

WATERBURY PLANNING COMMISSION
Minutes of October 28, 2004
APPROVED

PRESENT:

Members: Bob Butler, Joel Baker, Rebecca Ellis, Bob Murray, Hal Ranney,
Rick Weston

Staff: Steve Lotspeich, Dawn Lee Minter

Public: Carol & Barbara Crawford, Michael & Adrienne Henzel, Elaine Nichols,
Bobby Roberts

Bob Butler, chair, called the meeting called to order at 7:10 p.m.

EXECUTIVE SESSION

The Planning Commission went into an executive session to discuss a legal matter.
The Planning Commission came out of the executive session.

ZONING AMENDMENTS

The Planning Commission briefly discussed possible zoning amendments including changes to Section 403, More Than One Use or Building on a Lot. The Planning Commission decided to work on drafting an amendment that will be consistent with the new Chapter 115 of the state statute regarding the creation of accessory apartments. The discussion was tabled until the beginning of 2004 when the Planning Commission's workload is likely to decrease.

RIDGELINE AND STEEP SLOPE NATURAL RESOURCES INVENTORY

Steve Lotspeich reported on the natural resources field trip that was held on Saturday, October 23. David Capen, the wildlife biologist on the consultant team, led the field trip that focused on the forest types and locations, patterns of open fields, and the associated wildlife habitats in the areas identified in the visual analysis along the Worcester range. Wildlife habitat in the other areas shown in the visual analysis were also reviewed.

The next steps will include completion of the draft natural resources inventory by the end of November followed by a public meeting to be held in early December. The public meeting will include a presentation of the draft visual analysis map, the draft natural resources inventory, and a discussion of regulatory and non-regulatory options for implementing the project. Steve Lotspeich will check on availability of the consultants and coordinate with the Planning Commission to set a date and time.

APP.NO. 74-04-T, JOHN & ADRIENNE HENZEL

Mr. Butler reopened the site plan review to revise the approved residential Planned Unit Development for the Crawford & Henzel properties on West Barnes Hill Road. This is a proposed two-lot subdivision on a portion of the PUD formerly owned by

the Crawfords. Members of the public affirmed to tell the truth and some were reminded that they were still under oath.

Elaine Nichols, counsel to the Henzels, stated that they corresponded with the Crawfords attorney but have not received a response to date. The Crawfords stated that they have not spoken with their attorney about the correspondence either.

Mr. Butler asked both parties if they want to continue this hearing in order to try and come to an agreement on a compromise. The Crawfords stated that they were not interested in a compromise with the Henzels.

Mr. Henzel reiterated the reasons why they would like to subdivide the lot. Mr. Lotspeich distributed copies of a letter dated October 28, 2004 from Robert Crawford summarizing the family's position on the Henzel application. The letter also requested a copy of the legal opinion on the project obtained by the Town of Waterbury. Mr. Butler stated that the opinion letter would not be shared under standard client counsel privileges.

After consulting with the Henzels, Ms. Nichols stated that the applicant wished to withdraw the application.

MISCELLANEOUS

Interim Bylaws

Mr. Lotspeich reported that the Planning Commission will present interim bylaws on mixed use at the joint meeting of on the Selectboard/Trustee on November 10.

Smart Growth Collaborative

The Planning Commission will meet with Burnt Rock on November 4 to discuss the mixed use district smart growth collaborative.

VELCO

Rick Weston briefly reported on the most recent activities with the Vermont Electric Company's (VELCO) Lamoille Co. Reliability Project that involves the proposed electric transmission upgrade through Waterbury.

MINUTES

The Planning Commission members reviewed the minutes of October 14, 2004.

MOTION: Hal Ranney moved and Joel Baker seconded the motion:

The Planning Commission approves the minutes of October 14, 2004, as amended.

VOTE: Members of the Planning Commission voted unanimously to carry the motion. Bob Murray and Rick Weston abstained because they were not present at the October 14, 2004 meeting.

The Planning Commission members reviewed the minutes of October 7, 2004.

MOTION: Hal Ranney moved and Bob Murray seconded the motion:

The Planning Commission approves the minutes of October 7, 2004, as amended.

VOTE: Members of the Planning Commission voted unanimously to carry the motion.

PLANNER'S REPORT

Mr. Lotspeich distributed the Vermont Interstate Interchange Design Guideline report. This report contains the results of a study conducted by the State of Vermont and their project consultants. The Exit 10 area in Waterbury is showcased in the study.

State Permitting

5W1435, Michael Roche, Stowe Street Experts, Act 250 Land Use Permit approved for a 1,500 sq. ft. garage, a temporary office trailer, and a storage shed on a five-acre lot on Tayer Lane off Route 100.

5W1375-A, Pilgrim Partnership, Act 250 Land Use Permit Construction Extension Application approved for a mixed commercial building on River Road in the Village of Waterbury.

5W0531-3, Ivy Ventures, Inc., Wheeler Property, Act 250 Land Use Permit approved for conservation of the existing house into offices and changing the use of the garage from residential to light industrial at the site on Route 100 in Waterbury Center.

5W1396, Mesa Communications Group LLC, dba Spectrum Towers, Act 250 Land Use Permit Amendment application submitted requesting a 3-year extension for the construction of an approved telecommunications tower on the Buttolph property in Moretown.

5W1177-6, Farmhouse Properties, LLC, Act 250 Land Use Permit Administrative Amendment issued for four apartments to be added to a previously approved commercial building on McNeil Road off Route 100.

WW-5-0483-1, Farmhouse Properties, LLC, Wastewater System and Potable Water Supply Permit issued for four apartments to be added to a previously approved commercial building on McNeil Road off Route 100.

WW-5-2906, Grand Trunk Western Railroad, Station Lumber, Wastewater System and Potable Water Supply Permit issued for connecting the existing Station Lumber building to the municipal water and sewer system.

5W-5-2792, Valerie Zimmerman, Wasterwater System and Potable Water Supply Permit issued for constructing a detached 1-bedroom apartment behind the existing building at 21 N. Main Street.

5W-5-1689-1, Deb Talbot/Michael Roche, Stowe Tree Experts, Wastewater System and Potable Water Supply Permit issued for the creation of a 5-acre lot for Michael Roche/Stowe Tree Experts on Tayer Lane off Route 100.

5W-5-2568, Robert and Patricia Olesen, Wastewater System and Potable Water Supply Permit issued for a 10.9-acre lot off of Ring Road.

WW-5-2947, Scott Lance Wood Revocable Living Trust, Wastewater System and Potable Water Supply Permit issued for the conversion of a duplex to a 3-bedroom triplex located at 38 Stowe Street in the Village of Waterbury.

WW-5-2935, Gerald & Mary McDermott, Wastewater System and Potable Water Supply Permit issued for constructing a 9-unit apartment building off Blush Hill Road in the Village of Waterbury.

Colbyville Bike Path

Mr. Lotspeich gave an update and timeline on finalizing the RFP, advertisement, and consultants who have shown interest. The proposals will be due on Tuesday, November 23.

Village Designation

Mr. Lotspeich explained the benefits of Village Designation. Revitalizing Waterbury has asked the Planning Commission to fill out the application to the State. There are no requirements for new regulations to become eligible for Village Designation. Mr. Lotspeich suggested the Planning Commission talk to the Village Trustees and Selectboard to determine their openness to submitting an application.

Mr. Lotspeich distributed a letter from the Arnot Development Group regarding the zoning permit for a four-lot subdivision in the Route 100 Zoning District and the requirement that the project be submitted for review by the Planning Commission.

ADJOURNMENT

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Dawn Lee Minter, Secretary