

# WATERBURY PLANNING COMMISSION

## Approved Minutes

Monday, January 24, 2022

Planning Commission: Alyssa Johnson (Chair); Mary Koen, Eric Gross, Steve Karcher

Staff: Steve Lotspeich (Planning and Zoning Director, Zoning Administrator), Patti Martin (Secretary)

Public: Mark Pomilio (Waterbury Economic Development Director)

Alyssa Johnson (Chair), opened the meeting at 7:06 p.m. in the Revitalizing Waterbury conference room on the second floor of the Steele Block located at 46 S. Main St. The Planning Commission (PC) members and staff participated in person and via Zoom.

### AGENDA REVIEW AND MODIFICATIONS

The agenda was approved as drafted.

### ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

There was no public in attendance.

### REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

The minutes for the meeting held on January 22, 2022 were reviewed.

### MOTION:

Mary Koen moved and Steve Karcher seconded the motion to approve the minutes of January 22, 2022, as amended.

VOTE: The motion was approved 3 - 0.

### DISCUSS THE DRAFT UNIFIED DEVELOPMENT BYLAW – PHASE #1

The review of the draft Section 1606.1, Use Table was continued with a discussion of the following proposed Commercial uses:

1. Steve L. distributed the draft definitions for the *Farmers market* and *Repair service, small goods* uses.
2. A new definition for *Repair service, small goods* is to be added in the Commercial section of the Use Table. Concern was raised about including the reference to painting. By consensus it was agreed take the word paint out of the definition.

MOTION: Mary Koen moved and Eric Gross seconded the motion to approve the definition of the *Repair service, small goods* use, as amended below.

*An establishment that maintains, services or repairs small goods that are less than 150 lbs. in weight such as sewing machines, vacuum cleaners, appliances, electronic devices and small-scale equipment, tools, and machinery. Outdoor storage of these goods on the premises is prohibited.*

VOTE: The motion was approved 4 - 0.

The following was agreed to by consensus of the Planning Commission members present:

3. Allow the *Repair service, small scale* use up to 4,000 sq. ft. as a permitted use and >4,000sq. ft. as a conditional use in the Downtown zoning district, and up to 4,000 sq. ft. as a permitted use and prohibit the use for >4,000sq. ft. in the Mixed Use zoning district.

Civic and Community uses category:

4. Keep the *Government facility* use as a permitted use in both the Downtown and Mixed Use zoning districts.
5. Keep the *Recreation or park, public outdoor* use as a permitted use in both the Downtown and Mixed Use zoning districts.
6. Keep the *Farmer's market* use as a permitted use in both the Downtown and Mixed Use zoning districts. The definition for the *Farmer's market* use was redrafted as follows to include addressing the temporary structure issue.  
*A multi-vendor operation for the retail sale of a variety agricultural and horticultural products, prepared food and beverages, arts, crafts, and other related goods. Any structures used for the sale of these items such as tents or other structures which are used for sale of these items and are in place for three or less consecutive days, shall be exempt from requiring a zoning permit.*
7. Keep the *Educational institution* use as a permitted use in both the Downtown and Mixed Use zoning districts.
8. Allow the *Clinic or outpatient care services* use up to 4,000 sq. ft. as a permitted use and >4,000sq. ft. as a conditional use in both the Downtown and the Mixed Use zoning districts. It was agreed to take the word "primarily" out of the definition of the *Clinic or outpatient care services* use.
9. Keep the *Hospital* use as prohibit in Downtown and Mixed Use. It was agreed to consider whether Rehabilitation Facilities can be included in the *Residential Care and Group Home* use. Steve will research the State of Vermont licensing definitions and regulation of these uses.
10. Keep the *Child daycare* use as a permitted use in both the Downtown and Mixed Use zoning districts. It was recommended to check to make sure our definition for this use matches the state definitions for child care facilities.
11. The *Social assistance and charitable services* use was changed to "*Social and charitable services*". Keep the *Social and charitable services* use as a permitted use in both the Downtown and Mixed Use zoning districts.
12. Keep the *Religious institutions* use as a permitted use in both the Downtown and Mixed Use zoning districts.

13. Allow the *Funeral and cremation services* use up to 10,000 sq. ft. as a permitted use and >10,000sq. ft. as a conditional use in the Downtown zoning district, and in the Mixed Use zoning district as a conditional use at any size.
14. Keep the *Cemetery* use as a prohibited use in both Downtown and Mixed Use zoning districts.

It was agreed to start with a discussion of the definition and purpose for the R-10 zoning district at the next Planning Commission meeting.

### **OTHER PLANNING COMMISSION BUSINESS**

1. Steve L. gave an update on re-advertising for the open position for Asst. Planning & Zoning Administrator. The deadline for applications is February 9<sup>th</sup>. Steve L. is hoping to have interviews conducted at the Planning Commission meeting on February 14<sup>th</sup>.
2. Planning & Zoning Director's Report:  
Steve L. reported that he is working on the annual re-certification for the Town of Waterbury's membership in the FEMA Community Rating System (CRS). Waterbury's CRS rating is at Level 8 which results in a 10% discount on the flood insurance premiums paid by the owners of property in the 100-year floodplain that are required to carry flood insurance.
3. Update on State permitting activity – there were no updates.
4. Other Chair updates
  - Alyssa attended the last Development Review Board meeting that included the review of a proposed addition to the building located at 104 S. Main St. for multi-family use. The project includes a boundary line adjustment to increase the lot size to 20,000 sq. ft. to allow the multi-family use. This project illustrates the need for reducing the minimum lot size for this area as proposed in the Unified Development Bylaw, Phase 1.
  - The second project at the same DRB meeting was for a setback waiver for a handicap ramp. This illustrates the need for exempting handicap ramps that are to meet ADA standards from the requirement to obtain a zoning permit and meet the minimum setbacks.
  - Alyssa is in the process of drafting the 2021 Planning Commission Report for the Town Report and will circulate a draft Report to the Planning Commission members for their review.

### **NEXT MEETING**

The next regular scheduled Planning Commission meeting will be held on Monday, February 14, 2022. Steve L. is hoping that meeting will be for interviews of candidates for the Asst. Planning &

Zoning Administrator. A special Planning Commission meeting was scheduled for Monday, February 7th, at 7:00 p.m. to continue working on the draft Unified Development Bylaw, Phase 1.

**ADJOURNMENT**

The Planning Commission meeting was adjourned at 9:05 p.m.

Respectfully submitted,



Patti Martin, Secretary