

WATERBURY PLANNING COMMISSION
SPECIAL MEETING

Approved Minutes
Monday, January 28, 2019

Planning Commission: Ken Belliveau, Chair; Mary Koen, Martha Staskus; Eric Gross

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

Public:

Alyssa Johnson, Economic Development Director

Nick Waringa & Joan Beard, Conservation Commission members

Gunner McCain, John Callan, Marcia Guyette, Dave Lachtrupp

The Chair opened the meeting at 7:06 p.m. in the SAL Room in the library at the Municipal Center at 46 S. Main Street.

AGENDA REVIEW AND MODIFICATIONS

No modifications were made to the agenda.

ANNOUNCEMENTS AND COMMENTS FROM THE GENERAL PUBLIC

There were none.

APPROVAL OF MINUTES

Eric Gross moved and Mary Koen seconded the motion to approve the minutes of January 14, 2019 as amended. There was a discussion about getting legal opinions on various items in the draft Unified Development Regulations.

Vote: Motion passed 4 – 0.

DISCUSS INITIAL DRAFT OF THE UNIFIED DEVELOPMENT REGULATIONS

A discussion was held on the initial draft of the Unified Development Regulations, focusing on Chapter 3, Zoning Districts. The following topics and draft sections were discussed:

1. The issue of getting legal opinions was discussed. Ken asked Steve to consult with our municipal attorney regarding their availability for giving opinions on specific items that may need a turn-around before the next Planning Commission meeting. Steve will get this information and will report back to the Planning Commission.
2. The name for the draft was discussed. Ken suggested looking at state statute to see how this combination of bylaws is described. The name may be Unified Development Bylaws rather than Unified Development Regulations. Steve will look up the statute and will report back to the Planning Commission.
3. John Callan asked about the process of submitting comments on the draft bylaws. They can be given verbally in a meeting or submitted in writing. It was explained that the Planning Commission is still working on their draft and the public hearing will occur later on once their first draft is finalized. The work of the consultant, Brandy Saxton of the firm Place Sense, was discussed. The idea was to create a set of bylaws that is written

in plain language that is easier for the general public to understand and work with. It was requested to get the latest draft posted on the municipal website with an explanation of where the Planning Commission is in the process of drafting the bylaws. All comments that are submitted in writing should go to Steve Lotspeich to be compiled and will be discussed by the Planning Commission. Staff can help explain aspects of the draft bylaws in response to questions that members of the public may have outside the regular Planning Commission meetings.

4. The overlay districts were discussed. Mary Koen discussed the Downtown and Institutional Districts that are located entirely within the Design Review Overlay District. She requested that this be mentioned in the detailed description for those two districts.
5. Dina made the suggestion that conditional use and site plan review should be combined. She does not think uses should be differentiated as needing only site plan review. The split in size of uses such as retail was discussed where less than 2,000 sq. ft. requires only site plan review and more than 2,000 sq. ft. requires both site plan and conditional use review. We need to be clear that if a portion of a structure is used for a given use and that space is expanded then the threshold may have been exceeded and the review process changed. Martha suggested that we get an opinion from the chair of the Development Review Board (DRB) about this issue of combined review vs. only review for site plan review. Another aspect is that all DRB decisions are appealable to the Environmental Division of the State of Vermont Superior Court. That means that an interested party can appeal a DRB decision and argue their case on any review criteria that may apply. The scope of the review criteria for site plan review are more limited to the site than the conditional use review criteria that are much broader and includes criteria such as character of the area and off site traffic impacts. What is included in a DRB review should not be considered arbitrary.
6. The home occupation and home business uses were discussed including the unique standards of review that apply and the districts in which they are allowed.
7. The Downtown Zoning District was discussed. Gunner McCain raised concern about the recommendation in the draft that no setbacks are required. It was mentioned that many existing buildings in the current Downtown Commercial Zoning District have no setback on at least one side and sometimes on most sides. Gunner also thinks that the prohibition against residential units on the ground floor is too limiting and should be changed to allow residences on all floors of a building.

The next meeting will start with a discussion of the Downtown and Mixed Use Districts.

DISCUSS CURRENT SIGN BYLAWS AS THEY RELATE TO BUSINESS PROMOTIONAL SIGNAGE DURING THE MAIN ST. RECONSTRUCTION PROJECT

Alyssa Johnson from Revitalizing Waterbury distributed a hand-out regarding the issue that businesses in the downtown have raised that they will need additional temporary promotional signage that would be allowed for an extended period of time during the reconstruction of Main St. This would be limited to the downtown construction impact area. The Planning Commission discussed the current sign bylaws as they relate to business promotional signage during the upcoming Main St. Reconstruction project. Other communities such as Brandon have allowed signs such as business promotional banners that fit certain design criteria. An interim bylaw may be a good way to address this issue and facilitate this type of signage. Interim bylaws would need to define the time frame, the area that it would apply to, and the design parameters such as maximum size. Ken expressed a concern that additional signage does not necessarily solve a

problem such as a reduction of business activity due to the negative impact of a challenge like major street reconstruction. The businesses that are most concerned are the restaurants and retail establishments. The issue of directional signage that is off premises was discussed. Alyssa, Steve and Dina will work on a draft of interim sign bylaw to bring back to the Planning Commission for consideration.

OTHER BUSINESS

Floodplain Management Working Group: Dina and Steve attended the first of the two workshops being organized by the Central Vermont Regional Planning Commission (CVRPC) that was held for realtors at the Vermont Board of Realtors office in Montpelier. There were zoning administrators and other municipal staff that also attended. A variety of topics were covered that relate to mapping for the 100-yr. floodplain, floodplain regulations, flood insurance, river corridors, and the Community Rating System. The second workshop is currently being developed.

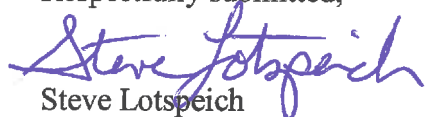
NEXT MEETING

February 11, 2019: Continue discussing the initial draft of the Unified Development Regulations with a continued focus on Chapter 3, Zoning Districts. **Note:** This meeting will be held in Steele Community Room at the Municipal Center located at 28 N. Main St.

ADJOURNMENT

The meeting was adjourned at 9:10 pm.

Respectfully submitted,



Steve Lotspeich
Acting Secretary