Minutes of the East Montpelier Planning Commission

DRAFT COPY

May 6, 2021

PC Members Present: Zach Sullivan (Chair), Julie Potter, Clarice Cutler, Kim Watson, Mark Lane

Others Present: Kristi Flynn (Recording Secretary), Laureen Gauthier, Ron Koss, Andi Colnes, Chuck Hertz

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: None
Public Comment: None

Review re: rbTech Net-Metered Solar Array Application
The Chair reported that the PC filed as an intervener on April 19th. Comments were filed and show up on the case log. An objection was filed by Green Mountain Power regarding a technical issue.

Discuss Village Zoning
Ms. Potter had sent documentation for background on PUDs. She edited out PRD from the language, using PUD for the universal definition, as the legislature removed PRD from statute. The PC reviewed Article 5, Sections 5.1(D) and 5.6. The language was changed because of the Village Master Plan, which includes a 100% density bonus for a PUD; current zoning includes a 25% bonus in town. Ms. Potter noted that one suggestion is to have four units per acre in the village. The current regulations do not really work for most PUDs in town, which are generally estate planning for families. The PC noted that a definition is needed for development envelope, similar to a building envelope.
Section 5.1(D) – removed PRD
Section 5.6

- (A) Purpose pulled from statute language – make it clearer that not all goals specified need to be met
- (B) Applicability – based on statute
- (E) General standards – PUD version of existing standards, reorganized after removing PRD
  - (10) References development envelope
    - Remove sewage disposal and water supply requirement from envelope, even though the PC would prefer that the utilities were in the envelope
    - The Chair will separate into two sentences
    - See building envelope definition as a starting point; include smaller building envelopes with the development envelope
    - Put common stand/structures within development
    - Smaller buildings could be sold separately as individual ownership
    - Clear purpose for open space, must stay as open space
- (F) Open space
  - (1) – Be more specific than just 'watershed' – Chair will review other town's regulations
  - (4) - specifies septic and water can be located in open space, which conflicts with (E)(10) – will be revised
- (G) Permitted Densities
  - (1) – original language
  - (2) – original language
  - (3) – new language with increased density bonus
  - (4) – additional affordable housing bonus was removed; the PC had a discussion on how to decide what is affordable and how the town could administer this effectively

Ms. Watson suggested North Montpelier as a potential PUD area; consider giving North Montpelier village zoning status.

Discussion Cell Tower and Scenic Resources Updates to Town Plan
The PC reviewed the draft section; it mirrors the Energy section (version 4/11/21). The Chair asked if the PC would like to open up scenic areas to ones that were missed or continue just making technical changes for the things that were inadvertently left out. The PC and residents had the following comments:

- The PC generally agreed to stick to the technical issues as that would be more focused
- Mr. Koss would like to the PC to open up to other areas so that residents won't be disadvantaged or other areas targeted for cell towers

- Ms. Colnes asked the PC to remember to include critical issues, such as distances from residences; cell towers are a new thing, but we need to ensure we have the right siting criteria; consider expanding scenic areas with cell towers in mind
- The Chair noted it is important to remember that scenic areas are not solely about cell towers

Section F – Telecommunication Infrastructure

Goals and Actions

- Ms. Colnes would like to add more criteria to 6.18, particularly about protecting structures and health issues
- The Chair noted that the town cannot regulate health issues and federal law prohibits dealing with distance to residences
- Ms. Colnes noted that if the most powerful tool is identifying scenic resources, then she advocates for opening up the scenic resources review across the town
- The Chair was concerned with the section taking too long to complete and then having no teeth
- Ms. Koss noted that the Jacobs Road residents went through an expensive experience and want something to stop these types of projects in their tracks, which the current regulations failed to do
- Ms. Watson feels the Scenic Resources section covers most of the important areas in town
- Ms. Colnes wants to see the Scenic Resources section as robust as possible

The Chair noted that the PC will review this section at the next meeting when more members will be able to weigh in on the topic.

Updates

- Capital Improvement Committee – committee met last night; they are formulating letters to go out to town boards for grant funding requests. Some of the ideas from the SB: town garage, water system that is being sold, sidewalk replacement/maintenance. Ms. Potter noted that the town may be getting as much as $700,000 in stimulus money; the CIC will offer guidance to the SB on how that money should be spent.
- Energy Committee – no update
- Resilient Roads Committee – no update
- Central Vermont Regional Planning Commission – VELCO will attend next week's meeting at 6:30pm. It has been noted that the solar installation in the village has put strain on GMP. Ms. Potter has submitted her resignation to the SB as the town's representative to the CVRPC; Ms. Cutler will continue to attend the meetings as the alternate until a new representative is appointed.

ZA Report

- Two new permits

DRB Report

- Meeting on 5/4/21:
  - Approved waiver for garage addition on St. Paul's Square
  - Approved McCoy/Gibson subdivision on Bliss Road

Review Minutes

April 15, 2021

Motion: I move to approve the minutes as amended. Made: Ms. Potter, second: Mr. Lane
Vote on Motion: Passed 5-0

Other Business

- The Chair will check with the SB regarding the re-opening of the town office for board meetings.

Motion to Adjourn. Made: Mr. Lane, second: Ms. Watson. Passed unanimously. Meeting adjourned at 8:44p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary