MEMO

To: Williston Selectboard
From: Emily Heymann, AICP, Senior Planner
Matt Boulanger, AICP, Planning Director
CC: Erik Wells, Town Manager
Date: November 17, 2023
Re: **SP 23-01 Glaser Specific Plan – Informational Session Part II**

INTRODUCTION

This memo is intended to accompany the transmittal memo dated November 3, 2023. On November 7th, the Selectboard held Part I of Informational Session on Town Plan and Bylaw Amendments for the Glaser Specific Plan, SP 23-01. On November 21st, the Selectboard will have Part II of the Informational Session and may consider warning a public hearing on the proposed amendments.

Part I. November 7th

- *Overview of Specific Plan process*
- *Overview of Proposed Town Plan and Bylaw Amendments*
- *Overview of Proposed Open Space Substantial Benefit*

Part II. November 21st

- *RZD Future Development Pattern*
- *Growth Management Utilization*
- *Conventional Subdivision vs. Specific Plan*
- *Pond Boundary Line Adjustment*
- *Open Space Conveyance and Future Use*

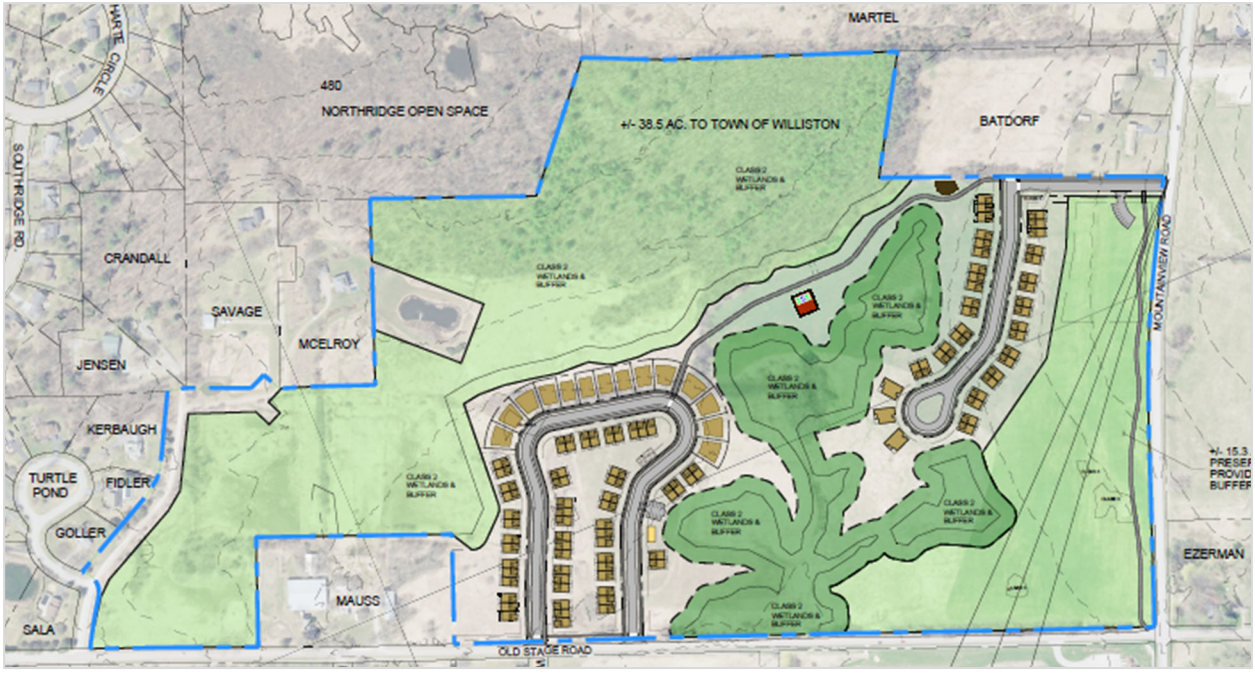


Figure 1. Screenshot of the site plan for Glaser Specific Plan.

SUMMARY OF THE GLASER SPECIFIC PLAN PROPOSAL

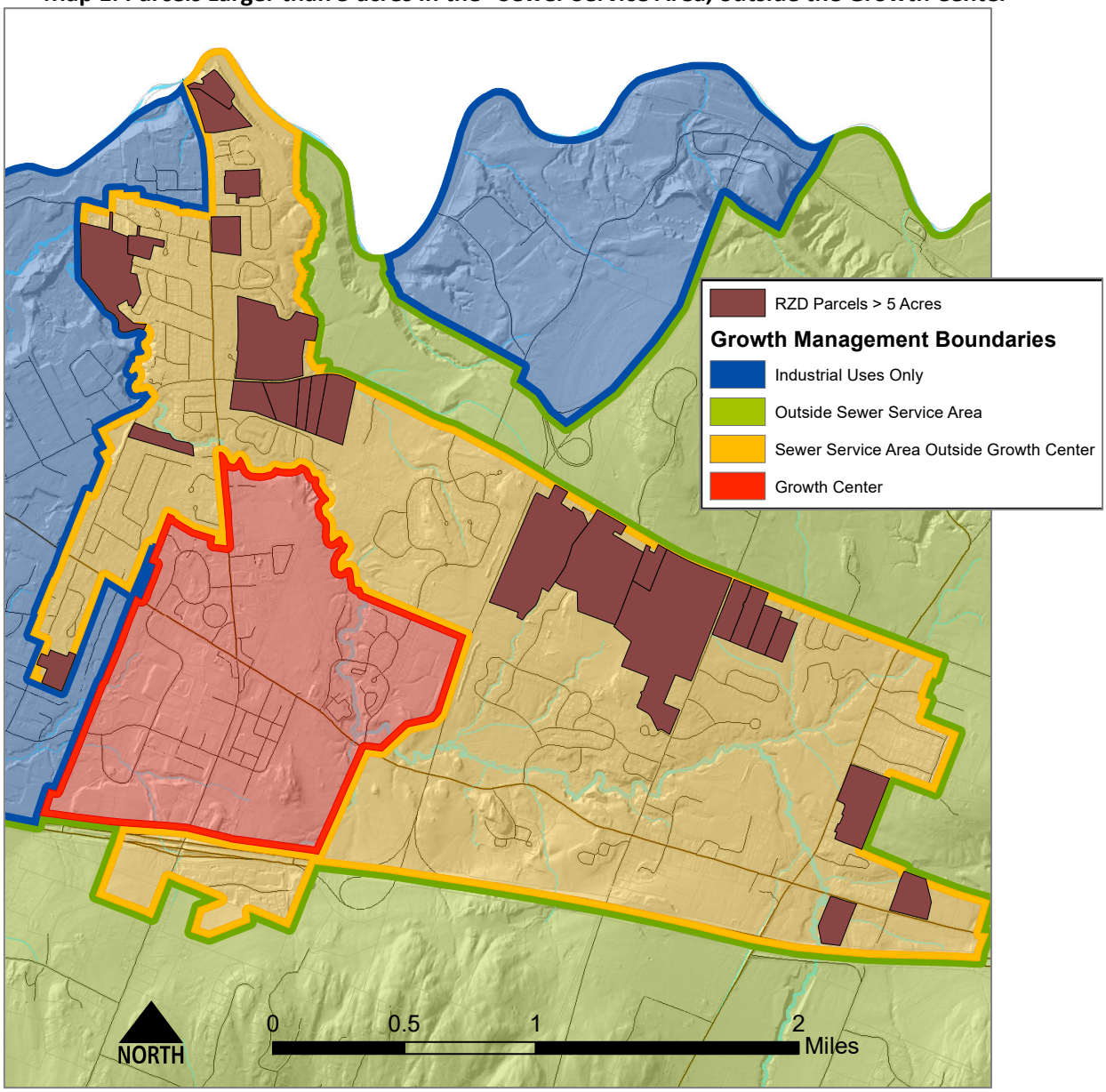
The Glaser Specific Plan (SP 23-01) proposes a ±109-unit residential subdivision with ±53-acres open space donated to the Town as the substantial benefit. Jack and Caitlin Glaser own ±97-acres at the southwest corner of Mountain View Road and Old Stage Road. The homes are proposed in two distinct areas: ±39-units on a cul-de-sac located off Mountain View Road and ±70-units with two-points of access onto Old Stage Road (across from Wildflower Circle). The open space proposed is also in two distinct areas: ±15-acres fronting on Mountain View Road with views of the Green Mountains and ±38-acres of pasture, wetland, and forest.

FUTURE DEVELOPMENT PATTERN IN THE RZD

The era of suburban subdivisions is coming to an end in Williston. It began in the 1960s with neighborhoods off Route 2A and reached its peak in the 1990s to early 2000s with Southridge and Brennan Woods. The map below depicts parcels larger than 5 acres with development potential that are in the Sewer Service Area outside the Growth Center (mostly RZD). Not every maroon parcel can be or will be developed.

The largest of those parcels include Glaser (97 acres), Summer Field aka Catamount Golf (56 acres), Martel (53 acres), and Trinity Baptist Church (47 acres). Summer Field began permitting in 2019 and is 80% allocated but has not begun construction. Trinity Baptist Church (58 units) withdrew their application. Martel received concept approval in the 1990s for Coyote Run Phase 4. Other maroon parcels have an existing land use (VELCO transmission, Williston Golf Club, churches) that is not likely to change in the foreseeable future or constraints (wetlands and watershed buffers) that mean maximum residential build-out is not feasible.

Map 1. Parcels Larger than 5 acres in the "Sewer Service Area, outside the Growth Center"



GROWTH MANAGEMENT UTILIZATION

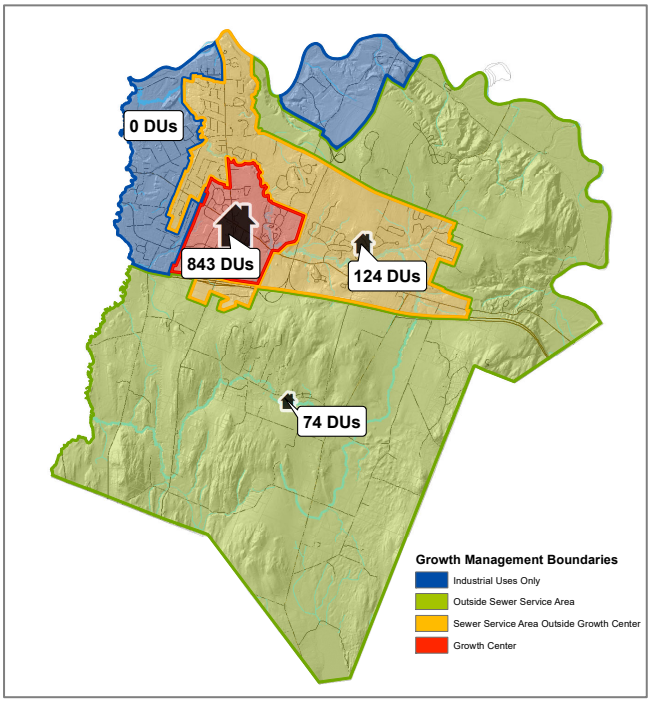
Also known as "proof of the poof," meaning not all allocation gets utilized. WDB Chapter 11 sets a Growth Target of 80 DUe/year. This target is a 10-year rolling cycle where the previous year drops off and a new year is added on an annual basis. Allocation goes "poof" for two reasons: it goes unutilized and falls off the 10-year horizon, or a project is abandoned before construction begins. The 80 DUe/year Growth Target is divided into three areas of Town:

- 50 DUe/year in the Growth Center
- 20 DUe/year in the Sewer Service Area outside Growth Center (mostly RZD)
- 10 DUe/year in Outside the Sewer Service Area (mostly ARZD)

During the advisory committee process, Planning staff analyzed the utilization of the Growth Management system across Fiscal Years 2016-2023. ***Between FY2016-2023, 142 DUe allocations were available in the Growth Target but were not utilized (131 DUe unallocated and 11 DUe voided)***. The Town did not achieve its Growth Target of 80 DUe/year between FY2016-2023. 142 DUe is more allocation than the 109 DUe proposed in Glaser Specific Plan. As a point of analysis, the Glaser allocation schedule separate from the Growth Target could be viewed as a means of recapturing the Growth Target's unutilized allocation from recently eclipsed fiscal years.

Unutilized Growth Management Allocation, FY2016-2023			
	Unallocated "poof"	**Void**	**Total**
Growth Center	95	8	103
Sewer Service outside GC	11	2	13
Outside Sewer Service	25	1	26
Total	**131**	**11**	**142**

Between 2013-2022, 123 dwellings were built in the "Sewer Service Area outside Growth Center" representing 11% of all new homes in Williston. By 2030, we predict about 200 new homes (25% of the total new homes) in that area. 80% of the new homes constructed from 2013-2033 and 72% of the homes predicted by 2030 will be within the Growth Center. The Growth Center is 5% of the total land area of Williston.



CONVENTIONAL SUBDIVISION VS. SPECIFIC PLAN

The Glaser Specific Plan layout must comply with all dimensional and design standards of the Williston Unified Development Bylaw (WDB), including residential density, setbacks, road/utilities, landscaping, and outdoor lighting. The only substantive change proposed is an amendment to WDB Chapter regarding Growth Management score and permit phasing schedule.

A landowner may pursue permits for different development proposals at the same time. Their options narrow as they invest money in the soft costs (design/engineering fees, state permitting, etc.) and narrow even more when construction begins. DP 24-06 received pre-application review from the DRB on November 14th. A comparison of the various permitting and construction timelines in included in the November 7th memo.

Table 1. Comparing the Impact of Specific Plan and Conventional Subdivision on Working Landscapes.

		Specific Plan	Conventional Subdivision
Windswept Farm	**Overall viability**	More certainty	Less certainty
	Haying viewshed	More certainty – lease agreement with the Town	Less certainty – viewshed is highly developable
	Pastureland	More certainty – lease agreement with the Town	Less certainty – some pastureland may be developed; Lease agreement with private HOA not the Town
Other Agricultural Uses		More certainty – 15-acres viewshed and 14 acres pasture could be leased by Town to other agricultural uses	Less certainty – more developed area leaves less land for agriculture uses; Lease agreement would be with private HOA, not the Town

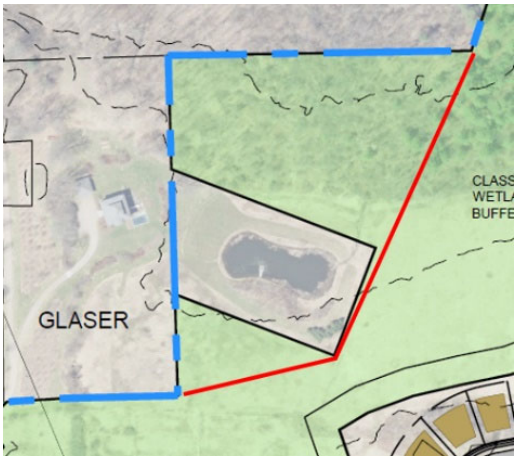
Table 2. Comparing the Key Differences of Specific Plan and Conventional Subdivision

		Bylaw Standard	Glaser Specific Plan
Residential Density		130-218 DUe 260-436 1-BR DU	109 homes
Affordable Homes		Inclusionary Zoning: 10% at 80% AMI, 15% at 100% AMI, or some combination. If no affordable units, market rate units pay-in-lieu	Growth Management 4 points – 10% (11 units) affordable at 100% Area Median Income (AMI)
Number of units on a dead-end		No more than 40	Complies
Open Space Characteristics	**Total Land Area**	"No quantitative minimum" (29.8.2)	54.6% (53 out of 97 acres)
	Viewshed	"People should expect to have views that include residential neighborhoods in the RZD" 39.8.2.6	15 acres under public ownership
	Working Landscapes	"Protecting farmland is not a primary goal in the RZD" 39.8.2.7	A means for Windswept Farm to remain viable, or allow another ag use to operate on Town land
	Ownership Type	Third-party easement on private land is incentivized	Land donation to Town

"±" & POND BOUNDARY LINE ADJUSTMENT

The proposed Town Plan and Bylaw amendments, and all accompanying documents, refer to units and acres with "±". This is very intentional. Specific Plan is a concept, sketch-level design. Detailed engineering, including boundary survey and exact acreage, is not required until discretionary permit. Furthermore, "±" acknowledges that some elements of the subdivision may change slightly to comply with Bylaws and DPW Specifications, as well as accommodate detailed site engineering of utilities, roads, and stormwater systems.

The "±" means the amount of donated land may change. It is expected to decrease from 53± acres to 49-50± acres. There is a manmade pond on the open space adjacent to a dwelling at 195 Windridge Road. The pond is a liability and maintenance responsibility and should not be conveyed to the town. The pond boundary line adjustment may increase from 1.5 acres (black) to 4.8-5.5 acres (red), thus reducing town-owned open space. Planning staff supports this change because it creates regular lot shape between town and private land, thus reducing potential for future conflicts. Furthermore, the open space is part of the 38± acres appraised at $35,000 so it does not undermine the "substantial benefit". The concept site plan warned for public hearing and included in Appendix K may show a reduced open space acreage and different lot shape around the pond.



OPEN SPACE – CONVEYANCE

The applicant proposes to donate ±53-acres open space to the Town in two distinct areas:

1. ±15-acres of unconstrained land fronting on Mountain View Road with views of the Green Mountains, a view that is identified in the town plan. Land appraisal is $1.85 million.
2. ±38-acres of pasture, wetland, and forest, in alignment with broader town plan goals to support working landscapes and conservation. Land appraisal is $35,000.

Specific Plan "approval" is the Selectboard adopting Town Plan and Bylaw Amendments. Then, the project must receive permits from the Williston Development Review Board, as well as any necessary state permits. The Town would want to participate in the Act 250 process to ensure the town's interest in developing a viewshed park is not prohibited by Act 250 Agricultural Soil Mitigation associated with the residential subdivision. During that permitting process, legal counsel would assist Erik Wells, Town Manager and Jack & Caitlin Glaser, landowners with the necessary steps and documents to transfer the land into town ownership. For example, it is common for developers to establish a purchase and sale agreement with a landowner that stipulates the developer will only purchase the land after all necessary permits are obtained. Town Counsel may advise the Town Manager on a similar agreement to assist with a smooth transfer of ownership.

OPEN SPACE – FUTURE USE

Even under Town ownership, the open space land will forever be a "creature of Specific Plan." Any use or activity of the land must forever uphold the substantial benefits of viewshed, working landscapes, and conservation areas.

Viewshed: These 15-acres are unconstrained and highly developable. The Town could not sell the land for residential subdivision, nor could the Town develop the land for intensive indoor-recreational uses like a Community Center. Neither of those activities are supported in the Town Plan discussions of "open space." However, the Planning Commission and their advisory committee, as well as the Conservation Commission, felt that the mountain views should not be solely accessible to passersby looking across the land from Mtn View Road. Modest park amenities within a 2-5 acre building envelope would be appropriate and enhance the public access to the views.

Working Landscapes: Windswept Farm, owned and operated by Mike and Tina Mauss, have leased land from the Glasers for about 20 years. Their abutting property is 5-acres and contains a dwelling, barns, riding rings, and other incidental structures associated with the equestrian facility. During the land transfer process, the Town should engage with the Mausses to establish a lease agreement. If Windswept Farm does not exist in the future, then the Town could lease its agricultural land to another users, provided the Town Plan goals for working landscapes are upheld. The Town has many similar leases for agricultural fields or meadow-maintenance on Town-owned land. These leases commonplace and are overseen by the Conservation Planner, Simon Myles.

Figure 2.Walking around the riding ring, located on the Mausses property, the Site visit on April 20, 2023.