

WATERBURY PLANNING COMMISSION

Approved Minutes

Monday, December 14, 2020

Planning Commission: Ken Belliveau, Chair; Mary Koen; Eric Gross; Martha Staskus; Katya D'Angelo

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

Public: Mike Bard, Select Board member; Jason Wulff, resident; Filomena Siner;

Alyssa Johnson; Dan Roscioli

The Chair opened the meeting at 7:05 p.m. The Planning Commission (PC) members, staff, and members of the public participated via Zoom.

AGENDA REVIEW AND MODIFICATIONS

The agenda was reviewed and no changes were made.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

There were no announcement or comments from the public.

REVIEW OF MINUTES

MOTION:

Eric Gross moved and Katya D'Angelo seconded the motion to approve the minutes of November 23, 2020, as amended.

VOTE: The motion was approved 5 - 0.

REVIEW OF DISCUSSION OF DRAFT BYLAWS WITH THE SELECT BOARD

Ken, Mary and Steve discussed the status of the draft Unified Development Bylaws with the Select Board on Monday, December 7th. The Board was briefed on the progress to date and the next steps were discussed. The Board requested that the Planning Commission focus on the Downtown District, as a first phase of moving the draft Unified Development Bylaw forward. It was agreed to consider options that could include drafting interim zoning bylaws.

Comments:

1. Mike Bard expressed that he understands the complexities and the nature of a comprehensive bylaw re-write and the challenges of enacting them.
2. Jason Wulff expressed the challenge as a property owner and developer, to be able to open a new business that doesn't meet the limitations of the current bylaws. He expressed the frustration in dealing with current zoning regulations that are so out-of-date.

Mary suggested that the PC have a more formal public process if we are going to divide the draft bylaw into segments, starting with the downtown area.

Martha suggested we need an outline with a systematic flowchart on how to address the zoning for the various districts over time.

Steve offered to assist with writing the outline and give some detail to the concept of addressing the draft bylaw in phases. He will provide an outline of a first phase focusing on the downtown area at the next PC meeting.

DISCUSS THE PROPOSED UNIFIED DEVELOPMENT BYLAW

The discussion on Section 3.2.1, Base Zoning Districts, was continued as follows:

The Inventory of Downtown Commercial Properties, dated 3-25-19, that was prepared by Steve last year, was reviewed. The square footage for various the identified uses or buildings was discussed. The conversation focused on square footage of the brewing operations at the Alchemist on Crossroad and Prohibition Pig on Elm St. An appropriate size limit for possible brewing operations in the proposed Downtown zoning district was discussed.

Mary asked about the proposed definition for “*Food and Beverage Manufacturing*”. Waterbury currently has an appeal pending on a “*Brew Pub*” proposed at 28 Stowe St. The Zoning Administrator determined that the brewery operation falls under the current definition of General Industry and was the basis of the appeal of the ZA’s denial of the application. Martha said if more than 50% of the business is brewing is it should be considered to be the *Food or Beverage Manufacturing* use in the proposed Bylaw and not an accessory use. The proposed definition of *Restaurant* was discussed as well. That definition allows a brewing operation that is accessory to the main restaurant use with limits on the amount of beverage that can be produced in one year. This would essentially allow brew pubs to be established in the proposed Downtown zoning district.

Mary wants to be sure we are considering all possible uses and not limiting the direction of businesses in Waterbury based on the limitations of how we define that business in our bylaws. We must examine our definitions in conjunction with reviewing the allowed uses in each proposed zoning district.

Martha focused on how spaces are used for primary uses that are typically over 50% of the use of the commercial space in the building.

OTHER BUSINESS

1. Steve sent the PC the Zoning Administrator’s reports for July and August. These will be discussed at the next meeting. Dina Bookmyer-Baker will be providing additional reports to catch up through November and those will be available prior to the Jan. 11th meeting.
2. Planner’s Report
State permitting: The Callan’s 9-unit Planned Unit Development (PUD) is in Act 250 review. The Central Vermont Regional Planning Commission’s Project Review Committee determined that the project is regionally significant due to the forest block habitat on the site that is also on the edge of the Shutesville Wildlife Corridor.

NEXT MEETING

The next meeting will be held on Monday, December 28, 2020 at 7pm by Zoom.

January 11, 2021: Meet with Jacob Hemmerick with the Vermont Agency of Commerce and Community Development re: the publication “Enabling Better Places: A Zoning Guide for Vermont Neighborhoods”.

ADJOURNMENT

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Patti Martin

Patti Martin, Secretary