

WATERBURY PLANNING COMMISSION

Approved Minutes

Monday, September 11, 2017

Planning Commission: Ken Belliveau, Chair; Eric Gross, Mark Ray

Staff: Steve Lotspeich, Community Planner; Patti Spence, Secretary

Consultant: Brandy Saxton, Place Sense

Public: Alyssa Johnson, Economic Development Director; Joe Greene, resident and business owner; Maddie Hughes, Waterbury Record

The Chair opened the meeting at 7:00 p.m. at the Municipal Center at 28 N. Main Street.

AGENDA REVIEW AND MODIFICATIONS

There were no changes made to the agenda.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

There were no members of the public or announcements made.

REVIEW AND APPROVAL OF MINUTES

Motion: Eric Gross moved and Mark Ray seconded the motion to approve the Planning Commission minutes of August 28, 2017, as amended.

Vote: The motion passed 3-0.

WATERBURY ZONING REGULATIONS – RE-WRITE

Consultant, Brandy Saxton with Place Sense, was present to discuss the Municipal Planning Grant funded project to re-write the Zoning Regulations.

The draft of Part 1 of the re-written zoning regulations dated 9-5-17 was distributed with comments and tracked changes. Mary Koen's comments were also distributed.

The following aspects of these draft regulations were discussed:

1. Ken requested that the any changes to the provisions for setback waivers be reviewed by an attorney. Steve suggested the Town budget funds for next year to have a legal review of the draft bylaws. The MPG Grant is paying for a legal review of the re-written sign bylaws.
2. Steve requested that a definition of "Smart Growth Principles" be added.
3. Section 1008 (page 2): Steve wants something to remain regarding procedures development review once amended bylaws have been warned for a public hearing by the elected officials. Brandy suggested it may belong under the permit review process. Ken pointed out it could be in "plain language" format.
4. Prohibited Uses (page 5) – we need to find a way to address the junkyard issue and make sure it is clear that they are prohibited in all zoning districts.

5. Change of Use (page 5) – further clarify whether a permit is needed and whether the Zoning Administrator can approve any changes of use.
6. Expansion of Use (page 5) – further clarify what is not an expansion of use.
7. Exemptions (page 5-6) – at another meeting we need to consider the overlay districts and to simplify those districts. The Campus Overlay District was discussed as an example and it was suggested that it become part of the Downtown Design Review Overlay District.
8. Accessory structures – give an example, such as “a shed”.
9. Page 7 – (13) re: the exemptions for patios or decks. Concern was raised regarding the advisability of exempting decks that do not exceed 200 sq. ft. if they met the setbacks. The issuance of Zoning Permits is an integral part of the tax assessment process. We need to make sure we are issuing zoning permits for construction that effects the assessed value of a building through notification of the Town Assessor.
10. Page 9, #23-home occupations – we should not exempt home food preparation business in order to issue a zoning permit for businesses that may need to be reviewed for septic and water use – such as home brewing.
11. Page 10, 1006D – Steve would rather have a form/report completed and not have a zoning permit application required for agricultural structures that are exempt from the requirement to obtain a zoning permit.
12. Page 13, #4, “minor expansion” of a non-conforming use to be approved by the Zoning Administrator needs to be more restrictive with a maximum square footage or percentage in the allowed expansion under this bylaw. This bylaw needs further review.
13. Page 13, #5 “major expansion” and page 14 #6 - all the conditional use criteria should be considered with the DRB deciding which criteria are applicable.
14. Page 15, “Merger” of pre-existing small lots – this is now optional in state statute. The Town need to decide whether to require these mergers. We should raise this issue at a future meeting when all the Commissioners are present to discuss this as a policy issue. Steve will bring some examples of lots from Waterbury that have merged in past.
15. Page 16, #9, “Lot size” - put this on the policy list to discuss at a later time in conjunction with the merger of pre-existing small lots.
16. Ken wants to make sure we have a statement/section about lots that are split by a public road. This is in our current regulations and a public road that segments a property under common ownership subdivides the property.
17. Page 18, “demolition” - cross reference with the Downtown Design Review requirements.
18. When the Village is no longer in existence, we will need to take out all the Village references. Brandy is using the word “municipal” in the current draft to make this transition easier in the future.

Joe Greene, town resident and local architect, commented that the direction of simplifying the regulations and making them “easier” for residential development is good.

QUESTIONNAIRE

A draft, dated 9/5/17, of survey questions was discussed.

1. Brandy is continuing to work on the survey questions.
2. A map resource was discussed so survey participants can identify the Zoning District where their property is located.

3. Steve will work with Brandy to craft questions that address how we may combine and simplify Zoning Districts and the associated uses.

OTHER BUSINESS

Steve mentioned the Floodplain Management Working Group is working on a complete draft of the Hazard Mitigation Plan. Barb Farr will send out a draft of the Plan and will attend the 9/25 Planning Commission meeting to present and discuss the draft Plan.

The recommended denial of a certificate of public good for the proposed Verizon North Hill Cell Tower project is going before the Public Utility Commission tomorrow 9/12/17 for oral argument and a determination by the Commission is expected after the hearing.

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,



Patti Spence
Secretary