

September 20, 2018

PC Members Present: Julie Potter (Chair), Jean Vissering, Jack Pauly, Norm Hill, Mark Lane, Ray Stout, Scott Hess

Others Present: Kristi Flynn (Recording Clerk), Gabrielle Malina, Bruce Johnson (Zoning Administrator), Brandy Saxton, Erik Esselstyn

Call to order: 7:00pm

Changes to Agenda – None

Public Comment – None

Zoning Update: Discussion about Chapter 1-General and Chapter 4-Administration with Brandy Saxton, PlaceSense

Chapter 1

100 – Legal Framework

- 1003.A.5 – include ‘scenic’; include something regarding efficient use of space and infrastructure
- 1006 – Ms. Saxton removed the day of effective date, include specific statute

110 – Exemptions and Limitations

- Added a more robust list of exemptions
- Goal is to answer more questions in the zoning regulations
- 1101.A.9 – remove second ‘that’
- 1101.A.12 – PC discussed considering noise – residential only
- 1101.A.14 – add greenhouse here; the ZA feels that the larger ones are buildings and need permits
- 1101.A.17 – small greenhouses/sheds could fall under this section
- 1101.A.22 – state-mandated exemption – solar devices
- 1101.A.28 – include ‘no customer traffic’; review the next levels of retail locations at a later date
- 1101.A.29 – added festival – consider a special events ordinance, which is much easier to administer/enforce
- 1101.A.34 – for trails, benches and structures don’t get permits currently; the PC suggested combining 33/34, adding ‘signs may require permits’
- 1102-1105 – required by state law

120 – Prior Applications, Approvals & Uses

- 1203.A & B – change the order
- 1204 – residential expansion triggered by adding bedrooms; permit required for adding heat currently
- 1205 – added section on discontinued uses
- 1206 – current regs don’t have a completion deadline; draft includes a permit expiration date of 3 years
- 1207 – sets up process for dealing with damaged structures; fees are waived

130 – Non-Conformities

- Include language on fee waiver
- More ability for the ZA to deal with non-conformities
 - Mr. Stout feels that the decision-making process should be more transparent
- 1301 – Structures – replacing non-conforming structures can’t make it more non-conforming; can add more things
- 1302 – minor versus major uses
- 1303 – lots – some is required by the state
- 1303.B – merger – this new language is less strict; it is clearer to have a legal merger, no longer mandated by statute
 - Flag this for further discussion
- 1304 – cannot do something that creates a new non-conformity

Chapter 4

400 – Roles and Responsibilities

- 4002.A – change that PC is elected not appointed

410 – Fees & Filing Requirements

- Add ‘impact fees’ to definitions
- 4107 – can condition approval on receipt of other required permits before work commences

420 – Zoning Permit

- Most of this section is statutory
- 4203.C – timeframe of 3 years to completion, can be extended 2 years by the ZA; substantial completion will be defined
- 4204 – amending permits – ZA can approve minor changes
- 4207 – certificate of compliance – this can be used to check on compliance for anything that was subject to site plan or conditional use review; won’t apply to single and 2-family homes

Plan going forward:

- October 4 – finish review of Chapter 4 and review Chapter 3
- Plans have flexibility to still hold public hearings in January 2019

Updates

- 2019 Municipal Planning Grant Application – approved by SB, submitted on 9/19
- Energy Committee – Ms. Vissering has submitted a timeline to the committee chair of what needs to be done to complete the plan
- Old LaPerle Farm Property Committee – no update; Ms. Vissering has agreed to work on a plan to make the property around the farmhouse more attractive
- CVRPC – 1) finish approving Orange’s Town Plan, 2) review Berlin and Marshfield’s Town Plans, 3) review river tactical plans, looking at water quality issues

ZA Report

Seven new permits since the last meeting

DRB Report

No update since the last meeting. The next meeting in October has four hearings.

Review Minutes

September 6, 2018

Motion: I move to approve the minutes as amended. Made: Mr. Lane, second: Ms. Vissering

Vote on Motion: Passed 6-0-1 (Mr. Hess abstained)

Conferences/Training

- Assoc. of Vermont Conservation Commissions Summit, September 29, Poultney
- VT League of Cities and Towns 2018 Town Fair, October 3-4, South Burlington
- Renewable Energy Vermont REV2018 Conference, October 18-19, South Burlington
- State Government Municipal Day, October 26, Montpelier (also other dates and places)
- Vermont statewide Housing Conference, November 13-14, Burlington
- VLCT Planning and Zoning Forum – October 17, Fairlee

Please let the ZA know if you are interested in attending any of the above conferences.

Other Business

- The PC agreed to post the draft zoning documents to the town website along with disclaimers about it being a draft

Motion to Adjourn. Made: Mr. Hess, second: Mr. Lane. Passed unanimously. Meeting adjourned at 9:10p.m.

Respectfully submitted by Kristi Flynn, Recording Clerk