

November 20, 2014

PC Members Present: Jean Vissering (Chair), Jack Pauly, Rob Halpert, Mark Lane, Norman Hill, Gene Troia, Julie Potter, Kim Watson, Scott Hess

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary)

Call to Order: 7:02pm

Changes to Agenda – None

Public Comment - None

Discussion of Certificate of Compliance Provision in EM Land Use & Development Regulations Sections 7.4 & 9.11

The PC continued the discussion of the motion made at the last meeting to leave the regulation as it is currently. The ZA doesn't care for the provision because there is no official procedure, but some on the PC felt that if there is something in the regulations, it should either be used or removed. The ZA noted that the town of Warren uses a Certificate of Compliance and suggested that the PC review that regulation. This is currently a permissive provision, meaning that the town is not required to have it in the regulations. However, with the new state energy conservation guidelines, the builder must provide the homeowner with the energy certification with the homeowner sending a copy to the ZA. Another option is having the homeowner self-declare that they are in compliance and sending a form to the ZA. Mr. Halpert suggested that the language be changed in the regulations to only pertain to larger projects in town, as opposed to single family dwellings; this would apply to anything the DRB reviews. Mr. Halpert agreed to draft some new language for this regulation and Mr. Troia agreed to create a Certificate of Compliance form.

Discussion of VLCT Presentation on Judicial Bureau Enforcement Option

Some members of the PC attended a VLCT presentation to the SB on 11/17. The Judicial Bureau would be used primarily for animal control and signs. There is an \$800 maximum per day per violation. The town would designate an individual who enforces and gives tickets, possibly the Town Constable. The PC agreed to see how it works for the SB for animal control issues and re-visit the issue in the future.

Review of Proposed Ground Water Withdrawal Language (Land Use 7 Development Regulations Section 4.6.2)

The Chair asked Ms. Potter to send the revised language to the SB for their review. Ms. Potter will let them know that the PC is still looking at the preliminary review issue.

Review of Revised Language for Administrative Amendment Procedure for DRB Approvals

The PC reviewed the draft language provided by Mr. Halpert that includes the consultation between the ZA and the DRB Chair or his/her designee. The PC agreed that the fee should be reduced if no hearing is required, though the applicant would pay the full hearing fee if one is ultimately required, with the amendment fee paid being applied to the hearing fee. The PC will ask the SB to set the fee for an amendment and add to the fee structure. The PC agreed to leave in the language regarding notifying abutting landowners.

Update on Draft Flood Hazard Area Regulations

The PC has a new draft, but will review at the next meeting, with the old Section 9.11 added back in.

Review Minutes

November 6, 2014

Motion: I move to approve minutes as amended. Made: Mr. Halpert, second: Mr. Hill

Vote on Motion: Passed 7-0; Hess and Potter abstained

ZA Report

1 new permit since last meeting

DRB Report

At upcoming meeting on 12/2:

Duane Wells's appeal of ZA decision – wants to construct a detached accessory dwelling

Green Valley Campground – mixed use conditional use review

Motion to Adjourn. Made: Mr. Lane, second: Mr. Troia. Passed unanimously. Meeting adjourned at 9:45 p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary