

**WATERBURY PLANNING COMMISSION
MEETING
Wednesday, December 01, 2010
Approved Minutes**

Members: Darren Higgins, Chair; Joel Baker; Rebecca Washburn; Jeff Whalen; Craig McKenzie; Kane Smart

Staff: Stephen Lotspeich, Patti Spence

Guests: Select Board member, Karen Miller; Zoning Board members - Corey Hackett, Rick Boyle, Eric Nealy; Village Trustees - Everett Coffey, Lefty Sayah;

Darren Higgins opened the meeting at 7:00 pm.

Everett Coffey noted that he and Lefty Sayah were present for the Village Trustees and called their meeting to order.

REVIEW MINUTES

The minutes of November 17, 2010 were reviewed.

MOTION

Rebecca Washburn moved and Joel Baker seconded the motion to approve the minutes of November 17, 2010, as amended.

VOTE

The motion passed unanimously.

PLANNER'S REPORT

1. The project to replace 60 street light fixtures with LED energy efficient lighting fixtures with funds from a federal Energy Efficiency Block Grant was discussed.
2. Steve Lotspeich will present the Planning Department budget to the Select Board on Monday, December 6th.

DISCUSSION OF FORMING A DEVELOPMENT REVIEW BOARD (DRB) AND THE RELATED DRAFT AMENDMENTS TO THE ZONING REGULATIONS

Steve Lotspeich handed out draft amendments that would be needed if a DRB is formed. Members of the Waterbury Select board, Town ZBA and Village Trustees were present and participated in the discussion.

The DRB would handle the following reviews; site plan, conditional use, variances, Flood Hazard Area, Ridgeline Hillside Steep Slope, and Design Review for downtown district.

The Planning Commission would focus on planning issues including drafting amendments to the zoning regulations, amending the Municipal Plan, assisting with drafting the capital improvement program, and other non-regulatory functions.

The specifics are detailed in the draft amendments that were handed out.

Questions and comments:

Section 201(b) – the issue of how to remove someone from the board was discussed and compared with the state statute.

Reference to the “legislative body” should be changed to “Select Board.”

Section 201(a) – change to seven(#7) members

Specific language regarding appointments would be made in a resolution to be adopted by the Select Board and Trustees, not in the zoning regulations.

There was a suggestion that there be separate DRBs for Village and Town. Conversation ensued and several members spoke in favor of one board vs. two. Concern is that one board may have too much work on their plate. Consensus was to have only one DRB.

Jeff Whalen moved and Rebecca Washburn seconded the motion to schedule a public hearing for January 5, 2011 at 7:30 pm on the draft amendments dated December 2, 2010 to the Zoning Regulations related to establishing a Development Review Board.

APP. NO. 65-10-T, DEBORAH TALBOT

At 8:30 pm the chair opened Application No. 65-10-T, Deborah Talbot, Site Plan Review for an approximately 500 sq. ft. footprint two-story addition to the existing commercial garage/apartment located at 100 Tayer Ln. off Waterbury-Stowe Rd. in Waterbury Center, for business professional office and residential use.

The applicant was sworn in.

Ms. Talbot's business is a lawn and garden service in Waterbury Center. She wants to add 16 feet on the back of her business garage to use as an office. It was noted that there would be lighting for the door and it was recommended that any lighting be downcast and shielded.

The business has an average of 12 employees, with a maximum of 15. The landscaping/screening plan was presented as an exhibit. The site is located in the Route 100 zoning district.

Public portion of the hearing was closed at 8:55 pm and the Planning Commission deliberated on the application.

EXHIBIT LIST:

Exhibit A	Zoning Permit Application
Exhibit B	Overall Site Plan of Property
Exhibit C	Detailed Site Plan
Exhibit D	Septic System Plan
Exhibit E	Notice Sent to Adjacent Landowners

FINDINGS OF FACT:

General Description:

This project is a 500 sq. ft. footprint addition to the rear of the existing two-story, 1,280 sq. ft. footprint building at 100 Tayer Ln. off Waterbury-Stowe Rd. The existing building includes a garage for an ongoing commercial lawn mowing service and landscaping business, and an apartment on the second floor. The 32+/- acre site is located near Shutesville Hill, in Waterbury Center. A major portion of the property is located in the Route 100 Zoning District, including all the developed portion of the site as shown on Exhibit B, the Overall Site Plan.

The two-story addition will be 16' long by 32' wide with a maximum overall height of 28'. The addition will have a wood frame with clapboard siding stained in an earth tone, white trim, and a galvanized sheet metal roof. The existing portion of the building will have clapboard siding installed that will match the addition. This will result in matching siding and trim for the entire building. The first floor of the addition will be a 500 sq. ft. office for the business. The second floor will be a deck area for the apartment with a roof to match the existing building and exterior walls that will primarily be windows with glass and screens.

There are two other residential buildings on the site that have a total of three apartments. Prior development of the site was approved under Permit No. 99-01-T. A five-acre lot for Michael Roche and Stowe Tree Service was created under Permit No. 26-04-T. The Findings of Fact, Conclusions, and Conditions of these prior approvals are incorporated into this decision by reference.

This project will be as shown on Exhibits B, C, and D and is further detailed as follows:

Vehicular Access, Circulation, and Parking:

Road access is via Tayer Lane, the two-lane drive to the garage/apartment building that is being expanded, and the two-lane gravel driveway accessing the lower parking lot and material storage area, will remain unchanged as shown on Exhibit B, the Overall Site Plan of Property, and Exhibit C, the Detailed Site Plan.

The lawn maintenance business has a maximum of 15 employees requiring 15 parking spaces. The three apartments require an additional five parking spaces, for a total of 20. There are two parking spaces located on the east side of the garage building plus approximately eight spaces in front to the two residential buildings for a total of ten spaces. The lower parking lot will easily accommodate the additional ten spaces that are required plus adequate space for the company's trucks, tractors, and other equipment when they are not on job sites.

Landscaping, Screening, and Lighting:

The landscaping consists primarily of retained trees and wooded areas on the site and additional plantings as shown on the Exhibit C, the Detailed Site Plan. There are a minimum of six fruit trees between the two neighboring residential buildings and the lower parking area. Screening, especially on the front side toward the Roche/Stowe Tree Service parcel and Waterbury-Stowe Rd., and to the south, consists of the existing trees and other vegetation on the site that will be retained.

There will be one pass door light fixture added for the exterior doorway on the addition with a maximum 100-watt incandescent bulb or energy efficient equivalent. There will be no other changes to the existing lighting on the site.

Conclusion:

The Planning Commission finds that all the applicable site plan review criteria, including the Special Considerations for Projects Bordering on Routes 2, Route 100, or Interstate 89, and the special zoning bylaws for projects within the Route 100 Zoning District, are met.

MOTION:

Rebecca Washburn moved and Jeff Whalen seconded the motion to approve application 65-10-T for a 500 square footprint addition to a 2-story garage located at 100 Tayer Lane with the following conditions:

- 1. This permit is granted on the condition that the applicant complete the project consistent with the Commission's findings and conclusions and the approved plans and exhibits.*
- 2. Any lights on the interior of the building that are designed or directed so as to increase the amount of light outside of the building require a revision of the site plan.*

VOTE:

The motion passed unanimously.

DISCUSS NOTICE REQUIREMENTS FOR RESIDENTIAL ZONING PERMITS

Two guests from the Countryside development off Blush Hill Road brought up a concern regarding an addition to a home in the development that they feel did not meet Town development standards. The permit was issued but the concern was regarding how the permit was issued and how neighbors might be better warned regarding permits and the appeal period.

State statute requires that a publicly visible location be used for the site permit (P) poster. Adjacent landowners are only notified if there is a need for a variance. There is a 15-day appeal period from the date the permit is issued.

It was concluded that the some consideration might be given to following up with applicant to assure that the permit posters are displayed within the required period.

ADJOURNMENT

The meeting adjourned at 10:00 pm.

Respectfully Submitted,



Patti Spence

****THESE MINUTES WERE APPROVED ON December 15, 2010.****