Minutes of the East Montpelier Planning Commission

DRAFT COPY

July 1, 2021

PC Members Present: Zach Sullivan (Chair), Julie Potter, Kim Watson, Richard Hall, Clarice Cutler, Sui Tip Lam (remote)

Others Present: Kristi Flynn (Recording Secretary)

Call to Order: 7:12pm
Changes to Agenda: None
Public Comment: None

Discuss Zoning Updates: Accessory Dwelling Units

Ms. Potter reviewed state statute §4412(1)(E); there is an increase to 30% of the primary dwelling or 900 square feet, whichever is greater. The statute sets a floor not a ceiling. The EM regulations are currently based on 600 square feet. The PC reviewed draft Section 4.2, Accessory Dwellings.

- (A)(2) – new language
  - What is meant by 'clearly associated?' – should be an accessory and clearly subordinate; could be located over a detached garage
- (A)(3) – changed the square feet from 600 square feet to 1200 square feet or 30% of the primary dwelling, whichever is greater; Ms. Saxton and the ZA had recommended 1200 square feet
  - This is part of the growth in town and helps to promote affordability
- (A)(6) – SB approves access/driveways

PC agrees to use 1200 square feet in the draft section.

The PC reviewed definitions associated with PUD and Accessory Dwellings.

- Removed Planned Residential Development (PRD) and added Planned Unit Development (PUD)
- PUD definition – dropped mixed use language because this definition encompasses all development
- Dwelling unit/Accessory definition – this is a shorter definition that points to Section 4.2; less change needs to be made if the definition points to the section
- Discussion – keep 'retain common ownership…'; PC agreed to keep this language
- Building Envelope definition – used in site plan review, not necessarily subdivision review; the draft clarifies and simplifies the definition; it doesn't apply to the village zones but the PC decided to fix it now

The PC is fine with the draft definitions.

Discuss Edits to Town Plan Cell Tower Section: Background and Siting Standards

Section F – Telecommunications Infrastructure

Regulatory Process, page 3

- Line 25 – town cannot deny permit based on health concerns
- Line 28 – impacts of radio waves with examples, visual impacts and impacts on wildlife
- PC agrees with the clarification changes

Resources to be protected, page 3

- Clarified foreground and provided rationale
- Trails – treat the same as scenic resources
- PC discussed adding trails to the Scenic Resources section in the next update
- Ms. Lam suggested separating trails from cell towers and putting them in Scenic Resources section instead; Chair would like to mention trails in this section
- Ms. Watson suggested removing reference to Chapter 9 (page 4, lines 10-12); Ms. Potter would like to leave in for more regulatory protection going before the PUC
- Trails are protected because they are already on conserved land in many cases; issue may come into play if a tower is proposed on land that is not conserved
- PC agrees to remove lines 10-12 on page 4 regarding reference to Chapter 9

Areas not suitable for cell towers, page 5

- Proposed language – 'proximity to homes creates an undue aesthetic'; this ties it legitimately to the aesthetics piece
- Typo corrections – page 1, line 33 – landline is one word; page 3, line 18 – change 'my' to 'may'

The Chair will provide a clean copy for the next meeting.

Discuss Cell Tower Updates to Town Plan: Goals and Actions

The PC reviewed the Goals and Actions on Page 6.

- Action 6.18.2 – this action pertains to conducting an inventory of suitable cell siting locations
- Discussion about how PC should go about and where the funds would come from

- Ms. Potter believes this is not a great idea because it will cost a lot, PC would need to work with the carriers and it would put a bullseye on locations and potentially upset neighbors
- The PC needs to research the issue before going ahead, though it a worthwhile debate
- Is there a town property that makes sense?
- Needs multi-town effort to do it right
- Action 6.18.1 – regarding filing as an intervener, the PC must make a determination in order to file as an intervener and/or submit comments
- PC is okay with the Goals and Actions as presented

The Chair will add the review of draft language for Chapter 9 from Jean Vissering to the next agenda.

Updates

- Capital Improvement Committee – the CIC Chair put out a notice on Front Porch Forum for capital projects
- Energy Committee – no update
- Resilient Roads Committee – no update
- Central Vermont Regional Planning Commission – no update

ZA Report

- Five new permits

DRB Report

- Next meeting on7/ 6/21: final plan review for Kaplan subdivision and conditional use review for Green Mountain Day Spa

Review Minutes

June 17, 2021

Motion: I move to approve the minutes as amended. Made: Ms. Watson, second: Ms. Cutler
Vote on Motion: Passed 6-0

Motion to Adjourn. Made: Ms. Watson, second: Ms. Cutler. Passed unanimously. Meeting adjourned at 8:55p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary