelter	Overnight Shelter	☐ Red Cross Agreement?
☒ Has a Backup Generator	☐ Has wiring in-place for generator hookup	
Shelter 3		
Shelter Name: Montpelier City Hall	**Physical Address/Location of the Shelter:** 39 Main St	**Shelter Capacity:** 100
Shelter Manager: Jessie Baker Asst. City Manager	**Shelter Manager Cell #:** **Shelter Manager Pager #:**	**Other Contact:** Fire Chief Robert Gowans
☒ Warming Shelter	Overnight Shelter	☐ Red Cross Agreement?
☒ Has a Backup Generator	☐ Has wiring in-place for generator hookup	

American Red Cross – Vermont & the New Hampshire Upper Valley Region: 1-800-660-9130
Burlington Office – (802)660-9130 *Rutland Office* – (802) 773-9159 *Brattleboro Office* – (802) 254-2377

Planning Task #7 - NIMS Typed Resources

Type	I	II	III	IV	Other	Type	I	II	III	IV	Other
Critical Incident Stress Management Team				N/A		Hydraulic Excavator, Large Mass Excavation				N/A	
Mobile Communications Center						Hydraulic Excavator, Medium Mass Excavation					
Mobile Communications Unit			N/A	N/A		Hydraulic Excavator, Compact					
All-Terrain Vehicles	N/A	N/A	N/A	N/A		Road Sweeper			1		
Marine Vessels	N/A	N/A	N/A	N/A		Snow Blower, Loader Mounted		2			
Snowmobile	N/A	N/A	N/A	N/A		Track Dozer					
Public Safety Dive Team						Track Loader					
SWAT/Tactical Team						Trailer, Equipment Tag-Trailer				N/A	
Firefighting Brush Patrol Engine	N/A	N/A	N/A			Trailer, Dump		N/A	N/A	N/A	
Fire Engine (Pumper)	1			1		Trailer, Small Equipment	1		N/A	N/A	
Firefighting Crew Transport				N/A		Truck, On-Road Dump			9	6	
Aerial Fire Truck	1		N/A	N/A		Truck, Plow		6	6	4	
Foam Tender			N/A	N/A		Truck, Sewer Flusher	1				
Hand Crew						Truck, Tractor Trailer				N/A	
HAZMAT Entry Team				N/A		Water Pumps, De-Watering				2	
Engine Strike Team						Water Pumps, Drinking Water Supply - Auxiliary Pump					
Water Tender (Tanker)				N/A		Water Pumps, Water Distribution				1	
Fire Boat				N/A		Water Pumps, Wastewater				1	
Aerial Lift - Articulating Boom						Water Truck		N/A	N/A	N/A	
Aerial Lift - Self Propelled, Scissor, Rough Terrain						Wheel Dozer			N/A	N/A	
Aerial Lift - Telescopic Boom						Wheel Loader Backhoe		2			
Aerial Lift - Truck Mounted			1			Wheel Loader, Large					
Air Compressor				1		Wheel Loader, Medium					
Concrete Cutter/Multi-Processor for Hydraulic Excavator						Wheel Loader, Small	3			N/A	
Electronic Boards, Arrow						Wheel Loader, Skid Steer			1	N/A	
Electronic Boards, Variable Message Signs						Wheel Loader, Telescopic Handler					
Floodlights	1			N/A		Wood Chipper	1	N/A	N/A	N/A	
Generator		3				Wood Tub Grinder					
Grader		1		N/A							

Information about the NIMS Typed resources can be found at: https://rtlt.ptaccenter.org/Public/Combined

VERMONT
DEPARTMENT FOR CHILDREN AND FAMILIES
CHILD DEVELOPMENT DIVISION

Bright Futures
Child Care Information System

Search Provider Directory

Note: if you select an age range or "Accepting Referrals for Child Care," only providers accepting referrals will be listed.

Provider Name (Last Name/Center Name):

Town: Montpelier **Distance(miles):**

Program Type: - Please Select -

Age Categories: Infant, Preschool, Toddler, School Age

Program Participation: Food Program, Early Head Start Program, Pre-K Program, Head Start Partner Program, Head Start Program, Early Head Start Partner Program

Special Services:

Accepting Referrals for Child Care:

Accreditation or approved prequalified preschool program: - Please Select -

Star Level: - Please Select -

Search

Search Results

Sort by: Town Distance Go!

Click on the "Details" link to view a provider's referral information.

*Displaying **1-15** of **15** Items*

Provider Name	Contact Information	Town	Town Distance	Program Type	Last Updated
Turtle Island Children's Center, Inc.	659 Elm Street Montpelier, VT 05602 City: Montpelier (802)229-4047	Montpelier	0.0 mi	Licensed Provider	03/09/2016 [Details]
Kid Country Childcare Center and Preschool, Inc.	24 Mountain View Drive Montpelier, VT 05602 City: Montpelier (802)223-3954	Montpelier	0.0 mi	Licensed Provider	03/15/2016 [Details]
Orchard Valley School Child's Garden	155 Northfield	Montpelier	0.0 mi	Licensed	03/15/2016 [Details]

	Street Montpelier, VT 05651 City: Montpelier (802)223-4338			Provider	
Montpelier Children's House, Inc.	41 Barre Street Montpelier, VT 05602 City: Montpelier (802)223-3373	Montpelier	0.0 mi	Licensed Provider	03/08/2016 [**Details**]
Capital Kids Day Camp	1 Poolside Drive Montpelier, VT 05602 City: Montpelier (802)225-8699	Montpelier	0.0 mi	Licensed Provider	03/31/2015 [**Details**]
MRD Capital Kids Day Camp	170 Main Street MS Middle School Montpelier, VT 05602 City: Montpelier (802)225-8699	Montpelier	0.0 mi	Licensed Provider	11/19/2015 [**Details**]
Family Center of Washington County Early Childhood Program	383 Sherwood Avenue Montpelier, VT 05602 City: Montpelier (802)262-3292	Montpelier	0.0 mi	Licensed Provider	02/23/2016 [**Details**]
Tillotson, Cheryl	52 Hackamore Road Montpelier, VT 05602 City: Montpelier (802)272-6353	Montpelier	0.0 mi	Registered Home	03/09/2016 [**Details**]
Community Connections at Union Elementary	1 Park Street Montpelier, VT 05602 City: Montpelier (802)225-8259	Montpelier	0.0 mi	Licensed Provider	03/08/2016 [**Details**]
Duprey, Kimberly	390 Haggett Road Montpelier, VT 05602 City: Montpelier (802)223-3891	Montpelier	0.0 mi	Registered Home	02/06/2016 [**Details**]
River Rock School After School Program	46 Barre Street Montpelier, VT 05602 City: Montpelier (802)223-4700	Montpelier	0.0 mi	Licensed Provider	04/30/2015 [**Details**]
Stepping Stones Preschool & Childcare of Montpelier	162 Dover Road Montpelier, VT 05602 City: Montpelier (802)552-4694	Montpelier	0.0 mi	Licensed Provider	03/08/2016 [**Details**]
Boyles, Aubrey	37 Loomis Street Montpelier, VT 05602 City: Montpelier (802)922-5012	Montpelier	0.0 mi	Registered Home	03/08/2016 [**Details**]
Miss Robin's Nest	9 Dunpatrick	Montpelier	0.0 mi	Licensed	11/25/2015 [**Details**]

	Circle Montpelier, VT 05602 City: Montpelier (802)224-0184			Provider	
Martin, Kim	5 Taplin Street Montpelier, VT 05602 City: Montpelier (802)479-0152	Montpelier	0.0 mi	Registered Home	03/08/2016 [**Details**]

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Montpelier Tier II facilities
(as reported to LEPC 5 during 2015 report period)

NAME OF FACILITY	SITE LOCATION	Contact Information
Hunger Mountain Coop *(Chemicals: Refrigerant Gas R404A)*	6223 Stonecutter's Way	Kari Bradley, Owner/Operator 802-223-8000 ext. 219 24 HR: 802-793-6840 Email: karib@hungermountian.coop
CITY OF MONTPELIER **Dept. of Water Filtration**	1480 Paine Turnpike North	Geoff Wilson, Chief Operator/Emergency Contact Beeper-Pager: 802-826-2034 24Hour: 802-826-2033 Cell: 802-279-8597 Email: gwilson@montpelier-vt.org
(Chemicals: 180 Coagulant, Hydrofluorosilicic Acid, Potassium Permanganate, Powdered Activated Carbon, Propane, Sodium Hydroxide, Sodium Hypochlorite, Stafloc LT20 Polymer)		
Simon's Montpelier Store & Deli *(Chemicals: Gasoline)*	377 River Street	Joseph Handy, Owner/Emergency Contact Phone: 802-652-5315 24 HOUR: 802-862-0656
VT Department of BGS **Vermont State House** **Annex and adjoining 1 Baldwin Building**	115 State Street	Michael Blanchet, EHS Coordinator Cell #: 802-522-9120 Montpelier District Facility Manager Cell #: 802-279-3592 Statewide Security Hotline – 24 HOUR: 802-828-0777 Emergency contact: 802-828-3316
(Chemicals: Hercules Cryotek 100 & 100/A1, Hydraulic Fluid, Lead in batteries, Sulfuric Acid in batteries)		
VT Department of BGS **Liquor Control Warehouse, Office** **Annex and adjoining 1 Baldwin Building**	11 & 13 Green Mountain Drive	Michael Blanchet, EHS Coordinator Cell #: 802-522-9120 Richardson Barry, Warehouse Supervisor Cell 802-461-5640 Work: 802-828-2340 Montpelier District Facility Manager Cell #: 802-279-3592 Statewide Security Hotline – 24 HOUR: 802-828-0777 Emergency contact: 802-828-3316
(Chemicals: #2 Fuel Oil, Hercules Cryotek 100 & 100/A1, Lead in batteries, Sulfuric Acid in batteries)		

NAME OF FACILITY	SITE LOCATION	Contact Information
VT Department of BGS **Vermont State Office Building**	109 State Street	Michael Blanchet, EHS Coordinator Cell #: 802-522-9120 Montpelier District Facility Manager Cell #: 802-279-3592 Statewide Security Hotline – 24 HOUR: 802-828-0777 Emergency contact: 802-828-3316
(Chemicals: AirCon CXT 100 Biocide, Bromax 7.1 biocide, Freon R-22, Hercules Cryotek 100 & 100/A1, Hydraulic Oil (elevator), Kathon CF 150 Biocide (A-102), Lead in batteries, Sulfuric Acid in batteries)		
VT Department of BGS **Vermont Agriculture Building** **And DHR**	116 State Street 110 State	Michael Blanchet, EHS Coordinator Cell #: 802-522-9120 Montpelier District Facility Manager Cell #: 802-279-3592 Statewide Security Hotline – 24 HOUR: 802-828-0777 Emergency contact: 802-828-3316
(Chemicals: Hercules Cryotek 100 & 100/A1, Hydraulic Fluid (elevator))		
VT Department of BGS **Capital Central Heating Plant** **State Office & Ccontiguous BGS Shops** **(&10 Taylor St.)**	122 State Street 120 State St.	Michael Blanchet, EHS Coordinator Cell #: 802-522-9120 Montpelier District Facility Manager Cell #: 802-279-3592 Statewide Security Hotline – 24 HOUR: 802-828-0777 Emergency contact: 802-828-3316
(Chemicals: #2 Fuel Oil-heating, Acetylene, Confidence 10-C PBB, #2 Fuel Oil, Gravel Sand, Hercules Cryotek 100 & 100/A1, Latex Acrylic Paints , Lead in batteries, Nuetra Steam, Oxygen, Protect All, Road salt, Sulfuric Acid in batteries, IrtHydraulic Fluid (elevator))		
VT Department of BGS **State OfficeBuilding & BGS facilities**	133 State Street	Michael Blanchet, EHS Coordinator Cell #: 802-522-9120 Montpelier District Facility Manager Cell #: 802-279-3592 Statewide Security Hotline – 24 HOUR: 802-828-0777 Emergency contact: 802-828-3316
(Chemicals: A 202 Cooling Tower Biocide, Air Con CXT-100 cooling tower biocide, Biomax 7.1 biocide, Enviro-Solutions Paint Stripper & Graffiti Remover #73, Hercules Cryotek 100 & 100/A1, Hydraulic oil (freight elevator), Lead in batteries, Sulfuric Acid in batteries)		
SPRINT, Montpelier, VT Regen	.5 mile N of Junction Rd On Dog River Rd Parking Lot	Brian Wiedower. EHS Compliance Manager Emergency Contact Cell: 913-206-7705 24 Hour: 877-347-4457 Email: brian.c.wiedower@sprint.com
(Chemicals: Battery Acid, Lead, Lead Compounds,)		

NAME OF FACILITY	SITE LOCATION	Contact Information
Safety-Kleen Rail Site *(Chemicals: Used Oil)*	1 Railroad Street	Robert Millett, Branch Manager/Owner Emergency Contact 24 Hour: 800-468-1760 Work: 802-479-1200 Emergency: 800-468-1760nm Email: Robert.millett@safety-kleen.com
Montpelier Hauling **Casella Waste Management** *(Chemicals: Acetylene, Argon, Compressed Oxygen, Diesel Exhaust Fluid, Gear Oil, Hydraulic Oil, Motor Oil, Paint)*	378 US Route 2	Mike Casella John Gay, Env. Mngr/Emergency Contact Work: 802-651-5454 24 Hour: 802-236-5973 John.gay@casella.com
Automotive Supply Associates, Inc. (ASA) **Sanel Automotive Parts Co.** *(Chemicals: Toluene, Xylene, Nason Tints,Toners and Binders Croma Premier*	373 River Street	Joe Whitaker, Manager/Emergency Contact Work: 802-223-3406 24 Hour: 802-476-5952 Home: 802-476-5952 Email: Montpelier@asasanel.com
Shaw's Supermarket **(store #7521)** *(Chemicals: Chlorodifluoromethane, R-404A (Refrigerant))* R-409A (refrigerant), R 507 (refrigerant)	2 Main Street	Owner/Operator/Emergency Contact 24 HR: 208-395-6826 HELP Line work#: 208-395-6200 Email: dean.fredrickson@albertsons.com Dean Fredrickson, Sr. Env. Project Mngr Emergency: 208-571-1486 Work: 208-395-4986
Verizon Wireless Montpelier **(53662)** *(Chemicals: Lead and Sulfuric Acid)*	National Life Building	Jeffery McCook , Mngr, Eng., Ops/Emg. Cntct 24 Hour phone: 1-800-386-9639 Work: 908-626-6230 Email: Susan.Calderon@VerizonWireless.com
Cumberland Farms #8024 *(Chemicals: Carbon Dioxide, Gasoline,*	37 Berlin Street	Amanda Ballou, Store Manager/Emergency Contact Work: 802-229-1284 24 Hour #: 1-800-225-9702 ext. 5200 Email: Store8024@cumberlandfarms.com
Fairpoint Montpelier Co **(FPT-VT478206)** *(Chemicals: Diesel Fuel, Halon, Lead-acid batteries)*	25 School Street	Jeremy Lamothe, Property Manager, EM 24 HR phone: (877) 746-3198 Work: (603) 656-1698 Email: jlamothe@fairpoint.com

NAME OF FACILITY	SITE LOCATION	Contact Information
Sherwin Williams #5655 (Chemicals: Solvent Based Paint and Solvents)	62 River Street	Joshua Piascik, Store Manager/Emg. Contact Work: 802-223-3457 24 Hour: 877-792-3637 Email: sw5655@sherwin.com April Urban, Safety Manager/Emergency Contact
RCC City Center-USID102873 New Cingular Wireless *(Chemicals: Lead and Sulfuric Acid)*	1967 Hill Street	Hotline, MNOC – Emergency Contact 24-Hr phone (800)-638-2822 Email: ehs.compliance@att.com
RCC WCAX Montpelier -USID102990 New Cingular Wireless *(Chemicals: Lead and Sulfuric Acid)*	1677 Hill Street Extension	Hotline, MNOC – Emergency Contact 24-Hr phone (800)-638-2822 Email: ehs.compliance@att.com
Montpelier Granite *(Chemicals: Furnace Oil(#2 fuel oil)*	43 Granite Shed Lane	Michelle Parker, Owner/Operator 802-223-2581 Email: montpeliergrwks@hotmail.com Doug Mureta, VP/Facility Emg Coord. Work#: 802-223-2581 24 Hour #: 802-793-7040 Dan Mureta, VP/Emergency Contact Work #: 802-461-6430 24 Hour #: 802-223-5788
Cabot Creamery Cooperative Distribution Center *(Chemicals: AirGas, Anhydrous Ammonia, Lead Acid Batteries)*	264 Gallison Hill Road	Tom Herbick, VP of Plant Production & Logistics Emergency Contact 24 Hour #: 518-491-1677 Work #: 518-497-6644 Email: therbick@agrimark.net
GMP Montpelier Service Center *(Chemicals: Diesel Fuel, Gasoline, Hydraulic Oil, Lead-acid batteries, Motor Oil, Transmission Oil)*	7 Green Mountain Drive	John Greenan, Engineer/Emergency Contact 24 HR: 802-775-7346 Work: 802-770-3213 Email: john.greenan@greenmountainpower.com
GMP Mountain View Substation #27 *(Chemicals: Lead-acid batteries)*	50 Mountain View Street	John Greenan, Engineer/Emergency Contact 24 HR: 802-775-7346 Work: 802-770-3213 Email: john.greenan@greenmountainpower.com
GMP Montpelier Substation #3 *(Chemicals: Lead-acid batteries)*	203 River Street	John Greenan, Engineer/Emergency Contact 24 HR: 802-775-7346 Work: 802-770-3213 Email: john.greenan@greenmountainpower.com 24 Hour: 877-SWC-EMER

NAME OF FACILITY	SITE LOCATION	Contact Information
North Montpelier District Garage	1876 Vermont Route 214	Andy Shiively, HMWC/Emergency Contact Work 3: 802-828-2797 24 Hour#: 802-250-4666 Cell #: 8020-229-8740 Email: andy.shively@vermont.gov Dale Perron, District Trans. Adm. Work #: 802-748-6670 Cell: 802-673-9833 Beeper/Pager: 802-742-0963 Email: dale.perron@vermont.gov

(Chemicals: Acetylene; Antifreeze – Rotella ELC Prediluted 50/50; Argon; Brine (Sodium Chloride); Butane (L.P.G.); Diesel Exhaust Fluid; Diesel Heating Oil #2; FLOOD SWF Wood Finish; Franklin Traffic Paint (White); Gulf Synthetic Blend Super Duty Plus SAE 15W-40 Oil; Magnesium Chloride and Chlorate Mixture; Oxygen, Pellet (Flake) Calcium Chloride; Penwood Tractor Hydraulic Fluid, Propane, Salt, Sand, Shell Dentax S Gear Oil 50, Shell Spirax 75w-90 Gear Oil, Windshield Washer Fluid)

CITY COUNCIL Agenda Item #16-141.
Date: May 11, 2016
Consent __ Discussion _x_

SUBJECT: Goal Review: Maintain Excellent Services

SUBMITTING DEPARTMENT: City Manager

RECOMMENDED ACTION: Receive Report

RELATED COUNCIL GOAL/PRIOR ACTION: Adoption of 2016-17 Goals

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: None

BACKGROUND INFORMATION: The City Council adopted Goals, Strategies and Actions on April 27th. Staff has scheduled regular updates throughout the year.

SUPPORTING DOCUMENTS: Summary Memo from City Manager

INTERESTED PARTIES: City Council, City Staff

CITY MANAGER'S APPROVAL:

City of Montpelier vermont

America's Small Town Capital

Mayor John Hollar

City Council Members:

Dona Bate
Jessica Edgerly Walsh
Tom Golonka
Jean Olson
Justin Turcotte
Anne Watson

William Fraser,
City Manager

Jessie Baker
Assistant City Manager

MEMORANDUM

To: Mayor Hollar & City Council Members
From: William Fraser, City Manager
Re: Goal Update: Maintain Excellent Services
Date: May 6, 2016

This is the first of our regular updates on goals. Specific action items will appear on agendas throughout the year but reviews of overall goal categories will also be included. The current schedule is as follows:

May:	Excellent Services
June:	Keep Montpelier Affordable
	Steady State Infrastructure
July:	Healthy Community for People
August:	Safe Community
September:	Healthy Environment for Housing and Economic Development
	Clean and Healthy Natural Environment
October:	Vibrant Downtown
November:	Excellent Services
	Healthy Community for People
December:	Keep Montpelier Affordable
	Steady State Infrastructure
January:	Vibrant Downtown
February:	Safe Community
	Clean and Healthy Natural Environment
March:	Healthy Environment for Housing and Economic Development
April:	Adopt new goals

The topic for this agenda is Maintain Excellent Services. An excerpt from the Overall Goals document is included. Color Code – White = completed. Green = proceeding as planned Yellow = proceeding but slower than planned. Red = Started but not proceeding well. Purple = Not started yet.

Reference Letter	Policy Goal	Strategies	FY17 Actions
B	**Maintain excellent services**	**Develop high performing organization**	Promote Leadership Values and Philosophy
		Meet organizational needs	Build HR capacity
			Update Personnel Plan
			Work toward MSAC Accreditation
			Emphasize Employee Wellness
			Develop an integrated plan to provide facilities and grounds management Develop/acquire asset management capabilities
		Seek opportunities for efficiencies	Complete Community Services Plan
			Participate in planning for Regional Public Safety Authority

Develop High Performing Organization: Leadership team has been formed for major organizational planning issues. Leadership philosophy and Core organizational values have been developed. City Manager met with all employees to share philosophy and values and provide training on "leadership at all levels" approach. Leadership team planning to meet with Council members to integrate roles into high performance model. Goals document used as guide for management team.

Meet Organizational Needs: HR capacity is being restructured with revised role of Assistant City Manager and new staffing opportunities. Personnel Plan is being revised, employee committee has formed for discussions. Moving slowly but still on track for August presentation to Council. Senior Center has not begun work on its accreditation process yet. Employee wellness is an ongoing priority. A health screening was held yesterday. Facilities and Grounds management planning is integrated with the Community Services planning. DPW is reviewing options for asset management software and systems but has not made a decision yet.

Seek Opportunities for Efficiencies: Facilitator for community services planning process has been selected. Process has begun. City continues to work with Public Safety Authority on their planning process. Efforts underway for possible expansion of dispatch services.

NOVUS ENERGY DEVELOPMENT LLC
ENERGY WITH A BRIGHT FUTURE

Solar Project Overview

City of Montpelier

Novus Energy Development, LLC ("Novus") is a Montpelier, Vt. based company that specializes in the development of solar photovoltaic ("PV") generating facilities that qualify under the Vermont net metering law: 30 V.S.A. § 219a and § 248. The law allows for the output of a PV system to be virtually "net metered" to one, or a group, of meters within the same utility service territory. Novus has engineered and is permitting 500kW system on an expired gravel pit at Log Road, Montpelier. All of the output is going to be allocated to Montpelier City meters. The City also has an option to purchase the project after Year 7.

The specifics of the project are as follows:

Solar Farm Location: Log Road
Montpelier, Vermont
System Size: 500kW,ac

It is projected that the system will generate approx. 875,000kWh (avg.) per year that will be assigned under the Vermont net metering law to a group (of meters) owned by the City of Montpelier. The project will be owned and operated by a third party, with the output and associated electrical savings offered to the City at no cost.

Electrical Savings: The City will receive a credit off its respective electrical bill from GMP by participating in the program (note: the credit cannot exceed the bill). They will, in turn, pay 85% of their respective credits to the owners of the project – retaining the remaining 15%. Under the Vt. net metering law the credit in Y1-10 is based upon a rate of $0.19 due to the credit of a "solar adder"; in Y11-20 the credit is without the adder (just the highest rate). Under this program it is projected that the savings to Schools will be as follows:

Table 1 summarizes the projected savings the City would realize over the 20 operation of the project.

NOVUS ENERGY DEVELOPMENT LLC
ENERGY WITH A BRIGHT FUTURE

Projected electrical savings to the Montpelier associated with Novus Montpelier Solar, LLC

Year(s)	1-10	11-20	20 Yr total
City Meters			
Projected percentage allocated to City	100%	100%	100%
Projected average annual electrical cost savings	$ 26,545	$ 24,347	
Projected total electrical cost savings	$ 265,455	$ 243,472	$ 508,927

Table 1

Novus Energy Development, LLC
2 Spring St.
Montpelier, Vt. 05602
www.novusenergydev.com

Minutes of the Montpelier City Council Meeting
April 27, 2016, 6:30PM
City Council Chambers, City Hall

In attendance: Mayor John Hollar, Councilors Tom Golonka, Jean Olson, Dona Bate, and Jessica Edgerly Walsh. Councilors Justin Turcotte and Anne Watson were not present. City Manager William Fraser participated. Assistant City Clerk Jamie Granfield served as Secretary of the meeting.

The Mayor called the meeting to order at 6:30PM.

16-120 Hearing no objection, the Mayor declared the proposed agenda approved by unanimous consent.

16-121 City Manager William Fraser introduced Assistant Clerk Jamie Granfield.

Ken Jones addressed council on his interest in the executive sessions regarding the City Manager's Contract. Jones expressed concerns over whether decisions regarding the City Manager's contract were being made in private without other City department heads.

Harold Garabedian addressed council presenting resolution recognizing Women's Lung Health Week. Mayor Hollar signed the resolution recognizing Women's Lung Health Week.

16-122 The Council considered the Consent Agenda. Regarding Item B (Detailed Budget Status Reports), Planning Director Mike Miller came forward to answer a question posed by Councilor Olsen regarding consultants in budget.

Councilor Olsen raised questions to City Manager Fraser regarding $60,000.00 revenue decrease.

Councilor Bate asked for Ward Joyce to speak. Ward Joyce came forward to address Council on behalf of Langdon Street Alive, asked for consent to proceed with right-of-way on Langdon Street. Advises presentation is conceptually close to what will come to fruition. Mayor Hollar thanked Ward Joyce.

Mayor Hollar and City Manager Bill Fraser had a short discussion on how the word should get out to the community about street closures.

Bate proposed motion to approve consent agenda, Olson seconded. Motion carried unanimously.

16-123 Rob Chapman came forward to address council regarding appointments to the East Central Vermont Telecommunications District. Councilor Golonka asked for a status on ECVT. Councilor Bate moved John Bloch and Rob Chapman be appointed to the East Central Vermont Telecommunications District, Councilor Olson seconded. All in favor.

DRAFT

16-124 Washington County State's Attorney Scott Williams came forward to address the Council. Mr. Williams explained his position as State's Attorney and spoke of the drug affecting Washington County. Discussion followed. No formal action was taken.

16-125 Peter Fairweather came forward to present Montpelier's Economic Development Strategic Plan (EDSP). Short discussion followed. Carolyn Grodinsky came forward to speak about access to parks and open space.

Nat Frothingham came forward in response to the presentation, expressing concerns about the process.

16-126 Planning Director Mike Miller came forward to address Council with Zoning update on River Hazard Area Bylaws. No formal action was taken.

16-127 City Manager Fraser opened a discussion of Council goals Councilor Bate makes motion to approve goals, Golonka seconded. All in favor.

16-128 Assistant City Manager Jessie Baker came forward to update Council on the Recreation Building RFP. Ms. Baker advised that two proposals were received, but she recommends that Council does not move forward with these proposals. There was a brief discussion. Ms. Baker recommended motion to disapprove the proposals. Councior Golonka made a motion as recommended, Councilor Olson seconded. All in favor.

16-134 Mayor Hollar asks for motion to make the offer to Overlook Park, LLC as discussed in executive session, authorize staff to schedule Eminent Domain hearing during the time prescribed by law. So moved by Councilor Edgerly Walsh, and seconded by Councilor Bate. All in favor.

16-129 Page Guertin came forward to address council regarding concerns over Berlin Pond, specifically wanting to stop a boat launch. City Manager Fraser advised Ms. Guertin that the City has retained legal counsel, is meeting with staff to go over surveys, and is looking into relinquishment.

16-130 Council Bate noted that Cross Vermont Trail Association and the Montpelier Transportation Advisory Council would like to be on the agenda for the next City Council meeting to ask the city to match $5,000 for the pedestrian bike bridge beyond the dam on Route 2. Councilor Bate advised that she went to the Agency of Transportation presentation last evening regarding a bridge project on Route 14.

Council Golonka thanked City Manager William Fraser for work he has done for City of Montpelier. Would like confirmation on what Council needs to disclose from Executive Sessions regarding the City Manager's contract.

16-131 Mayor Hollar advised that the House Ways and Means and Government Operation committee approved the Local Option Tax, which now needs to be approved by the Senate.

16-132 Assistant Clerk Jamie Granfield thanked the Council for the opportunity to serve as Secretary of the meeting.

DRAFT

16-133 City Manager William Fraser advised council that in the current PILOT bill there is an estimated increase of payment to the City between $80,000.00 and $85,000.00. Mr. Fraser thanked Representative Mary Hooper for the work she put in. Mr. Fraser announced the Community Conversation on Homelessness is at the Christ Church, 64 State Street, on Monday, May 16, 2016. The event is sponsored by the City's Housing Task Force. Mr. Fraser noted that the city was awarded a $100,000.00 grant toward the Taylor Street project.

Without objection, the Chair declared the meeting adjourned by unanimous consent at 8:35 PM.

DRAFT

Minutes of the Montpelier City Council Special Meeting
May, 4 2016, 5:30PM
City Council Chambers, City Hall

In attendance: Mayor John Hollar, Councilors Justin Turcotte, Tom Golonka, Dona Bate, Anne Watson and via phone Councilor Jean Olson. Councilor Jessica Edgerly Walsh was not in attendance. Councilor Anne Watson was not present. City Manager William Fraser participated. Deputy Clerk Crystal Chase served as Secretary of the meeting.

The Mayor called the meeting to order at 5:30PM.

16-134 With no objections the agenda is approved

16-135 There was a brief discussion regarding the Request from property owner Jeff Jacobs to hold off until he returns from out of town on July 13th.

City Manager Fraser believed that the Jacobs family was generally supportive of the project and suggests that the city accept the July 13th date.

Councilor Bate made motion to Proceed with taking a temporary easement of 104 square feet and permanent easement of 27 square feet across 58 State Street owned by Overlake Park, LLC by eminent domain under the provisions of Sections 1301 and 1302 (b) of the City Charter for the purposes of construction an alternate transportation path and bridge. Conduct viewing of parcel on July 13, 2016 at 5:30 PM and public hearing to determine the necessity of taking such parcel for July 13, 2016 at 6:30PM. Property to be taken as per attached easement description and drawing(in agenda). Motion was seconded by Council Member Turcotte and was passed unanimously.

With no objection, Mayor Hollar declared the meeting adjourned at 5:40PM,

DRAFT

CITY COUNCIL Agenda Item #16-140.
Date: May 11, 2016
Consent __ Discussion _x_

SUBJECT: Montpelier Energy Advisory Committee Update

SUBMITTING DEPARTMENT: City Manager's Office/Montpelier Energy Advisory Committee

RECOMMENDED ACTION: Receive update; discussion; possible direction to MEAC and/or City staff.

RELATED COUNCIL GOAL/PRIOR ACTION: H: Maintain a clean and healthy natural environment

EXPENDITURE REQUIRED: None at this point.

RESOURCE OF FUNDS: At their April 27th meeting, Council approved the City's Application for the Department of Energy's Cities Leading through Energy Analysis and Planning (Cities-LEAP) Grant.

LEGAL REQUIREMENTS: No legal requirements

BACKGROUND INFORMATION: The Montpelier Energy Advisory Committee has requested time on the Council agenda to update the Council on their activities around Net Zero Montpelier.

SUPPORTING DOCUMENTS: Net Zero Montpelier Roadmap and MEAC/Municipal Projects Working Group

INTERESTED PARTIES: MEAC

CITY MANAGER'S APPROVAL:

NET ZERO MONTPELIER ROADMAP (updated May 2016)

The Montpelier Energy Advisory Committee was founded in 2010 to act in an advisory capacity to the Montpelier City Council on energy issues. Specifically, it was charged with identifying and nurturing potential energy saving projects and opportunities; informing and engaging city residents on energy issues with a special focus on building weatherization; and partnering with other statewide groups such and the Energy Action Network (EAN) and Vermont Natural Resources Council (VNRC) to foster long term, far reaching projects, goals and developments that will ultimately serve to either reduce Montpelier's energy use or actively meet its energy needs from renewables.

In February 2014, MEAC recommended, and the city council adopted, a citywide goal of "Net Zero Montpelier." In short, this means that the city is committed to becoming the first state capital to produce or offset all of its energy needs--electric, thermal and transportation--from renewable energy sources and it has set the target date to meet this goal at 2030.

In 2014, MEAC defined a "Roadmap" to lay out a path for Montpelier to reach the 2030 goal. This document is updated annually to reflect the action to date on each goal and adjust goals as needed. In the summer of 2015, MEAC conducted a series of strategic planning sessions to help prioritize activities for 2016. These five topics were identified as the main initiatives for the coming year.

STRATEGIC PLANNING PRIORITIES: 2016

- **Georgetown University Energy Prize:** Focus on the Georgetown University Energy Prize and Climate Action Champion project over the next two years with an emphasis on electrical efficiency in the residential and municipal sectors.
- **Organizational structure and staffing:** Establish a sustainable organizational structure and secure staffing for MEAC activities.
- **City energy projects**: Work closely with the City of Montpelier on municipal energy projects that improve energy efficiency and/or generate power.
- **Public engagement**: Foster public engagement to ensure MEAC's alignment with community priorities and to educate the community to take action.
- **Transportation:** Work with residents of Montpelier and surrounding communities to reduce single occupancy vehicle travel.

2016 WORKPLAN

MEAC is organized into four ad hoc working groups: Outreach, Municipal, Transportation and Solar to work towards these strategic priorities.

OUTREACH	
Graphic design	Create outreach materials for tabling, media, posters, digital display
Tabling	On average once/month at different events, LED bulb give-away
Bi-monthly newsletter	Communicate directly with Montpelier residents interested in NZM programs and events
Social media	Increase Facebook followers (paid ads), Front Porch Forum,
Digital display	digital display showing infographics about NZM initiative in storefront window at State & Main
Condo owners workshop	Offer information to condo owners with electric resistance heat information about heat pump alternatives
3E Thermal workshop	3E Thermal, EVT, VSECU workshop for businesses/landlords to promote energy efficiency and weatherization in multi-family buildings
Downtown Businesses	Partner with Montpelier Alive and EVT to conduct direct outreach to downtown district landlords and business owners about available incentives for energy efficiency
EAN Dashboard	Help announce launch of Dashboard to Montpelier residents and develop case studies for website
Earned Media	Articles promoting and informing on NZM materials
TRANSPORTATION	
July alternative transportation event	Collaborate with MTAC, Way to Go Vermont, Langdon Street Alive on event highlighting alternative transportation options, EVs, bikes, etc
COMMUNITY SOLAR	
Research Solar Vendors	Investigate solar companies interested in doing large array installations
Workshop on Solar Options	Highlight solar options and financing
Statewide Solar Spring Efforts	Create action around solar by partnering with other statewide programs
MUNICIPAL	
Water treatment plant Kaizen	Walk through of plant with various experts from EVT to find energy saving opportunities
Update 2015 metrics	Maintain data set for municipal energy use and greenhouse gas emissions
Thermal efficiency at Wastewater treatment plant	Explore feasibility of insulating the tank with spray foam to prevent heat loss and reduce need for oil heat; install equipment to measure how much methane is flared
Electric motorcycles	Explore feasibility of electric motorcycle fleet for police department
School Solar	Continue work with school district towards 500kW solar array installation
OTHER	
City Ordinances	Representation on Planning Commission. Recommendations for Energy sections of the new City Zoning Ordinance. Develop recommendations for the Energy section of the new City Master Plan.

ROADMAP TO 2030

Electricity Goals

To optimize electrical energy usage such that the balance of electricity required within city limits is met by renewable energy sources.

2014-2016	Goals	Current Status
	For residential, commercial, state, municipal sectors: define baseline City electrical usage; target potential electrical conservation and renewable generation.	With EVT and GUEP, established baseline data from 2014. Municipal energy use tracked on quarterly basis.
	Commercial, Residential use: identify largest users; execute plan for Stage I reductions.	Identified owners with electric baseboard heat; plan to target for conversion to air source heat pumps. Identified high electrical use areas by neighborhood. EVT sent letter to all Montpelier residents encouraging switch to air source heat pump hot water heaters.
	City Smart-meter Infrastructure: GMP increases participation by target 10%.	Unknown
	City Solar Capacity: Net-metered solar contract awarded; system in place.	Novus awarded contracts for two 500kW arrays, one on Log Road and one in Sharon to be installed Summer 2016.
	New Electrical Generation: Identify sites & partners; plan & incentivize new generation; establish/support solar cooperatives for residents.	MEAC identified solar companies interested in large scale arrays; currently on hold due to net metering caps.
Five-year Objectives (2016-2020)	▪ Commercial electric: Target 20% reduction from base ▪ Residential electric: Target reductions in 40% of homes ▪ Complete infrastructure for smart meters thru city ▪ Complete solar capacity for City/State critical needs ▪ New renewable electric generation: Target 30% over baseline	
Ten-year Objectives (2021-2025)	▪ Commercial electric: Target 30% reduction from baseline ▪ Residential electric: target reductions in 60% of homes ▪ New renewable electric generation: Target 60% over baseline	
Fifteen-year Objectives (2026-2030)	▪ Commercial electric: Target 40% reduction from baseline ▪ Residential electric: Target reductions in 80% of homes ▪ New renewable electric generation: Target 90% over baseline	

Thermal Goals

To greatly reduce thermal energy load such that the balance of thermal energy required within the city limits is met by regionally sourced renewable energy.

2014-2016	Goals	Current Status
	For residential, commercial, state, municipal sectors: define baseline City thermal usage.	All municipal thermal usage is tracked quarterly. Baseline for residential, commercial, state is incomplete.
	Determine potential thermal conservation and renewable generation.	Opportunities for thermal conservation identified for wastewater treatment plant with methane digester.
	Commercial heating/cooling: identify largest users; execute plan for City incentives & finances to reduce use by a 10% target.	Incomplete
	Install infrastructure for fuel metering throughout city.	Incomplete
	Residential heating: reduce thermal energy use a 5% target from baseline.	Hosting workshop for landlords of multifamily buildings April 2016 to encourage weatherization upgrades. No baseline established.
	District Heat plant: Phase I complete and operational.	Phase 1 operational in Fall 2015.
	Fuel Switching: complete plan to convert a target of 5% of homes from baseline.	No baseline yet. Encouraging electric resistance baseboard switch to air source heat pumps.
Five-year Objectives (2016-2020)	▪ Commercial heating/cooling: Target 20% reduction from baseline. ▪ Install infrastructure for fuel metering thru city. ▪ Residential heating: Target 30% thermal energy use reduction from baseline. ▪ Expand District Heat plant to target supply to 90% of downtown. ▪ Fuel Switching: target 30% over baseline.	
Ten-year Objectives (2021-2025)	▪ Commercial heating/cooling: Target 30% reduction from baseline. ▪ Residential heating: Target 40% thermal energy use reduction from baseline. ▪ Expand District Heat plant to supply target 90% within City boundary. ▪ Fuel Switching: Target 60% over baseline.	
Fifteen-year Objectives (2026-2030)	▪ Commercial heating/cooling: Target 40% reduction from baseline. ▪ Residential heating: Target 50% thermal energy use reduction from baseline. ▪ Fuel Switching: Target 90% over baseline.	

Transportation Goals

To greatly reduce transportation energy use such that the balance of transportation energy required for residential and commercial travel is met by renewable energy.

2014-2016	Goals	Current Status
	For residential, commercial, state & municipal sectors: ▪ Define baseline City transportation usage. ▪ Determine total potential transportation reduction and fuel-switching.	Baseline is incomplete.
	City transport: Target 5% reduction from baseline.	Unknown
	Fuel Switching: Target increase 5% over baseline.	EV charging stations installed in 6 locations in Montpelier as of March 2016.
	Public Transportation: Target increase bus use by 10%; improve bike facilities.	Unknown
	Transportation Management: create parking management plan;	Montpelier in Motion plan completed 2015
	Transportation Management: complete multi-modal transit center.	One Taylor Street project in design phase.
	Transportation Management: Manage employer-based transport demand.	Capitol Commuters program enrolled more than 600 people in 2015.

Five-year Objectives (2016-2020)	▪ Reduce city transport: Target 20% reduction from baseline. ▪ Fuel Switching: Target increase 30% over base; power City fleet via renewables. ▪ Public Transportation: RR track trolleys; incentivize bus and bike use.
Ten-year Objectives (2021-2025)	▪ Reduce city transport: Target 40% reduction from baseline. ▪ Fuel Switching: Target increase 50% over base; develop wireless EV charging. ▪ Public Transportation: incentivize bus/train use; ▪ Transportation Management: real-time traffic controllers.
Fifteen-year Objectives (2026-2030)	▪ Reduce city transport: Target 60% reduction from baseline. ▪ Fuel Switching: Target increase 70% over base; develop wireless EV charging. ▪ Transportation Management: Parking relocated from surface lots

Density Goals

Optimize residential and commercial density, while reducing consumption, such that population increases within city limits are met by renewable energy sources.

2014-2016	Goals	Current Status
	Determine baseline residential and commercial density by neighborhood	Density maps created identifying current residential & commercial density
	Determine total potential density increases by neighborhood	Potential density increases identified through new zoning districts
	Align city ordinances for infill	Zoning allows for alternative infill developments (cluster, cottage, new neighborhood)
	Define potential grand list increases	Incomplete
	Commercial density: Target 2% increase over base: Incentivize development.	Unknown
	Residential density: Target 2% increase over base: new zoning, incentives	Unknown
	Per Capita Energy Density: Target decrease 2% over base, Incentives	New zoning requires stretch energy code and encourages renewable energy for new development
Five-year Objectives (2016-2020)	▪ Commercial density: Target 10% increase from baseline. ▪ Housing density: Target 10% increase from baseline. ▪ Occupant Energy Density: Target decrease 10% over baseline.	
Ten-year Objectives (2021-2025)	▪ Commercial density: Target 20% increase from baseline. ▪ Housing density: Target 20% increase from baseline. ▪ Occupant Energy Density: Target decrease 20% over baseline.	
Fifteen-year Objectives (2026-2030)	▪ Commercial density: Target 30% increase from baseline. ▪ Housing density: Target 30% increase from baseline. ▪ Occupant Energy Density: Target decrease 30% over baseline.	

NET ZERO MONTPELIER

MEAC/Municipal Projects Working Group
Waste Water Treatment Facility

Overview

- reduce oil consumption for digester/increase methane production
- investigate possible use of increased methane to produce power
- eliminate flaring in the summer months

Start Date 01/01/16

End Date ?????

Work to Date/Estimated Cost/Materials
-All Seasons Urethane Foam has given estimate of $9600 for foam cap on digester
-Additional $2500 for gasket that goes around digester
-Chris Cox has obtained an estimate of $2,250 for a methane flow meter and an additional $1000 for required SCADA controls and installation; he hopes to get funding for these two items in the next budget year and MEAC strongly supports this funding request

Still need to:
1) obtain accurate estimate of amount of oil used during the winter months (hard to isolate oil consumption by digester vs. oil used to heat building) in order to do cost/benefit analysis
2) obtain estimate for amount of oil saved by installing foam cap and gasket on digester
3) determine amount of methane produced and evaluate appropriateness of Electr therm units to generate power during the summer months, thereby eliminating the need for flaring methane

Outreach needed
DPW/WWTF/VEIC/City Council

MEAC Members Involved
Geoff FitzGerald/Barb Conrey

CITY COUNCIL Agenda Item #16-143.
Date: May 11, 2016
Consent __ Discussion _x_

SUBJECT: Use of Pesticides for Railroad Maintenance

SUBMITTING DEPARTMENT: City Manager for Council Member Edgerly

RECOMMENDED ACTION: Discuss issue; provide direction to staff

RELATED COUNCIL GOAL/PRIOR ACTION: Goal: Maintain a Clean and Healthy Natural Environment. Prior Action: Funded manual weed trimming in 2015.

EXPENDITURE REQUIRED: None required; City spent $3,000 in 2015.

SOURCE OF FUNDS: General Fund Reserves

LEGAL REQUIREMENTS: Railroad must maintain weeds in righ-of-way. State must approve use of pesticides.

BACKGROUND INFORMATION: City, State and Railroad reached agreement in 2015 for manual weed removal with City bearing the expense. Railroad has applied for permission to spray pesticides in 2016. Council Member Watson has been a member of a committee reviewing this issue.

SUPPORTING DOCUMENTS: Request from Council Member Edgerly for agenda item with post from Front Porch Forum.

INTERESTED PARTIES: Railroad, State of Vermont, Barre Street residents

CITY MANAGER'S APPROVAL:

Sandy Pitonyak

From: William Fraser
Sent: Friday, May 06, 2016 11:14 AM
To: Sandy Pitonyak
Subject: FW: can we discuss the railroad pest plan at our next mtg?

William J. Fraser, ICMA-CM
City Manager
City of Montpelier
39 Main Street
Montpelier, Vermont 05602
Phone: (802) 223-9502
Fax: (802) 223-9519
www.montpelier-vt.org
http://icma.org/en/icma/about/anniversary/life_well_run

Notice - Under Vermont's Open Records law, all e-mail and e-mail attachments received or prepared for use in matters concerning City business or containing information relating to City business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify us immediately by return email. Thank you for your cooperation.

From: Jessica Edgerly Walsh - GMAIL
Sent: Saturday, April 30, 2016 8:43 PM
To: William Fraser; John Hollar-drm
Subject: can we discuss the railroad pest plan at our next mtg?

Hey both.

The recent front porch forum post reminded me the railroad is likely teeing up their pesticide plan for the summer.

Could we include a discussion of this on the agenda for our next meeting? Would like to know if the City's had any conversations with the railroad since last summer? Could we approach them with the same compromise to reducing spraying again? Or use the state governing board's process to force an adjustment to their plan?

Thanks,
Jessica

RR Again Asks Permission to Spray Glyphosate on Row in Montpelier

BARBARA BURNETT, NW4ESTCATS@YAHOO.COM, BARRE ST. #106

DISCUSSION

The New England Central Railroad recently filed a notice of intent with the Vermont Agency of Agriculture to spray herbicides along the entire stretch of tracks that run through Montpelier--from west of the Peace Garden, along the hiking/biking path, then east past the high school, past the VSECU, next to the walking/biking path, past the co-op to just west of the roundabout. Spraying, if recommended by the Vermont Pesticide Advisory Council (VPAC) and approved by the Secretary of Agriculture, would probably occur as soon as next month.

Despite the massive effort community members have made over the past 2 years to try to convince the state, the city and the railroad to declare the right of way within the Montpelier city limits to be an "herbicide-free" zone, that has not occurred. Based on information in the minutes of recent VPAC meetings, it appears that VPAC will probably recommend that the RR be allowed to spray glyphosate on all

of its ROW within the city limits-- including the short section that was left unsprayed last year. (If so, the herbicide would be applied to an area 4'-5' on either side of the center line of the tracks--for a total of 8'-10'.)

Note: Even though the International Agency for Research on Cancer (IARC)--part of the World Health Organization (WHO)--issued a report on 3/1/16 confirming its March, 2015 designation of glyphosate as a "probable carcinogen", their conclusion has not yet been recognized by the EPA and apparently will not play any role in the making of the Council's recommendations.

Unfortunately, it also appears that VPAC does not yet have a plan in place to notify the public (especially chemically-sensitive persons) in advance of any such spraying; nor do they appear to have even come up with a definition of what constitutes a sensitive area (an area of high or vulnerable populations) much less of a map of any such areas. Thus, it appears that the entire ROW within the city limits could be sprayed--with little if any warning.

Concerned residents of Montpelier (as well as those who live outside the city limits but who use the bike/walking path, shop at the Co-op or Shaws, park in municipal parking, are members of the VSECU, or walk anywhere along the railroad's right-of-way in the city limits) need to attend the next VPAC meeting. At that meeting VPAC will make recommendations to the Secretary of Agriculture on the railroad's pending request for approval to apply herbicides to the ROW in question.

The meeting is set for Wednesday, May 11 at 1:00 pm in the Catamount Room N215 at the Agency of Natural Resources located in the Davis Building next to National Life's main building. Members of the public who wish to speak in opposition to the proposed spraying should prepare brief comments.

NOVUS ENERGY DEVELOPMENT LLC
ENERGY WITH A BRIGHT FUTURE

Solar Project Overview

City of Montpelier and Montpelier High School and Union Elementary School

Novus Energy Development, LLC ("Novus") is a Montpelier, Vt. based company that specializes in the development of solar photovoltaic ("PV") generating facilities that qualify under the Vermont net metering law: 30 V.S.A. § 219a and § 248. The law allows for the output of a PV system to be virtually "net metered" to one, or a group, of meters within the same utility service territory. Novus has fully engineered and permitted 500kW system on a parcel of land in Sharon, Vt. which is located within Green Mountain Power's service territory. One half of the output of this facility is available and being offered to the Montpelier Schools under a long term arrangement which will provide savings to the schools at no cost. The City of Montpelier is already signed up to receive the other half of output.

The specifics of the project are as follows:

Solar Farm Location: Sharon, VT
System Size: 500kW,ac

It is projected that the system will generate approx. 875,000kWh (avg.) per year that will be assigned under the Vermont net metering law to a group (of meters) which could include the City of Montpelier (2 meters) , Montpelier High School; and the Union Elementary School. The project will be owned and operated by a third party, with the output and associated electrical savings offered to the group at no cost.

Electrical Savings: The Group will receive a credit off their respective electrical bill from GMP by participating in the program (note: the credit cannot exceed the bill). They will, in turn, pay 85% of their respective credits to the owners of the project – retaining the remaining 15%. Under the Vt. net metering law the credit in Y1-10 is based upon a rate of $0.19 due to the credit of a "solar adder"; in Y11-20 the credit is without the adder (just the highest rate). Under this program it is projected that the savings to Schools will be as follows:

Table 1 summarizes the projected savings the group would realize over the 20 operation of the project.

NOVUS ENERGY DEVELOPMENT LLC
ENERGY WITH A BRIGHT FUTURE

Projected electrical savings to the Group associated with Novus Sharon Solar, LLC

Year(s)	1-10	11-20	20 Yr total
Montpelier City Meters			
Percentage allocated to City	48%	48%	48%
Projected average annual electrical cost savings	$ 12,581	$ 11,539	
Projected total electrical cost savings	$ 125,811	$ 115,393	$ 241,204
Montpelier Schools Meters			
Percentage allocated to Schools	52%	52%	52%
Projected average annual electrical cost savings	$ 13,829	$ 12,849	
Projected total electrical cost savings	$ 138,286	$ 126,834	$ 265,120

Table 1

Novus Energy Development, LLC
2 Spring St.
Montpelier, Vt. 05602
www.novusenergydev.com

CITY COUNCIL Agenda Item #16-138(f).
Date: May 11, 2016
Consent _x_ Discussion ___

SUBJECT: Vermont Equal Pay Compact

SUBMITTING DEPARTMENT: City Manager's Office for the Vermont Commission on Women

RECOMMENDED ACTION: Proposed motion: "Authorize the City Manager to sign the Vermont Equal Pay Compact on behalf of the City of Montpelier."

RELATED COUNCIL GOAL/PRIOR ACTION: "B: Maintain Excellent Services: Meet organizational needs – Building HR capacity." Central to good human resources practices is equity in employment opportunities, pay and benefits.

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: N/A

BACKGROUND INFORMATION: The City of Montpelier was contacted by the Vermont Commission on Women to sign on to the Vermont Equal Pay Compact. The goal of the Compact is to help make Vermont one of the best states for working women by closing the gender wage gap, removing barriers to women's advancement, and improving economic security for women and their families. The Compact is a voluntary online pledge that enables Vermont employers to indicate their commitment to closing the wage gap. By signing on, employers agree to implement tangible action steps to improve gender equity in their workplace.

SUPPORTING DOCUMENTS: The Compact sign-up form is attached.

INTERESTED PARTIES: All

CITY MANAGER'S APPROVAL:

VERMONT

Commission on Women
State of Vermont

VERMONT.GOV
official state website
Search

Vermont Equal Pay Compact Sign Up Form

Email Address *

Name *

Phone Number *

Job Title *

Name of Company *

Please type as you would like your business or institution to appear on the website list of Vermont Equal Pay Compact participants.

County *

- Select -

Steps, Remedies or Interventions Planned *

Please note steps your business will take as part of the Compact to close the gender wage gap in your workplace.

Submit

Efficiency Vermont

www.efficiencyvermont.com

128 Lakeside Avenue, Suite 401 • Burlington, VT 05401-4939 • phone: 802-860-4095 • toll-free: 888-921-5990 • fax: 802-658-1643

January 12, 2016

Blower project

Christopher Cox
Montpelier Wastewater Treatment Plant
949 Dog River Rd
Montpelier, VT 05601

Re: Montpelier, City of - WWTF - Low Pressure Blower, Efficiency Vermont Project # 6013-BI81

Dear Mr. Cox

It is a pleasure working with you to make energy efficiency improvements at your business. Based on your inputs, we estimate that the proposed efficiency improvements at Montpelier Wastewater Treatment Plant will save you approximately $6,366 per year at current energy rates. In addition, this project will reduce statewide energy consumption and improve our environment by saving an estimated 61,801 kWh of electricity and 71888 pounds of carbon emissions per year.

Based on estimated project costs and energy savings, Efficiency Vermont is pleased to offer a cash incentive of $10,000 toward the items identified in the attached "Scope of Efficiency Improvements."

Project Economics

Estimated Cost of Efficiency Improvements	$46,726	
Efficiency Vermont Incentive	$10,000	
Your Net Cost After Incentives	$36,726	
Estimated First-Year Energy Savings	$6,366	
Estimated Simple Payback Period	5.8	years
Estimated Average Lifetime of Efficiency Improvements	15	years
Estimated Rate of Return on Your Investment (pretax)	15%	

Please review and sign the Incentive Agreement and Scope of Efficiency Improvements. Return a signed copy of the signature page to Efficiency Vermont via fax, pdf or mail. You will need to communicate your efficiency criteria and specifications with your contractors and design professionals to ensure the scope of the efficiency improvements is met.

I look forward to working in partnership with you and your business. If you have any questions about the Incentive Agreement, or want to discuss any aspect of this project, please contact me at 888-921-5990 ext. 7642.

CHANGE FOR THE BETTER WITH ENERGY STAR

Efficiency Vermont

www.efficiencyvermont.com

128 Lakeside Avenue, Suite 401 • Burlington, VT 05401-4939 • phone: 802-860-4095 • toll-free: 888-921-5990 • fax: 802-658-1643

September 14, 2015

Lift Pump VFD project

Christopher Cox
Montpelier Wastewater Treatment Plant
949 Dog River Rd
Montpelier, VT 05601

Re: Montpelier WWTF - High Lift Pump VFDs, Efficiency Vermont Project # 6012-AW89

Dear Mr. Cox:

It is a pleasure working with you to make energy efficiency improvements at your business. Based on your inputs, we estimate that the proposed efficiency improvements at Montpelier Wastewater Treatment Plant will save you approximately $5,439 per year at current energy rates. In addition, this project will reduce statewide energy consumption and improve our environment by saving an estimated 49,038 kWh of electricity and 57042 pounds of carbon emissions per year.

Based on estimated project costs and energy savings, Efficiency Vermont is pleased to offer a cash incentive of $4,500 toward the items identified in the attached "Scope of Efficiency Improvements."

Project Economics

Estimated Cost of Efficiency Improvements	$15,357	
Efficiency Vermont Incentive	$4,500	
Your Net Cost After Incentives	$10,857	
Estimated First-Year Energy Savings	$5,439	
Estimated Simple Payback Period	2	years
Estimated Average Lifetime of Efficiency Improvements	10	years
Estimated Rate of Return on Your Investment (pretax)	49%	

Please review and sign the Incentive Agreement and Scope of Efficiency Improvements. Return a signed copy of the signature page to Efficiency Vermont via fax, pdf or mail. You will need to communicate your efficiency criteria and specifications with your contractors and design professionals to ensure the scope of the efficiency improvements is met.

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CHANGE FOR THE BETTER WITH ENERGY STAR

CITY COUNCIL Agenda Item #16-139.
Date: May 11, 2016
Consent __ Discussion _x_

SUBJECT: Presentation of Part 1 Unified Development Bylaws

SUBMITTING DEPARTMENT: Planning

RECOMMENDED ACTION: None; opportunity for the Council to receive an explanation of Part 1 of the bylaws and to ask questions

RELATED COUNCIL GOAL/PRIOR ACTION: F: Maintain a vibrant downtown – improve parking and D: Create and maintain a healthy environment for housing and economic growth

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: None

BACKGROUND INFORMATION: Planning Commission has finalized Part 1 and forwarded to you for review. They will continue to review and forward parts of the bylaws to the Council in future meetings.

SUPPORTING DOCUMENTS: Draft Part 1 Unified Development Bylaws are attached, along with a summary memo.

INTERESTED PARTIES: Planning Commission

CITY MANAGER'S APPROVAL:

City of Montpelier
PLANNING & COMMUNITY DEV.
802-223-9506 phone 39 Main Street, Montpelier, VT 05602 802-262-6080 fax www.montpelier-vt.org

MEMORANDUM

To: City Council
From: Mike Miller, Director of Planning & Community Development
Re: Zoning – Part 1
Date: May 6, 2016

The planning commission and staff are excited to be moving the draft Unified Development Regulations (i.e. the zoning bylaws) forward to the City Council for consideration. Five years of starts and restarts, a great amount of public input and comment, and much compromise has resulted in a document that is a great improvement over our current zoning bylaws and better addresses the implementation of our current City Master Plan.

Because we clearly could not do a line by line review of the draft Zoning Regulations, I will outline each Part, Chapter and, where appropriate, Section and try to highlight places of interest from a policy perspective that you may want to look further at. Where applicable I will note major changes over the current zoning bylaws.

The regulations are divided into 5 "Parts" including General, Zoning Districts, Development Standards, Administrative Procedures, and Definitions. Part 1 is short and lays out the foundation for the regulations. It answers questions like- under what authority is the City adopting these regulations; what types of activities will be regulated; what types of activities are exempt; and what about development that are already here.

Chapter 100 are the legal requirements for adopting zoning. These are standard provisions like authority, purpose, applicability (what needs a zoning permit), conflict with other bylaws, and amendments. I would point you to the "i" under section 1004 as this definition is the foundation of the zoning regulations. All "land development" needs a permit and this is the definition of land development.

Chapter 110 discusses the exemptions to zoning. "Land development" is a very broad term as defined in Chapter 100. The exemptions starts to back out some smaller development projects as exempt and discusses some protections provided by state and federal law. For example, would a garage sale need a zoning permit? Under 1101.A(7) we see that garage sales are exempt provided the use is not more than 3 consecutive says and not for more

than 12 days in a year. There are a number of these exemptions and they are generally very similar to the exemptions we have today in our current zoning.

The exemptions are split between those in .A that are exempt everywhere in the City and those in .B which are exempt everywhere except in the historic district. So in .B(4) a deck less than 300 square feet that is proposed outside the design control district does not need a permit provided it meets setbacks and lot coverage. If you are in the district you still need to get a permit for the project.

1101.A and 1101.B are good places to review for policy implications. Are we being too generous with our exemptions? Are we exempting activities that you think should need a permit? Or are we over regulating and more projects should be exempt.

Chapter 120 are the “vested rights” Most people think of these as grandfathered buildings and uses. This section answers the questions of what happens to uses and structures that pre-date these regulations and how they will be regulated going forward. The last section describes what rights someone has if their non-conforming building is destroyed or damaged. These are fairly standard provisions but can be changed if the City wants to regulate them differently.

Please feel free to ask questions either at the meeting or any other time. We will also try to have Planning Commission representative at the meeting to answer why they made certain policy decisions.

Thank you.

MM

PART 1. GENERAL

Chapter 100. Legal Framework

ⓘ *The purpose of this chapter is to establish a legal foundation for these regulations.*

Section 1001. Title, Enactment and Authority

1001.A These are the City of Montpelier's *Unified Development Regulations* and constitute the city's zoning and subdivision regulations.

1001.B The Montpelier City Council has adopted these regulations in accordance with and as authorized by the *Vermont Planning and Development Act*, 24 VSA Chapter 117.

Section 1002. Purpose

1002.A These regulations implement the policies of the *Montpelier Master Plan* and the *Vermont Planning and Development Act*. They are intended to:

(1) Ensure that land development protects public health, safety and welfare;

(2) Promote land development that protects and conserves natural, agricultural, scenic and historic resources;

(3) Allow for housing to meet the needs of residents; and

(4) Promote approaches to land use and development that are consistent with smart growth principles.

Section 1003. Equal Treatment of Housing

1003.A These regulations are intended to allow the development of housing in accordance with statutory requirements as follows:

(1) Mobile or manufactured homes, modular homes and prefabricated homes are allowed in Montpelier to the same extent as conventional homes.

(2) Mobile or manufactured home parks are allowed to the same extent as other residential subdivisions or developments.

(3) Multi-family housing is allowed in appropriate districts.

Section 1004. Applicability

1004.A Unless specifically exempted in these regulations (see Chapter 110), all land development in the City of Montpelier requires a zoning permit issued in accordance with these regulations.

ⓘ *Land development means constructing, installing, demolishing, reconstructing, converting, structurally altering, relocating or enlarging any structure; mining, excavating, filling or grading land; removing natural woody vegetation from within water setbacks; changing or extending the use of land or a structure; adjusting or relocating the boundary between two lots; or dividing a lot into two or more lots.*

Section 1005. Conflict with Other Laws

1005.A If any provision of these regulations is more restrictive than any other law or regulation, the provision of these regulations will apply.

1005.B Other city approvals or permits may be required for proposed land development that is exempted or approved under these regulations including, but not limited to, river hazard area permits and building permits

Section 1006. Effective Date

1006.A The Montpelier City Council adopted these regulations on [INSERT ADOPTED DATE] and they became effective on [INSERT EFFECTIVE DATE].

Section 1007. Amendment or Repeal

1007.A These regulations may be amended or repealed at any time in accordance with state law and the city charter.

Section 1008. Severability

1008.A If a court of competent jurisdiction invalidates any provision of these regulations, that decision will not affect the validity, application or enforcement of the remaining provisions of these regulations.

Section 1009. Disclaimer of Liability

1009.A These regulations do not create any liability on the part of the city, its officials, agents, employees or representatives for alleged damages that result from reliance on these regulations or any lawful administrative action or decision taken under these regulations.

Chapter 110. Exemptions

ⓘ *The purpose of this chapter is to allow minor land development without a zoning permit and recognize the land development that is exempted from local zoning by state or federal law.*

Section 1101. General Exemptions

1101.A A zoning permit is not required for the following land development:

(1) Emergency repair and stabilization of a structure damaged by any cause to the extent necessary to protect public health and safety and to protect the structure from the elements. Further land development beyond the minimum necessary to stabilize and secure the structure will require a zoning permit (see Section 1206 and Section 3004).

(2) Normal maintenance and repair of an existing structure as long as there is no change to its use or exterior dimensions.

(3) An increase in the floor area of a residence (by finishing unfinished space) as long as there is no change to its exterior dimensions and no change in the number of dwelling units.

(4) Any unroofed garden structure (ex. arbor, trellis, pergola) that is not more than 10 feet in height and that conforms to setback requirements (see Section 3001).

(5) A television antenna, radio antenna, satellite dish or similar device used to provide on-site communication service that meets the standards below. These devices may exceed district height requirements, but must conform to setback requirements. These devices should be installed on the least visible location on the building or property where they can reasonably function.

(a) A roof-, wall-, or ground-mounted dish antenna with a face(s) not more than 15 square feet in area.

(b) A roof- or wall-mounted antenna that does not extend more than 12 feet above the roofline of the building it is attached to.

(c) A freestanding amateur radio antenna and its supporting structure that does not extend more than 50 feet above the ground.

(6) An antenna used for single-use local business radio dispatch purposes or for police, fire, ambulance or similar emergency dispatch purposes.

(7) Garage sales, yard sales, auctions or similar activities that do not occur on a property for more than 3 consecutive days and for more than 12 days in any calendar year.

(8) Use of public or private land for hunting, fishing or trapping in accordance with state regulations. This does not include related recreational facilities, such as firing ranges or rod and gun clubs.

(9) Minor grading, filling or excavating, which is not part of approved construction activities or is not commercial mining, extraction or quarrying that:

(a) Results in the movement of not more than 20 cubic yards of material for normal maintenance of roads, driveways, parking areas, yards, and personal or community gardens, and

(b) Provides appropriate measures to prevent stormwater runoff from adversely impacting nearby properties, public infrastructure or downstream waterbodies.

(10) Construction or maintenance of a road, sidewalk, path, bridge, culvert or other infrastructure within a public right-of-way.

1101.B Except within the Historic Design Review Overlay District, a zoning permit is not required for the following land development:

(1) Any accessory structure ancillary to a residential use that:

(a) Is less than 100 square feet in floor area;

(b) Is less than 10 feet in height if it has a flat roof or less than 12 feet in height if it has a pitched roof; and

(c) Conforms to setback and lot coverage requirements (see Section 3001).

(2) A solar energy device installed on and projecting not more than 10 feet above a sloped roof, or a solar energy device of any height installed on a flat roof (any roof with a slope of not more than 5%).

(3) A swimming pool without a permanent foundation that conforms to setback requirements (see Section 3001).

(4) A patio, terrace, deck or similar unroofed structure ancillary to a residential use that is not more than 300 square feet in area and that conforms to setback and lot coverage requirements (see Section 3001).

(5) An entry landing up to 25 square feet and any associated handicapped ramp or stairs provided that they are uncovered and that none of these features extend into the right-of-way.

(6) Bulkheads that conform to setback requirements.

(7) Dormers.

Section 1102. Agriculture and Forestry

1102.A A zoning permit is not required to farm or harvest timber in accordance with the state's regulations and accepted practices.

ⓘ *The Vermont Agency of Agriculture establishes and enforces various rules and regulations for farming, including the Accepted Agricultural Practices (AAPs). The Vermont Division of Forestry establishes and enforces various rules and regulations for timber harvesting, including the Acceptable Management Practices (AMPs).*

1102.B A zoning permit is not required to build a farm structure as follows:

(1) The landowner must complete a zoning permit application.

(2) The Administrative Officer will not charge an application fee and will not issue a zoning permit for an exempt farm structure.

(3) Except for a fence or wall used for agricultural purposes, an exempt farm structure must meet setback requirements unless the applicant provides the Administrative Officer with a written waiver from the Vermont Secretary of Agriculture.

(4) An exempt farm structure may exceed building height or footprint and lot coverage requirements.

1102.C A zoning permit is required to convert an exempt farm structure from an agricultural to a nonagricultural use.

Section 1103. Utility, Energy and Telecommunications Infrastructure

1103.A A zoning permit is not required for any land development that receives a Certificate of Public Good from the Public Service Board including, but not limited to:

(1) Electric transmission facilities;

(2) Electric generation facilities (including small, net-metered renewable energy systems);

(3) Gas pipelines; and

(4) Telecommunication facilities.

1103.B A zoning permit is not required for telecommunications equipment and related site development that does not exceed a footprint of 300 square feet and a height of 10 feet.

Chapter 120. Vested Rights & Pre-Existing Development

ⓘ *The purpose of this chapter is to preserve the rights of property owners to maintain lawfully established uses or structures and of applicants who have lawfully filed for and/or received permits or approvals when there are changes to these regulations. It is also to specify how these regulations affect pre-existing land development.*

Section 1201. Prior Permits and Approvals

1201.A If the Administrative Officer lawfully issued a zoning permit before these regulations were adopted or amended, the applicant will not need a new or amended permit for the project except:

(1) If the land development is not substantially completed or an extension is not received before the permit expires, the applicant will need to apply for a new zoning permit under the current regulations (see Section 4204).

1201.B If an applicant received approval for a phased project before these regulations were adopted or amended, the Administrative Officer will issue permits for the land development as approved irrespective of any change in these regulations except:

(1) If the phased project as a whole is not substantially completed within the timeframe specified in the approval, the applicant will need to apply for a new permit under the current regulations.

1201.C If an applicant lawfully filed an approved subdivision plat in the city's land records, the plat will remain valid and will not expire irrespective of any change in these regulations.

Section 1202. Complete Applications

1202.A An application will be reviewed based on the regulations in effect when the Administrative Officer determines it is complete.

Section 1203. Nonconformities

1203.A This section applies to all nonconformities, which are lots, structures and uses that:

(1) Legally existed on the effective date of these regulations;

(2) Do not comply or conform to the provisions of these regulations; and

(3) Did comply or conform to any and all applicable laws, ordinances and regulations in place at the time they were created, constructed or commenced.

1203.B A nonconformity may continue to exist unchanged indefinitely.

1203.C A lot that is legally subdivided, separately owned from surrounding properties, and existed as of the effective date of these regulations may be developed in accordance with all applicable provisions of these regulations even if it no longer conforms to one or more dimensional standards of the district(s) in which it located provided:

(1) It is at least 3,000 square feet in area; and

(2) A circle with a diameter of at least 40 feet can be drawn within its boundaries.

1203.D A nonconforming structure may undergo normal repair and maintenance provided that the degree of nonconformity is not increased.

1203.E The Administrative Officer may approve an enlargement or expansion of a nonconforming structure (without a waiver or variance) provided:

(1) The addition does not encroach beyond the existing, nonconforming building line; and

(2) The structure is not subject to other conditions or restrictions from prior approvals or permits that would otherwise restrict the proposed addition.

1203.F The Development Review Board may approve a waiver to allow enlargement or expansion of a nonconforming structure beyond what is authorized in Subsection 1203.E (see Section 4602).

1203.G Nonconforming uses must not be enlarged, extended, expanded or intensified except as allowed below:

(1) The Development Review Board may grant conditional use approval to allow a nonconforming use to fully utilize the structure in which it is located.

(2) The Development Review Board may grant conditional use approval to allow a nonconforming use to be changed to another nonconforming use if it determines the proposed use is of a less intensive nature and is more compatible with the uses allowed in the district.

Section 1204. Abandonment

1204.A A zoning permit, and any applicable approvals, will be required to re-establish a nonresidential use if it has been abandoned or replaced with a new use.

(1) A use will be considered abandoned if the use has been discontinued for a period of six consecutive months. Intent to resume a nonconforming use will not confer the right to do so.

1204.B A lawful, vacant dwelling unit may be reoccupied at any time without a new zoning permit or any further approval under these regulations (city or state building, health and/or safety codes may apply).

1204.C A nonconforming use must not be re-established if it has been abandoned or replaced with a new use except:

(1) If the nonconforming use has been abandoned as result of damage to the structure in which it was housed, the nonconforming use may be re-established if the structure is repaired or rebuilt in accordance with Section 1206 within 5 years of the damage occurring.

Section 1205. Incomplete Land Development

1205.A If land development authorized by a zoning permit is not completed, the applicant must demolish or secure any partially completed structures, remove all structural materials from the site, restore the site to a natural grade, and re-establish groundcover to prevent erosion prior to or within 6 months after the permit expires (see Section 4204).

Section 1206. Damaged or Destroyed Structures

1206.A Within 6 months of a structure being damaged or destroyed by any cause, the owner must act to either:

(1) Stabilize and secure the structure as necessary to protect public health and safety and to protect the structure from the elements, if the structure will be reconstructed; or

(2) Demolish the structure, remove all structural materials and debris from the site, restore the site to a natural grade, and re-establish groundcover to prevent erosion.

1206.B The Administrative Officer may grant one or more extensions in 6- to 12- month increments as most appropriate to the situation for a total of not more than 30 months upon finding that:

(1) The site does not pose a hazard to public health or safety; and

(2) The owner has been unable to meet the deadline due to factors beyond his/her control.

1206.C If a nonconforming structure is damaged or destroyed, the structure may be rebuilt and used as before provided:

(1) The structure as reconstructed does not exceed the original floor area;

(2) The structure as reconstructed is not more nonconforming than the original structure; and

(3) The applicant receives a zoning permit for reconstruction within 12 months of the structure being damaged or destroyed.

CITY COUNCIL Agenda Item #16-139.
Date: May 11, 2016
Consent __ Discussion _x_

SUBJECT: Presentation of Part 1 Unified Development Bylaws

SUBMITTING DEPARTMENT: Planning

RECOMMENDED ACTION: None; opportunity for the Council to receive an explanation of Part 1 of the bylaws and to ask questions

RELATED COUNCIL GOAL/PRIOR ACTION: F: Maintain a vibrant downtown – improve parking and D: Create and maintain a healthy environment for housing and economic growth

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

LEGAL REQUIREMENTS: None

BACKGROUND INFORMATION: Planning Commission has finalized Part 1 and forwarded to you for review. They will continue to review and forward parts of the bylaws to the Council in future meetings.

SUPPORTING DOCUMENTS: Draft Part 1 Unified Development Bylaws are attached, along with a summary memo.

INTERESTED PARTIES: Planning Commission

CITY MANAGER'S APPROVAL:

City of Montpelier
PLANNING & COMMUNITY DEV.
802-223-9506 phone 39 Main Street, Montpelier, VT 05602 802-262-6080 fax www.montpelier-vt.org

MEMORANDUM

To: City Council
From: Mike Miller, Director of Planning & Community Development
Re: Zoning – Part 1
Date: May 6, 2016

The planning commission and staff are excited to be moving the draft Unified Development Regulations (i.e. the zoning bylaws) forward to the City Council for consideration. Five years of starts and restarts, a great amount of public input and comment, and much compromise has resulted in a document that is a great improvement over our current zoning bylaws and better addresses the implementation of our current City Master Plan.

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1005.B Other city approvals or permits may be required for proposed land development that is exempted or approved under these regulations including, but not limited to, river hazard area permits and building permits

Section 1006. Effective Date

1006.A The Montpelier City Council adopted these regulations on [INSERT ADOPTED DATE] and they became effective on [INSERT EFFECTIVE DATE].

Section 1007. Amendment or Repeal

1007.A These regulations may be amended or repealed at any time in accordance with state law and the city charter.

Section 1008. Severability

1008.A If a court of competent jurisdiction invalidates any provision of these regulations, that decision will not affect the validity, application or enforcement of the remaining provisions of these regulations.

Section 1009. Disclaimer of Liability

1009.A These regulations do not create any liability on the part of the city, its officials, agents, employees or representatives for alleged damages that result from reliance on these regulations or any lawful administrative action or decision taken under these regulations.

Chapter 110. Exemptions

ⓘ *The purpose of this chapter is to allow minor land development without a zoning permit and recognize the land development that is exempted from local zoning by state or federal law.*

Section 1101. General Exemptions

1101.A A zoning permit is not required for the following land development:

(1) Emergency repair and stabilization of a structure damaged by any cause to the extent necessary to protect public health and safety and to protect the structure from the elements. Further land development beyond the minimum necessary to stabilize and secure the structure will require a zoning permit (see Section 1206 and Section 3004).

(2) Normal maintenance and repair of an existing structure as long as there is no change to its use or exterior dimensions.

(3) An increase in the floor area of a residence (by finishing unfinished space) as long as there is no change to its exterior dimensions and no change in the number of dwelling units.

(4) Any unroofed garden structure (ex. arbor, trellis, pergola) that is not more than 10 feet in height and that conforms to setback requirements (see Section 3001).

(5) A television antenna, radio antenna, satellite dish or similar device used to provide on-site communication service that meets the standards below. These devices may exceed district height requirements, but must conform to setback requirements. These devices should be installed on the least visible location on the building or property where they can reasonably function.

(a) A roof-, wall-, or ground-mounted dish antenna with a face(s) not more than 15 square feet in area.

(b) A roof- or wall-mounted antenna that does not extend more than 12 feet above the roofline of the building it is attached to.

(c) A freestanding amateur radio antenna and its supporting structure that does not extend more than 50 feet above the ground.

(6) An antenna used for single-use local business radio dispatch purposes or for police, fire, ambulance or similar emergency dispatch purposes.

(7) Garage sales, yard sales, auctions or similar activities that do not occur on a property for more than 3 consecutive days and for more than 12 days in any calendar year.

(8) Use of public or private land for hunting, fishing or trapping in accordance with state regulations. This does not include related recreational facilities, such as firing ranges or rod and gun clubs.

(9) Minor grading, filling or excavating, which is not part of approved construction activities or is not commercial mining, extraction or quarrying that:

(a) Results in the movement of not more than 20 cubic yards of material for normal maintenance of roads, driveways, parking areas, yards, and personal or community gardens, and

(b) Provides appropriate measures to prevent stormwater runoff from adversely impacting nearby properties, public infrastructure or downstream waterbodies.

(10) Construction or maintenance of a road, sidewalk, path, bridge, culvert or other infrastructure within a public right-of-way.

1101.B Except within the Historic Design Review Overlay District, a zoning permit is not required for the following land development:

(1) Any accessory structure ancillary to a residential use that:

(a) Is less than 100 square feet in floor area;

(b) Is less than 10 feet in height if it has a flat roof or less than 12 feet in height if it has a pitched roof; and

(c) Conforms to setback and lot coverage requirements (see Section 3001).

(2) A solar energy device installed on and projecting not more than 10 feet above a sloped roof, or a solar energy device of any height installed on a flat roof (any roof with a slope of not more than 5%).

(3) A swimming pool without a permanent foundation that conforms to setback requirements (see Section 3001).

(4) A patio, terrace, deck or similar unroofed structure ancillary to a residential use that is not more than 300 square feet in area and that conforms to setback and lot coverage requirements (see Section 3001).

(5) An entry landing up to 25 square feet and any associated handicapped ramp or stairs provided that they are uncovered and that none of these features extend into the right-of-way.

(6) Bulkheads that conform to setback requirements.

(7) Dormers.

Section 1102. Agriculture and Forestry

1102.A A zoning permit is not required to farm or harvest timber in accordance with the state's regulations and accepted practices.

ⓘ *The Vermont Agency of Agriculture establishes and enforces various rules and regulations for farming, including the Accepted Agricultural Practices (AAPs). The Vermont Division of Forestry establishes and enforces various rules and regulations for timber harvesting, including the Acceptable Management Practices (AMPs).*

1102.B A zoning permit is not required to build a farm structure as follows:

(1) The landowner must complete a zoning permit application.

(2) The Administrative Officer will not charge an application fee and will not issue a zoning permit for an exempt farm structure.

(3) Except for a fence or wall used for agricultural purposes, an exempt farm structure must meet setback requirements unless the applicant provides the Administrative Officer with a written waiver from the Vermont Secretary of Agriculture.

(4) An exempt farm structure may exceed building height or footprint and lot coverage requirements.

1102.C A zoning permit is required to convert an exempt farm structure from an agricultural to a nonagricultural use.

Section 1103. Utility, Energy and Telecommunications Infrastructure

1103.A A zoning permit is not required for any land development that receives a Certificate of Public Good from the Public Service Board including, but not limited to:

(1) Electric transmission facilities;

(2) Electric generation facilities (including small, net-metered renewable energy systems);

(3) Gas pipelines; and

(4) Telecommunication facilities.

1103.B A zoning permit is not required for telecommunications equipment and related site development that does not exceed a footprint of 300 square feet and a height of 10 feet.

Chapter 120. Vested Rights & Pre-Existing Development

ⓘ *The purpose of this chapter is to preserve the rights of property owners to maintain lawfully established uses or structures and of applicants who have lawfully filed for and/or received permits or approvals when there are changes to these regulations. It is also to specify how these regulations affect pre-existing land development.*

Section 1201. Prior Permits and Approvals

1201.A If the Administrative Officer lawfully issued a zoning permit before these regulations were adopted or amended, the applicant will not need a new or amended permit for the project except:

(1) If the land development is not substantially completed or an extension is not received before the permit expires, the applicant will need to apply for a new zoning permit under the current regulations (see Section 4204).

1201.B If an applicant received approval for a phased project before these regulations were adopted or amended, the Administrative Officer will issue permits for the land development as approved irrespective of any change in these regulations except:

(1) If the phased project as a whole is not substantially completed within the timeframe specified in the approval, the applicant will need to apply for a new permit under the current regulations.

1201.C If an applicant lawfully filed an approved subdivision plat in the city's land records, the plat will remain valid and will not expire irrespective of any change in these regulations.

Section 1202. Complete Applications

1202.A An application will be reviewed based on the regulations in effect when the Administrative Officer determines it is complete.

Section 1203. Nonconformities

1203.A This section applies to all nonconformities, which are lots, structures and uses that:

(1) Legally existed on the effective date of these regulations;

(2) Do not comply or conform to the provisions of these regulations; and

(3) Did comply or conform to any and all applicable laws, ordinances and regulations in place at the time they were created, constructed or commenced.

1203.B A nonconformity may continue to exist unchanged indefinitely.

1203.C A lot that is legally subdivided, separately owned from surrounding properties, and existed as of the effective date of these regulations may be developed in accordance with all applicable provisions of these regulations even if it no longer conforms to one or more dimensional standards of the district(s) in which it located provided:

(1) It is at least 3,000 square feet in area; and

(2) A circle with a diameter of at least 40 feet can be drawn within its boundaries.

1203.D A nonconforming structure may undergo normal repair and maintenance provided that the degree of nonconformity is not increased.

1203.E The Administrative Officer may approve an enlargement or expansion of a nonconforming structure (without a waiver or variance) provided:

(1) The addition does not encroach beyond the existing, nonconforming building line; and

(2) The structure is not subject to other conditions or restrictions from prior approvals or permits that would otherwise restrict the proposed addition.

1203.F The Development Review Board may approve a waiver to allow enlargement or expansion of a nonconforming structure beyond what is authorized in Subsection 1203.E (see Section 4602).

1203.G Nonconforming uses must not be enlarged, extended, expanded or intensified except as allowed below:

(1) The Development Review Board may grant conditional use approval to allow a nonconforming use to fully utilize the structure in which it is located.

(2) The Development Review Board may grant conditional use approval to allow a nonconforming use to be changed to another nonconforming use if it determines the proposed use is of a less intensive nature and is more compatible with the uses allowed in the district.

Section 1204. Abandonment

1204.A A zoning permit, and any applicable approvals, will be required to re-establish a nonresidential use if it has been abandoned or replaced with a new use.

(1) A use will be considered abandoned if the use has been discontinued for a period of six consecutive months. Intent to resume a nonconforming use will not confer the right to do so.

1204.B A lawful, vacant dwelling unit may be reoccupied at any time without a new zoning permit or any further approval under these regulations (city or state building, health and/or safety codes may apply).

1204.C A nonconforming use must not be re-established if it has been abandoned or replaced with a new use except:

(1) If the nonconforming use has been abandoned as result of damage to the structure in which it was housed, the nonconforming use may be re-established if the structure is repaired or rebuilt in accordance with Section 1206 within 5 years of the damage occurring.

Section 1205. Incomplete Land Development

1205.A If land development authorized by a zoning permit is not completed, the applicant must demolish or secure any partially completed structures, remove all structural materials from the site, restore the site to a natural grade, and re-establish groundcover to prevent erosion prior to or within 6 months after the permit expires (see Section 4204).

Section 1206. Damaged or Destroyed Structures

1206.A Within 6 months of a structure being damaged or destroyed by any cause, the owner must act to either:

(1) Stabilize and secure the structure as necessary to protect public health and safety and to protect the structure from the elements, if the structure will be reconstructed; or

(2) Demolish the structure, remove all structural materials and debris from the site, restore the site to a natural grade, and re-establish groundcover to prevent erosion.

1206.B The Administrative Officer may grant one or more extensions in 6- to 12- month increments as most appropriate to the situation for a total of not more than 30 months upon finding that:

(1) The site does not pose a hazard to public health or safety; and

(2) The owner has been unable to meet the deadline due to factors beyond his/her control.

1206.C If a nonconforming structure is damaged or destroyed, the structure may be rebuilt and used as before provided:

(1) The structure as reconstructed does not exceed the original floor area;

(2) The structure as reconstructed is not more nonconforming than the original structure; and

(3) The applicant receives a zoning permit for reconstruction within 12 months of the structure being damaged or destroyed.