

WATERBURY PLANNING COMMISSION

Draft Minutes

Monday, April 23, 2018

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

Staff: Steve Lotspeich, Community Planner; Patti Spence, Secretary; Bill Shepeluk, Municipal Manager, Dina Bookmyer-Baker, Zoning Administrator

Public: Alyssa Johnson, Economic Development Director; Gunner McCain, McCain Consulting; Dave Lachtrupp, Gristmill Builders; Kathy Grace, Resident; Diane and Mike LaRock, Residents

The Chair opened the meeting at 7:03 p.m. at the Municipal Center at 28 N. Main Street

AGENDA REVIEW AND MODIFICATIONS

No changes were requested.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

Kathy Grace asked about a few items but they will be covered during 7:15 agenda item.

REVIEW AND APPROVAL OF MINUTES

Eric Gross moved and Mark Ray seconded the motion to approve the minutes of April 9, 2018, as amended.

Vote: Approved 3 - 0

WATERBURY ZONING REGULATIONS – RE-WRITE

The Planning Commission met with Bill Shepeluk, the Municipal Manager to discuss policy level aspects of the zoning re-write in the areas of Chapter 2, Administration. The following aspects were discussed:

1. Impact fees – When the Town and Village established their Capital Improvement Programs they decided not to implement impact fees. In Waterbury it is difficult to identify infrastructure projects that would be required in association with future development and establish the nexus between the two. This connection is necessary in order to require impact fees in association with permitting the development that will pay for the infrastructure improvements. Bill sees no reason not to have some language to enable impact fees in the future.
2. Performance bonds – we currently require a deposit when developers and others cut into town roads for improvements such as utility connections. Having the ability to have require performance bonds may be helpful in the future for permit requirements such as landscaping in order to make sure plantings are installed in accordance with the plans and survive.
3. Certificates of Occupancy/Compliance (CO's) – Waterbury doesn't currently have this requirement except for Certificates of Completion associated with development permitted under our Flood Hazard Area Regulations. Waterbury has relied on voluntary

compliance with permit requirements in lieu of requiring CO's. The Select Board would probably need to have a justification that CO's are necessary in order to avoid costly enforcement. If CO's become a requirement in the zoning regulations it would increase the staff workload/hours and increase the Planning Dept. budget. Affordability is an issue for the current Waterbury Select Board and their goal is to keep the tax rate for residents and businesses near the same from year to year. The benefits of requiring CO's need to be strong and the associated fees would need to cover at least part of the additional staff time to have support from the Select Board.

The following additional questions and comments were offered:

1. Could a 3rd party be hired for to do the inspections associated with CO's? Inspections are currently done by the design consultants for on-site wastewater systems that are installed.
2. Steve pointed out that a CO could provide assurance on projects that fall outside of the ACT 250 review (Waterbury is still a 1 acre town for Act 250 jurisdiction for commercial development). If Waterbury moves to having the 10-acre threshold for Act 250 then requiring CO's may be helpful in conjunction with a higher level of review for development such as projects proposed in our Historic Districts.
3. Ken said the CO process in Williston has been managed with minimal additional staff time and cost to the taxpayers.
4. Ken suggested that a performance bond requirement can add integrity to the permitting system and catch requirements for development that may be missed without this check and balance process.
5. Impact fees – enacting them at this juncture is difficult due to limitations with the State process. However having the enabling language in the revised regulations would be appropriate.

Discuss revisions to the proposed zoning maps for the Village of Waterbury and for the areas of the town outside of the Village. Village mapping – Revisions have been made to the draft base zoning district map. Steve reviewed the changes made after the last meeting when changes were discussed. Establishing an R5 district in areas off Perry Hill Rd. and Lincoln St. instead of the proposed R10 district was brought up. Ken brought up a “red flag” issue with increasing the density in this area due to the future impacts on traffic flow and infrastructure that would be caused by the additional higher density development.

The following questions/comments were offered:

1. S. Main Street – the downtown district has been extended further south of Rusty Parker Park.
2. S. Main Street –The area behind the Grace and LaRock properties has been changed from General Business (currently zoned industrial) to Mixed Use. Kathi Grace raised a concern that this will significantly increase the housing density in this area. She is also commented that the 8' side and rear setback in the Mixed Use district is too small.
3. The advantages of smaller side setbacks was discussed and it was pointed out that many village lots have houses and other buildings right on the side property line, leaving extra space on the other side of the building for access and side yard space. A comment was made that we should look at the differences between what Randall Street backs up (a corn field) versus what S. Main backs up to (other lots and buildings).

4. S. Main Street – question raised about possibly moving the downtown district even further south than the current proposed zoning map which has this district expanded only to the horseshoe area in front of the state office complex.
5. It was reiterated that we should allow 1 and 2 family dwellings in the downtown district, especially above commercial uses.

The proposed zoning for the town outside of the Village of Waterbur was discussed. This is the first draft of this map.

Questions/comments:

1. The Artisan Coffee location (next to Evergreen Gardens) – needs to be changed to “tourism/business”
2. Maggie's Way - The two R1 lots on the area on the east side reflect the pattern of existing small lots in that area.
3. Lot size averaging was supported by property owner and developer Dave Lachtrupp.
4. How can we not decrease density of someone's lot while still maintaining flexibility.
5. Sweet Road – Steve reviewed the changes made in this area, conserving more land but still allowing clusters of smaller lots to be created on larger parcels.
6. A comment was made that staff and the Planning Commission should look at the interface between the Rural and Conservation districts on the west side of Ripley Rd. to make sure that the pre-existing small lots are included in the Rural district.

Sign Regulations -

The Commission discussed the revised draft sign bylaws briefly. Steve distributed the most recent version of the text that incorporates the Planning Commission comments for their meeting on March 26th. PC will review as a take home piece. Steve will schedule them to be reviewed by an attorney after the next meeting. All comments will be due back to Steve in advance of the next Planning Commission meeting on May 14th.

OTHER PLANNING COMMISSION BUSINESS:

1. Information on the annual Planning and Zoning conference was distributed. Let Steve know if you are interested in attending.
2. The Municipal Plan re-write will have support from the Central Vermont Planning Commission in the areas of energy planning and forest fragmentation. Steve will be working with Claire Rock on language that will address forest fragmentation.

Next meeting, May 14, 2018: Final meeting with Brandy Saxton of the consultant firm, Place Sense, to wrap up her work on the zoning re-write. Discuss schedule and tasks related to revising the Municipal Plan and getting it reapproved by December, 2018. **Note:** This meeting will be held in Steele Community Room at the Municipal Center located at 28 N. Main St.

ADJOURNMENT

The meeting was adjourned at 09:00 pm

Respectfully submitted,

Patti Spence
Secretary