

# **WATERBURY PLANNING COMMISSION**

## **Approved Minutes**

**Monday, February 11, 2019**

Planning Commission: Ken Belliveau, Chair; Mary Koen, Martha Staskus

Staff: Steve Lotspeich, Community Planner; Patti Spence, Secretary; Dina Bookmyer-Baker, Zoning Administrator

Alyssa Johnson, Economic Development Director

### **Public:**

Nick Waringa, Conservation Commission member; Gunner McCain, Rich Hayes, Judy Foregger, Jon Grace

The Chair opened the meeting at 7:07 p.m. in the Steele Room in the Municipal Center at 28 S. Main Street.

### **AGENDA REVIEW AND MODIFICATIONS**

No modifications were made to the agenda.

### **ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC**

Rich Hayes introduced himself. He represents the Harvey Farms Homeowners Association (HOA) and they are interested in the topic of how an HOA can restrict the use of the homes for short-term rental through services such as Air bnb, or how that use can be restricted through zoning.

### **APPROVAL OF MINUTES**

Mary Koen moved and Martha Staskus seconded the motion to approve the minutes of January 28, 2019 as amended.

Vote: Motion passed 3 – 0.

### **DISCUSS INITIAL DRAFT OF THE UNIFIED DEVELOPMENT REGULATIONS**

A discussion was held on the Unified Development Bylaws with a focus on Chapter 3, Zoning Districts, Section 3.2, Base Zoning Districts. The discussion focused primarily on the proposed Downtown zoning district.

1. The range of allowed uses in the draft generally reflects what exists in the area of the Downtown zoning district. The “light industrial” use was discussed and whether that use is compatible with the other existing and allowed uses in proposed district.
2. The purpose of the downtown district was also discussed with the question “what do we want the future of the district to be?”
3. Steve pointed out that smaller scale light industrial uses currently exist in proposed downtown district including a silk screening business that was recently permitted on Foundry St. The draft proposal is that smaller scale “light industry” uses under 10,000 sf would be allowed.

4. Mary suggested if products are produced on the premise then a retail sales component should be required. This approach adds vitality to the downtown rather than businesses that are focused exclusively on wholesale products. Martha was concerned that having the maximum size for a light industrial use at 10,000 sf, that that may be too large a scale for the type of business we want in the Village.
5. Rich Hayes, resident, asked about the Prohibition Pig Annex located on Elm Street and if this were a separate business from the restaurant in the adjacent building, how the primary use of the micro-brewery would fit into the draft bylaws.
6. Alyssa weighed in on the downtown area strongly supporting light industrial at a maximum of 5,000 sf or below and is generally supportive of 5,001-10,000 sf. She understands that these larger businesses bring in truck traffic which may not be favorable in the Village. She also encouraged the Planning Commission to encourage businesses in the Downtown area and other areas that are served by municipal water and wastewater to fully utilize and help fund those systems.
7. A recommendation was made that we do an inventory of the existing commercial businesses in the proposed Downtown and Mixed Use districts and include the amount of building space utilized. Steve L. recalled that the planning consultant, Brandy Saxton, did an analysis of the Grand List data for businesses in the proposed Downtown district as part of her work. Steve will try to find that inventory and if it is available he will e-mail it to the Planning Commission.
8. Mary questioned why some commercial uses have a square footage limit while other uses do not have a limit.
9. We should consider some of the other definitions of uses such as an inn and hotel to make sure the criteria such as minimum common space make sense. Specifically the minimum dimensions for common space inside a hotel building were questioned as being too large. It was also commented that it is too restrictive to require an Inn to be located within a single-family dwelling or a building that is accessory to a single-family dwelling.
10. Lodging: (consider definitions and criteria for different uses). The following are not currently included in this draft.
  - a. Bed and Breakfast
  - b. Short term rental
  - c. Rooming/board house
11. Jon Grace, a resident of the downtown area, commented that limiting the footprint for certain commercial buildings with multiple floors would be appropriate. A comment was made that limiting the footprint would discourage uses that require all or most of the primary functions to be on the ground floor for access.
12. Gunner McCann said that the proposed dimensional requirements in the Dimensional Table on page 3-25 for the Downtown district, such as no setback requirements, may not be appropriate.
13. We need to look at our definitions and make sure they are written to our standards and include all the necessary ones.
14. Accessory dwellings need to be further reviewed. There needs to be size limits relative to the size of the primary dwelling. Our current regulations for accessory dwellings have been working well. Gunner commented that we should allow accessory dwellings to include up to two bedrooms. Dina Bookmyer-Baker prefers a one bedroom accessory dwelling as it addresses the requirement that the accessory dwelling is subordinate to the

- primary dwelling. Ken suggested reworking the size limitations in Subsection 4.2.2 A(5) to make the limits based on the percentage of total living space in the primary dwelling.
15. Reference to "upper floor housing" in the purpose and the prohibition for ground floor dwelling units in Sub-section 3.2.1.E on page 3.7 under District Standards needs to be removed.

Steve suggested at the next meeting we move to the Mixed Use district and then move to the other proposed zoning districts that allow commercial uses. Mary recommended that the Planning Commission should make decisions on changes to the Downtown district and then move on to the next district.

Staff will provide the PC with some additional information at the next meeting including an inventory of the existing business uses and the square footages dedicated to those uses, in the downtown district.

### **DISCUSS INTERIM SIGN BYLAWS AS THEY RELATE TO BUSINESS PROMOTIONAL SIGNAGE DURING THE MAIN ST. RECONSTRUCTION PROJECT**

A draft interim sign bylaw outline was distributed. This is for temporary banners during the reconstruction period.

Martha questioned the state statute on extensions for interim bylaw. Interim bylaws are effective for two years then can be extended for only one additional year. In an effort to reduce paperwork and a delay in implementation it is proposed banners would be exempt from needing a zoning permit in this interim bylaw. A concern was raised that this could be a problem with some of the banners being non-compliant with the bylaws. This could lead to a zoning enforcement issue. Revitalizing Waterbury (RW) will distribute the information on size and design guidelines. The purpose is to help the businesses survive during the reconstruction of Main St. and making this easy to execute for businesses while maintaining conformity is the goal. There will be a number of local sign companies to choose from that will work with the businesses and produce the banners in compliance with the requirements and graphic standards in the interim bylaw.

On this issue the board was good with the proposal with some wording changes and recommended that Steve and Alyssa move forward with the interim bylaw and present a final draft at the next meeting.

### **OTHER BUSINESS**

The Feb. 25<sup>th</sup> meeting was cancelled due to the fact that Ken and Steve will be out of town that day.

The Zoning Administrator's report was distributed. New software is being used and therefore a new format. Everyone agreed that a description for each permit request is needed.

### **NEXT MEETING**

**March 11, 2019:** Continue discussing the initial draft of the Unified Development Bylaws with a focus on Chapter 3, Zoning Districts, Section 3.2, Base Zoning Districts, starting with further discussion of the Downtown district. **Note:** This meeting will be held in the Steele Community Room at the Municipal Center located at 28 N. Main St.

**ADJOURNMENT**

The meeting was adjourned at 9:10 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patti Spence", written over a horizontal line.

Patti Spence  
Secretary

**TOWN OF WATERBURY Planning and Zoning**  
**Detailed Permit Report**

Permit types included: All permits

Approval status included: Any status

Occupancy status included: Any status

Application dates included: Between 01/01/2019 and 01/31/2019

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type</i>	<i>Decision Cert. of Occ.</i>	<i>Fee paid Cost of project</i>
680-0322	001-19	HAYDEN BARILE JOHN ZACH BARILE MOOSE RUN LN	Zoning	C.O. Pending	310.00
563-0300	002-19	MARC GEORGE PALMER REVOCABLE MARC & HEATHER PALMER WOOD FARM RD Single family dwelling in minor RHS, setback waiver	Zoning	Pending C.O. Not required	110.00
650-0026	003-19	SAME GARY & LINDA GUILMETTE 26 LOOMIS HILL RD	Zoning	C.O. Pending	172.40
948-0105-V	004-19	SAME BRADLEY HODGDON 105 STOWE ST	Zoning	Pending C.O. Pending	60.00
916-0004-V	005-19	FURST MANAGEMENT VENTURES LLC BRIAN LEVEN 14 SOUTH MAIN ST	Zoning	Pending C.O. Pending	160.00
958-0026-V	006-19	VTRE 26 UNION STREET NICK LIZOTTE 26 UNION ST	Zoning	Pending C.O. Pending	1,110.00
100-1281-V	007-19	SAME BEN & JERRY'S HOMEMADE INC 1281 WATERBURY-STOWE RD	Zoning	Pending C.O. Pending	160.00

