

**PLANNING COMMISSION
PRELIMINARY MINUTES**

REGULAR MEETING

June 19, 2012

MEMBERS PRESENT:

Alan Couch, Vice Chair	Logan Nicoll
Ethan Gilmour	Norman Vanasse

MEMBERS ABSENT:

Christine Fuller, Chair	Terry Carter	Steve Stengel
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OTHERS PRESENT:

Rose Goings	Lisha Klaiber, Recorder
Jason Rasmussen	Michelle Stinson – LPC-TV

1. CALL TO ORDER

A. Alan Couch called the meeting to order at 6:01 p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All members present, except Christine Fuller, Terry Carter and Steve Stengel.

3. APPROVE MINUTES

- A. The minutes to be approved are from the meeting of May 15, 2012.
B. **MOTION by Norman Vanasse and seconded by Ethan Gilmour to approve the minutes from May 15, 2012 as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none.

5. TOWN PLAN

- A. Rose Goings advised that when this board approves the changes that have been made, we will send it back to the Select Board.
B. Jason Rasmussen advised that he had made most of the changes this board had discussed at the May meeting. There may be some outstanding items.
C. Norman Vanasse said that if we answered the comments made by the Select Board, then we can send it back to them.
D. Jason Rasmussen noted that on page 5 of the May minutes, item 5ZZZ refers to energy costs. He said that after last month's meeting, he spoke to Gabrielle Stebbins from

- Renewable Energy Vermont and he thinks that those costs were based on a Standards Offer Program, an incentive program for developers to use renewable energy - wind and solar. He said that energy costs are always changing and their last session, the State Legislature passed a new energy bill, changing the rates to \$.06 - \$.10/KW. There are very different rates now and the program is complicated. He thinks those were commercial power rates. Renewable energy is expensive to put it, but less to maintain. He said that he did not change the rates listed in the draft sent to the Select Board.
- E. Alan Couch said that given the changing technology, they may want to not include rates in the town plan.
- F. Jason Rasmussen said that he is not sure how to address this. It is a moving target and technology is changing.
- G. Norman Vanasse said they should not list numbers if they are still changing. They should generalize.
- H. Jason Rasmussen said he wrote a brief summary of his discussion with Ms. Stebbins and send it to the Select Board when they send the town plan back to them.
- I. Alan Couch asked if he had it now.
- J. Jason Rasmussen showed it to them and also mentioned that he had also made changed to the Transportation chapter that he had coordinated with Frank Heald for the information.
- K. It was general consensus of the board to leave the numbers for energy costs out.
- L. Rose Goings suggested that the board send the revised draft to the Select Board and ask for comments before the Select Board holds it public hearing.
- M. Alan Couch said that this board has been working on the town plan for 2 years. As they finished each chapter, it was sent to the Select Board for comments. The Select Board did not respond to any of those chapters and waited until the end to make any comments. We have responded to their comments and we should send it back to them.
- N. Rose Goings said that if the Select Board holds a public hearing and there are changes, they will send the town plan back to this board.
- O. Jason Rasmussen said that the changes made in this revision have not been substantive and they will not need to change the written report sent with the first draft.
- P. **MOTION made by Logan Nicoll and seconded by Norman Vanasse to send the revised town plan to the Select Board for their approval. Motion passed unanimously.**

NOTE: Jason Rasmussen maintains a master file for the regulations and records changes as the board makes them.

6. WORK SESSION – ZONING REGULATIONS

- A. Jason Rasmussen noted that he and Rose Goings had started with the Administrative language.
- B. Rose Goings suggested starting by going through the regulations page by page. A lot of things have been added.
- C. Jason Rasmussen said they are updating the Town Zoning Regulations and would look at the Village regulations later.
- D. Jason Rasmussen referred to Article 1, Section 120 and said that he reorganized and made this section clearer.
- E. Jason Rasmussen referred to Article 2, Section 210 and said he added new language.
- F. Rose Goings said that she like the “optional” language.

- G. Ethan Gilmour agreed.
- H. Jason Rasmussen said that he added minor alterations to the Zoning Officer's list under Conditional use permits.
- I. Rose Goings said that may be good for small changes, people would not have to come in for a hearing.
- J. Jason Rasmussen said that Windsor allows it as part of the permit process. The DRB may use it as needed.
- K. Alan Couch asked who determines what a minor change is.
- L. Jason Rasmussen said they may want to check with the DRB. An example would be a deck in a PUD.
- M. Logan Nicoll said that making people come in for a hearing for very minor changes seems drastic.
- N. Alan Couch said if it is not heaping loads of work on Rose Goings, it may also be less for the DRB.
- O. Jason Rasmussen said it helps the citizens out.
- P. Rose Goings referred to Article 2, Section 220(a) and said there are issues with the 12' x 12' accessory structures language. As it is written, you would not be able to require people to meet setbacks. She suggested changing the language in the Flood Hazard areas and the Lakes District.
- Q. Alan Couch said that if you require permits for certain districts, should we require them for all districts.
- R. Rose Goings said that people may build too close to the lake and we need to consider floods. As it stands, we can't do anything about it. She suggested adding "except in Flood Hazard Areas.
- S. Alan Couch asked about small lots in the village.
- T. Jason Rasmussen suggested adding "in compliance with setback" to the language.
- U. Rose Goings said that people can out structures wherever they want. She said that she would like it to include, "Any structure in the Flood Way and Lakes district will require a permit."
- V. Jason Rasmussen asked what the board wants.
- W. Alan Couch said this would affect him personally. He thinks if you require permits in one area, you should require them in all areas.
- X. Rose Goings said that a tool shed or dog house is OK. You have to look at the Flood Hazard areas in the town. There are already specific regulations for them already. She would like to have it say that you cannot build in the Flood Hazard areas without a permit. If the FEMA people come in, they can make people remove existing sheds.
- Y. Alan Couch said he wants to be fair.
- Z. Rose Goings said then maybe just the Flood Hazard areas
- AA. Alan Couch noted that parts of the Lakes District are in the Flood Hazard Area.
- BB. Rose Goings said that we have maps showing the Flood Hazard Area
- CC. Jason Rasmussen asked if the board wants to include the Lakes or just the Flood Hazard Area.
- DD. Norman Vanasse said just Flood Hazard Area.
- EE. Rose Goings said that if a permit is not required, she cannot enforce anything.
- FF. Jason Rasmussen suggested putting in permit is not required for structures fewer than 144 square feet except in the Flood Hazard Area.
- GG. Alan Couch asked what if a person builds a 10' x 10' structure on their neighbor's property line.
- HH. Rose Goings said there would be nothing she could do about it. No permit, no enforceability.

- II. Alan Couch said that the board needs to give Rose Goings a way to enforce things for all zones.
- JJ. Ethan Gilmour suggested requiring permits for structures in the Flood Hazard Area and that they have to meet setbacks.
- KK. Jason Rasmussen suggested adding “buildings not in compliance with setbacks will require a permit.”
- LL. Rose Goings said they should also consider heights. She related that there is an accessory structure that is 30’ high.
- MM. Jason Rasmussen added “15 feet high to the top of the ridge.”
- NN. Jason Rasmussen referred to a new section after 221. He said items are taken directly from State Statute §4413(a) and §4446.
- OO. Ethan Gilmour asked if Section B5 complies with the town Communications Ordinance.
- PP. Jason Rasmussen said he would look into it.
- QQ. Rose Goings said they don’t need item 7 as it is the same and falls under compliant or conforming structures. She suggested keeping the state exemptions separate.
- RR. Jason Rasmussen asked about #7.
- SS. Rose Goings said move it to Section 220.
- TT. Jason Rasmussen said that for the Appeals section, he looked at Stowe’s regulations. They have more details. He asked for comments on the Certificate of Occupancy Section.
- UU. Rose Goings said that she had not reviewed it and would like to look at it at the next meeting.
- VV. Jason Rasmussen asked about the Violations section.
- WW. Rose Goings said she would like to look at that also at the next meeting.
- XX. Jason Rasmussen said he would email sections to board members.
- YY. Rose Goings said they would start with Certificate of Occupancy at the next meeting.
- ZZ. Alan Couch said we need to make sure that the Zoning Regulations mesh with the town plan.

7. **OTHER BUSINESS**

- A. Next meeting July 17, 2012 at 6:00 p.m.
- B. Rose Goings said she may not be at the next meeting.
- C. Alan Couch noted that the board is now short one member and suggested that members talk to people about the position.

8. **ADJOURN**

- A. **MOTION by Norman Vanasse and seconded by Logan Nicoll to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:10 p.m.

Respectfully submitted,

Lisha Klaiber

Christine Fuller, Chairman

Logan Nicoll

Terry Carter

Steve Stengel

Alan Couch

Norman Vanasse

Ethan Gilmour