

May 7, 2015

Public Hearing

PC Members Present: Jean Vissering (Chair), Jack Pauly, Norman Hill, Gene Troia, Julie Potter, Mark Lane, Jay Stewart

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Zach Sullivan, Laura Brown, David Fournier, Casey Northrup, Carl Etnier, Sacha Pealer, Bruce Chappell, Lori Pinard Holt, Kim Swasey, Seth Gardner,

Call to Order: 7:03pm

Introductions of the Planning Commission

The Chair opened the hearing at 7:05pm by reading the warning: The East Montpelier Planning Commission (PC) will conduct a public hearing at the East Montpelier Municipal Building at 7pm on May 7, 2015 to hear comments on proposed revisions to the Land Use and Development Regulations adopted by the town January 6, 2009 and last amended December 19, 2011. The PC will present their proposed revisions and take questions and comments from the public. Following the hearing and based on comments received, the PC may consider modifying the proposed revisions. The PC will then forward their recommended revisions to the Town Selectboard. The Selectboard must hold at least one additional public hearing before adopting the revisions. The Chair reviewed the background of the regulation revisions. The PC collected all the revisions together for a second hearing. The PC will deal with the significant changes at this hearing but will take comments on any issue.

Article 9 – Flood Hazard Regulations

Sacha Pealer from Vermont Agency of Natural Resources explained the new Article 9. This was a significant re-write of the Flood Hazard regulations. Since Irene, the state has tried to bring the state into compliance regarding erosion as well as inundation. Ms. Pealer explained the ANR's role and reviewed the new map; the orange area is the river corridor (dynamic area over time) and the hatched area is the special flood hazard area. She also reviewed the benefits of implementing Article 9, FEMA money for town infrastructure, town becomes eligible for state grants for buyouts and raising structures.

Comments and questions:

- All unmapped streams have a 50-foot setback
- Are there any dirt roads that are affected by nearby streams? Coburn Road is vulnerable to erosion; some roads have undersized culverts
- ANR can issue stream alteration permits but the town is financially responsible for repairs
- North Montpelier has lots of low-lying areas
- Flood-proofing – what does it entail? Substantial improvement requires flood-proofing
- Carpet Barn property – restrictions: no new structures, accessory structures under 500 square feet, can't build closer to the river
- Timber removal for agriculture use is exempt from town regulations but subject to state oversight
- Do new regulations add new setback requirements? No, but the river corridor includes a 50-foot buffer

Table 2.6 – Conservation Overlay Districts

- Reviewed the old districts and the changes: the 'green snake' is covered by the river corridor; well-head protection area is currently using 2007 data and high elevation is 1500 feet and higher
- Well-head areas – many are not active any longer; map needs to be updated, could be listed instead of mapped

Section 4.7 – Withdrawal of Ground Water

- Clarified the withdrawal levels
- Doesn't prohibit activities just requires a town review/permit

Section 5.2 – Administrative Amendment

- Applicants can make a permit amendment with consultation with the DRB Chair and the ZA
- The PC looked at language from other towns
- Revision – (A)(4) – front setback or setback to adjacent properties

Section 5.4/5.5 – Site Plan Review/Conditional Use Review

- Added Conceptual Site Plan Review where applicants can talk with the DRB prior to submitting an application
- Not mandatory, but is optional
- Section 5.5(B)(1)(b) – add Review Board after Development
- Remove underlines through the section

Section 6.1 – Applicability

- Added the ability to merge lots

Section 7.4 – Certificate of Compliance

- Important to make sure a permit is taken seriously
- Burden is on the property owner not the ZA
- Certificate does not prevent enforcement
- What does this do? Homeowner can note any changes made, ensures permit holders are following their permit
- ZA feels this is just extra paperwork with no practical gain for town or property owner; the work is already being done by the listers
- The listers are not checking setbacks
- Chair noted that this may become more important as development become denser
- ZA questioned the benefit
- Do we want to prevent people from living in part of the house while they build the rest? Probably not

The Chair closed the hearing at 9pm.

Regular PC Meeting

PC Members Present: Jean Vissering (Chair), Jack Pauly, Norman Hill, Gene Troia, Julie Potter, Mark Lane, Jay Stewart

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Casey Northrup, Carl Etnier, Kim Swasey, Seth Gardner,

Call to order: 9:03pm

Changes to Agenda – None

Public Comment – None

Discussion of Future Planning and Zoning Topics with Selectboard & Zoning Administrator

Topics of discussion

- Growth trends and build out analysis; mapping exercises – Dan Currier at CVRPC suggested getting grant money to pay for it
 - Cannot build on conserved land
 - Large properties with one landowner – what happens when they sell their property
 - Is current zoning doing what the town wants to do
- Chair – look at Gallison Hill growth area and village zoning
- ZA – look at accessory dwellings, generational use of properties; think about allowing duplexes
- SB – 7-acre zoning doesn't work, hard to farm a field with a house in the middle of it
- PRD/PUD – need to review the regulations
- Multiples residences on one lot
- Affordable housing
- Encourage cluster housing: conserve common use, sense of community, convenience
- Gallison Hill – change zoning to allow cluster, make it part of a bigger plan, there are multiple large parcels
- General growth areas – look at socio-economic issues, does village extend up to EMES?
- Industry/commercial – make light industry allowed
- Less reliance on single-occupant vehicles: public transportation/carpools/vanpools, home occupations
- Mixed residential, like Murray Hill
- Industrial zone – not utilized because of lack of wastewater
- Village zoning
- Connect sewer to Montpelier

Review Minutes

April 19, 2015 - tabled

ZA Report/DRB Report

Tabled

Motion to Adjourn. Made: Mr. Troia, second: Mr. Lane. Passed unanimously. Meeting adjourned at 10:00 p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary