

WATERBURY PLANNING COMMISSION

Approved Minutes

Monday, March 8, 2021

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

Staff: Steve Lotspeich, Community Planner; Patti Martin, secretary.

Public: Billy Vigdor (Conservation Commission member), Alyssa Johnson, Katie Martin (Select Board member), Chris Viens (Select Board member), Harry Shepard (Development Review Board member)

The Chair opened the meeting at 7:00 p.m. The Planning Commission (PC) members, staff, and 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

Billy Vigdor spoke about the provision in the draft Interim Bylaws that does not allow the Select Board (SB) to approve any use for the proposed Downtown zoning district. He agrees that the SB should not be able to approve uses that wouldn't be allowed under the Interim Bylaws. The Interim Bylaws should also be matched to the draft Unified Development Bylaw. Billy thinks that the creation of ad hoc rules for a given parcel by the Select Board would create a poor precedent. He encouraged the PC to keep the current language in the draft Interim bylaws regarding this aspect.

Ken Belliveau commented that the SB has that "right" to make and approve changes to the draft bylaws.

Chris Viens commented that he does not approve of the Select board having the authority to effectively "spot zone" a given parcel.

Harry Shepard introduced himself as a current member of the Development Review Board.

REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

Eric Gross moved and Katya D'Angelo seconded the motion to approve the minutes of March 1, 2021, as amended.

VOTE: The motion passed 5 – 0.

DISCUSSION OF THE DOWNTOWN ZONING DISTRICT REGULATIONS IN THE DRAFT UNIFIED DEVELOPMENT BYLAWS

Ken Belliveau reported that he talked to Bill Shepeluk, the Municipal Manager, prior to this meeting. Bill passed on a communication that he had from the Town's attorney. One item was to advise the Town that the process of reviewing and approving interim bylaws needs to be separate from the process of preparing, reviewing and approving regular "permanent" bylaws. The two

processes cannot be mixed up and the PC and SB should be following one process or the other. Bill wanted to make sure that the PC stays fully informed on this issue.

Mary Koen said that in light of this advice, she feels that the PC does not have the time to fully consider some of the additional issues such as parking in the downtown area, but should move forward with the process of finishing draft Interim Bylaws.

Chris Viens expressed that the Interim Bylaws should be matched as closely as possible to the draft Unified Development Bylaw in terms of being a first phase of implementing those bylaws.

Eric Gross, Katya D'Angelo and Martha Staskus all agreed that the PC should continue to work with finishing the draft Interim Bylaws.

Ken summarized that the PC would continue to move forward with finishing the draft Interim Bylaws as they have been worked on to date, as efficiently as possible.

The discussion of the details of the draft Interim Bylaws resumed as follows:

1. The issue of the square feet threshold between permitted and conditional uses was discussed in terms of whether it should be the same for all zoning districts or should vary district to district. Steve advocated for one consistent threshold in the definition for each use that would be the same in any zoning district where the use is allowed. This will make administration of the zoning bylaws much easier.
2. The current structure of the draft Interim Bylaw in terms of the list of permitted and conditional uses in Section 1604.2, Permitted Uses, and Section 1604, Conditional Uses, and listing all the definitions in Section 1606.1, Use Table was discussed. Steve explained that this structure will allow more zoning districts to be easily added to Section 1606.1, Use Table when "permanent" bylaws are drafted.
3. Steve reviewed the chart of commercial building square footages in the proposed downtown zoning district that includes various uses, building footprint, and lots size. The version of the chart he presented had all the uses between 3,500 to 5,000 sq. ft. is size highlighted in blue and all the uses that are over 5,000 highlighted in yellow. In addition, all the building footprints greater than 10,000 were highlighted in yellow. This mark-up was intended to inform the discussion of the square foot threshold for permitted versus conditional uses.
4. It was decided to increase the threshold in the draft Interim Bylaws between permitted and conditional uses from 2,000 sq. ft. to 4,000 sq. ft.
5. Each "Commercial" and "Arts, Entertainment and Recreation" use in the list for the Downtown zoning district in Section 1604.2, Permitted Uses was discussed. It was decided to have a threshold of up to 4,000 sq. ft. for the following permitted uses: Retail sales; Personal services; Open market or auction house; Office, professional, business or administrative services; Restaurant/Bar; Catering or commercial kitchen; Performance/Movie theater; Social club; Artist gallery or studio; and Indoor recreation.

NEXT MEETING

The next regular scheduled Planning Commission meeting will be held on Monday, March 22nd.

ADJOURNMENT

The Planning Commission meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Patti Martin

Patti Martin, Secretary