



PLANNING COMMISSION

Meeting Type:.....Regular
Date:.....Tuesday, June 7, 2016
Time:.....7:00 p.m.
Place:.....Municipal Building Community Room
Address:.....43 Bombardier Road Milton, VT 05468
Contact:.....(802) 893-1186
Website:www.miltonvt.org

MEETING MINUTES

1 **1. CALL TO ORDER**

2 The Chair called the meeting to order at 7:11 p.m.
3

4 **2. ATTENDANCE**

5 **Members Present:** Lori Donna, Chair; Julie Rutz, Vice-Chair; Tony Micklus, Clerk; John Lindsay; Henry
6 Bonges (arrived approximately 7:28 p.m.).

7 **Members Absent:** None.

8 **Staff Present:** Jacob Hemmerick, Planning Director; Brandy Saxton, PlaceSense consultant.

9 **Public Present:** Margaret Nichols
10

11 **3. AGENDA REVIEW**

12 **Additions:** None.

13 **Deletions:** None.

14 **Corrections:** Staff noted two errors on the Agenda: the day of the meeting is Tuesday, not Wednesday;
15 and the Minutes to be approved are those of June 1, 2016, not June 7, 2016.
16

17 **MOTION** by Micklus to move Agenda item 6(C) to the first item of Business; **SECOND** by Rutz.

18 **Discussion:** None. Unanimously **APPROVED**.
19

20 **4. PUBLIC FORUM**

21 None.
22

23 **5. STAFF UPDATE**

24 Staff shared a brief update of activity:

- 25 • The monthly Planning Update is delayed because the Planning Office has been very busy, with
- 26 walk-in traffic being particularly heavy. Staff hopes to send it out soon.
- 27 • The Selectboard is continuing review of the Capital Improvement Plan.
- 28 • Fiscal year-end budget review is ongoing: about 20% of the Department's budget is unspent and
- 29 revenue is up by approximately 50%.
30

31 **6. BUSINESS**

32 **6(A). I-1 to R1 Zone Change Request [previously Item 6(C) on the Agenda]**

33 The Chair recused herself from the discussion. The Applicant was represented by Peg Nichols, hereafter
34 referred to as "Applicant."
35

36 Staff reviewed the application form and the packet that the Planning Commission received, which
37 included:

- 38 • The Zone Change Request Application;
- 39 • Lister's card;
- 40 • Applicant's letter to the Planning Commission ;
- 41 • A portion of the Tax Map, showing the subject parcel; and

- A staff report explaining the Commission's obligations, authority, ethical considerations, the details of the property and the application, the amendment process, etc.

A discussion of the proposal followed Staff's introduction. The Applicant confirmed there are no structures on the parcel. Lindsay asked about the ledge; the Applicant gave further details and confirmed that the only access to the property is via the 70' of frontage on North Road. Rutz asked how many dwelling units could be put on the lot if the zone change were approved. Staff did some quick calculations and roughly estimated that 74 new dwelling units could be built, but noted that these had not been proposed. Rutz asked the Applicant what her development plans were; the Applicant advised that she does not intend to develop it, rather she intends to sell it. Rutz asked if there were any encumbrances on the property; the Applicant was unsure. Rutz reviewed the current permitted and conditional uses in the I-1. Staff confirmed that all of the L.D. Oliver Seed Company buildings are in the I-1, and that the proposed change does not affect the existing buildings as they are on a separate parcel.

Rutz asked what "Soil of Statewide Significance" meant. Staff explained the national soil rating system, and stated that Soil of Statewide Significance was basically "one step down" from Prime Agricultural Soil. The value of the soil on the parcel was discussed. Staff noted this could be viewed from various standpoints: for example, a community garden for the residents of the development could make appropriate use of the soil.

Both Rutz and Bonges expressed desire for a site visit to better understand the existing conditions. Hearing no further questions or comments, the Vice-Chair stated that at the end of the meeting the group would schedule a date and time for the site visit. The Vice-Chair will notify the Applicant once the site visit is scheduled.

[The Planning Commission scheduled the visit later in the meeting. See below.]

6(B). Neighborhood Center District Language [previously Item 6(A) on the Agenda]

Saxton summed up the changes that have been made to the language since the group's last meeting. Saxton also noted that the requested illustrations are currently being worked on and she hopes to present all of them at one time.

6(C). Unified Bylaw Introduction [previously Item 6(B) on the Agenda]

Saxton introduced the Unified Bylaw. The Commissioners were able to view the framework and organizational format, and complimented the rationality of it. In particular, Saxton pointed out that all of the administrative language regarding procedure and review is in one section, with standards and design in a separate section. This is a big change from the current regulations which are not arranged as clearly as they could be. Bonges asked if Saxton could send a link to a comparable Bylaw from another community, and Staff stated that they will send all of the Commissioners a link to a website that contains links to the Zoning Regulations of every Vermont community.

The group discussed the section listing items that could be exempt from permitting. Saxton explained the rationale behind these, adding the overriding goal was to be reasonable in addressing structures that are commonly found on single and two-family residential lots and to avoid situations that might inadvertently create non-compliance for property owners. Staff noted that ground-mounted heat pumps and HVAC equipment will likely be added to the list. Exemptions discussed included a patio up to 300 square feet, one shed up to 120 square feet (this is an increase over the current exemption of 100 square feet, to accommodate the pre-fabricated 10'x12' garden sheds that are popular now), and front fences up to 4 feet tall (a change from current regulations which exempt all fences). This led to a discussion of fencing.

1 Saxton stressed the importance of remembering that just because something is not listed as exempt,
2 doesn't mean you can't have it. For example: front fences up to 4' tall could be exempted from permitting
3 requirements, but that doesn't mean that you may only have a 4' tall front fence. It simply means you
4 would have to apply for a permit if you wanted something taller. Bonges felt that an 8' fence should not
5 be exempted. This was discussed, and the group agreed it would be preferable to exempt side and rear
6 fences up to 6.5' tall (the standard 6' fence panel plus an allowance for installation), and to simply require
7 a permit for any fence exceeding that height.

8
9 The language regarding roof-mounted solar panels was briefly discussed, with Saxton explaining that
10 most of it is statutorily required. This factor also applies to some of the language relating to Community
11 Facilities, Home Occupations, Accessory Apartments, and Agricultural uses.

12
13 The discussion turned to expirations of Development Review Board (DRB) approvals, including Site
14 Plans, subdivisions and Conditional Uses. Saxton explained how some other communities have
15 approached this issue. Discussion followed and various scenarios were examined. Saxton recommended
16 a minimum of 3 years (from the date of adoption of the bylaw) for existing, approved Site Plans to be
17 executed. The group agreed to think about it and revisit the topic at a later date. Staff advised they
18 should also think about how an amendment to a Site Plan might affect the expiration date, so an
19 amendment doesn't continue to start the clock on a never-ending loop.

20
21 *Next Steps: Staff will send new materials earlier to the Commissioners, so they can review and have comments*
22 *ready ahead of time. A round-table work session with the Selectboard is tentatively scheduled for Saturday, July 16,*
23 *2016 from 9:00 a.m. - 1:00 p.m. The group (absent recused Donna) will meet in front of L.D. Oliver Seed for a site*
24 *visit for the Zone Change Request at 6:00 p.m. on Tuesday, June 21, 2016. The Regular Planning Commission*
25 *meeting follows at 7:00 p.m.*

26
27 **7. MINUTES**

28 **7(A). Approval of Minutes of June 1, 2016**

29 MOTION by Rutz to APPROVE the Minutes of June 1, 2016 as written; SECOND by Lindsay.
30 Unanimously APPROVED.

31
32 **9. ADJOURNED**

33 MOTION by Bonges to ADJOURN at 8:58 p.m.; SECOND by Lindsay. Unanimously APPROVED.

34
35 **Minutes approved by the Commission this _____ day of _____, 2016.**

36
37
38
39 _____
40 **Lori Donna, Chair**

/kt

41 **Draft filed with the Town Clerk this 10th day of June, 2016.**

42
43 **Filed with the Town Clerk this _____ day of _____, 2016.**