

November 5, 2020

PC Members Present: Julie Potter (Chair), Zach Sullivan, Clarice Cutler, Scott Hess, Kim Watson, Siu Tip Lam, Jack Pauly (8pm)
Others Present: None

Call to Order: 7:03pm

Roll Call Attendance

The Chair took roll call attendance; the PC members noted above were present.

Statement Regarding Remote Public Meeting

The Chair noted that as a public body, the PC must still follow open meeting laws. Vermont is allowing remote meeting. The Chair read the recommended statement from VLCT regarding meeting remotely.

Changes to Agenda: Update on SB meeting attended by the Chair

Public Comment: None

Update on 10/19/20 SB Meeting

The Chair stated that she reported on the CVRPC activities as her position as CVRPC representative and on the PC activities to the SB. The SB was mostly interested in what the PC is doing on zoning. They have a hard time digesting a large amount of amendments and prefer to receive pieces in phases. They still want to see a change document to compare the changes, but in smaller pieces.

Discussion of 2020 Legislation Affecting Local Zoning

The Vice Chair reviewed S.237 (Act 179) as it pertains to affordable housing from the VPA overview. There are three components that may affect EM regulations: makes accessory dwellings permissible anywhere that single family homes are permitted, they must have sufficient wastewater facility and the dimensional standards that apply to the principal residence will apply to the accessory dwelling. The size standards will need to be updated but it's not a major change. Towns are no longer permitted to prohibit development on small lots as long as they can connect to municipal water and sewer, though this shouldn't affect us. One change to the DRB decisions is that a multiunit development proposal of four units or less cannot be turned down simply because of the character of the area. The town is now permitted to include regulations on rental housing, such as AirBNB. The PC needs to look at the regulations in more detail in these areas. It is an opportunity to make affordable housing in East Montpelier easier to do. The Chair noted that another piece of this law pertains to deed restrictions on development; these types of restrictions will be invalidated if put into place after 1/1/21 if the development restricted is allowed under the town's bylaws. There appears to be an issue with conservation easements that should be fixed in the next legislative session.

Village Zoning Discussion

The PC continued the review of the village zone. PC reviewed the mark-up changes that have been made since September 2020. Mobile home parks, if permitted, must be added to the conditional uses and Section 4.12 would need to be revised.

- Section 4.12
 - Ms. Cutler proposed some language to add that would permit mobile home parks in Zone D as a conditional use and in the Medium Density Village Zone as permitted use under site plan review. She believes that mobile home parks should be treated the same as PRDs are in Zone D. One of the changes made was a reduction in the minimum land required from 20 acres to 10 acres. She noted that 10 acres or 10 units would also trigger an Act 250 review. The DRB deals with site plan and conditional use review similarly at the moment. There was discussion of site plan versus conditional use review. The DRB can put conditions on a project under conditional use review.
- Two decisions to be made: should mobile home parks be listed as conditional or permitted in Medium Density Village Zone and does the PC agree with the language change to Section 4.12. PC concerned with applying character of the area to mobile home parks under conditional review. As the Town Plan explicitly mentions the desire for more housing in the village, it might make sense to make mobile home parks permitted uses in village zones. The PC noted that the change to 10 acres was made because of the Act250 trigger; would also make the development more compact.
- Preference poll: Permitted – 6 ; Conditional – 0
- Preference poll on changing acres: Yes – 6; No – 0
- Preference poll on leaving Zone D requirements: Yes – 6; No – 0
- Preference poll on revised language conceptually: Yes – 6; No – 0

Ms. Cutler will update the draft to make it more general for the next meeting.

Next topics

- Mobile home parks
- Continue Village Residential review

Updates

- Capital Improvement Committee
 - Completed Capital budget for 2021-2022
 - Ask SB to level fund for 2022-2023 so that no additional money will go into the fund
 - Hearing on 12/2/20 for approval of Capital Budget plan; plan is posted on the town website
- Energy Committee – no update
- Resilient Roads Committee – no update
- Central Vermont Regional Planning Commission –
 - Regional Plan has been amended –
 - Remove requirement regarding the regional housing distribution plan for Town Plans
 - Future land use map was updated with Montpelier's growth center approval
 - Approving a lot of Town Plans recently: Northfield, Barre Town – included energy plans
 - Meetings are always open to the public and links to the Go to Meetings are available on the CVRPC website

ZA Report

- No update

DRB Report

- No update – still uncertain on December meeting

Other Zoning Matter

Act 250 permits – minor application for Morse subdivision; DRB has approved but town has party status; deadline is November 16.
Wrightsville Hydro Relicensing – WEC permit renewal notice for federal relicensing

Review Minutes

October 15, 2020

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

Vote on Motion: Passed 7-0

Training/Conferences

- Community Wildlife Program – various dates

The next meeting is scheduled for November 5, 2020.

Motion to Adjourn. Made: Ms. Cutler, second: Ms. Lam. Passed unanimously. Meeting adjourned at 8:15p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary