

**WATERBURY PLANNING COMMISSION**  
**Unapproved Minutes**  
**Monday, August 9, 2021**

Planning Commission: Alyssa Johnson (Chair); Martha Staskus; and Steve Karcher.  
Staff: Steve Lotspeich (Planning and Zoning Director, Acting Zoning Administrator).  
Public: John Pitrowiski, Duncan McDougall.

Alyssa Johnson (Chair), opened the meeting at 7:02 p.m. at the Steele Community Room, 28 N. Main St. The Planning Commission (PC) members, staff, and the members of the public participated in person and the meeting was also available via Zoom.

**AGENDA REVIEW AND MODIFICATIONS**

The agenda was reviewed and approved as drafted.

**REVIEW AND APPROVAL OF PRIOR MEETING MINUTES**

It was agreed to postpone the review of the prior meeting minutes to the next PC meeting.

**ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC**

There were none.

**DISCUSS THE DRAFT UNIFIED DEVELOPMENT BYLAW – PHASE #1**

Steve L. gave an overview of the available resources that are informing the draft Unified Development Bylaw including the 2018 Municipal Plan and the Future Development Study that was done by the Planning Commission in 2016. Alyssa identified several areas of the Municipal Plan that are relevant to the drafting and review of the Bylaw. They include p. 45 in the Housing Chapter, p. 129 that is a history of zoning bylaw amendments, and p.133 that advocates for more flexible definitions for industrial and commercial uses to promote economic development. Alyssa agreed to do a compilation of the relevant sections of the Municipal Plan for a future continuation of this discussion.

Steve L. put the draft zoning map for the Draft Unified Development Bylaw – Phase #1 on the shared screen. The map was recently drafted by staff from the Central Vermont Regional Planning Commission with guidance from Steve L. The following comments were made regarding the draft map:

1. The water features such as the Winooski River and streams should show as dark blue.
2. There needs to be a different symbol for the floodway to differentiate it from the area of the 100-year that is outside the floodway.
3. The zoning districts need to be shown with more transparency so the underlying aerial photo can be seen more clearly.
4. The boundary of the 100-year floodplain needs to be shown as heavy dashed line or a white line so it is more visible. The fill pattern for the floodplain should be diagonal lines or spaced out hatching to be more visible.

The following more general comments were made that relate to the mapping of the proposed zoning districts:

1. The PC should explore ways to potentially allow housing in portions of Pilgrim Industrial

Park. The current Mixed-use Subdistrict of the Downtown Design Review Overlay District may be a vehicle for allowing multi-family housing in the industrial park since it covers only a portion of the area that is closest to the vicinity of the railroad station and access into the industrial park via Park Row.

2. Steve L. agreed to expand the spread sheet for information on existing buildings to include those in residential use in the proposed Downtown and Mixed-Use zoning districts. This will be done for one of the September PC meetings.
3. It was agreed to move discussion of the proposed Downtown and Mixed-Use zoning districts to the next available PC meeting.

### **REVIEW OF ACT 250 DISCUSSION AND POTENTIAL NEXT STEPS**

The Planning Commission was briefed on a recent discussion that the Select Board had regarding Act 250 jurisdiction for commercial and industrial projects on sites that are greater than one-acre in size. Waterbury has an ordinance that was passed in 2013 that kept the jurisdictional threshold for these projects at greater than one acre rather than ten acres, after our subdivision bylaws were enacted.

John Pitrowiski and Duncan McDougall are working on plans for an office building in Waterbury Center that is on a site that is greater than one-acre but less than ten acres. They made the following comments regarding this issue:

1. Going through the Act 250 application and review process significantly increases the cost of designing and permitting a project.
2. John presented information on the Parro's Gun Shop project on U.S. Route 2 that is also on a site that is greater than one-acre but less than ten acres and required Act 250 permit review. They estimate that the Act 250 application and review process added \$122,000 to the cost of the \$3 million project. The transportation impact fee was initially going to be \$40,000 and was reduced to \$6,000 with the support of Bill Shepeluk, the Waterbury Municipal Manager.
3. Only three towns in the entire state currently have this ordinance regarding Act 250 jurisdiction in place, including Waterbury.
4. Duncan stated that the Act 250 application and review process is an impediment to the development of small projects such as his proposed office building. Act 250 creates uncertainty, risk and delays in permitting these projects.
5. John said he thinks that Waterbury's development review standards and our Development Review Board's expertise are adequate for the review of the applications for these projects, without the addition of the Act 250 review.
6. Martha stated that there is an advantage for municipalities when various state agencies are involved in reviewing applications for development and provide comment through the Act 250 review process.
7. Steve K. said that it should be left to the municipalities to control these projects locally.
8. Alyssa said that it is a goal of the Economic Development Strategic Plan for Waterbury states that the Act 250 ordinance should be rescinded and Waterbury should become a ten-acre town for Act 250 jurisdiction over commercial and industrial projects. However, she would like to see the administrative corrections to the current Zoning Regulations be enacted before the Select Board rescinds the ordinance.
9. It was noted that there are not very many of these commercial and industrial projects on sites that are more than one-acre and less than ten acres, in Waterbury. It may be an average of one project every three years or so.
10. It was noted that the Development Review Board should be involved in the future

discussions of this issue.

The PC members would like to stay involved in the discussion of this issue, especially when it is discussed by the Select Board again.

### **REVIEW OF PROCEDURE AND POTENTIAL INTERVIEW QUESTIONS FOR ASSISTANT PLANNING AND ZONING ADMINISTRATOR POSITION**

The draft interview questions were discussed and suggestions were made for additional questions. It was asked whether Development Review Board members and a representative from the consultant community should participate in the interviews. Steve L. said that he thinks it should be just PC members who participate in conducting the interviews. Steve L. is planning on having the interviews scheduled for the next Planning Commission meeting.

### **OTHER PLANNING COMMISSION BUSINESS**

1. It was asked if there can be Alternate Planning Commission members who can participate in a meeting when there are issues having enough regular members to form a quorum. Steve L. responded that he is not aware of a provision for Alternates in the state enabling statute. Steve L. will research the answer to this question.

### **NEXT MEETING**

The next regular scheduled Planning Commission meeting would normally be held on Monday, September 24th at 7:00 p.m. This meeting will be a hybrid of in-person, and remote via Zoom. Steve L. said that he will be on vacation the week of September 24th and will work with the Planning Commission to re-schedule the meeting so he can attend the interviews with the candidates for the Asst. Planning and Zoning Administrator position.

### **ADJOURNMENT**

The Planning Commission meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Steve Lotspeich, Acting Secretary