

WATERBURY PLANNING COMMISSION

Approved Minutes

Monday, February 8, 2021

Planning Commission: Ken Belliveau (Chair); Mary Koen; Eric Gross; Martha Staskus
Staff: Steve Lotspeich, Community Planner; Patti Martin, Secretary

Public: Jason Wulff, Ryan Miller, Michael Bard (Select Board), Katie Martin (Select Board),
Emmett Gartner (Waterbury Reader).

The Chair opened the meeting at 7:02 p.m. The Planning Commission (PC) members, staff, and members of the public participated via Zoom.

AGENDA REVIEW AND MODIFICATIONS

The agenda was reviewed. There were no changes.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

Jason Wulff pointed out that he had sent his comments on the draft interim bylaws to the Select Board and his understanding is that they were forwarded to the Planning Commission by Town staff.

REVIEW OF MINUTES

Eric Gross moved and Mary Koen seconded the motion to approve the minutes of January 11, 2021, as amended.

VOTE: The motion carried 4 – 0.

Mary Koen moved and Eric Gross seconded the motion to approve the minutes of January 25, 2021, as presented.

VOTE: The motion carried 4 – 0.

UPDATE ON SELECT BOARD'S DRAFT INTERIM DOWNTOWN BYLAWS WARNED FOR A SELECT BOARD PUBLIC HEARING ON FEBRUARY 22, 2021.

Select Board member Mike Bard spoke to the process and his comments on the draft Interim Bylaws that were forwarded to the Planning Commission by staff. He requested feedback on his comments.

Ken expressed his concern that the Select Board is wrestling with a document going forward that some of the Planning Commissioners don't feel is really ready for public hearing. There are many changes and issues that have been identified and still need to be addressed in the Interim Bylaws. He said that it is a development issue that is pressing the Select Board to move forward too quickly.

Select Board member Katie Martin asked, "what can the Select Board do to address these concerns?" After hearing the concerns expressed she suggested the PC members come to the next Select Board meeting and state these concerns to the full board.

Mike Bard, as a resident of Waterbury, stated that he understands the frustrations regarding the

timing of this coming down to one final meeting for the PC and that all members of the Select Board may not have been fully aware of this. He thinks that the update of the zoning bylaws needs to move forward as Waterbury is a growing community and change is needed in many areas of the bylaws. He would like the Select Board and Planning Commission to collaborate on how to move forward with these bylaws and that is his goal for tonight and for future meetings.

The use and dimensional tables are a primary concern of the PC including finalizing the details in the tables. The PC discussed a draft statement to send the Select Board that outlines the PC's position on the draft Interim Bylaws that have been warned for the Select Board's public hearing scheduled for Monday, February 22nd. Wording was discussed and suggested changes made.

A final draft of the statement to be transmitted to the Select Board was agreed to by the PC members as follows:

Before the Select Board is a draft Interim Zoning Bylaw for the Downtown Zoning District. This draft was prepared by the town's staff and is based on some of the work of the planning commission. The planning commission was tasked with advising the town staff regarding a proposed interim bylaw. The planning commission had inadequate time to seriously evaluate or deliberate on all provisions in the draft before you and would not have submitted it in its current state.

This draft as it is written does not come with a recommendation for approval from the planning commission. In the view of the planning commission the draft is incomplete and contains a number of unresolved issues, such as portions of the dimensional and use tables.

Interim zoning is the providence of the Select Board and does not require the recommendation or participation by the planning commission. Thus it is for you to proceed with this as you choose.

Mary Koen moved and Eric Gross seconded the motion to approve the written statement regarding the Draft Interim Bylaws for the Downtown zoning district, and to transmit it to the Select Board.

VOTE: The motion carried 4 - 0.

Ken said that he plans on attending the public hearing on the Interim Bylaws on February 22nd and will represent the Planning Commission. The other members also plan on attending so a Planning Commission meeting will be noticed for the hearing time on February 22nd.

Martha asked that the comments on the draft Interim Bylaws made by Select Board member, Mike Bard, be reviewed. The following comments were discussed:

1. The setbacks for the Downtown zoning district as drafted are 0'. Mike thinks that the minimum setback should be a larger distance such as 10' since many buildings in the downtown are not right behind the sidewalk. It was pointed out that the buildings on the first block of Stowe St. and on Bank Hill are built up to the sidewalk and have a zero setback. It was also pointed out that the setback is a minimum and can be larger.
2. Foodservice – Mike thinks that restaurants should be allowed to have drive-up windows to facilitate take-out and pick-up options.
3. Mike has concerns about the definition of “bulk storage” and is concerned that it has to do with storing refuse and recyclables. It was pointed out that the definition relates to a minimum amount of storage space for apartments and is not intended to be for refuse and

recyclables.

4. Glare is a current issue, especially with solar arrays such as those off Sweet Rd. in the municipal wellfield. This issue should be addressed in the Interim Bylaws in the Performance Standards. It was pointed out that the Performance Standards in the draft apply only to Home Occupations and Home Businesses.
5. Mike asked if particulate matter from wood stoves and other sources should also be addressed in the Performance Standards.

OTHER BUSINESS

1. Regarding Zoning Administrator's reports, Mary asked that the PC only get the reports for the immediate past month and not the reports for the prior months. That would keep the focus on the immediate past. It was also requested that the PC just get the Town Clerk's zoning permit log that is compiled as permits are received. That log will not include details on the DRB reviews that are included in the current ZA reports as drafted. The ZA report for January was requested for the next regular PC meeting.

NEXT MEETING

The next regular scheduled meeting will be on February 22nd. PC members will be attending the Select Board's public hearing on the draft Interim Bylaws and that will be the only agenda item.

Then a special meeting will be held on Monday, March 1st, returning the regular 2nd and 4th Mondays of the month on March 8th.

ADJOURNMENT

The meeting was adjourned at 09:23 p.m.

Respectfully submitted,

Patti Martin

Patti Martin, Secretary