

MEMORANDUM

To: Noelle Mackay, Jon Groveman and John Adams

From: Nicole Kesselring, PE

Date: October 28, 2015

Re: Criterion 9(L) – Draft Guidance 9/18/15

Thank you for the opportunity to provide comments on the proposed 9(L) Guidance. Our office personally has experience with 9(L) in the Rutland Commons Project, Rutland, and through this process has gained valuable insight. Since our practice is located Rutland County, our comments stem from our experiences in this area.

I have general concerns about the guidance document which are outlined below.

1. **Vermont is a rural state** where the majority of the population lives outside of the commerce areas and therefore needs to drive to acquire the goods and services they seek. This is part of the reason small towns like Pittsfield, Shrewsbury, and Wells retain their character. **As a result, regional shopping centers, such as those in Rutland Town, need to have a place in the planning and permitting realm. In addition the permitting process needs to be predictable and one that does not delay a project to the point of killing it.**
  - a. In most areas of Vermont it is not uncommon for people to drive 20 miles or more to do their shopping, as a result vehicles are needed.
  - b. If products are not available people will drive even further to acquire the products they need. (In the Rutland area that means Lebanon, NH and Glens Falls, NY) **The result is VT misses out on the tax dollars.**
  - c. Most people do their grocery shopping for a week at a time. Therefore they need to be able to load multiple shopping bags into their vehicle to transport items home. It is not practice to believe that people could walk home or take a bus, especially given the distance that most people live from the areas where shopping is available.
  - d. None of the commercial enterprises could survive if they were only patronized by the people that live within walking distance.
  - e. It is not practice to believe that all commercial enterprises could exist in the downtown areas. Using Rutland as an example, the land area simply does not exist, and if it did, the traffic generated would be unbearable.

2. The proximity of the residential component is troubling for many of the same reason listed above, as well as the fact that residential and commercial is rarely a compatible use.
3. The document cites Burlington for its compact form and size, but fails to recognize the extensive regional shopping ammenties that exist in South Burlington and Williston that residents of this area have access to.