

WATERBURY PLANNING COMMISSION

Approved Minutes

Monday, January 11, 2021

Planning Commission: Ken Belliveau (Chair); Mary Koen; Eric Gross; Katya D'Angelo
Staff: Steve Lotspeich, Community Planner; Patti Martin, Secretary
Guests: Jacob Hemmerick, Vt. Dept of Housing & Community Development; Clare Rock, CVRPC
Public: Jason Wulff, Ryan Miller, Lillian MacNamara, Alyssa Johnson

The Chair opened the meeting at 7:02 p.m. The Planning Commission (PC) members, staff, and members of the public participated via Zoom.

AGENDA REVIEW AND MODIFICATIONS

The agenda was reviewed. Mary suggested that more time was needed for our guest speaker, Jacob Hemmerick. Steve would like 30 minutes for the discussion of the draft interim bylaw amendments at the end of the meeting. It was agreed to continue the meeting with Jacob Hemmerick to 8:30 p.m.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

There were no announcements or comments from the public.

REVIEW OF MINUTES

MOTION:

Mary Koen moved and Eric Gross seconded the motion to approve the minutes of December 28, 2020, as amended.

VOTE: The motion was approved 4 - 0.

DISCUSSION OF ZONING GUIDES FOR VERMONT NEIGHBORHOODS

Jacob Hemmerick, Planning & Policy Manager with the Vermont Department of Housing & Community Development, Community Planning & Revitalization program, gave a presentation on his Department's publication "Enabling Better Places: A Zoning Guide for Vermont Neighborhoods". The presentation also addressed phasing for implementing Waterbury's draft Unified Development Bylaw and the first phase that is the draft interim bylaw. A discussion accompanied the presentation and covered the following:

1. Mary asked about the use and application of the terms "principal dwelling unit" and "accessory dwelling unit". Steve confirmed that the language in our bylaws currently allows the owner to live in either the principal or accessory dwelling unit in the building. The draft Unified Development Bylaw also allows this same flexibility regarding where the owner can live.
2. Q: How should we handle uses that may be non-traditional and don't fit well into a specifically defined category or use? How can these be handled within a use table?
A: It is helpful to build flexibility into the definitions for the uses in the table.
3. Q: What are some uses that could go under conditional uses?
A: The information in the municipal plan can help determine which of those uses should be allowed and have a conditional use review? Conditional use review can help assure that new commercial or industrial uses are compatible with other uses in the area, especially residential uses.
4. The compatibility of various uses such as light industry within a downtown district was

discussed. Value added business with no “negative” impacts on the district is desirable.

Jacob offered to e-mail his presentation to Steve to be forwarded to the Planning Commission. Jacob was thanked for his presentation and the discussion.

DISCUSSION OF THE INITIAL DRAFT OF INTERIM ZONING BYLAW AMENDMENTS

Steve gave an overview of the Draft Interim Bylaw Amendments, dated 1/11/21. They are in tracked changes showing changes subsequent to those already agreed to by the Planning Commission.

1. Ken asked if the language of the bylaws would have clearer guidance for applicants, in order to alleviate the confusion in how some of the definitions of uses in our current bylaws are applied. Steve explained that the draft interim bylaws include a use table with all the uses and associated definitions from the draft Unified Development Bylaw. Those uses are intended to be clearer and easier to administer than those in the current Zoning Regulations.
2. Determining the accurate square footage for a given use in a building is a concern that has been raised in discussions and zoning permit reviews that preceded the draft interim bylaws.
 - a. Steve recommends limiting the food and beverage production use as a principal use in the Downtown zoning district to 2,500 square feet. The current draft also allows a brewing operation to be accessory to the principal use of a restaurant with certain production limits.
3. The draft interim bylaw amendments propose that permitted uses be restricted by size, which may not correspond to some existing businesses in the area where the Downtown zoning district is proposed. Regarding food manufacturing, the question was asked: what businesses that currently exist are included in the remapped district (such as businesses at 40 Foundry Street) that may be larger than the 2,500 sq. ft. limit recommended in item the draft and as noted in #2a above.
4. Concerning lot coverage, the maximum coverage of 90% was questioned because some existing buildings in the proposed Downtown zoning district cover 100% of their lots.

Steve requested that the goal for next meeting be to continue and wrap up the review of the draft interim bylaw amendments. This would be the next step in trying to deliver a final draft to the Select Board by the end of the month, since this is the directive that has been given to Steve as staff. Ken voiced concern that this directive is not appropriate or realistic from his perspective. Katya spoke in support of finalizing the draft and moving forward as requested by the Select Board.

OTHER BUSINESS

1. The Zoning Administrator’s report was delivered via e-mail during this meeting and will be reviewed and discussed at the first Planning Commission meeting in February.

PUBLIC COMMENT

1. Ryan Miller and Lillian MacNamara spoke to their concern and desire to establish their beer brewing business with a tasting room in downtown Waterbury. They believe that their business would be a very good fit for downtown Waterbury.

NEXT MEETING

The next meeting will be held on Monday, January 25th. The main topic will be the review of the draft interim bylaw amendments.

ADJOURNMENT

The meeting was adjourned at 09:18 p.m.

Respectfully submitted,

Patti Martin

Patti Martin, Secretary