

PROPOSAL PREPARED FOR
TOWN OF HINESBURG, VT

SUBMITTED ON
29 DECEMBER 2022

SUBMITTED BY



COMMUNITY PLANNING & DESIGN
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Town of Hinesburg Bylaw Modernization for Housing

We appreciate the opportunity to submit this response to your Request for Proposals for Bylaw Modernization for Housing. PlaceSense has been at the forefront of working with Vermont communities to reduce regulatory barriers to housing provision. This builds on our substantial experience preparing land use regulations for municipalities across the state that are models of clarity, administrative coherence and adherence to applicable state and federal provisions.

PlaceSense has past experience working with the Town of Hinesburg and an understanding of the community's preferences and concerns. We understand that with this project Hinesburg is seeking to focus its attention on the village growth area, which has sewer and water service in place to support residential growth. We will also be able to provide analysis of other areas of town to ensure that the review responds to all the current statutory requirements with regard to housing access. We expect to be able to provide a detailed analysis of Hinesburg's regulations that will identify potential areas for change to further the goals and objectives of the Town Plan.

Our proposal lays out a schedule that envisions focused public education and intensive work with the Planning Commission following the initial analysis. PlaceSense has a wealth of experience supporting Planning Commissions with bylaw revisions and developing public education materials that are tailored to the concerns and issues of the community we are working with. We will be able to provide samples of materials to the Hinesburg Planning Commission and staff early in the project to assist the commission in crafting an education strategy that will smooth the public hearing process.

PlaceSense understands that this project culminates in adoption of specific amendments to the existing bylaws. We have a proven track record translating community aspirations into effective regulatory language that meets the requirements of statute. We will be available to support town staff and the Planning Commission and Selectboard through the bylaw amendment process.

We look forward to the opportunity to discuss our response to your call for proposals and the opportunity to work with Hinesburg again.

Thank you,

A handwritten signature in black ink, appearing to read 'Brandy Saxton', written in a cursive style.

Brandy Saxton

SCOPE OF WORK

The scope of work outlined in your Bylaw Modernization for Housing request for proposals (RFP) and the Bylaw Modernization Grant Program guidance forms the basis of the PlaceSense proposal below. This proposal assumes a combination of in-person public meetings and hybrid remote/public meetings as needed.

February 2023

PlaceSense will commence work with a document review in coordination with town planning staff. Our understanding of this project is that it will support Hinesburg in making minor revisions to their land use regulations, thus facilitating an increase in housing supply, particularly in the Hinesburg village growth area.

Given that the focus of the project is to suggest viable housing-friendly amendments to the existing land use bylaws we propose moving immediately to a detailed technical review to ground our work with the Planning Commission. The technical review will examine the existing Hinesburg bylaws (zoning and subdivision), especially the village growth area, village center areas served by sewer, water and amenities including sidewalks. The review will consider:

- Conformance with housing-related goals of the Town Plan;
- Compliance with housing-related provisions of Vermont statute;
- Alignment with the best practices recommended in the Enabling Better Places Guide; and
- Attainment of minimum requirements with the state designation programs.

The technical review will evaluate the effectiveness of the existing development regulations in providing for an increase in housing supply. It will identify potential regulatory barriers and suggest alternative approaches where applicable. As described in the RFP, town staff have already identified some revisions that are required to comply with recent statutory changes.

We also understand from the RFP that the Planning Commission is not contemplating substantive changes to zoning districts and boundaries at this time. Rather, they are looking for small adjustments in standards and processes that could facilitate housing creation within the town's existing land use policy framework.



PlaceSense provided the City of St. Albans with a Residential Analysis last year. In part, that report assessed statutory compliance, conformance with recommended best practices and alignment with state program requirements. Some excerpts from that report are provided below. We would prepare a technical review for Hinesburg similar in format.

ADUs. State law already mandates that any owner-occupied single-unit property may be developed with an accessory apartment. Given that there could already be two units developed on the majority of residential lots in the city, the recommendation within the proposed Neighborhood districts is to simplify and slightly expand that opportunity by allowing a duplex on any existing lot in the district (irrespective of lot size or tenure). This eliminates several regulatory hurdles that would prevent many single unit properties from being converted to duplexes under the adopted zoning.

PRINCIPAL BUILDINGS. The Land Development Regulations limit lots in the residential districts to one principal building unless approved as a PUD. There are lots in the city that were developed with multiple detached residences prior to zoning. Allowing for a second detached dwelling on a lot should be considered as another means of accommodating infill housing. The difference between a single-unit residence with an apartment, a duplex or two detached homes on a lot is negligible from a zoning perspective.

ENABLING BETTER PLACES. Most of the city's residential blocks fit the description of the "neighborhood" place type – a primarily residential area located walking distance to downtown that may offer a variety of housing types – in *Enabling Better Places: A Zoning Guide for Vermont Neighborhoods*. The manner in which the zoning districts respond to the state's recommended guidelines are further detailed below.

The technical review will be provided in advance of the March Planning Commission workshop.

March 2023

PlaceSense will lead a focused workshop with the Planning Commission to discuss key findings of the technical review.

We are suggesting a workshop format for the consultant meetings with the Planning Commission. We understand that the Planning Commission has other projects in progress that will be ongoing concurrently with this work, and the need to have a public hearing no later than early June. We are recommending that the PC allocate at least two hours of work session time for each of the three proposed workshops (one each month in March, April and May).

During this first workshop, we will be asking the Planning Commission to select and prioritize recommendations that will be advanced in this round of bylaw amendments. Where the technical review identifies more than one approach to bylaw amendment we will be asking the Planning Commission to provide direction on their preferred approach.

Following the workshop, the consultants will begin drafting bylaw amendments for Planning Commission review.

April 2023

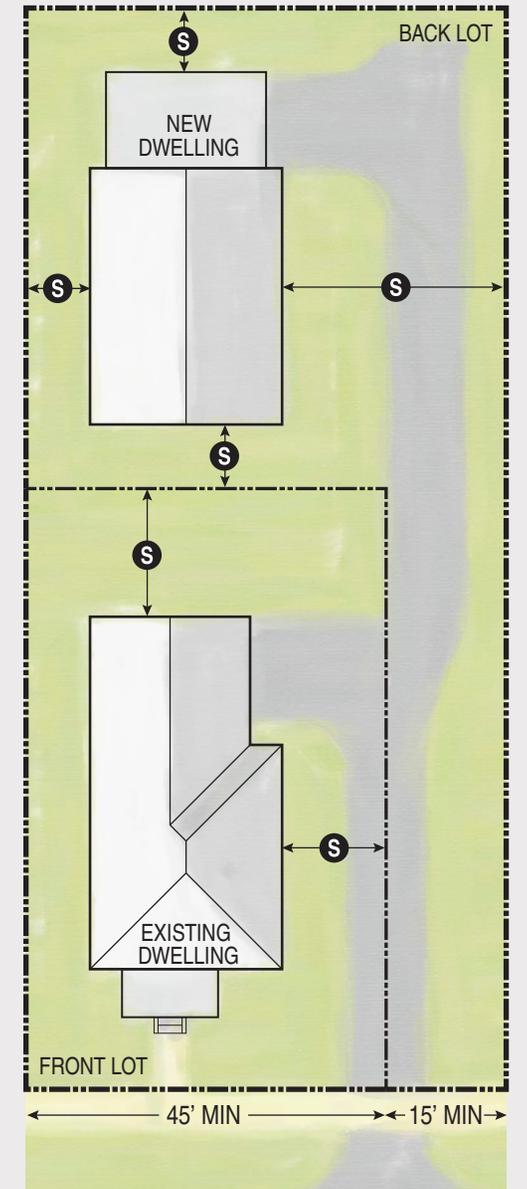
The consultants will integrate direction provided by the Planning Commission and staff into a set of draft bylaw amendments for review with the Planning Commission in the first of two workshop sessions. Where applicable, the draft amendments will include tables, diagrams and illustrations to help users better understand the regulatory intent and community standards.

May 2023

The second workshop will focus on requested revisions from the April meeting and will lead to a draft bylaw amendment ready for public hearing, including the Planning Commission Report that must accompany any bylaw amendments being warned for public hearing.

Draft public informational materials will also be circulated for Planning Commissioner feedback. The informational materials will need to explain and promote the proposed amendments to the broader community. Primarily we anticipate this will be a combination of text and graphics provided to town staff for use on the town website and in materials for the public hearings. The content and format of the materials will need to be determined in coordination with town staff once the amendments are in progress.

Example of an image prepared by PlaceSense to show minimum requirements for creation and development of a back lot as a form of infill housing.



Ⓢ MINIMUM SIDE OR REAR SETBACK MUST BE MET

June 2023

While the RFP suggested holding the Planning Commission public hearing in May, we are suggesting an early June hearing. Shifting two or three weeks further out will give the Planning Commission the opportunity to have two work sessions on bylaw amendments while maintaining other commitments in the April and May time frame.

The consultants will provide support to town staff and the Planning Commission for their required hearing on proposed bylaw amendments. We will maintain a matrix of all public comments made on the draft amendment and, where applicable, a recommended response or revision.

July 2023

Based on the outcome of the Planning Commission public hearing, further refinements may be made to the draft bylaw amendment prior to forwarding it to the Selectboard for their consideration.

The consultants will provide support to town staff and the Planning Commission in their presentation of the Bylaw Modernization project to the Selectboard. We will also provide a progress report detailing the public outreach program and summarizing the response to public comments.

September 2023

Based on feedback received from the Selectboard, the consultants will work with town staff and the Planning Commission to make any additional revisions requested to the set of draft bylaw amendments and to prepare for the Selectboard Public Hearing. The consultants will provide support to town staff and the Selectboard for their required hearing on proposed bylaw amendments.

We will provide the town with all final project deliverables. Text will be in Microsoft Word format and any images will be provided as JPEGs and/or Acrobat PDFs as applicable.

“Facilitate public/private partnerships for new housing (affordable, senior, reasonably priced) and for rehabilitation of existing housing.

Support affordable and reasonably priced housing townwide with emphasis on higher densities in the village area.

– Hinesburg 2021 Town Plan Top Priority Actions



PROJECT BUDGET & SCHEDULE

TASKS	HOURS	FEE	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Project Coordination										
Kick-Off Meeting	4	\$500	○							
Document Review	10	\$1,250								
Technical Review										
Technical Review	24	\$3,000		○	■					
PC Workshop	8	\$1,000			●					
Amendments										
Draft Amendments	40	\$5,000			○	■				
PC Workshop	8	\$1,000				●	●			
Revise Amendments	16	\$2,000				○	■			
Public Outreach										
Informational Materials	16	\$2,000				○	■			
Adoption										
PC Report	4	\$500				○	■			
PC Hearing	4	\$500					●			
Presentation to SB	8	\$1,000						○	●	
SB Hearing	8	\$1,000								●
Final Amendments	4	\$500							■	■
SB Adoption	2	\$250								●
Consultant Fee:	156 hours	\$19,500								
Direct Expenses:		\$500								
Total Project Cost:		\$20,000								

- Communication with town staff
- Public meetings and hearings
- Work product delivered



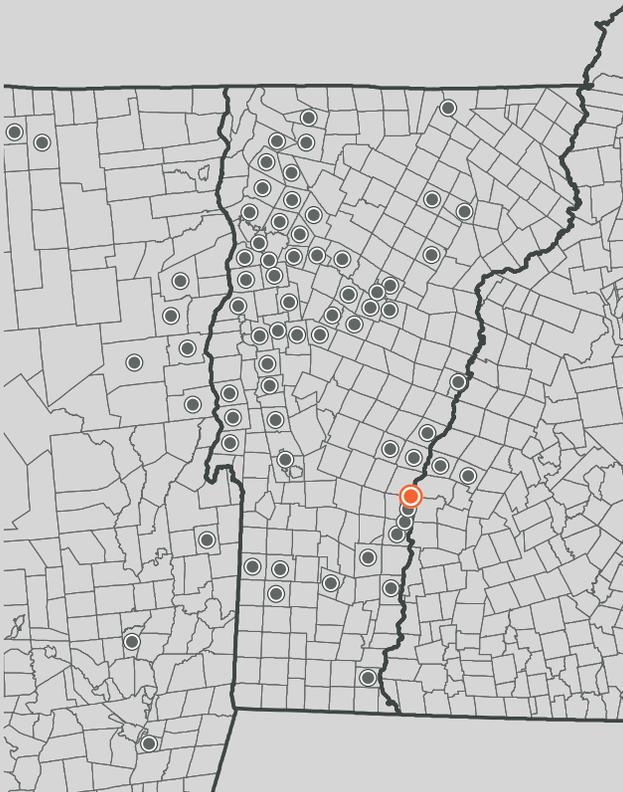
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QUALIFICATIONS & RELEVANT EXPERIENCE

ABOUT

PlaceSense, LLC provides professional land use planning services in Vermont and across the Northeast. We have experience with a variety of projects, from small to large-scale, residential to commercial development, and rural to urban design. Established in 2005, we work with municipal, nonprofit and private sector clients to create places for people – communities with quality housing, strong economies, attractive public spaces, safe streets and healthy ecosystems.

SERVICES

PlaceSense, LLC offers a broad range of land use planning services with a specialization in land planning and development in small cities, towns and villages.

LAND USE REGULATIONS. PlaceSense has expertise in drafting land use regulations with a strong track record of successful adoption. We have supported more than 20 municipalities through a zoning update during the past decade.

HOUSING. PlaceSense conducts housing studies that assess community demographics, housing stock, and housing needs. We evaluate current regulations to identify barriers to housing and recommend housing-friendly amendments. We assist developers with planning and permitting housing projects.

DEVELOPMENT REVIEW & PERMITTING. PlaceSense provides technical review services to municipalities and training for administrative officers and review boards. We help prepare permit applications and present projects to review boards.

PROJECT MANAGEMENT & GRANT WRITING. PlaceSense supports clients through all phases of project development and implementation. We are familiar with federal and state funding programs for housing and community development. We write grant applications and manage grant-funded projects.

MASTER PLANNING. PlaceSense prepares concept plans that present realistic opportunities for infill, redevelopment and/or public improvements to further community goals for housing creation, economic growth, revitalization, public spaces and complete streets.

MUNICIPAL PLANS. PlaceSense helps municipalities create approachable and actionable plans that are responsive to local priorities and capacities. We have prepared more than 20 plans for communities in Vermont, New Hampshire and New York.



BRANDY SAXTON

Brandy Saxton is a land use planner and community designer with more than 20 years of experience with an emphasis on crafting land use regulations. She has considerable knowledge of housing issues in New England. Her ability to write clearly and produce compelling documents is well recognized.

EXPERIENCE

- 2005 to present. Partner, PlaceSense
- 2000 to 2005. Senior Planner, Addison County Regional Planning Commission, Middlebury, Vermont
- 1999 to 2000. Assistant, New York State Rural Development Council, Syracuse, New York

EDUCATION & PROFESSIONAL CERTIFICATION

- AICP certification in 2005, American Institute of Certified Planners
- Master of Public Administration, Maxwell School of Citizenship and Public Affairs, Syracuse University
- Master of Landscape Architecture, State University of New York College of Environmental Science and Forestry
- Bachelor of Arts in Art History and Anthropology, State University of New York Potsdam College

AWARDS

- 2020 Planner of the Year, Northern New England Chapter of the APA
- 2018 Plan of the Year, Berlin Town Plan, Vermont Planners Association

VOLUNTEER SERVICE

- 2015-2018 NNECAPA Executive Committee
- 2014-2019 VPA Executive and Legislative Committees
- 2005-2009 Planning Board Chair, Village of Port Henry, New York



ROD FRANCIS

Rod Francis is a land use planner and project manager with more than 20 years of experience in community planning and development in New England. He has a proven track record in grant writing and project implementation. He is skilled at drafting staff reports, review board decisions and responses to appeals of land use decisions.

EXPERIENCE

- 2022 to present. Partner, PlaceSense
- 2021 to 2022. Town Manager, Town of Norwich, Vermont
- 2018 to 2022. Planning and Zoning Director, Town of Norwich, Vermont
- 2008 to 2018. Planning Director, Town of Brattleboro, Vermont
- 2006 to 2008. Planner, Windham County Regional Planning Commission, Brattleboro, Vermont
- 2003 to 2006. Assistant Professor, Geography and Regional Planning, Westfield State College
- 1998 to 2003. Assistant Professor, Geography, Dartmouth College
- 1995 to 1998. Assistant Professor, Global Affairs Institute, Maxwell School of Citizenship and Public Affairs, Syracuse University
- 1994 to 1995. Assistant Professor, Geology and Geography, Vassar College

EDUCATION & PROFESSIONAL CERTIFICATION

- AICP certification in 2003, American Institute of Certified Planners
- Ph.D. Geography and Environmental Science, Monash University
- Bachelor of Arts (honors), Monash University

AWARDS

- 2014 Plan of the Year, Brattleboro Town Plan, Vermont Planners Association

VOLUNTEER SERVICE

- 2015-2020 VPA Executive and Legislative Committees

RUTLAND CITY RESIDENTIAL ZONING ANALYSIS AND RECOMMENDATIONS

SINGLE FAMILY RESIDENTIAL DISTRICT

Current Boundaries. 2,214 acres or 45% of land in the city is zoned Single Family Residential (SFR). The SFR district includes land on the eastern, northern and western sides of the city beyond the downtown core and off the major travel corridors.

Current Dimensional Standards. The SFR district as currently adopted has the following dimensional requirements:

Minimum lot size	10,000 square feet
Minimum lot frontage	50 feet
Minimum front setback	25 feet (can be reduced to match adjacent buildings)
Minimum side setback	15 feet
Minimum rear setback	20 feet or 20% of lot, if greater, up to a maximum of 50 feet
Maximum building height	40 feet
Minimum building width	20 feet

Current Use Standards. The SFR district as currently adopted allows the following as permitted or conditionals uses:

Permitted	Conditional
Single-family dwelling	School and school uses
Day care - home	Places of worship
Municipal uses	Country club or golf course
Residential care home	Cemetery
Recreation facility, passive	Utility facilities
	Bed and breakfast
	Daycare - small
	Industry, cottage
	Recreation facility, outdoor

Note: While not listed in the use table, home occupations and accessory dwellings are also permitted uses in this district.

Fair Housing Law. The city's currently SFR zoning district is at risk of a legal challenge under state and federal fair housing laws. The federal Fair Housing Act prohibits housing discrimination based on race, color, national origin, religion, sex, familial status and disability. Vermont provides even greater protection, adding the protected categories of sexual orientation, age, marital status and receipt of public assistance. The Vermont Planning and Development Act, the enabling statute for municipal zoning, requires equal treatment of housing and prohibits municipalities from adopting regulations that would have the effect of excluding housing that meets the needs of the population. State statute also prohibits regulations that have the effect of excluding manufactured homes and multi-unit housing, and requires bylaws to include reasonable regulations for multi-unit housing. In Vermont, as in other states around the country, single-family zoning is increasingly viewed as discriminatory on its face and not in conformance with fair housing law. The city would find it difficult to legally defend the prohibition on multi-unit housing in the SFR district, particularly given the size of the SFR district, the amount of multi-unit housing previously created and continuing to exist in some neighborhoods zoned SFR, and the fact that most land in the SFR is serviced by municipal water and sewer. The city would also find it very difficult to justify the 20' minimum building width standard on any grounds that would withstand legal scrutiny. What community purpose does that standard achieve other than to effectively prohibit the installation of single-wide manufactured homes (typically 16' wide) in the city's residential districts?

		ADOPTED		PROPOSED		
P = Permitted C = Conditional S = Site Plan X = Prohibited		SFR	R-10	R-7	R-5	MU
RESIDENTIAL USES	1-unit residence	P	P	P	P	P
	2-unit residence	X	P	P	P	P
	3-unit residence	X	P/S	P/S	P/S	P/S
	4-unit residence	X	P/S	P/S	P/S	P/S
	5 or more unit residence	X	X	C/S	C/S	C/S
	Accessory dwelling	P	P	P	P	P
	Home occupation	P	P	P	P	P
	Home business (cottage industry)	C/S	P/S	P/S	P/S	P/S
	Family childcare home (day care - home)	P	P	P	P	P
	Residential care home	P	P	P	P	P
	Residential care facility	P/S	C/S	C/S	C/S	C/S
	B&B	C/S	P	P	P	P
	Short-term rental	X	P	P	P	P
	PUBLIC USES	Municipal facility (municipal uses)	P/S	P/S	P/S	P/S
Education facility (school & school uses)		P/S	P/S	P/S	P/S	P/S
Religious facility (places of religious worship & accessory uses)		C/S	P/S	P/S	P/S	P/S
Daycare facility		C/S	P/S	P/S	P/S	P/S



Rutland Land Use Regulations

PlaceSense worked with city staff, Planning Commission and ad-hoc committee on revisions to Rutland's land use regulations. The project was focused initially on two planning issues – the gateway areas to downtown, and residential zoning that limited opportunity for multi-unit housing. Site plan review was identified as critical to resolving both issues and the project was expanded to include drafting of a comprehensive set of site plan review standards. Work products included a residential zoning and block analysis in addition to regulatory language.

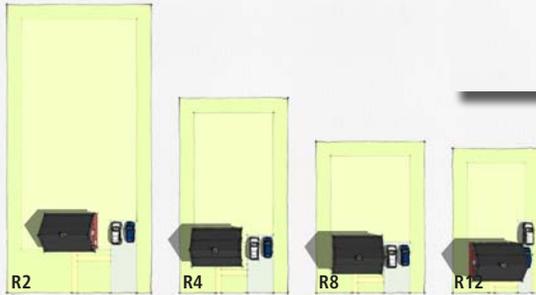
Contact

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Proposed Residential District Dimensional Standards
Single-Unit Example



1 dwelling unit 20,000 sf lot 100 ft frontage 30 ft front setback 10 ft side/rear setback 10% lot coverage	1 dwelling unit 10,000 sf lot 75 ft frontage 20 ft front setback 10 ft side/rear setback 15% lot coverage	1 dwelling unit 8,000 sf lot 75 ft frontage 15 ft front setback 10 ft side/rear setback 21% lot coverage	1 dwelling unit 6,000 sf lot 60 ft frontage 10 ft front setback 10 ft side/rear setback 23% lot coverage
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LOCAL STREET



① Right-of-way	60 ft min
② Roadway	two-way traffic, 18 ft min, 22 ft max curbs required, striping required, street lighting required
③ Parking lane	required, both sides, 8 ft min, 9 ft max
④ Planting area	1 large tree per 50 feet min
⑤ Sidewalk	5 ft min, both sides



Middlebury Regulations

PlaceSense worked with town staff to draft regulatory amendments with the goal of meeting the eligibility requirements for Vermont's Neighborhood Development Area Program and to address town planning goals related to infill housing. This included proposed Traditional Neighborhood Development provisions with form-based code components intended to promote creation of new, compact, walkable neighborhoods. A key objective of the project was to make allowance for desired infill and multi-unit housing while continuing to limit and manage the conversion of residences to student housing in village neighborhoods.

Contact

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B. RECOMMENDATIONS

1 Foster a culture in Richmond that welcomes new housing and residents.

Most residents are very satisfied with the quality of life Richmond offers and have a strong connection to the community. These positive attributes have deeper implications, however. They are directly linked to a heightened concern amongst some residents that any change in Richmond could potentially diminish those aspects of the community that they love. There is frequently a strong NIMBY (not in my back yard) response to development proposals in Richmond. Contentious hearings with high levels of citizen participation are not uncommon, and neither are appeals of permits and development approvals. Undeveloped land is frequently purchased by neighbors to prevent it from being put out on the market for development.

There is a growing YIMBY (yes, in my back yard) pro-housing movement in communities throughout the country. This movement links housing to other issues of community concern – equity, climate change and economic development. YIMBY volunteers show up at public meetings to speak in favor of pro-housing policies.

A primary role for the Housing Committee should be ongoing public engagement and education focused on the housing issues affecting those living in our community and region. Richmond recently formed a Racial Equity Committee. They could be a partner in talking with residents about the connections between housing, diversity and equity in Richmond.

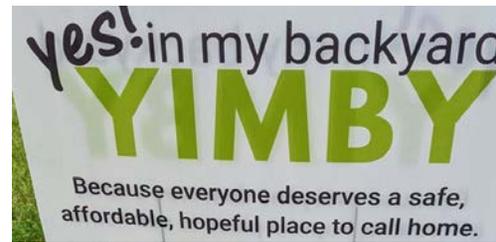
RESPONSIBILITY	Housing Committee
PARTNERS	Richmond Racial Equity Committee
TIMING	Immediate

2 Advocate for projects that would diversify and enhance Richmond's housing stock.

Richmond is a community with a high level of civic engagement. Residents expect to have a direct and meaningful role in shaping public policy and decision-making. But participation is a self-selecting process. At public hearings, it is common to hear from neighbors or other community members who are opposed to a development project. It is less common for those who may support a project to participate.

A second step for the Housing Committee should be to move from engagement and education to advocacy – bringing pro-housing voices into the community conversation when policy is set and decisions are made. Employers in town have recognized that housing is a limiting factor for attracting and retaining employees and growing their businesses. They could be a partner in advocating for housing that meets community needs.

RESPONSIBILITY	Housing Committee
PARTNERS	Local business operators
TIMING	Mid-term



Housing Barriers Experienced in Vermont
 ■ location ■ size ■ condition ■ cost ■ none

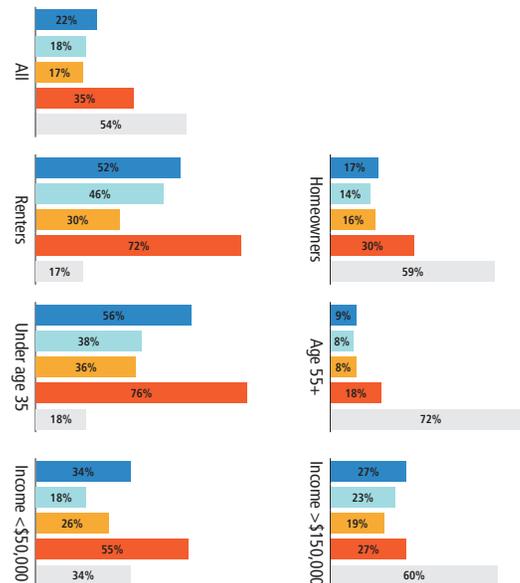


TABLE 2-3. Households by Income Distribution

Source: American Community Survey 5-Year Estimates, U.S. Census Bureau

	RICHMOND		CHITTENDEN COUNTY		VERMONT	
	2015	2020	2015	2020	2015	2020
Total households	1,569	1,782	63,498	66,478	257,167	262,852
Less than \$10,000	1.1%	2.3%	4.9%	4.3%	5.5%	4.5%
\$10,000 to \$24,999	5.5%	4.1%	12.9%	11.0%	15.9%	13.5%
\$25,000 to \$49,999	25.2%	13.5%	20.7%	17.8%	23.9%	21.2%
\$50,000 to \$74,999	18.0%	21.4%	18.1%	16.2%	19.4%	18.3%
\$75,000 to \$99,999	17.3%	9.1%	14.5%	13.9%	13.9%	13.9%
\$100,000 to \$149,999	19.6%	24.6%	17.2%	19.1%	13.2%	16.4%
\$150,000 to \$199,999	9.4%	16.9%	6.0%	8.0%	4.4%	6.1%
\$200,000 or more	3.9%	8.1%	5.7%	9.7%	3.7%	6.0%
With earnings	92.8%	82.7%	83.0%	81.8%	78.5%	77.1%
With interest, dividends, or net rental income	33.1%	20.8%	33.3%	29.0%	29.7%	28.1%
With Social Security income	16.8%	32.4%	26.2%	28.0%	33.1%	35.8%
With Supplemental Security Income (SSI)	3.0%	0.3%	5.1%	4.7%	5.9%	5.5%
With cash public assistance income	4.6%	0.5%	4.4%	2.2%	4.2%	3.0%
With retirement income	13.0%	20.1%	16.6%	19.8%	17.7%	21.8%
Median household income	75,145	99,435	65,350	76,316	55,176	63,477
Median family income	86,071	114,962	87,437	100,641	70,027	83,023
Per capita income	33,529	49,717	33,977	40,809	29,894	35,854
Residents under age 18 below poverty level	9.7%	0.0%	11.9%	9.9%	15.1%	12.3%
Residents age 18-64 below poverty level	3.6%	3.2%	12.3%	12.6%	11.5%	11.3%
Residents age 65 or older below poverty level	2.3%	1.6%	5.8%	7.1%	7.2%	7.7%



Richmond Housing Study

PlaceSense worked with the Richmond Housing Committee to document the community's housing needs and public perceptions of housing-related issues. Public input was solicited through a community survey, focus groups, interviews and several public meetings. Demographic and socio-economic data was analyzed. The final report informed the committee's recommendations to the Selectboard and Planning Commission on methods to advance the housing goals of the Town Plan and helped shaped the work plan for the newly formed committee. Materials produced included an evaluation of proposed zoning amendments and a block analysis.

Contact

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