

A Local Official's Guide to Developing Better Community Post Offices

*A project of the Vermont League of Cities and Towns, the Preservation Trust of Vermont,
and the Vermont Division for Historic Preservation*

TABLE OF CONTENTS

Preface: By Paul Bruhn, Emily Wadhams and Karen Horn

Part One: Introduction

- A. Why do you need this handbook?
- B. Understanding the USPS and the role the post office plays in Vermont downtowns and village centers.
- C. Strategies for developing a strong working relationship with local postal officials

Part Two: The Rules and How to Use Them

- A. The USPS Post Office Relocation Regulations
- B. The Post Office Community Partnership Act 2001

Part Three: The Vermont Model and Case Reviews

- A. The Vermont Model
- B. Case Reviews
 - 1. Arlington
 - 2. Westminster
 - 3. Morrisville

Summary

Appendix

- A. Resources
- B. USPS Relocation Regulations

A Local Official's Guide to Developing Better Community Post Offices

*A project of the Vermont League of Cities and Towns, the Preservation Trust of Vermont,
and the Vermont Division for Historic Preservation*

PREFACE

By Paul Bruhn, Preservation Trust of Vermont, Emily Wadhams, Vermont Division of Historic Preservation and Karen Horn, Vermont League of Cities and Towns

Today, Vermonters are confronting the environmental and social effects of unchecked growth and suburban sprawl on our state. Working together, we have stepped up efforts to revitalize our community centers and preserve our rural country side. We have learned that success requires cooperation, compromise and patience.

One of the challenges facing Vermont's communities is the struggle to keep the post office in the town and village centers and to insure that the design solution fits respectfully in the community. Factors such as cost and efficiency drive United States Postal Service decisions to relocate local post offices, sometimes to sites outside of the town center. Each of the organizations that we represent - Vermont League of Cities and Towns, Preservation Trust of Vermont, and Vermont Division for Historic Preservation, has worked together with residents and local, state and federal officials to insure that, whenever possible, the local post office remains visible, convenient, accessible and compatible with its surroundings.

This handbook provides effective strategies for keeping post offices downtown where they can best contribute to community life. It is being published at a time when the Postal Service has declared a moratorium on new expansion and relocation projects. This moratorium is in sharp contrast to the flurry of activity we have seen over the past several years. We hope the moratorium coupled with the ideas, tools, and information included in this handbook will help prepare you and other local officials and citizens for the next wave of Post Office activity.

Prepared by: Jessica Oski, Esq. with Editorial Assistance from (in alphabetical order): Paul Bruhn and Ann Cousins, Preservation Trust of VT; Jim Condos, state senator and South Burlington city councilor; Karen Horn, Vermont League of Cities and Towns; Don Keelan, The Keelan Company; Fred Kenney, Senator Leahy's Office; Jeff Munger, Senator Jefford's Office; Jenny Nelson, Representative Sanders' Office; John Rehlen, private developer; Glenn Smith, Westminster Town Manager; John Taylor, Governor Dean's Office; Emily Wadhams, State Historic Preservation Officer; and David Weinstein, Vermont Housing and Conservation Board.

June 2001

A Local Official's Guide to Developing Better Community Post Offices

*A project of the Vermont League of Cities and Towns, the Preservation Trust of Vermont,
and the Vermont Division for Historic Preservation*

PART ONE: INTRODUCTION

“We believe that post office facilities should meet the needs of the communities they serve. In Vermont that may mean that the suburban design model is not appropriate. It may mean that the USPS has to think creatively when expanding or relocating within a historic district or rural village setting. It means that the USPS needs to consider the needs of a community as the community undertakes projects to revitalize and improve their downtown areas and village centers or create new, compact town centers.”

---Senators Patrick Leahy and James Jeffords, Representative Bernard Sanders and Governor Howard Dean in a letter to US Postmaster William Henderson, October 2000. A.

Why do you need this handbook?

The USPS is the most visible federal institution in America and is probably closer to the community than any other federal agency. Vermonters use the post office on a daily basis, making it an integral part of the community. It serves as a central meeting place and anchor for the community center.

Because of this importance, few events are as devastating to the health of a town in any state as the closing or relocation of a downtown or community center post office. A National Trust for Historic Preservation study of some of its “Main Street” towns found that some 80% of the people who shop downtown do so because it is convenient to the post office. In recent years the United States Postal Service has been conducting an inventory of their space and facility needs. As a result, they have relocated an increasing number of post offices in Vermont and throughout the country. Over the last four years (1996-2000) approximately 30 Vermont post offices have been identified as being deficient and have been or are in the process of being relocated or expanded.

The Postal Service typically has solid reasons for seeking a change. Market and volume growth make it difficult for an existing facility to operate efficiently, and facilities sometimes become crowded to the point of hindering operations. In addition, the postal service is mandated by Congress to be fiscally self-sustaining, so it must constantly look for ways to improve its financial performance. The Postal Service has also, arguably for efficiency purposes, preferred a uniform, one story “cookie-cutter” building plan or an expansion plan that is surrounded by lots

of paved parking spaces (which often require the demolition of surrounding buildings)– designs that do not fit into the unique character of most Vermont communities. As a result, when a change is warranted, the Postal Service’s easiest solution is to move a post office to the outskirts of a town where land and building space are less expensive.

The good news is that cities and towns can successfully challenge Postal Service decisions that may negatively impact their communities. However, to be successful, local officials and citizens must take the initiative. The local community must give the USPS clear guidance on how best to meet its needs. The purpose of this handbook is to help local officials and residents develop and implement solutions to proposed expansions and relocations - solutions that meet the needs of the community and the post office. The handbook reviews:

- Ideas for developing a strong working relationship with postal officials;
- Strategies for working with postal officials to insure that, whenever possible, the local post office remains visible, convenient, accessible and sensitive to its surroundings;
- A “Vermont Model” for local post office redevelopment projects; and
- Current USPS regulations and proposed legislation governing post office relocations.

*** Remember, the key to a post office development that fits with your community is action by local officials and community members. ***

B. Understanding the USPS and the role the post office plays in Vermont downtowns and village centers.

The United States Postal Service, established in 1775, was dramatically reformed by the Postal Service Reorganization Act of 1970. The 1970 Act removed the Postmaster General from the presidential cabinet and created the postal corporation wholly owned by the federal government. As a result, the Post Office Department was transformed into the United States Postal Service, an independent establishment of the executive branch of the government of the United States.

The new USPS was given the mandate to become financially self-supporting. All federal subsidies to the USPS were phased out by 1982. The mission of the Postal Service is to “provide postal services to bind the Nation together through personal, educational, literary, and business correspondence of the people...[and] to provide prompt, reliable, and efficient services to patrons in all areas and ... to all communities.” 39 U.S.C. Part 241.

There are three basic types of local post offices in Vermont - 19 facilities are owned by the USPS (usually over 6,500 square feet), 259 facilities are leased by the USPS and less than 20 are small contracted post offices, known as Certified Postal Units, usually located in a local general

store or market. The vast majority of Vermont post offices (259 of 298) are located in privately owned buildings that are leased by the USPS. Most post offices provide a wide variety of customer services including: mailing and receiving packages, parcels, registered and insured mail, post office box rental, retail sales of stamps, money orders, envelopes, packaging supplies, and post office memorabilia.

The local post office is an essential part of a vibrant downtown for the following reasons:

- **Community.** The post office is a traditional gathering place for the community. Nearly everyone has some reason to visit the post office at least a few times a year and many people and businesses visit the post office daily.
- **Community Identity.** Community identity is often tied to the post office. When a community decides to insist on keeping its post office in the village center it is in fact fighting to preserve its heritage and its identity.
- **Convenience.** Essential services, retail and other, are often located within walking distance of the post office so that residents can conveniently access these services.
- **Economic Development.** The post office is an economic engine and an anchor tenant for many communities. By attracting pedestrian traffic, other businesses located in nearby commercial areas benefit. In return, downtown businesses are big consumers of post office services.
- **Taxes.** By generating economic activity to downtown businesses, property values grow and remain strong thereby generating tax benefits for the local community.
- **Smart Growth.** Consolidation of government and other essential services in a downtown location allows towns to maximize the value of existing infrastructure (roads, sewer, power and telecommunications) and municipal services (police, fire).
- **Heritage.** Many post offices across Vermont are located in historically significant and often beautiful buildings and districts.

C. Strategies for developing a strong working relationship with local postal officials

Before your local post office decides to move, it is wise to lay the groundwork to ensure that any future decisions to relocate are made in partnership with the community. Here are some ideas to prepare your community for a post office redevelopment project:

- **Identify the community impact of the post office.** Collaborate with a local business organization, community or school group to conduct a survey of people who visit

downtown and/or visit the post office. Hard data to support the economic impact of the local post office in your village or town business center will go a long way in support of any arguments to keep the post office downtown. The National Main Street Center, a program of the National Trust for Historic Preservation, has developed some sample “intercept” surveys that ask local business visitors whether they plan a visit to the post office during their current trip downtown and/or how often they visit the post office. See the Resources section of the Appendix for contact information for the National Main Street Center.

- **Celebrate your community’s heritage, including the post office.** Working with state, regional or local historic preservation groups, local business owners and community leaders, plan events or exhibits that honor and celebrate your community’s heritage, including the history of the post office. Invite local and regional post office officials to attend.
- **Invite postmaster and other regional USPS officials to participate in community events.** Get to know the local postmaster and regional USPS officials. Make sure that local and regional postal officials understand how important the downtown post office is to you and the community. Invite the postmaster to meet with the local selectboard or city council to discuss issues facing the post office. The USPS regional Facilities officials are located in Windsor, Ct. The regional Operations officials are located in Springfield, MA. See Appendix for address and Vermont contact information.

A Local Official's Guide to Developing Better Community Post Offices

*A project of the Vermont League of Cities and Towns, the Preservation Trust of Vermont,
and the Vermont Division for Historic Preservation*

PART TWO: THE RULES AND HOW TO USE THEM

"We have example after example across the country where citizens have more input into which version of the Elvis stamp we're going to pick than the location of a post office...Relocation can actually give you the worst of both worlds if it's not done sensitively. You can end up tearing the heart out of a historic downtown and then put it in an inappropriate location."

----US Representative Earl Blumenauer, D- Oregon, Sponsor of the Post Office Relocation Act.

*"To continue to provide effective retail, processing and delivery services to the businesses and residents of Vermont...balancing manageable costs is critical. Our emphasis has to be on maintaining a functioning and effective postal system. Regrettably, we cannot be all things to all people. **Our role in the revitalization of the nation's cities and towns must be limited to incidental participant.** While we eagerly seek and weigh input from the community regarding facility projects, we must keep our mandate in focus."*

----Deborah Willhite, Senior Vice President, Government Relations and Public Policy, USPS, November 2000.

THE USPS POST OFFICE RELOCATION REGULATIONS

Responding to growing political pressure and public concern about the impact of post office relocations on downtowns and local communities, in October 1998 the Postal Service voluntarily adopted regulations that require broader public notice and participation in any post office relocation project. 39 CFR Part 241. In addition, the regulations require postal officials to consider community input, including alternative recommendations, and provide for limited appeal opportunities

While these regulations do formalize a role for the public in the post office planning process, the regulations are also very clear that all final decisions will be made by the USPS and that decisions will ultimately be based on the needs of the USPS and not on the needs of the community. In many respects these regulations simply codify existing USPS policies that many citizens, state and local officials have criticized as not working and not in the best interest of local communities.

Although these regulations do not provide the same security as statutory mandates, local officials and communities should know and understand them. The local community should expect the USPS to comply with the letter and the intent of these regulations at every point in the relocation process.

What follows is a step-by-step review of the rules the USPS must follow in any relocation process. Also included are ideas and advice for local officials intended to maximize the community's role in the USPS decision-making process. And, regardless of any future changes to these regulations, many of the action ideas included here are timeless and can be utilized by local officials to guide many positive community changes.

The new regulations are triggered when the USPS "contemplates" a relocation or expansion of a customer service facility. The USPS claims that most local post offices are relocated because market growth makes it impossible for the existing facility to efficiently handle increased mail volume. Other often cited reasons offered by the USPS when it decides to relocate a community post office are:

Current space is too small. Modern day mail sorting machines are large and require significant open floor space for processing mail. The mail sorting generally needs to be done on one floor and cannot be spread over several floors. There may also be a need for more space for post office boxes and service windows. In addition, the USPS is ever expanding their retail services and products and may require more display and sales space.

Parking and turn around space for tractor-trailers is inadequate. The loading docks may need to be updated to accommodate larger (48 to 53 ft) trucks. Although most postal facilities in Vermont rarely if ever receive 53 foot tractor-trailers, the USPS is planning facilities to accommodate the use of these larger trucks in the future, if necessary.

The existing building is in **poor condition** and creates an **unsafe work environment**.

Fiscal pressures. A decision to relocate may be based primarily on an efficiency and cost analysis. The USPS, as a self-sustaining federal agency, constantly reviews and scrutinizes operational expenditures in an effort to meet its statutory mandate to provide prompt, reliable and efficient services at reasonable rates. 39 USC §101.

When the need for expansion or relocation is first identified or contemplated, the USPS is required to take a number of steps intended to **notify and involve the community**.

WHAT THE USPS MUST DO WHEN IT "CONTEMPLATES" A RELOCATION OR EXPANSION OF THE LOCAL POST OFFICE:

1. POSTAL REPRESENTATIVES ARE REQUIRED TO MEET WITH LOCAL OFFICIALS

The regulations require that postal representatives responsible for the project personally visit one or more of the highest-ranking local officials. In Vermont, that should include the chair of the local selectboard or city council, city manager or mayor. At this visit the postal representatives are supposed to identify the needs of the post office, describe the project, explain the process by which the public's input will be solicited and considered, request time on the agenda of next meeting of the local legislative body and provide the local government officials a letter describing the project. The regulations identify the USPS priority of expansion over relocation whenever possible. The postal representatives are required to explain to the local officials that, in meeting a need for increased space, the first priority of the USPS is to expand the existing facility; the second priority is to find an existing building in the same area as the current facility; and the third option is to build on a new site; all within the downtown area, if possible. 39 CFR §241.4 (c)(1)(ii).

"I feel this battle is very winnable if we organize and act now."

---St. Albans Mayor Peter DesLauriers on trying to keep the post office in downtown St. Albans.

What local officials should do:

Before the meeting:

Act quickly. Identify state, regional and local leaders that are committed to the preservation or revitalization of your community's downtown and let them know that the post office is considering a relocation. Those contacted should include: selectboard or city council members, local/state or regional planners, local/state historic preservation officials, local Chamber of Commerce and/or other business groups, neighbors, local development, revitalization or "beautification" committees, congressional offices, the

Vermont League of Cities and Towns and business leaders. *See Appendix for contact information.*

At the meeting:

Make sure you understand the reasons the USPS has identified that require a relocation, e.g. more space for sorting, distribution and circulation, more space for retail services, more space for parking and truck traffic, unsafe and deteriorating work space. If you are going to promote a viable alternative, you will need to directly respond to the needs and problems identified by the post office.

Ask the postal officials for details that quantify the problems. Request that all information be in writing, it will make your analysis and response to the information easier. When requesting information, do not settle for vague or off-point answers. Keep asking. If the postal service is relying on demographic data, review it closely. Their data may have no resemblance to the town you live in or your town's future growth plans.

If the initial meeting is with the selectboard, make sure all public meeting requirements are followed.

Suggest a process that includes more cooperation and collaboration and longer timelines than the regulations require.

And finally, impress upon the postal representatives your town's commitment to a vital town center and the essential role that the post office plays in that vitality.

Immediately after the meeting:

Send a follow-up letter to the USPS officials, recapping what was proposed, presented and discussed at the meeting. Copy that letter to the state and local leaders identified above.

Call a meeting of the local and state leaders identified above to identify strategies for keeping the post office downtown.

Spend some time analyzing the data and information provided by the USPS officials. Compare it with your own data. Check to see if it is internally consistent (i.e. are they proposing 3 employees but asking for 9 employee parking spaces). Examine the information critically and present follow-up questions in writing as necessary.

Establish a team to begin to explore alternatives and to be able to respond to problems and proposals presented by the post office. Consider all alternatives, including separating postal functions - keeping retail services downtown if circulation and

distribution services cannot be accommodated.

Be creative when considering how to get necessary information. The USPS officials may not always be the most efficient source.

Visit other post offices in your region, especially ones built in the last five years and consider talking to carriers and postal clerks to get a better understanding of the operations and needs of the post office.

a. The owner of the current post office must be notified in writing of the potential relocation or expansion.

The majority of local post offices are located in leased buildings. In Vermont, as of December 2000, 259 of 298 (87%) postal facilities are leased. Historically, these leases have been long-term leases, in the range of 20 years or more.

What local officials should do:

Contact the owner to discuss the proposed relocation. Seek to understand owner's flexibility and desires regarding the post office. Are renovations and/or expansion an option? Are there any issues with the lease?

b. The USPS must notify the media and the general public.

The USPS is required to send out "an initial news release" to local media, however, the regulations do not specify the content of this initial news release. The assumption is that the news release will describe the project and the process for public input. In addition, the USPS must post the news release and/or the letter given to local officials in the lobby of the affected post office. The regulations also require that, at least 7 days prior to the public meeting, the date, time and location of the public meeting or hearing be included or added to the lobby posting. There is no requirement that the meeting notice be provided to the local media. 39 CFR §241.4 (c)(3) and (4)(i).

What local officials should do:

Hold a press conference or send out a press release to let the public know your concerns about losing the downtown post office and/or other concerns with the post office's proposal.

Encourage people to submit comments to the USPS and attend any public hearing.

Create a stir - inform the residents and get the community talking. The USPS is a governmental agency and is *ultimately* accountable to the people. Remember: the

expressed goal of the USPS is to work with the community and to keep the post office downtown *whenever possible*.

c. The USPS must hold or attend a public meeting and seek public comment on the proposed project.

This step requires that the USPS either hold a public hearing or attend a regularly scheduled public meeting of the local legislative body to “describe the project to the community, invite questions, solicit written comment, and describe the process by which community input will be considered.” 39 CFR §241.4 (c)(4)(ii). If the USPS believes that it will not be able to expand at its existing facility it is supposed to “disclose” and discuss that fact with the public. The regulations also seem to require the USPS to make a good faith effort to consider alternatives to relocation that are offered at the public meeting. However, this provision in the rule has been criticized by local officials and citizens as being unclear and misleading. Finally, at the public meeting the USPS must also notify the public of their appeal rights and the process by which an appeal can be made. 39 CFR §241.4 (c)(4)(iii).

“Under exceptional circumstances” the regulations allow the USPS to forego attendance at the public hearing on the proposed project and in lieu thereof the Postal Service “may distribute a notification card to all affected customers, seeking their comments or other feedback.” 39 CFR §241.4(c)(4)(ii). “Exceptional circumstances” include a project “in a sparsely populated area remote from the seat of local government or any forum where a postal conducted could be held.” 39 CFR §241.4 (c)(4)(ii). Although such “exceptional circumstances” are subject to the approval of the Vice President, USPS Facilities, Vermont local officials should object to any effort to exercise this exception to a public meeting for a rural Vermont project.

“What the post office officials heard in unmistakable, impassioned language is that they want the post office to remain in the downtown area, and preferably where it is. What the community heard is that the current building is too small, creating severe inefficiencies and safety issues. They want a single-level building and are willing to consider all options. Give us a choice they say. In response the community said be open to creative solutions; old, historic towns don’t often lend themselves to single-story, ultra-modern buildings.” St. Albans Messenger Editorial, September 30, 1988, reporting on a public meeting held to discuss a post office relocation proposal for St. Albans.

What local officials should do:

Send personal invitations to attend the public hearing to business leaders, local and

state economic, community development and historic preservation officials, local, state and federal politicians, local developers and commercial land owners, leaders in organizations devoted to smart growth and downtown and historic preservation. *For a list of these state officers and organizations see Appendix.*

If possible, get donations of childcare and refreshments for the public meeting.

Make flyers announcing the public meeting (and the availability of refreshments and childcare) and post them in community centers, grocery stores and markets and other public buildings.

At the hearing, have the working team present proposed alternatives to keep the post office downtown. Provide the public and the media with copies of any materials presented.

d. The USPS must review public comments and notify local officials and the general public of their final decision on relocation.

The USPS must wait at least 15 days from the date of the public meeting to make a decision regarding relocation. The USPS must notify local officials in writing of their decision. The decision should take into account public comment and should be consistent with the USPS priorities as outlined in Step One. The decisions should also be posted in the lobby of the local post office. No action on the decision may be taken for at least 30 days following the public notice. 39 CFR §241.4(c)(5)

“The U.S. government can be part of the solution or part of the problem. The right choice could shore up a historic downtown with many empty shopfronts. The wrong choice could undermine a budding revitalization. The U.S. Postal Service, despite its claims of listening to the public, and despite a presidential directive to stop fostering sprawl, continues to champion plans for a new building that might not be compatible with downtown St. Albans.”
Burlington Free Press Editorial, October 6, 1998.

What local officials should do:

The experience in Vermont is that the USPS’s decision usually takes months, not 15 days. In fact, sometimes the decision takes so long that certain relocation or expansion opportunities may have come and gone before the decision is made. If viable and desirable opportunities are at risk because of delay, use public pressure to attempt to hasten a decision. Ask your congressional delegation to contact the USPS and urge a timely decision.

If you are successful, and the decision of the USPS is to stay in your community center - congratulations, but the really challenging work is just beginning - site selection and building design. It is critical that you pay close attention to every step of this process and maintain the public pressure to ensure a site and design that is consistent with your community's standards. **If you do not participate, chances are you will get the "one-size-fits-all" design.**

e. Any person may appeal the decision to relocate.

Within 30 days following public notice of the written decision, any person may request, in writing, that the decision to relocate be reviewed by the Vice President, Facilities. The appeal should state the reasons for the objection. 39 CFR §241.4(c)(6)

What local officials should do:

Although the USPS has wide discretion under the regulations to make a decision, it is important that local communities hold this federal agency to consistently high standards. A notice of appeal should comment on the following criteria: 1) the extent to which the post office is an essential part of your core downtown business area; 2) the adequacy of the existing facility and the cost-effectiveness of the move; 3) the potential effects of the change on both the community and the postal workers, 4) whether or not the community served by the Post Office opposes the proposed action; and 5) whether all reasonable alternatives, particularly those with a lesser impact on the community, have been adequately considered.

2. THE USPS MUST COMPLY WITH THE NATIONAL HISTORIC PRESERVATION ACT

If it is determined that a relocation project will have an "effect on cultural resources," the USPS has stated in its regulations (39cfr 241.4 (2)) that it will voluntarily comply with Section 106 of the National Historic Preservation Act (NHPA) and its implementation regulations, 36, CFR 800. The NHPA requires Federal agencies to take into account the effects of their undertakings on historic properties. The intent of the law is to identify historic properties potentially affected by a federal agency's undertaking, assess the potential effect and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. In addition, Executive Order 13006, "Locating Federal Facilities on Historic Properties in our Nation's Central Cities" further requires the USPS to give first consideration to locating in historic properties within historic districts.

What local officials should do:

Local officials should make sure that any post office relocation is conducted in accordance with the National Historic Preservation Act (16 U.S.C. 470, et. seq.). Generally, this means that the USPS should give priority to consideration of historic resources whenever possible. If you are not familiar with the NHPA or if your town needs help identifying historic buildings in your town, you should contact the Vermont Division for Historic Preservation. *See Appendix for contact information.* Downtown is the historic center of most communities, and a healthy downtown is vital for a community's economic well-being. Consequently, historic preservation is nearly always a central element in successful local revitalization efforts. Therefore, keeping the post office downtown or in the town center works hand-in-hand with historic preservation and community revitalization.

In addition, public occupancy of downtown historic buildings makes triple use of scarce public resources. Reinvestment in historic buildings reinforces the value of existing real estate assets, provides an impetus for private investment and, maximizes the public investment in downtown infrastructure.

3. THE USPS MUST PROVIDE LOCAL OFFICIALS AND THE PUBLIC NOTICE OF ALL SITES BEING CONSIDERED FOR RELOCATION.

When potential sites (building lots or existing buildings) are identified, the USPS must provide written notice to local officials of all contending sites and post a copy of that notice in the lobby of the local post office. The notice should encourage the public to comment on all of the potential sites. The notice should also advise the public that no site decision will be made for at least 30 days from the date of the notice. 39 CFR §241.4(e)(i).

When the final site selection is made, the USPS must again provide written notice of the decision to local officials. No final action to acquire or lease the selected site should be taken for 30 days following notice to public officials. 39 CFR §241.4(e)(ii)(iii).

“What I think the Postal Service has learned in Vermont is that a one-size-fits-all approach to community needs doesn't work. While Vermonters recognize that the Postal Service has to provide convenience to its customers, efficiency in mail delivery, safety and a good working environment for its staff, it has become apparent in Vermont that the building and site standards established by the Postal Service for upgrading postal facilities are very specific and sometimes at odds with the goal of strengthening downtowns.” Senator James Jeffords, October 1999.

What local officials should do:

Stay involved! This is one of the most critical stages in the relocation process. If the project is contracted out to a private developer, the USPS is still required to follow the public notice requirements. Make sure that the USPS is fairly and completely examining all potential sites. During this process the USPS will give the owners of potential sites the specifications for the future building. By following the process closely and communicating with all owners of potential sites, local officials can get a good idea as to what type of building the USPS is considering for your community. Work with the USPS officials to understand and challenge their assumptions and to explore all alternatives. Continue to push for the sites that local leaders feel are most appropriate for your community.

Parking and Post Office Relocations

In Vermont, the USPS parking “requirements” are often the reason for not locating in a town center. The methods used by the USPS to calculate parking needs generally result in a requirement for a huge parking lot, probably the biggest lot in most towns. Local officials can learn a lot from the experiences of South Burlington and Westminster when it comes to challenging USPS parking requirements:

South Burlington.

The USPS calculates that a new South Burlington post office would require 93 parking spaces. To arrive at that number, the USPS formula breaks the parking needs into two categories - customer parking and employee parking.

Customer parking: Based on a computer program that considers the number of counter transactions and post office boxes, the USPS calculated a customer parking need of 39 spaces (includes 2 handicapped spaces). The calculation assumes every customer arrives in his or her own car.

Employee parking: The South Burlington facility is projected to have 19 route drivers and 5 office clerks, for a total of 24 employees working out of the facility. However, the formula requires 54 employee parking spaces (including 2 handicapped). The formula breaks out as follows: 19 city route vehicle parking spaces (those are the trucks that are driving around the neighborhoods all day), 19 employee vehicle spaces (assuming all employees drive their own car to work), 3 rural route vehicle spaces, 2 “official” spaces, 3 custodial spaces, and 1 highway contract route vehicle space.

To their credit, the USPS representatives working with South Burlington officials acknowledged that the parking requirements are probably too high and they can allow for

some flexibility.

Westminster

The USPS originally proposed replacing the 800 square foot post office with a new 3,630 square foot facility with 35 parking spaces - 23 for customers and 12 for employees. The existing post office was staffed by one full time postmistress, one part-time counter person and one part-time delivery driver. After significant research and negotiation, local officials were able to work with postal officials to decrease the size and scope of the proposed facility. The USPS agreed to a 2100 square foot post office with 12 parking spaces. *For a longer discussion of the Westminster project see the Case Studies section.*

Ideas for challenging parking needs:

- 1) survey the number of post office customers that walk, car pool, or park while running various errands in the downtown area (i.e. shared parking) and encourage the USPS to decrease the customer parking needs accordingly;
- 2) encourage USPS to consider sharing the city route vehicle parking spaces that remain empty for most of the day with the customer spaces;
- 3) if the parking requirements include community growth projections, encourage the USPS to set land aside but postpone paving it until the need arises;
- 4) encourage the USPS to consider on-street parking and any other nearby public parking facilities.

4. THE USPS IS *NOT* REQUIRED TO COMPLY WITH LOCAL ZONING OR BUILDING CODES WHEN THE USPS OWNS THE BUILDING.

The Post Office Relocation regulations encourage but **do not require** compliance with local zoning and building codes. The regulations state that it is the “policy” of the USPS to comply with local planning and building codes if they are “consistent with prudent business practices and unique postal requirements.” As a courtesy, the postal service is supposed to send any plans and drawings to local building and zoning administrators for review. The Postal Service is required only to provide local officials with “written notice of any timely, written objections or recommendations [from local zoning or building code administrators] that it does not plan to adopt or implement. 39 CFR §241.4(f).

What local officials should do: From the local official’s perspective, this “exemption” from local zoning is probably the most significant weakness in the regulations.

Remember however, this exemption only applies when the USPS **owns** the facility. In Vermont, the vast majority of post offices are leased from private landlords. If a property is privately owned it **is subject to local zoning regulations and state land use laws (Act 250)** regardless of who is the tenant.

If the facility is owned by the USPS and therefore exempt from zoning regulations and building codes, local officials should persistently insist on voluntary compliance by the USPS. Reiterate as often as possible the fact that many Vermont communities are attempting to carefully plan their future development, so as to protect and preserve their open spaces and maintain a high quality of life for themselves and their children. Zoning laws were created to reflect local values and planning priorities. Therefore, noncompliance by the USPS undermines the economic and social well-being of communities by permitting the construction of new facilities without regard to local plans for growth or traffic management, environmental protection, and public safety. Urge the USPS to be a governmental partner in shaping communities.

5. THE USPS MUST REGULARLY COMMUNICATE WITH THE PUBLIC AND LOCAL OFFICIALS DURING THE CONSTRUCTION PROCESS

The local postmaster should keep local officials and the community informed, via letters and news releases, of the progress of construction. In addition, the postmaster should invite the community and local officials to any grand opening, “as appropriate.” 39 CFR §241.4(g).

The Post Office Community Partnership Act of 2001

“...Our bill would codify the process that communities should go through [as plans are developed to expand or relocate their local post offices] and would avoid a one-size fits all approach...The bill sets up a process that makes sure community voices and concerns are heard and taken into account by the Postal Service. Additionally, this bill will require the Postal Service to abide by local zoning laws and the historic preservation rules regarding federal buildings...I believe this legislation will strengthen the federal-local ties of the Postal Service, help preserve our downtowns, and combat the problem of sprawl.”

---Senator James Jeffords, sponsor of the Post Office Community Partnership Act of 1999

“Local governments should know that there are protections in place that recognize the importance of Post Offices to the community. Codifying these protections thorough [the Post Office Community Partnership Act] will ensure fewer arbitrary post office closings,

consolidations, relocations or moves to newly constructed facilities. It will also ensure that as future Postal Administrations come and go there is an established process for making these decisions that can only be altered by Congress.”

---Richard Moe, President, National Trust for Historic Preservation.

U.S. House and Senate versions of the Post Office Community Partnership Act were first introduced in the 106th Congress in 1999 by Representative Blumenauer (Representative Sanders was a co-sponsor) and Senators Baucus and Jeffords (Senator Leahy was a co-sponsor). The bills (H.R. 670 and S. 556) passed both the House and the Senate but were not enacted into law. As this handbook is being written, Senator Jeffords and Senator Baucus are drafting the Post Office Community Partnership Act of 2001 to be introduced in the 107th Congress.

In short the new legislation will require the post office to fully consider the impact of a relocation on the local community and all reasonable alternatives to relocation. The legislation also includes a more significant appeal opportunity than the regulations currently provide. In addition the legislation makes compliance with local zoning, building and design regulations and Section 106 of the National Historic Preservation Act mandatory not voluntary.

The Post Office Community Partnership Act of 1999 enjoyed wide bi-partisan support in both the House and the Senate led by Vermont's Congressional Delegation - Senators Jeffords and Leahy and Congressman Sanders. The legislation was also endorsed by a variety of national organizations including: National Association of Postmasters of the United States, National League of Cities, National Association of Home Builders, National Trust for Historic Preservation, National Conference of State Historic Preservation officers, National Association of Counties, U.S. Conference of Mayors, National Governor's Association, American Planning Association, Preservation Action, International Downtown Association, National Alliance of Preservation Commissions, Preservation Action, and the Sierra Club.

It is critical that the Post Office Community Partnership Act of 2001 be enacted into law during this 107th session of Congress. As was mentioned previously, in early 2001, the USPS announced a moratorium on all construction projects. Now is the time for Congress to act. If the new law is in place before the construction moratorium is lifted, it will give USPS and local communities time to adjust to the new requirements and to prepare for the next round of relocation projects. While the current USPS regulations provide some guidelines for relocations, they are not mandated by law and therefore are voluntary and can be amended to suit the needs of the USPS. Vermonters are lucky that their congressional delegation is firmly committed to passage of the Act and to preserving downtowns and town centers by limiting the potentially devastating impact of post office relocations.

For the most up-to-date information on proposed federal legislation in the 107th Congress,

contact your congressional delegation. See contact information in the Appendix.

Significant elements of the Post Office Community Partnership Act of 2001, to be introduced in the 107th Congress:

1. Findings. The most significant provision in the proposed legislation requires the USPS to make written findings with respect to the following considerations when making a decision to relocate or expand a post office:

- a. the extent to which the post office is part of a core downtown business area;
- b. the extent of any opposition within the community to the proposed action;
- c. any potential effect of the relocation on the community served by the post office;
- d. any potential effect of the relocation on employees of the local post office;
- e. the quantified long-term economic saving to the USPS resulting from the relocation;
- f. the adequacy of the existing post office;
- g. whether all reasonable alternatives to relocation have been explored;
- h. whether the proposed plan is consistent with the size, scale, design and general character of the surrounding community; and
- i. any views expressed by local officials, including whether the proposed action is reasonable in light of local population projections.

By requiring written findings in each of these areas, local officials can focus on these considerations throughout the relocation debate and can base any appeal on the USPS findings.

2. Notice period. The proposed legislation requires the USPS to notify communities at least 60 days prior to making a decision to relocate, close, consolidate or construct a post office. The USPS regulations in place today provide only a seven-day period after public officials and the community are notified of a proposed relocation before holding a public hearing. This is an insufficient amount of time for the community to come together, understand the problem presented and develop alternatives to the proposed relocation.

3. Public Meetings. The regulations in place today do not require the USPS to hold a public hearing in "exceptional circumstances." Instead the USPS is allowed to simply send notification cards to the public about the closing. The legislation requires public hearings under all circumstances except true emergencies.

4. Compliance with National Historic Preservation Act. The proposed legislation requires compliance with the NHPA for closings, consolidations and relocations. The regulations in place today do not require compliance with the NHPA unless the USPS determines it is not burdened by compliance.

5. Local zoning, building and design codes. The proposed legislation **requires compliance with local zoning, building and design codes.** The regulations in place today make compliance

voluntary. Compliance with zoning and building codes is critical to ensure that post offices like all new buildings are developed in a way that is consistent with community values.

7. Appeal rights. The proposed legislation provides a right to appeal by any person served by that post office to the Postal Rate Commission. The Postal Rate Commission must set aside any decision of the Postal Service if the Commission finds it to be arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law or procedure, or unsupported by the record. Under current regulations, any appeal now stops at the Vice President for Facilities of the USPS.

Prepared by: Jessica Oski, Esq. with Editorial Assistance from (in alphabetical order): Paul Bruhn and Ann Cousins, Preservation Trust of VT; Jim Condos, state senator and South Burlington city councilor; Karen Horn, Vermont League of Cities and Towns; Don Keelan, The Keelan Company; Fred Kenney, Senator Leahy's Office; Jeff Munger, Senator Jefford's Office; Jenny Nelson, Representative Sanders' Office; John Rehlen, private developer; Glenn Smith, Westminster Town Manager; John Taylor, Governor Dean's Office; Emily Wadhams, State Historic Preservation Officer; and David Weinstein, Vermont Housing and Conservation Board.

June 2001

A Local Official's Guide to Developing Better Community Post Offices

*A project of the Vermont League of Cities and Towns, the Preservation Trust of Vermont,
and the Vermont Division for Historic Preservation*

PART THREE: THE VERMONT MODEL AND CASE REVIEWS

In an effort to strengthen our existing communities, avoid sprawl and maintain our rural landscape, the State of Vermont has adopted a number of policies designed to encourage communities to reinvest in existing town centers or, when appropriate, to develop new town centers according to traditional land use patterns. Many communities have invested significant time and resources into planning for growth and revitalization. It is no surprise then when citizens and local officials resist efforts to relocate an anchor tenant, like the post office, outside of the town center or to endorse an inappropriate design.

There are many good examples of post office projects in Vermont that are in historic buildings or in new buildings that are compatible with the architecture of Vermont towns. However these projects have only been accomplished because of strong community involvement and many communities feel that postal officials often have to be forced to cooperate.

In an effort to reach an understanding with the USPS regarding the special needs and concerns of Vermont communities, state and federal representatives from Vermont have been meeting regularly with officials from the USPS. Through this process there is hope of creating a "Vermont Model" for post office projects. If and when the Post Office Community Partnership Act of 2001 becomes law, local communities will have significantly more leverage to insure that post office projects are customized to meet their community's unique needs. In the meantime, the dialogue will continue as the Vermont Model develops.

The "Vermont Model"

The USPS now uses national building designs and specifications when expanding or building new post office facilities. These standard designs work best for newly constructed buildings in suburban settings and may be inappropriate for "Main Street" locations in Vermont city, town or village contexts. Although the national design standards may work to reduce costs and create standardized working environments in some parts of the country, this model is often not cost

effective or easily adapted to the Vermont context. Vermont is generally a rural state with a population of just over 600,000, the largest city having about 40,000 residents. Most of our communities are relatively small and many towns have multiple village centers, often just a few miles apart. Vermont is unique and requires unique solutions to growth and development problems.

Vermont's state and federal representatives have asked the USPS to consider adjusting the standard guidelines in the following ways when siting and designing Vermont post offices:

Develop new methods of projecting growth to calculate expansion needs - the national model currently used does not generally reflect Vermont's reality. Local growth projections and new census data may be more reliable.

Redefine parking requirements for both employees and customers. Consider on-street parking, shared parking and assume pedestrian access - not everyone will be driving if the facility is located on the main street.

Assess the feasibility of regionalization or consolidation of rural carrier functions in a rural state like Vermont. Can several towns share a rural carrier/mail sorting and distribution facility located in an industrial park, for example, with the retail facility in the downtown? This would reduce the space needs, the number of employees and rural carrier parking spaces and the need for large truck access in the downtowns and perhaps reduce costs.

Encourage post offices in multi-story, mixed-use buildings (both new and historic structures).

Encourage and facilitate the use of historic buildings by not only allowing but institutionalizing flexibility in the design standards. For example, for many years state and national fire and life safety codes favored new construction over rehabilitation, making reuse of historic buildings a challenge. Many states, including Vermont, now allow for alternative treatments for historic buildings, encouraging reinvestment in these important resources.

Consider Certified Postal Units in general stores in smaller communities.

Local officials should continue to advocate for these considerations when working on post office projects. Most of Vermont's successful post office relocation projects reflect this *customized approach*.

Case Reviews

1. Arlington, Vermont

Arlington, with a population of approximately 2,300, is located in the southwest corner of the state, in Bennington County. The town is 12 miles north of Bennington, 7 miles south of Manchester, and 50 miles east of Albany, New York.

In early 1998, the USPS announced that problems with the existing Arlington post office required either an expansion or relocation of the facility. The problems identified included: customer and employee parking, safety of customers getting out of their cars on busy Route 7A, safety of employees working in a cramped space, overcrowding in the building resulting in insufficient work space and inefficient work product, growing population and workload as a result of expansions at two large employers (Mack and Orvis) and the inability to accommodate large mail trucks.

Initially, The USPS indicated that it needed to increase its square footage from about 850 to between 5,000- 6,000 square feet and, it needed to increase parking from no designated parking to over 50 spaces and the ability to accommodate large (53') tractor-trailers.

In September 1998, the Arlington Planning Commission held a public hearing to discuss possible locations for the new post office. At that meeting the USPS identified three sites which could meet their needs. Each site was located in or near the town center. The public expressed unanimous support for keeping the post office as close to the town center as possible, but there was not consensus about one site.

Another public meeting was held in December 1998 at which the public was updated on the continuing research and planning for the new post office. The developers vying for the job presented their plans for the different locations. At that meeting, Arlington residents made it clear that, of the options available, the former Sunoco gas station on Route 7A was their first choice for the town's new post office.

The site eventually chosen was the old, dilapidated and slightly contaminated Sunoco gas station about two-tenths of a mile south of the existing post office and the village center. In April 1999, the Keelan Company, a locally based developer, was awarded the USPS contract. The Keelan Company worked very closely with the USPS facilities officials to design a building that was compatible with the character of the area. The Sunoco building was razed, the site cleaned up and the new post office facility was constructed and opened for business in March, 2000.

During the site selection process, the Developer called upon the Governor, Vermont's Congressional Delegation and state and local leaders for support and assistance in dealing with the USPS and with state permitting agencies. According to the Developer, the success of the project was due to the hard work and cooperation between the Developer and the USPS. In the end, the USPS was willing to pay a premium to stay close to town, to have the exterior of the building conform to the Town's architecture and to cut back on parking spaces from 53 to 40. In

addition, the Developer and the Town were willing to build sidewalks (700 linear feet) to connect the site to the town's sidewalks and the seller's of the land (a local bank) were willing to stay with the project for the long haul.

- Information about the Arlington project was provided by Don Keelan, The Keelan Company.

2. Westminster, Vermont

Westminster, a town of 3,200 people is served by two post offices. One of the two, the Westminster Station Post Office, provides a full range of over the counter postal services, has 206 post office boxes and no rural delivery. The other facility, the Westminster Village Post Office provides over the counter services, 333 PO boxes and one rural route. At 800 square feet there is universal agreement that the Westminster Village Post Office needs to be enlarged. Most of the residents in this rural community have their mail delivered out of the post offices in either Putney or Bellows Falls and they wanted to change that.

In late 1999 the USPS informed the Town of its intention to construct a new post office in town. A public hearing was held in December during which the townspeople citing the importance of the post office to the vitality of the village, stated a preference that the new facility be located at the same site as the current Westminster village post office. As a second preference, attendees stated that they felt it was important to construct a new post office within the historic district in the Village of Westminster.

In a January 6, 2000 letter from the USPS to the Chair of the Westminster Selectboard Mr. Chris Madden, Real Estate Specialist, stated: "...we believe that the existing location may be retained and enlarged to meet our future operational requirements by expanding the existing space. Our present lessor will be invited to submit a proposal for USPS review and consideration..."

The USPS then proceeded to advertise for potential sites for the new facility, apparently without first investigating the option of using the existing site despite what was said in the January 6th letter. On April 24, 2000 the Town of Westminster received a letter from Mr. Madden listing the properties that had been reviewed by the USPS Site Review Committee as possible locations. The site of the current post office was not on that list. In fact, the only site that was on the list was a 3.9 acre site located along a private residential road in a protected agricultural use district.

On May 9, 2000 the USPS presented its proposal for a new postal facility at its preferred location. In addition to being able to comment about the proposed location, this was the first time the town was given the opportunity to comment on the proposed size of the facility. On matters relating to the location, the USPS seemed unaware that the road accessing their proposed site was private and that the abutting landowners were extremely reluctant to grant the permission necessary to widen the road sufficiently to allow for access by postal vehicles. They also seemed unaware that Westminster zoning regulations forbade the type of development they were

proposing since it had previously been identified and protected as prime agricultural soil. At this meeting the Selectboard reaffirmed its preference that the new facility be constructed at the location of the current facility.

The size of the proposed structure was even more alarming. At the meeting of May 9th, the United States Postal Service proposed replacing the 800 square foot facility with a 3,630 square foot facility. The 333 post office boxes at the current facility would be replaced with 535 boxes at the new facility and the proposal called 35 parking spaces: 23 for customers and 12 employee spaces. The plan presented was post office building plan #30. What was presented was, in many ways, the exact opposite of what local officials and residents wanted and what was appropriate for a small village: a standard suburban cookie cutter model surrounded by a large expanse of asphalt.

Local officials voiced the following concerns about the USPS proposal:

- At 3,630 square feet the footprint of the building would be 50% larger than the footprint of the largest building in the historic district, destroying the scale of our district.
- It seemed unreasonable that the facility would require 12 employees, and thus 12 employee parking spaces. The current post office was staffed by one full time postmistress, one part time counter person and one part time delivery driver. At times the USPS stated that residents served by rural routes originating from other post offices would be consolidated into the new facility. Even so it was hard to calculate how more than 6 employees could be necessary.
- The 23 customer spaces seemed unreasonable. Town residents have noted that they have never had even half that number visiting the post office at any one time.
- A 60% increase in the number of post office boxes seemed out of sync with demographics and growth projections.

During the summer of 2000 local officials attempted to obtain information from the USPS. For the most part they wanted to know the assumptions that were used to reach the conclusion that the proposed building size, with 35 parking spaces, was needed in Westminster. While they did obtain some information, little of it came from the USPS. From a property owner they obtained a set of specifications for building #30. By visiting other recently constructed post offices in Vermont and New Hampshire they discovered something of the considerations that were made for ensuring that new facilities met the needs of the communities in which they were located. By interviewing rural route carriers local officials discovered the space needs of these workers and the number of residences that could be served by each carrier. State officials were very helpful in providing background information and assistance. However, in spite of the fact that the USPS

was not forthcoming, they kept requesting information.

At this same time, local officials attempted to present USPS officials with relevant information. Believing that USPS research had overstated the need for postal services in Westminster, town officials spent quite a bit of time refining projections of population and commercial growth for the next 20 years. These projections took into account not only historical data but also the ability of Westminster's infrastructure to support rapid growth, local land use restrictions and geographical information. This data was presented to USPS officials with a request that the agency explain how these factors impacted their projections for the growth in demand for postal services. No direct response was ever received.

On September 11, 2000 the USPS presented a proposal to construct building #30 at the location of the current postal facility. Prior to this presentation the Executive Director of Windham Regional Planning Commission and the Westminster Town Manager visited USPS employees at their offices in Windsor Connecticut to discuss the proposal. Several adjustments discussed in Windsor were not included in the September 11th presentation. At that meeting, the plan met with considerable opposition because of its size. The USPS was not able to satisfactorily explain why it needed such a large building in a small town of 3,200 with limited growth potential.

In November of 2000 a new potential location became available that met both the needs of the USPS and addressed the concerns of the town and the townspeople. After almost a year it looked as if progress could be made.

In December 2000, in a meeting with community members and state officials USPS planners stated that they could 'get by' with a building of 2100 square feet and with 12 parking spaces. This was welcome news to residents and local officials because this would be in keeping with the character of Westminster's historic district, and local officials looked forward to the next site plan proposal. Unfortunately, the USPS announced a moratorium on postal construction projects before this could happen.

- Information about the Westminster project was provided by Glenn Smith, Westminster Town Manager.

3. Morrisville, Vermont

Morrisville is located in the heart of Lamoille County in Northwest Vermont. Morrisville is the village center of Morrystown and Morrystown, with 5,139 residents, is the population center of Lamoille County. The post office in Morrisville serves a number of the surrounding towns and villages.

The old post office was located in a small building on Main Street. Like many post offices its size, the old Morrisville post office was bursting at the seams. Postal officials notified local

officials that a relocation was necessary. Early on in the process the Morrisville Selectboard made it clear that they wanted the post office to remain downtown. Efforts to revitalize downtown Morrisville were in full swing and the loss of the post office would have been devastating to the town. Many people involved in the process agree that the USPS seemed to be, from the start, equally committed to finding a suitable location in the town center.

A request for proposals was issued and 19 proposals were received. Presentations on each proposal were made at a joint meeting with the Selectboard and postal officials. The public was also invited to comment. The proposal ultimately selected, submitted by a local developer, was to relocate the post office into a multi-story building nearly across the street from the existing post office. The project would renovate a vacant department store space on the first floor of a historic building to house the post office and also develop housing units on the top two floors.

The developer, in this case, also happened to own the vacant department store. In addition, he had extensive experience working with the USPS developing post offices, primarily in Southeast, U.S. His ownership of the building, experience with the USPS and his commitment to the vitality of Morrisville were essentially ingredients in the success of this project. In his own words, the project was not exactly a “cash cow.”

With all parties on board and cooperating, many of the obstacles that postpone or inhibit success in other projects were readily overcome in the Morrisville project. That is not to say that the project was quick and easy, it took nearly two years to complete, it was an expensive historic rehabilitation project and the financing was very complicated.

The developer was able to accommodate an interior design that almost exactly met USPS specifications (plan #50-A). The historic characteristics of the building and the building codes did present some challenges, but they were satisfactorily overcome. The USPS did compromise on their parking requirements, agreeing to share some spaces with the municipal parking lot, use on-street parking and utilize parking on the side of the building. In exchange for the shared parking with the town, the developer agreed to make some infrastructure improvements to the existing lot.

The State and a local non-profit housing developer collaborated on the housing piece and were able to put together a financing scheme that made the project work. The developer did utilize some tax credits for the project, but, as stated earlier, the project has a very thin margin.

Overall, the Morrisville project is a great example of what can be accomplished when everyone is committed to the same goals - the USPS, local officials, the developer, the state, and the community. Morrisville now has new housing units and a new downtown post office both located in a wonderful rehabilitated historic building.

- Information about the Morrisville project was provided by Louis Ferris, the developer and property owner, and by Lucy Leriche of the Lamoille Housing Partnership.

Prepared by: Jessica Oski, Esq. with Editorial Assistance from (in alphabetical order): Paul Bruhn and Ann Cousins, Preservation Trust of VT; Jim Condos, state senator and South Burlington city councilor; Karen Horn, Vermont League of Cities and Towns; Don Keelan, The Keelan Company; Fred Kenney, Senator Leahy's Office; Jeff Munger, Senator Jefford's Office; Jenny Nelson, Representative Sanders' Office; John Rehlen, private developer; Glenn Smith, Westminster Town Manager; John Taylor, Governor Dean's Office; Emily Wadhams, State Historic Preservation Officer; and David Weinstein, Vermont Housing and Conservation Board.

June 2001

SUMMARY

Action. Persistence. Information. Political Pressure.

Local officials can lead the effort to develop and revitalize Vermont's downtowns and town centers. Keeping the post office downtown is a critical step in that effort.

Working in collaboration with the USPS is not always an easy task, but you can do it! Many cities and towns across Vermont have paved the way for your town. Vermont has established itself as a state committed to preventing sprawl, celebrating our heritage and preserving and revitalizing our communities. The USPS knows that Vermont towns will not lie down and roll over when they propose a suburban-model post office located in or on the edge of town and surrounded by a huge paved parking lot.

Remember to use the following tools to ensure that your community's needs are met:

Action. Get involved, get other state and local leaders involved and get your community talking.

Persistence. Stay focused on your goal. Don't let the USPS think that your town does not care about where or how the post office is located or what it looks like. Communicate often and create a paper trail.

Information. Insist on reliable information from the USPS. Use your resources. Be creative. Rely on your colleagues in other towns that have achieved success. Their experience and insights are invaluable to you.

Political Pressure. Use your representatives. The USPS is a federal agency and is ultimately accountable to Congress. Use the media to get the word out and build pressure. Make sure that your local, state and federal leaders are working for your community.

GOOD LUCK!!!!

**A Local Official's Guide to
Developing Better Community Post Offices**

APPENDIX

A. Federal, State and local resources

United States Postal Service

Facilities Service Office

6 Griffin Road North

Windsor, CT 06006-0300

Contact: Tom Russell

Postmaster General

475 L'Enfant Plaza West, SW

Washington, DC 20260-0010

Congressional Delegation

Hon. James Jeffords, Esq.

30 Main Street, Ste 350

Burlington, VT 05401

658-6001

Contact: Jeff Munger

Email: Vermont@jeffords.senate.gov

Hon. Patrick J. Leahy, Esq.

PO Box 933

Montpelier, VT 05601

229-0569

Contact: Fred Kenney

Email: senator_leahy@leahy.senate.gov

Hon. Bernard Sanders

1 Church Street

Burlington, VT 05401

1-800-339-9834, fax 860-6370

Contact: Jenny Nelson

Email: bernie@mail.house.gov

Congressional Information Web Site

Thomas.loc.gov - a service of the Library of Congress

State Officials

Hon. Governor Howard B. Dean, MD

109 State Street

Montpelier, VT 05671

828-3333, fax 828-3339

Contact: John Taylor

Email:

Department of Housing and Community Affairs

Gregory Brown, Commissioner

National Life Building, Drawer 20

Montpelier, VT 05602

828-3211

Emily Wadhams, State Historic Preservation Officer

Department of Housing and Community Affairs

Division for Historic Preservation

National Life Building, Drawer 20

Montpelier, VT 05620

828-3056

Email: ewadhams@dca.state.vt.us

Other statewide resources

Vermont League of Cities and Towns

89 Main Street, Suite 4

Montpelier, VT 05601

229-9111

Contact: Karen Horn

Email: khorn@vlct.org

Preservation Trust of Vermont

104 Church Street

Burlington, VT 05401

658-6647

Contact: Paul Bruhn, Ann Cousins or Steve Libby

Email: paul@ptvermont.org,

ann@ptvermont.org,

steve@ptvermont.org

National Organizations:

National Trust For Historic Preservation

Main Street Program

1785 Massachusetts Ave. NW

Washington, DC 20036

202-586-6000

www.nationaltrust.org

APPENDIX B - USPS Relocation Regulations, 39 USC §241.4

TITLE 39--POSTAL SERVICE

CHAPTER I--UNITED STATES POSTAL SERVICE

PART 241--ESTABLISHMENT CLASSIFICATION, AND DISCONTINUANCE--Table of Contents

Sec. 241.4 Expansion, relocation, and construction of post offices.

(a) Application. (1) This section applies when the USPS contemplates any one of the following projects with respect to a customer service facility: expansion, relocation to another existing building, or new construction, except when the project is to meet an emergency requirement or for temporary use. Emergency situations include, but are not limited to, earthquakes, floods, fire, lease terminations, safety factors, environmental causes, or any other actions that would force an

immediate relocation from an existing facility. Temporary relocation of space is used for, but not limited to, holidays, special events, or for overflow business. Use of emergency and temporary space will be limited to 180 days in duration. Any additional incremental time periods of up to 180 days each must be approved by the Vice President, Facilities.

(2) This section does not apply when the project under consideration is limited to repair and alterations, such as--

(i) Painting;

(ii) Repairs;

(iii) Replacement or upgrade of structural or functional elements of a postal building or of its equipment;

(iv) Paving, striping, or other repair of parking areas;

(v) Landscaping.

(b) Purpose. The purpose of the procedures required by this section

is to assure increased opportunities for members of the communities who may be affected by certain USPS facility projects, along with local officials, to convey their views concerning the contemplated project and have them considered prior to any final decision to expand, relocate to another existing building, or construct a new building that is owned or leased.

(c) Expansion, relocation, new construction. When a need is identified that will require the expansion, relocation, or new construction of a customer service facility, postal representatives responsible for the project will take the following steps in accordance with the time schedule shown:

(1) Personally visit one or more of the highest ranking local public officials (generally individuals holding elective office). During the visit, the postal representatives will--

(i) Identify the need and fully describe the project that is under consideration to meet it, explain the process by which the Postal

Service will solicit and consider input from the affected community, and solicit a working partnership with the community officials for the success of the project.

(ii) Emphasize that in meeting a need for increased space, the first priority is to expand the existing facility; the second priority is to find an existing building in the same area as the current facility; and the third option is to build on a new site; all within the downtown area, if possible.

(iii) Ask that a Postal Service presentation of the project be placed on the regular agenda of a public meeting or hearing. If no such meeting is planned within the next 60 days or the agenda of a planned meeting cannot accommodate the project, the USPS will schedule its own public hearing concerning the project, and will advertise the meeting or hearing in a local general circulation newspaper.

(iv) Give the local officials a letter describing the intended project.

(2) Notify the lessor of the affected facility of the project, in writing.

(3) Send an initial news release to local communications media.

(4)(i) Post in the public lobby of the affected post offices a copy of the letter given to local officials, or the news release, or, space permitting, both. If such information is available at the time, include in the posting a public notice of the date, time, and location of a public meeting or hearing at least 7 days prior to the meeting or hearing.

(ii) Except as provided in this paragraph, attend, or conduct, one or more public hearings to describe the project to the community, invite questions, solicit written comment, and describe the process by which community input will be considered. If it is believed at the time that the existing facility is not able to be expanded or that expansion is impracticable, disclose that fact and the reasons supporting that belief. If, during the public meeting or hearing process, a new development should occur to allow for an expansion of the existing facility, the Postal Service will make a good faith effort in pursuing this alternative. Under exceptional circumstances that would prevent postal representatives from attending a public meeting or conducting a postal hearing on the planned project within a reasonable time, and subject to approval of the Vice President, Facilities, the Postal

Service may distribute a notification card to all affected customers, seeking their comments or other feedback. An example of exceptional circumstances would be a project in a sparsely populated area remote from the seat of local government or any forum where a postal conducted meeting could be held.

(iii) At any public meeting or hearing, advise local officials and the community of their appeal rights and the process by which an appeal can be made. Information provided must include time limitations and an address for the appeal.

(5) Review comments and notify local officials of decision. Not less than 15 days after the date of the most recent public meeting, or after receipt of notification cards, make a decision that

takes into account community input and is consistent with postal objectives (e.g., expansion, relocation to another building, or construction of a new owned or leased facility), and notify local officials in writing. This notification must include information on the availability and terms of review under paragraph (c)(6) of this section. At the same time, post a copy of the notification letter in the local post office for the community. Take no action on the decision for at least 30 days following notification of local officials and the community.

(6) Within the time period identified in paragraph (c)(5) of this section, any person may request in writing that the decision be reviewed by the Vice President, Facilities, at Postal Service Headquarters. No particular format is required for requesting review, but the request must be in writing and identify the post office or location affected; and should identify the decision objected to, and state the reasons for the objection. The Vice President, Facilities, will obtain the views of the decision maker, review relevant parts of the project file, and if necessary request more information from the appellant. Upon review of the facts, the Vice President, or a representative, will issue a written determination, if possible, within 15 days. In no event will the Postal

Service take action on the decision being reviewed until 15 days following issuance of the final review determination. If the determination on review is to set aside the decision, the project process will return to the public hearing stage of paragraph (c)(4) of this section.

(7) Advertise for sites and existing buildings, in accordance with existing postal procedures.

(d) Discontinuance of post offices; historic preservation. (1) It is the policy of the Postal Service, by virtue of Board of Governors

Resolution No. 82-7, to comply with Section 106 of the general provisions of the National Historic Preservation Act, 16 U.S.C. 470, et seq., Executive Order 12072, and Executive Order 13006. Therefore, any facility project that will have an effect on cultural resources will be undertaken in accordance with that policy.

(2) Any action involving the closing or other discontinuance of a post office shall be undertaken only in accordance with 39 U.S.C. 404(b) and 39 CFR 243.1. In the event a facility action is subject to both this section, and either the NHPA or the post office discontinuance requirements, all comment periods and other public participation matters

(e) Site selection. (1) When the decision is to advertise for sites and existing buildings, and after such sites have been identified, advise local officials in writing of all contending sites, and with respect to all sites not selected, provide an explanation. This notice will advise local officials, and the community, that no decision to select a site will be made for a minimum of 30 days, and that comments or discussions of all sites are solicited. Post a copy of this letter in the lobby of the affected post office for public notice.

(2) Once a specific site is then selected, notify local officials in writing of the selection decision.

(3) Take no final action to acquire or lease the selected site for

30 days following the notification in paragraph (e)(2) of this section.

(f) Planning, zoning, building codes. In carrying out customer service facilities projects, it is the policy of the Postal Service to comply with local planning and zoning requirements and building codes consistent with prudent business practices and unique postal requirements. In order to promote a partnership with local officials and assure conformance with local building codes, plans and drawings will be sent to the appropriate building department or other officials for review. Where payment of fees is normally required of private entities, the Postal Service will pay a reasonable fee for the review. The Postal

Service will give local public officials written notice of any timely, written objections or recommendations that it does not plan to adopt or implement.

(g) Continuing communication. During construction, whether renovation or new construction, the postmaster should keep local officials and the community informed via letters and news releases. The postmaster and other postal officials should plan, conduct and invite the community and local officials to any ' ' grand opening' ' , as appropriate.

“A post office that residents, business people, downtown workers, and shoppers can walk to is an incalculable economic and social asset for downtown. Downtown post offices are one of the most reliable community gathering spots, where business people and residents, young and old, visitor and native meet serendipitously.

In small towns, it is a meeting place, like the barbershop, local diner, or general store. ...The post office, for some, is one of the most important services, along with banks, eateries, government offices, and office supply stores.” - Robert Brandes Gratz, Cities: Back From the Edge.