

# **WATERBURY PLANNING COMMISSION**

## **Approved Minutes**

**Monday, December 28, 2020**

Planning Commission: Mary Koen (Acting Chair); Eric Gross; Martha Staskus; Katya D'Angelo  
Staff: Steve Lotspeich, Community Planner; Patti Martin, Secretary  
Public: Jason Wulff, Ryan Miller, Lillian MacNamara, Dave Lachtrupp

The Chair opened the meeting at 7:06 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 December 14, 2020, as written.

**VOTE:** The motion was approved 4 - 0.

### **DISCUSSION OF AN INITIAL PHASE OF THE DRAFT UNIFIED DEVELOPMENT BYLAW**

The Municipal Manager, Bill Shepeluk, and the Select Board would like the PC to consider a first phase of implementing the Unified Development Bylaw with interim bylaws. Steve Lotspeich communicated to the Planning Commission that the Municipal Manager and the Select Board have directed staff to prepare draft interim bylaws by the end of January, 2021 for their consideration. An interim bylaw is adopted by the Select Board after a public hearing and is valid for two years. The same interim bylaw can be extended for only one additional year. During this time period, the interim bylaws can be adopted as "permanent" bylaws and no longer be interim or they expire.

The "Draft Unified Development Bylaw Outline of Draft First Phase – December 28, 2020", prepared by Steve Lotspeich was discussed as follows:

- a. The first phase would focus on the proposed Downtown zoning district.
- b. A question was raised concerning the proposed Tourism Business zoning district along Route 100. Steve suggested this could take some time to resolve the proposed mapping and allowed uses and it should be done as a separate second phase of bylaws at a later time.
- c. The Downtown district could move quickly with more consensus and after that is done, move on to another district, group of districts, or area of the town.
- d. A bylaw amendment needs a title. "Draft Zoning Bylaw Amendment for the Downtown Zoning District and Technical Corrections to the Existing Zoning" is proposed for the title.
- e. The paragraphs in the outline were discussed starting with Purpose:
  - i. This district should have high density housing.
  - ii. The reference to "Compatible" uses refers to a mix of industrial and commercial uses at a scale that is compatible with nearby housing and other uses.

- iii. Include the word industry (small scale or scaled industry). An additional sentence is needed describing the industrial uses that are compatible with housing. What are the site plan and conditional use review criteria that need to be reviewed to assure that the various uses allowed are compatible if they are located near each other?
- iv. The draft definitions of *restaurant and bar* currently includes brew pub and distillery and this may need to be further defined.
- v. The draft zoning bylaws need to be structured so the smaller scale industrial uses are included.
- vi. A diverse mix of “uses” vs “businesses” should be included.
- f. Applicability: This aspect identifies the area where the proposed bylaws apply. We should keep in mind the current boundary of the Downtown Commercial zoning district and how that will expand in area and include additional specific additional uses.
  - i. The proposed expanded Downtown zoning district goes to the first drive into the big horseshoe at the State Complex.
  - ii. This is the proposed Downtown zoning district that does not include all of the current Designated Downtown and Downtown Design Review Overlay District which goes further southwest to just beyond St. Andrews Catholic Church.
- g. Allowed Uses
  - i. This paragraph should not get specific to what particular uses are included, such as *food or beverage manufacturing*, but should use more all-inclusive wording for the uses allowed.
  - ii. Specific wording for the proposed uses needs to be clear. We may need to include new definitions for uses such as *craft production* and be clear when brewing operations are included in a given definition of a use.
  - iii. Is the “use table” going to be the rule that is used – what new uses would we add?
  - iv. The scale of the revised and new uses within the Downtown zoning district needs to be clearly defined and appropriate.
  - v. The new and re-defined uses in the draft interim bylaws, if adopted, will supersede the current definitions for the same or similar uses in the current Zoning Regulations.
  - vi. The use of the word “minimum” needs to be corrected to read “maximum” as it applies to square footage of a given use referenced in the outline.
  - vii. The outline should reference “higher” density for housing in the Downtown zoning district.
- h. Dimensional Standards
  - i. The sentence that starts: “There will be a high percentage of minimum build-to-line coverage” will be reworded to make it a more general statement.
  - ii. The minimum height limit was discussed as a new aspect of the dimensional requirements. This should not reference two-story buildings but just state that the minimum is to be 24 feet. It could be a one-story 24 foot tall building.
  - iii. We should review the dimensional standards as a whole, including all aspects of the proposed table, and then have a general statement in the outline regarding revising the standards.
- i. Parking Requirements
  - i. There is a need to develop bylaw language specific to the proposed Downtown zoning district in regard to non-residential parking and possible exemptions.
  - ii. Currently the parking requirements are based on the amount of space dedicated to each use such as “x” seats in a restaurant requires “x” parking spaces)

- iii. Mary suggested we consider keeping parking requirements as they currently exist, rather than trying to change this section. (See proposed Section 4.3.4.) It was agreed that this parking issue has a scope that we may not want to tackle for this phase of the rewrite.
  - iv. Steve recommended changing the authority to designate the use of on-street public parking to fulfill on-site parking requirements, from the Select Board to the Development Review Board to streamline the review and approval process for projects that cannot meet the parking requirements on-site.
- j. Definitions:
- i. A new definition will supersede the related definition in the current Zoning Regulations.
  - ii. If there is a new use table there will need to be new definitions to match those uses listed in the table.
- k. Technical corrections to the current Zoning Regulations were discussed. These will be administrative amendments to make sure that our bylaws are consistent with state statute with correct references to those statutes.
- l. Status of other aspects of the current Zoning Regulations: We won't change the listed "other" aspects at this time.

### **DISCUSS DETAILS OF PROPOSED UNIFIED DEVELOPMENT BYLAW**

Section 3.3.2, the Dimensional table was discussed. Regarding buildings, the following was discussed:

- 1. In the proposed Downtown zoning district, the 80% build to line coverage would prohibit accessing a building with a driveway off the street if the lot is relatively narrow, i.e. 50 feet in width.
  - a. Existing easements for utilities or access may also make it impossible to meet the draft 80% build to line coverage.
  - b. The question was asked, what is this requirement trying to do? Steve responded that it is intended to help create a traditional downtown streetscape where you have buildings close together and close to the street, sometimes connected to each other. Often the access to buildings is from the rear using an alleyway or access from another street.
  - c. It was suggested to change the 80% minimum build to line coverage to 60%.
  - d. Concerning building footprint, Steve offered to expand the inventory table of buildings in the downtown area to add building footprint square footage and send out the revised table prior to the next PC meeting.

### **GOAL FOR NEXT MEETING**

- 1. Steve will revise the outline of the draft interim by-laws and circulate to the Planning Commission in both tracked changes and non-tracked versions, early during the week of January 4, 2021.
- 2. The PC will meet with Jacob Hemmerick with the state Agency of Commerce and Community Development to discuss their publication "Enabling Better Places: A Zoning Guide for Vermont Neighborhoods. This discussion will include Jacob's recommendations for how to develop a first phase of our Unified Development Bylaw in the context of the proposed Downtown zoning district. This will include a discussion of

- promoting mixed use development in this area.
3. Martha asked about seeing a downtown bylaw from another town, and can the PC see it before the next meeting. Steve will research examples and send the website links to the PC prior to the next meeting on January 11, 2021.
  4. The Planning Commission will continue to discuss the dimensional table as it relates to the proposed Downtown zoning district.

#### **OTHER BUSINESS**

1. Callan 9-lot PUD sub-division Act 250 review: The proposal has been reduced by one lot to address the wildlife concerns including the impacts to the Shutesville wildlife corridor.

#### **NEXT MEETING**

The next meeting will be held on Monday, January 11<sup>th</sup>.

**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 9:02 a.m.

Respectfully submitted,

*Patti Martin*  
Patti Martin, Secretary