



PLANNING COMMISSION

Meeting Type:..... Regular
Date:..... Tuesday, September 6, 2016
Time:..... 6:00 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 meeting began at approximately 6:00 p.m.
3

4 **2. ATTENDANCE**

5 **Members Present:** Lori Donna, Chair (arrived at approximately 6:30); Julie Rutz, Vice-Chair; Tony
6 Micklus, Clerk; Henry Bonges.

7 **Members Absent:** John Lindsay.

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

9 **Public Present:** Regional Planning Commission representatives Emily Nosse_Leirer and Melanie Needle.
10

11 **3. AGENDA REVIEW**

12 **Additions:** None.

13 **Deletions:** None.

14 **Corrections:** None.
15

16 **4. PUBLIC FORUM**

17 None.
18

19 **5. STAFF UPDATES/PUBLIC NOTICES**

20 **5(A). Act 250 Application Notice from Gray Rock Properties LLC**

21 Tabled by unanimous consent.
22

23 **5(B). Public Service Board Application Notice, Norris Brothers Solar Development**

24 Tabled by unanimous consent.
25

26 **5(C). Public Service Board Application & Comment Notice, Mansfield Heliflight, Inc.**

27 Tabled by unanimous consent.
28

29 **5(D). Colchester Town Plan Amendment & Joint Meeting Request**

30 Tabled by unanimous consent.
31

32 **6. BUSINESS**

33 **6(A). Regional Energy Planning Update**

34 The Regional Planning Commission (RPC) representative gave an introduction to Act 174, which
35 formalizes a process for municipalities to have a greater say in where renewable energy sources are sited.
36 Standards are being developed now – the final version is due November 1, 2016 -- and if the Regional
37 Plan meets these standards, the RPC will be given substantial deference in the Public Service Board
38 proceedings. The timeline was reviewed, as were energy use targets and potential constraints in reaching
39 these targets. One goal is to have 90% of energy use coming from renewable energy sources by 2050. The
40 Bennington region's energy use has already been studied, and this study was reviewed as an example.
41 Bonges and Staff had some questions about the scope of the program; these were asked and answered.
42

1 **6(B). Work Plan Review**

2 Staff explained that the work plan timeline was last revised June 3, 2016, and it is time to revisit it now
3 that a few months have gone by. The group reviewed what they've accomplished thus far, and what was
4 left to be done. Donna felt that holding hearings for public input during the holiday season was not
5 advisable, and Saxton suggested getting some feedback prior to Thanksgiving. The group agreed to hold
6 an open house at their second meeting in November, tentatively November 15, 2016. Formal hearings
7 will begin in January 2017. Staff felt the discussion was helpful, and will draft a revised work plan.
8

9 **6(C). Continued Review of Section 4 of the Unified Bylaw**

10 The group picked up their review of Section 4 at the beginning of Chapter 460, Appeals. Saxton
11 explained some of the definitions contained here, and went through the following topics:
12

- 13 • Section 4602 addresses an Appeal of the Zoning Administrator's (ZA) Decision. Saxton explained
14 the procedure, most of which is statutorily required: in summary, a written notice of appeal must
15 be filed by an Interested Person within 15 days of the ZA's decision.
16
- 17 • Section 4603 addresses the next appeal step: appealing to the Environmental Division of the
18 Superior Court. Again, most of the language here is required by statute.
19
- 20 • Section 4604 addresses Waivers. Proving requirements were reviewed. Different scenarios in
21 which waivers might be requested were brought up, and this led to a discussion of flexibility and
22 wording (i.e., may vs. must, should vs. shall). Saxton noted that this section is certainly open to
23 discussion and revision, as they are not statutory requirements. Saxton stated that the group
24 could have a lot of influence here. Donna stated that she needed additional time to more
25 thoroughly review this section.
26
- 27 • Variances were briefly discussed, especially in relation to waivers and how they interact.
28
- 29 • Enforcement procedures were the next topic of discussion. The Municipal Civil Complaint ticket
30 (similar to a traffic ticket) would be a new tool to remedy some of the violations that aren't easily
31 addressed via the Notice of Violation procedure that's currently in place. For example, right now
32 a property owner with an unpermitted sign would receive a Voluntary Compliance Letter (VCL)
33 and have 7 days to remove the sign. Once removed, that violation would be cured. However,
34 the sign could reappear a few days later, creating a new violation, and a new VCL would be sent.
35 This cycle could continue indefinitely without consequence to the violator.
36

37 **6(D). Adopted M1 & M2 and Draft DB1 Use & Dimensional Requirements**

38 Tabled by unanimous consent.
39

40 **6(E). Debrief from DB1 Walking Tour and Discuss Zoning Map**

41 The group discussed the observations made during their walking tour of the DB1 District, which was
42 done at their last meeting. A couple of lots in particular were discussed, as were other logical transition
43 points. The relationship between this and abutting districts briefly analyzed, but the Commission agreed
44 that they would need to return to this with a better comparisons with the neighboring districts.
45

46 The group also discussed the two southernmost lots on US Route 7 in the adopted Checkerberry District.
47 On the draft map, these two lots were moved into the R3. The owners, at a prior meeting, requested that
48 they be placed in the Checkerberry Commercial Zone despite having residential uses. Hemmerick
49 recommended that the northern lot be moved into the Checkerberry Commercial District because it
50 shares a driveway with a commercial use, but recommended that the Southern lot remain in the proposed
51 R3 district because it shares a driveway with a residential use and would still be accessed from the R3
52 Zoning District. Shared commercial residential drives are more prone to conflicts. He also said that the

1 top of the hill makes a logical district transition point. The Commission agreed by unanimous consent to
2 go to hearing with this proposal.
3

4 **6(F). Use Table**

5 Tabled by unanimous consent.
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7 **7. MINUTES**

8 **7(A). Minutes of August 16, 2016**

9 Tabled by unanimous consent.
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11 **7(B). Minutes of August 30, 2016**

12 Tabled by unanimous consent.
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14 **8. ADJOURNMENT**

15 ADJOURNED at approximately 8:00 p.m.
16

17 Minutes approved by the Commission this _____ day of _____, 2016.
18

19 _____
20 Lori Donna, Chair

/kt

21 Draft filed with the Town Clerk this 12th day of SEP, 2016.



22 Filed with the Town Clerk this _____ day of _____, 2016.
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