

# WATERBURY PLANNING COMMISSION

## Approved Minutes

Monday, March 14, 2022

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

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

Alyssa Johnson (Chair), opened the meeting at 7:01 p.m. at the Steele Community Room, 28 N. Main St. The Planning Commission (PC) members and staff participated in person

Public:

Mark Pomilio, Economic Development Director

Linda Gilpin, resident

### AGENDA REVIEW AND MODIFICATIONS

The Other Business agenda item was modified to include discuss the transition to new Planning Commission memberships.

### ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

Alyssa reported that she was elected to be a member of the Select Board on Town Meeting Day. Our municipal attorney has advised the municipality that according to state statute, Alyssa can continue serving on the Planning Commission until her position is filled by a new member appointed by the Select Board.

### REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

The minutes for the meetings held on February 28, 2022 were reviewed.

MOTION:

Mary Koen moved and Eric Gross seconded the motion to approve the minutes of February 28, 2022, as amended.

VOTE: The motion was approved 5 - 0.

### DISCUSS RETAIL MARKET ANALYSIS AND HOUSING STUDY REPORTS AND PRESENTATION 2022

Mark Pomilio introduced the studies that were prepared by a consultant for Revitalizing Waterbury, Inc. Mark said that the studies are meant to be helpful and there is no requirement that the recommendations have to be followed. The Planning Commission members discussed the two studies and provided comments to Mark Pomilio. Mark Pomilio was encouraged to continue attending Planning Commission meetings to help facilitate good communication around these and other topics. If future studies involve planning in Waterbury, the Planning Commission would like to be consulted during the study process.

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

The discussion of the various definitions and Special Use Standards for the *Home Business and Home Occupation* uses was continued as follows:

1. The *Home Office* use from the Montpelier Unified Development Regulations that is exempt from requiring a zoning permit, was discussed. It was agreed by consensus to incorporate all the *Home Office* use language from the Montpelier Unified Development Regulations, including the exemption from requiring a zoning permit for that use. This creates a third use category relating to “Home” uses.
2. The topic of naming one of the uses “Home Industry” as utilized in the Montpelier Unified Development Regulations was discussed. The PC agreed that there should be three categories of “Home” uses and agreed to discuss the naming of the three uses at the next PC meeting.
3. The following aspects of the middle level, Home Occupation or Business use was discussed: the maximum number of employees from outside the family that are allowed, the number of vehicles allowed, and allowing outside versus exclusively inside storage of materials related to the business.
4. The word Performance Standards should be capitalized in all cases.
5. The language related to the size of the *Home Occupation* use was modified to read: “The size of the home occupation shall meet both of the following: occupy less than 50% of the habitable floor area of the dwelling and/or not more than a total of 1,400 square feet in one or more accessory buildings;”
6. The following considerations from the Waitsfield Home Occupation standards were incorporated into the draft Specific Use Standards for the *Home Occupation* use:

“No traffic shall be generated in substantially greater volumes than would normally be expected from a residential use in the neighborhood.”

“The home occupation shall not generate noise, smoke, vibrations, dust, glare, odor, electrical interference or heat which is detectable at the property line, or which otherwise presents a hazard to public health and safety, or to neighboring properties, and meet the Performance Standards of Section 1608.”

7. In the draft Specific Use Standard for the *Home Occupation* use relating to retail sales it was agreed by consensus to modify the language to read: “Not be primarily retail in nature, except that ~~retail~~ the sales of goods on-line ~~if permitted~~ will be allowed;
8. The draft Specific Use Standard for the *Home Business* use was discussed and it was agreed to add the following language from the Town of Hartford Zoning code as modified: “The applicant must demonstrate that the volume of traffic generated by the commercial activity does not alter the essential character of the neighborhood or impair the use of other properties.”

The remaining issues relating to these uses to be discussed at the next PC meeting are as follows:

- a. The maximum amount of space that can be dedicated for the *Home Business* use.
- b. The maximum number of employees from outside the family can work in the *Home Occupation or Business*.
- c. Screening and Parking requirements for the *Home Business* use.
- d. The names for the three categories of “Home” uses.

The state “Nursing Homes” definition will also be discussed at the next PC meeting. It was

agreed to strike the discussion of dimensional standards from the agenda for the next meeting.

The letter from Chris Younce regarding these uses will be discussed at an upcoming PC meeting and relates to the draft *Home Business* use.

#### **OTHER PLANNING COMMISSION BUSINESS**

1. Update on the Asst. Planning & Zoning Administrator search: Neal Leitner is scheduled to start in this position on April 4<sup>th</sup>. The PC would like him to attend one of their upcoming meetings in April.
2. The PC members would like to review the Excel spread sheet that includes all the private properties damaged by Tropical Storm Irene. Steve L. will e-mail the members the spread sheet prior to the next PC meeting.
3. Steve L. reported that the Act 250 land use permit for the 8-lot residential Planning Unit Development on the former Callan property at the corner of Ripley and Sweet Roads was issued.
4. The transition for the PC in the upcoming months was discussed. Steve K. will not be re-applying for his position on the PC. He was honored for all his many contributions to the work of the Commission. Alyssa reiterated that she can continue serving on the PC until her position is filled by a new member. She said that she will be resigning once a new member is appointed to fill her position. Mary said that she would like the Select Board to move quickly to interview and appoint the two new members on the PC. It was agreed that a liaison from the Select Board that would attend PC meetings is encouraged.

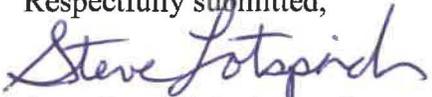
#### **NEXT MEETING**

The next regular Planning Commission meeting is scheduled for Monday, March 28, 2022 at 7:00 p.m.

#### **ADJOURNMENT**

The Planning Commission meeting was adjourned at 9:15 p.m.

Respectfully submitted,



Steve Lotspeich, Acting Secretary