

WATERBURY PLANNING COMMISSION

Approved Minutes

Monday, February 22, 2021

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

Select Board: Mark Frier, Mike Bard, Katie Martin, Chris Viens, Nat. Fish,

Staff: Steve Lotspeich, Community Planner; Bill Shepeluk, Municipal Manager, Patti Martin, secretary.

Public: William Vigdor, Jason Wulff, Dani Kehlmann, ORCA Media, Alyssa Johnson, Lisa Scagliotti, Mark Drutman, Emmett Gartner, Ryan Miller, Dana Allen, John's iPhone

The meeting was held via videoconference and the Select Board meeting was called to order at 7:00pm. The Planning Commission members were present to attend the following hearing:

PUBLIC HEARING ON THE DRAFT INTERIM BYLAWS FOR THE DOWNTOWN ZONING DISTRICT

The public hearing was opened by Mark Frier, Chair of the Select Board at 7:15 p.m.

The public hearing was to consider and receive public comment on the Draft Interim Bylaws for the Downtown Zoning District dated February 1, 2021.

Steve Lotspeich reviewed the draft interim Bylaws using a screen-share highlighting the key provisions. Steve then screen-shared the revised zoning map for the area showing the extent of the proposed Downtown zoning district. Following Steve's overview there was discussion related to the mixed-use area on North Main Street, just north of the proposed Downtown zoning district and why it was not included in the proposed zoning district. Steve explained that he recommends a somewhat lower residential density for this area and not allowing light industrial uses that might be in conflict with the residential mix of uses.

The limitation of 2,000 square feet for some of the permitted uses such as restaurant was discussed since this is considered a relatively small scale. Steve explained that these uses would require conditional use review in addition to site plan review if the use is more than 2,000 square feet. The issue of scale has been discussed by the Planning Commission. Steve discussed the possibility of adjusting this threshold from 2,000 to 5,000 square feet in the draft bylaws. Two of the proposed uses, Food and Beverage Manufacturing, and Light Industry would not be allowed in the Downtown zoning district if the size of use on a single parcel is over 5,000 square feet. This is intended to help prevent conflict with the nearby residential uses.

The following public comment was provided:

1. Jason Wulff
 - a. We need to move past the zoning regulations that date back to the 1990's post haste.
 - b. Section 1602, Applicability: Jason referenced the last two sentences in the first paragraph that would prohibit flexibility regarding uses that he thinks are too narrowly defined.

- c. Concerning the Use Table, the threshold between a permitted and conditional use needs to be significantly more than 2,000 sq. ft. The restaurant and business professional office uses are currently permitted at any size by the Zoning Regulations and should continue to be permitted with no size limit in the proposed Downtown zoning district.
 - d. The on-site parking requirements in the current Zoning Regulations are prohibitive in some cases and there should be a complete exemption from the requirement for off-street or on-site parking for the Downtown zoning district.
 - e. Jason stated that the draft Interim Bylaws are a step in the right direction.
2. William Vigdor asked if there is a need for occupancy standards for dwellings that would control how many people can live in a residence. The response regarding occupancy standards is that zoning regulations typically regulated the density of the number of dwelling units on a site but do not limit occupancy. He's not seeing anything in the draft Interim Bylaws encouraging higher density and promoting affordable housing.
3. Dana Allen asked about accessory dwelling units (ADU's) and what mechanism we have or should have to encourage the long-term rental of ADU's vs short-term rental? The response was that the Town of Waterbury does not regulate how dwelling units are rented. Steve said that the Vermont Legislature is considering legislation regarding short-term rental of dwellings. It may be prudent for town to see what direction the State takes on this issue before considering zoning bylaws that would address short-term rental of dwelling units.
4. Dani Kehlmann asked about non-conforming uses and how they might be affected by the draft Interim Bylaws. Steve responded that this is an issue with adopting new permanent or interim bylaws.
5. Mary Koen spoke as a resident in the proposed Downtown zoning district. She is concerned about the size and types of businesses that would affect her home life and that of other residents in the area. She added that the demolition of historic buildings is an on-going issue that needs to be addressed. It was observed that the requirements of the current Downtown Design Review bylaws regarding the review of historical structures will stay in place if these draft Interim Bylaws are enacted.
6. Ken Belliveau, the Chair of the Planning Commission, spoke to the timeframe given to get these interim bylaws completed. He referenced a written statement from the PC regarding the current status of the interim bylaws and why they did not have a recommendation. He said that the Planning Commission only had two meetings to review drafts of the interim bylaws, since the January directive to complete them, and that was not enough time to address all the issues in the draft and he feels that the draft is unfinished. The issues left unfinished or incomplete include the dimensional table, the scale of development, the level of increased residential density, and how economic vitality is dealt with. He said that the consensus building process takes time and more people who live in the downtown area need to have their concerns heard. He asked the Select Board for directive on what they want the PC to complete if given a time extension.
7. Martha Staskus spoke as a Planning Commission member stating that the bylaw process has been very difficult and the interim bylaw process rushed. Property owners, in other areas of the Town, have presented their concerns with the current zoning regulations to the Planning Commission and have been waiting to have those concerns addressed in the development of the Unified Development Bylaw. She wants to make sure that the dimensional table in the draft Interim

Bylaws is done correctly and that should drive the mapped boundary of the proposed Downtown zoning district. Martha asked for input on scale as it relates to the Dimensional Table.

The members of the Select Board and Planning Commission discussed the next steps regarding the draft Interim Bylaws. The Select Board did not take any action on the draft Interim Bylaws. It was agreed that May 1, 2021 would be a reasonable deadline for the Planning Commission to complete draft bylaws that will address development in the area of the proposed Downtown zoning district. The public meeting regarding the draft Interim Bylaws was closed at 10:02 pm.

NEXT MEETING

The next regular scheduled Planning Commission meeting will be held on Monday, March 1st, returning the regular 2nd and 4th Mondays of the month on March 8th.

ADJOURNMENT

The Planning Commission meeting was adjourned at 10:03 p.m.

Respectfully submitted,

Patti Martin

Patti Martin, Secretary