

WATERBURY PLANNING COMMISSION

Approved Minutes

Monday, July 22, 2019

Planning Commission: Mary Koen (Vice Chair), Eric Gross, Katya D'Angelo, Martha Staskus

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

Conservation Commission: Alan Thompson (Chair), Joan Beard, Mike Hedges, Steve Hagenbuch

Alyssa Johnson, Economic Development Director; Dave Lachtrupp

The Chair opened the meeting at 7:34 p.m. in the SAL Room in the Municipal Center located at 28 S. Main Street.

AGENDA REVIEW AND MODIFICATIONS

There were none.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

There were none.

REVIEW OF MINUTES

Eric Gross moved and Katya D'Angelo seconded the motion to approve the minutes of July 8, 2019 as amended.

Vote: Approved 4 - 0

WATERBURY CONSERVATION COMMISSION PRESENTATION REGARDING THE UNIFIED DEVELOPMENT BYLAWS

Members of the Conservation Commission presented their concerns and ideas for proposed revisions to the Unified Development Bylaws. The Conservation Commission proposes to the Ridgeline, Hillside, Steep slopes ("RHS") overlay district bylaw be amended to include additional areas, especially the Shutesville wildlife corridor, as well as revising review of development within the RHS so that it all be considered as Major Development. This would mean that wildlife studies could be required for any/all RHS review involving the Development Review Board.

Also discussed was the Forest Resources and Connectivity Map 2-5 within the newly approved Municipal Plan. The Conservation Commission recommends that the Planning Commission develop bylaws to address development in the Highest Priority Interior Forest Blocks, the Highest Priority Connectivity Blocks and Priority Connectivity Blocks shown on Map 2-5 and that wildlife studies be required for development in the mapped Connectivity and Forest Blocks. The Goals, Objectives, and Actions in the Natural Resources chapter of the Municipal Plan relating to the Shutesville wildlife corridor were also discussed.

The Conservation Commission recommends the subdivision criteria in the draft Unified Development Bylaws have language to address wildlife corridors and the mapped connectivity and forest blocks. The level of detail and data was discussed for determination of an appropriate scale of mapping for regulatory review. Existing mapping for the Shutesville Wildlife Corridor was developed by the Shutesville Partnership which includes ANR, VNRC and Stowe Land Trust and could be considered again, being incorporated in a public review process. Shrewsbury, Vermont has wildlife corridor mapping in both their Municipal Plan and their zoning bylaws that apply to these areas. The Conservation Commission will provide the Shrewsbury materials for review by the Planning Commission. As a possible model for the Unified Development Bylaws, the Conservation Commission and Steve will continue to meet to assess available mapping for the areas discussed above and consideration of more detailed maps to recommend and bring back to the Planning Commission for discussion at a future meeting.

DISCUSS ALTERNATIVES FOR DRAFT INTERIM BYLAWS FOR HISTORIC DISTRICTS AND LANDMARKS

Steve gave an overview of the draft interim bylaws that would address development in Waterbury's five historic districts and the individually listed historic properties. In order to obtain Downtown Designation a municipality must have either Design Review or Historic District and Landmark Review for all of the proposed Designated Downtown. When Waterbury applied for Downtown Designation in 2006 we decided to develop Design Review Bylaws to address the development of both historic and non-historic structures in the area.

The pros and cons of both Design Review and Historic Districts and Landmarks Review were discussed. They are both enabled in state statute under 24 V.S.A. Section § 4414. Zoning: permissible types of regulations. Our use of Design Review in 2006 does not restrict the municipality from moving to Historic District and Landmark Review. The advantage of Historic Districts and Landmarks Review is that it can regulate development of individually listed historic sites that are not within one of our five historic districts whereas Design Review is limited to just an overlay district.

Steve gave an overview of the draft Interim Bylaws for Historic Districts and Landmarks that he circulated for review. They are modeled after our current Design Review Bylaws as they apply to the current Historic/Commercial Sub-District within the Downtown Design Review Overlay District. The criteria for reviewing proposed demolition of historic structures were discussed. Steve is recommending that the word "or" in our current Design Review Bylaws Sub-section 1107(a)(2) be replaced by the word "and" at the end of proposed Sub-section 1608(a)(2) which would have the effect of requiring that all three criteria be met in order for the Development Review Board to approve the demolition of an historic structure. Concern was expressed that perhaps that would create too high a bar and the word should remain "or" so only one of the three criteria has to be met. Demolition requests should also include a plan for future structures and use.

The replacement of existing windows by energy efficient windows was discussed. The exemption language could be changed to require that these replacement windows match existing or historic windows and trim and then the replacements would be exempt from the requirement to obtain a zoning permit. It was suggested that Steve consult with Devin Colman, the State Architectural Historian regarding model language to address exemptions for various types of maintenance and construction activity.

Other comments on the draft included making sure that the estimated costs for stabilizing and renovating an historic structure that is proposed for demolition is provided by a qualified expert or professional cost estimator. It was agreed that the Interim Bylaws should encourage the owners of historic structures from deferring maintenance on those structures to the point where they need to be demolished.

The required mapping that will accompany the Interim Bylaws was discussed. The GIS map of the three historic districts in the former Village of Waterbury that was prepared by the Central Vermont Regional Planning Commission (CVRPC) for the Future Development Study of the Waterbury Village done by the Planning Commission in 2016 was discussed. It was agreed that a GIS map of all five historic districts including the expanded Waterbury Village Historic district should be prepared by CVRPC. It was also agreed that this map should include all the individually listed historic sites/buildings and each entire site should be identified.

Dina Bookmyer-Baker recommended that the Interim Bylaws include some important technical corrections to the current Zoning Regulations. The suggested amendments include changing the notice requirement under site plan and conditional use review from 10 to 15 days to be in conformance with state statute.

Steve will follow up with a revised draft of the text and mapping for the Interim Bylaws to be reviewed at the first Planning Commission meeting in September.

OTHER BUSINESS:

Planner's Report:

The Waterbury Energy Plan was approved by the Central Vermont Planning Commission (CVRPC) at their meeting on July 9th. The determination of energy compliance was also approved giving Waterbury substantial deference in the review of renewable energy projects that will come before the state Public Utility Commission. It was noted that the document that is the determination of energy compliance includes a public comment that Waterbury address the wildlife corridor issues identified in the Municipal Plan including the Energy Plan, and consider making the Shutesville wildlife corridor an area of critical wildlife habitat which would then be a known constraint and as a result, remove this area for consideration for the location of renewable energy generation projects.

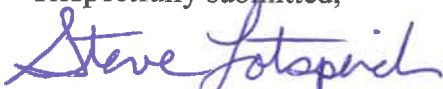
Next Meeting:

The next meeting will be on August 5th at 7:00pm to accommodate vacation schedules. The discussion of the draft Unified Development Bylaws will start by reviewing the draft language for communication antennas and towers then will move on to the remaining three sections of uses. The following meeting after August 5th will be August 26th.

ADJOURNMENT

The meeting was adjourned at 9:38 p.m.

Respectfully submitted,



Steve Lotspeich, Community Planner