

WATERBURY PLANNING COMMISSION
Unapproved Minutes
Monday, September 27, 2021

Planning Commission: Alyssa Johnson (Chair); Martha Staskus; Mary Koen; Eric Gross; Steve Karcher.

Staff: Steve Lotspeich (Planning and Zoning Director, Acting Zoning Administrator).

Alyssa Johnson (Chair), opened the meeting at 7:05 p.m. at the Steele Community Room, 28 N. Main St. The Planning Commission (PC) members and staff participated in person and the meeting was also available via Zoom. Martha was not able to join the meeting until approximately 8:00 p.m.

AGENDA REVIEW AND MODIFICATIONS

The agenda was reviewed and approved with modifications adding a staffing update to the 7:20pm item, discussion of the Waterbury Land Initiative and Middlesex Town Plan Energy Amendment to the Additional Municipal updates item, and discussion of the next meeting date due to the holiday on October 11th.

REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

The minutes for the meetings held on July 26, September 9, and September 30, 2021 were reviewed

MOTION:

Eric Gross moved and Mary Koen seconded the motion to approve the minutes of July 26, 2021, as amended.

VOTE: The motion was approved 4 - 0.

MOTION:

Eric Gross moved and Steve Karcher seconded the motion to approve the minutes of August 9, 2021, as amended.

VOTE: The motion was approved 4 - 0.

MOTION:

Eric Gross moved and Mary Koen seconded the motion to approve the minutes of August 30, 2021, as amended.

VOTE: The motion was approved 4 - 0.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

There were none.

CONSIDER NOMINATION OF STEVE LOTSPEICH TO THE POSITION OF ZONING ADMINISTRATOR

The Planning Commission discussed nominating Steve Lotspeich to the position of the Zoning Administrator as part of his job as the Planning and Zoning Director.

MOTION:

Mary Koen moved and Eric Gross seconded the motion to nominate Steve Lotspeich to the position of Zoning Administrator for a three-year term.

VOTE: The motion was approved 4-0.

Steve Lotspeich provided an update on staffing and hiring the Assistant Planning and Zoning Administrator. Cameron MacCormack was appointed by the Select Board and has been offered the position with the condition that he passes a criminal background check. The background check is currently pending. When he passes the background check he will be able to start working immediately.

DISCUSS THE DRAFT UNIFIED DEVELOPMENT BYLAW – PHASE #1

Steve L. shared the draft zoning map for the Draft Unified Development Bylaw – Phase #1 on the screen and paper copies of the two maps were reviewed. The map was recently revised by staff from the Central Vermont Regional Planning Commission to incorporate the Planning Commission’s comments in the initial draft. Steve L. explained that the floodway is delineated with the boundary however it is not possible to show the floodway areas with a different symbol. The following additional comments were made regarding the draft maps:

1. The font size for the street names needs to be reduced and the location of the labels need to be correctly located as necessary.
2. The hash marking for the floodplain is very bold. The symbol should be lightened and should be the same for both maps. The cross-hatch symbol is preferable. The labels in both legends should say floodplain and not floodway.
3. The enlarged area map should have the limits of the map to the northwest and southeast clearly marked. The map of the entire area should have an inset box showing the delineation of the area on the enlarged area map.
4. The existing Downtown Design Review Overlay District should be added to both maps with the two subdistricts shown a well.

It was agreed to start the discussion of the draft Unified Development Bylaw – Phase #1 at the next meeting with further discussion of the Downtown and Mixed-Use zoning districts including the extent of each district, and the purpose for the Mixed-Use District.

REVIEW OF ACT 250 DISCUSSION AND POTENTIAL NEXT STEPS

The Select Board has expressed a desire to discuss this topic with the Planning Commission. That disussion may be scheduled for the next Select Board meeting scheduled for October 4th.

The Planning Commission discussed what, if anything, they need to do regarding the issue of Act 250 jurisdiction for commercial and industrial projects on sites that are greater than one-acre in size and the associated town ordinance. It was discussed whether the Planning Commission should take a position or not. Various viewpoints were expressed by the Planning Commission members. The limitations of the current review criteria in Site Plan and Conditional Use review were discussed. State agency review of Act 250 applications under the more detailed Act 250 criteria was discussed. Some Planning Commission members feel that our review process is adequate and the risk is low with the limited number of projects on sites that are between one and ten acres in size.

It was expressed that the Planning Commission has been trying to focus on the zoning re-write and

has not had time to address the Act 250 jurisdiction issue. The issue seems to be driven by a limited number of projects and development sites that are affected by the ordinance and the one-acre threshold. The Planning Commission generally does not recommend a policy change based on one or two development projects. This type of policy change is generally considered with a significant amount of input from the public. Some Planning Commission members would prefer to consider the changes in Act 250 jurisdiction in conjunction with changing our review criteria in the proposed Unified Development Bylaw.

The Planning Commission members agreed to have Alyssa express these concerns to the Select Board.

OTHER PLANNING COMMISSION BUSINESS

1. Steve L. gave a Planning and Zoning Director's Report. He said that the Development Review Board has been very busy with about four review per meeting. The review schedule is starting to slow down for the fall and winter.
2. Notice for Act 250 applications was discussed. Mary is still on the state list for distribution. She will let the District V Commission office know that all notices should go just to Alyssa and Martha as the Chair and Vice-chair of the Planning Commission. Steve L. mentioned that the Planning Commission and Select Board have automatic party status for Act 250 applications for projects located in the Town of Waterbury if they choose to exercise that party status.

NEXT MEETING

The next regular scheduled Planning Commission meeting would normally be held on Monday, October 11th which is Indigenous People's Day. It was agreed to meet on Wednesday, October 13th at 7:00pm.

ADJOURNMENT

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

Respectfully submitted,

Steve Lotspeich, Acting Secretary