

# **WATERBURY PLANNING COMMISSION**

## **Approved Minutes**

**Monday, February 12, 2018**

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

Staff: Steve Lotspeich, Community Planner

Brandy Saxton, Planning Consultant with Place Sense; Alan Thompson, Waterbury Conservation Commission; Alyssa Johnson, Economic Development Director; Gunner McCain, Consultant; Dave Lachtrupp, Gristmill Builders

The Chair opened the meeting at 7:15 p.m. at the Municipal Center at 28 N. Main Street

### **AGENDA REVIEW AND MODIFICATIONS**

S. Lotspeich will report on the Forest Fragmentation webinar held today, as part of the Planner's Report.

### **ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC**

There were no announcements or comments from the general public.

### **REVIEW AND APPROVAL OF MINUTES**

Mark Ray moved and Eric Gross seconded the motion to approve the Planning Commission minutes of January 8, 2018, as amended.

**Vote:** The motion passed 3 - 0.

### **WATERBURY ZONING REGULATIONS – RE-WRITE**

Steve Lotspeich handed out the draft bylaws for the Ridgelines, Hillsides and, Steep Slopes (RHS) Overlay District. Brandy Saxton explained that it is now possible to create a much more accurate topographic map of the entire Town of Waterbury using the new LiDAR data, and delineate the 1,200' and 1,500' contours for the RHS overlay. An analysis of this map would inform the Planning Commission if the overlay is capturing the areas that are intended. It was agreed that as part of this re-write, we don't want to modify the mapping for the RHS overlay district.

The process and time frame for the Zoning Administrator's determination whether an application is Minor or Major Development was discussed. It was agreed to take out the 15 additional days for the determination that could go beyond the 30-day time limit for deciding if an application is complete and may need to be referred to the DRB.

It was agreed that is the intent of the classification bylaw is that the determination of Minor or Major Development should be made exclusively on the location of the proposed development as it relates to the 1,200' and 1,500' contours. The challenge is that subdivision is a form of Land Development and the subdivision activity may extend above the 1,500' contour even though there is no other development proposed in that area. It was agreed that the classification of

Minor or Major Development should be determined based on the location of the proposed development, exclusive of the subdivision activity.

There was a discussion of clearcutting in areas over 1,500' in elevation and whether the Town has any authority over a logging operation. Alan Thompson said that logging activity that falls under the state's best management practices is exempt from local zoning review. It was agreed to take out the reference to "clearcutting" as a trigger for RHS review but add "pre-development site preparation" back into the draft regulations as a trigger for RHS review in areas over 1,500' in elevation.

The requirement to use site plan review submission requirements for RHS projects was discussed. Since the majority of these projects involve one- or two-family dwellings and any associated subdivision activity, the projects are typically exempt from site plan review. We need to make sure that the site plan review submission requirements for RHS projects are included in our application forms if that is where submission requirements end up being included.

There was also discussion of the submission requirements for wildlife studies for Major Development projects. The submission requirements for Conditional Use applications typically do not include the same level of wildlife habitat study and analysis that is required for RHS Major Development review. We don't want to lose track of this submission requirement in the re-write.

The desire of the Conservation Commission to add mapping for Wildlife Travel Corridors was discussed. The state Agency of Natural Resources (ANR) has mapped Connectivity Block state-wide. This is a macro-scale map so it is hard to apply to a specific site without doing further mapping to identify the detail for Wildlife Travel Corridors. The Conservation Commission has produced a map of the Shutesville Wildlife Corridor but it is specific to that one large corridor.

Other Vermont municipalities including Montpelier, Williston, Charlotte and Brattleboro have created detailed natural resources maps that have been based on local natural resource inventories in some cases such as in Williston. Sometimes applying these maps to proposed development is at the discretion of the Development Review Board. The merits and challenges of applying these maps to proposed development was discussed. It was agreed that a local Natural Resources Map is advisable for the local review process to work properly.

The draft Site Design Standards were circulated and discussed. Regarding landscaping, a landscape plan prepared by a Landscape Architect or Certified Horticulturalist is required for all Major Site Plan Review applications. Gunner McCain feels that these qualifications should not be required in the cases of smaller projects where the landscaping may be limited.

The draft requires a performance bond to make sure that landscape plants survive and are replaced if they die within the first 2-3 years. The bond would require an inspection process to sign off at the end of the bonding period.

Figure 4-01, Planting Specifications was presented by Brandy. The requirement for various soil volumes for different size plant material was discussed. Similar requirements are being incorporated into the state stormwater requirements. Green stormwater Best Management

Practices (BMP's) were discussed. These requirements may be part of the upcoming Municipal General Permit for stormwater and water quality.

Existing landscaping can be used in lieu of planting new material at a rate of 120%. This reflects the fact that existing trees and other plant material are often more mature than newly planted material.

The lighting standards were discussed. The required maximum lighting levels are measured in lumens which is now standard. The draft includes some requirements for one- and two-family dwellings that would establish threshold limits on floodlighting and other aspects of residential lighting.

There is also a uniformity standard to make sure that areas are evenly lighted without excessively bright and dark areas that can be a security and aesthetic issue.

The proposed draft includes language for special use lighting for recreation facilities, sales lots (such as car sales lots) where the front row of cars may be lit more brightly but lights would have to go off at a set time. Fueling station canopies are another special use where the lighting under the canopy must have a flush mounted lens to assure that the lights are all downcast. Non-shielded lighting would be allowed on a limited basis for lighting such as for the fronts of buildings.

Figures 4-02 and 4-03 would establish two lighting zones, one for the R-10, Residential 1, and Rural Conservation zoning districts, and the other for all the commercial zoning districts. These figures outline the specifications for lumen output, shielding, and time limits for various classes of lighting.

#### **OTHER BUSINESS**

1. Steve distributed the attached Zoning Administrator's Report for the month of January. He answered a number of questions about the report.
2. Planner's Report – Steve participated in a webinar on Forest Fragmentation and the requirements of the state Act 171. The Act outlines the various requirements for addressing forest fragmentation in Municipal and Regional Plans that expire and are updated after January 1, 2018. This issue will be re-visited when we develop amendments to the Municipal Plan starting this spring. The Central Vermont Regional Planning Commission (CFRPC) will be assisting us with this project.

#### **ADJOURNMENT**

The meeting was adjourned at 9:06 p.m.

Respectfully submitted,



Steve Lotspeich  
Acting Secretary

### Zoning Administrator's Report January 2018

Permit #	Applicant/Owner	Location/Project	Dated Submitted	Action
107-17	Town of Waterbury	25 Butler Street (sign at pool-house)	11/21/2017	DRB Approved (S)
108-17	Town of Waterbury	116 Maple Street (sign at Hope Davey)	11/21/2017	DRB Approved (S)
110-17	PGSR LLC	701 US Route 2 (commercial building)	11/27/2017	DRB Approved (SP-CU)
113-17	Powers Vose Trust	967 Maple Street (Notice of Appeal)	12/12/2017	Refer to 1/17/18 DRB (A)
115-17	Superior Development LTD	1 River Road (gas price sign)	12/18/2017	Denied
116-17	VanHoven Tekla	Loomis Hill Road (single family home)	12/29/2017	Issued
117-17	Waterbury Commons LLC	Lot 24 Waterbury Commons (single-family dwelling)	12/29/2017	Issued
118-17	Waterbury Commons LLC	Lot 16 Waterbury Commons (single-family dwelling)	12/29/2017	Issued
001-18	Ripley Springs LLC	Wood Farm Road (boundary-line adjustment)	1/4/2018	Issued
002-18	Benjamin Keaton	1063 Maggies Way (renew SFD zoning permit #72-11-T)	1/5/2018	Renewed
003-18	Allen Dana	48 Stowe Street (deck)	1/16/2018	<i>Incomplete</i>
004-18	Bank Hill LLC	19 South Main Street (sign for spa)	1/16/2018	In progress
005-18	Superior Development LTD	1 River Road (gas canopy, Variance)	1/24/2018	Refer to 3/7/18 DRB (V)
006-18	Gnanapiragasam Antony	34 Randall Street (enclose porch)	1/30/2018	Issued

**OTHER**

Review changes for 2016-2017 ZR re-write  
 Issue zoning compliance letters: 2