

WATERBURY PLANNING COMMISSION

Approved Minutes

Monday, October 26, 2020

Planning Commission: Ken Belliveau, Chair; Mary Koen; Eric Gross; Martha Staskus; Katya D'Angelo

Staff: Steve Lotspeich, Community Planner; Patti Martin, Secretary

Public: Alyssa Johnson, Economic Development Director; Dave Lachtrupp

The Chair opened the meeting at 6:09 p.m. The Planning Commission (PC) members and Steve Lotspeich participated in person and the members of the public participated via ZOOM.

AGENDA REVIEW AND MODIFICATIONS

The agenda was reviewed and no changes were made.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

There were no comments from the public.

REVIEW OF MINUTES

MOTION:

Mary Koen moved and Eric Gross seconded the motion to approve the minutes of October 14, 2020, as amended.

VOTE: The motion was approved 5 - 0.

DISCUSS THE PROPOSED UNIFIED DEVELOPMENT BYLAW

The Planning Commission (PC) discussed the document, "Enabling Better Places – A Guide for Better Neighborhoods", that was recently completed and distributed by the state Agency of Commerce and Community Development (ACCD). Steve Lotspeich announced that there will be two webinars held by staff of ACCD and their project partners, the American Association of Retired People (AARP) and CNU, formerly the Congress for New Urbanism, in the period from December 7th to 11th. The webinars will present the information in the Guide and all the Planning Commission members are encouraged to participate. Steve will forward the details on the webinars as soon as the information is made available.

Steve contacted Jacob Hemmerick, a staff member with ACCD, and invited him to attend a future PC meeting to discuss the document, "Enabling Better Places – A Guide for Better Neighborhoods" and its recommendations. Jake agreed to attend the PC meeting to be held on Monday, January 11th. That will allow the PC members to attend the webinars in December, have any follow up discussion of the Guide after the webinars, and be prepared to meet with Jake.

Ken stated that he thinks that the ACCD Guide applies mainly to the built-up areas of Waterbury Center Village in the vicinity of the triangle green, and Waterbury village in the vicinity of downtown Waterbury. The first section of the Guide is process oriented. Steve observed that the recommended process in the Guide is to develop and enact bylaw amendments in parts, rather than a comprehensive re-write and set of amendments for the entirety of zoning and subdivision bylaws. The process outlined in the Guide also focuses on public engagement around developing bylaw amendments. The PC members think that the public engagement process should take place with the

residents of certain defined neighborhoods such as Railroad and Union Streets, Winooski St., and Randall St. Martha Staskus expressed support for this public engagement process and for the incremental steps for developing bylaw amendments outlined on page 6 of the Guide. Mary expressed a desire to feel more grounded in all the recommendations found in the Guide.

It was agreed to move through the remaining sections of 3.1.6 in preparation for discussing Section 3.2 Base Zoning Districts. It was also agreed that Steve will add comments in the tracked changes version of the Unified Development Bylaw regarding any outstanding issues or specific bylaw changes that the PC will need to return to later to resolve specific language in the document.

Section 1.3.3.C, Non-conforming Lots, was discussed. This section applies to lots that do not meet the minimum lot size for a given zoning district, therefore they are non-conforming. Steve mentioned that the zoning principle that this section follows is that one goal of zoning in general is to phase out non-conformities over time, including non-conforming lots. The term “legally subdivided” was discussed as used in Sub-section 1.3.3.C(3), Lot Size. This typically refers to a subdivision that has a zoning permit and a survey plat of the subdivision that is recorded in the town land records.

Sub-sections 3.1.6.B(3) & (4) under Principal Buildings, were discussed. Steve explained that these sub-sections deal with more than one principal building on a lot and the requirement that each principal building must meet the minimum standards in the Dimensional Table for the zoning district where the lot is located. In other words, it must be demonstrated by the lot owner that each proposed principal building could, in theory, be located on its own lot that meets the minimum lot size, and each building would meet the setbacks and any other dimensional requirements, as if it is on its own lot. Similar language is in our current Zoning Regulations.

Section 3.1.6.E, Lot Frontage was discussed. It was noted that the draft Bylaw is more permissive than our current Zoning Regulations that require a minimum 50’ wide right-of-way (ROW) to access any lot, for development that is approved by the Zoning Administrator. The draft Bylaw requires a minimum of a 30’ wide ROW to access single- and two-family residential lots and a 50’ wide ROW to access development on all other lots.

Section 3.1.6.E(2), Corner Lots was discussed. It was noted that sometimes lots front on a curved road that is on two sides of the lot. The language in the draft was changed to clarify this aspect and to read: “Lots that front on *the intersection of at least two roads forming a corner lot* will only be required....”

Section 3.1.6.E(3), New Lots was discussed in terms of how lot frontage applies in various situations. The minimum frontage requirements do not apply to lots created in a planned unit development (PUD) that are approved by the Development Review Board. Sub-section 3.1.6.E(3)(c) applies to un-developable lots created as part of a PUD that are required to meet the open space requirements of the PUD. This could also be a separate parcel that is owned or conserved by a land trust and has a permanent conservation easement on it.

Section 3.1.6.F, Setbacks, was discussed. Steve suggested that a sub-section be added to this section that addresses lots accessed by rights-of-way that do not have frontage on a public or private road. Steve will draft language to address this issue. Steve clarified that the draft Bylaw defines roads as both public and private. The additional language would address what is to be considered the front, sides and rear of the lot, especially for the purpose of determining the applicable setbacks

for development of these lots.

The discussion of the draft Unified Development Bylaw at the next PC meeting will continue with Section 3.1.6.G, Height.

PLANNER'S REPORT

Steve said that the town will be applying for a grant on Friday, October 30th under the state's Dept. of Forests, Parks and Recreation, Supporting Vermont Municipalities Through Ash Tree Management program. The grant has two components relating to the Emerald Ash Borer that has now been found in Montpelier and Richmond, along with other locations in Vermont. The first component of the grant project will be the removal of large roadside ash trees that are dead and in poor condition. The second component will be a tree planting project in Hope Cemetery on Winooski St.

The streetscape amenities for the Main St. Reconstruction project are being produced including the wayfinding kiosks and directional signs, banners, hanging flower baskets and benches. These amenities will be installed next spring.

Town staff are working with Revitalizing Waterbury, Inc. on the four year "check-in" for Waterbury's Downtown Designation. Downtown Designation is now on an eight-year renewal cycle with a "check-in" four years after each renewal date. A meeting is being scheduled with the staff at the state ACCD to review various aspects of our Downtown program.

NEXT MEETING

The next meeting will be held on Monday, November 9th at 6:00 p.m. in person and via ZOOM.

ADJOURNMENT

The meeting was adjourned at 8:03 p.m.

Respectfully submitted,


Steve Lotspeich, Acting Secretary