

**Thetford Planning Commission
October 20, 2009 – Minutes - Draft**

Present: Liora Alschuler, Stuart Blood, Laurie Burnham, Lori Howard, Rick Howard, Kevin O’Hara

Absent: Wayne Parks (Chair)

Guests: Bill Bridge (8:00-9:45), Li Shen (7:15-8:30)

7:20: Meeting called to order by Stuart Blood, Vice-Chair.

7:21: Public Comment: None.

7:21: Review of prior minutes: Kevin O’Hara moved to approve the amended minutes of October 6, 2009. Lori Howard seconded. The vote passed with two abstentions.

Zoning:

7:27: Wetlands, further Discussion, Laurie Burnham: It was noted that outstanding issues are as follows:

- 1.) Should the buffer be in addition to the set back?
- 2.) What should be the trigger mechanism for reviewing unmapped wetlands? It was noted that the Conservation Commission is currently writing a grant proposal for mapping, and an interim measure could be a review by the Zoning Administrator or DRB, to be conducted by experts.

In discussion, Li Shen clarified that there are only two relevant categories of wetlands; mapped (Class 2) and unmapped. She explained that there are no class 1 wetlands in Thetford (there are only three in the entire State); and Class 3 (unmapped) wetlands, if determined significant, are in the same category as Class 2 wetlands.

It was discussed that the buffer and set back could each be 50 feet for all mapped (Class 2) wetlands, which is the State minimum standard. As follow-up, Laurie Burnham will revise the draft with the proposed changes/simplifications, for proposed final language for vote November 17th.

7:45: Riparian Buffers, further Discussion, Laurie Burnham: It was noted that the outstanding concerns are that riparian buffers do not work to stop erosion on the Connecticut River, because of other factors, including the daily changes in elevation due to the dam, and soil variation; and that riparian buffers would substantially reduce the useable land of some landowners.

Laurie Burnham reported that she spoke with experts from the River Management Program and the State Water Quality Division, of the DEC; and she suggested inviting them to a Planning Commission meeting. The experts recommended, as another option instead of buffers, setting corridors around the river, recognizing that the river moves. Houses would have to be built outside the corridor, but the regulations would not prevent use of the corridor.

Laurie Burnham also presented two possible definitions for streams, from other towns. Commission members noted that the more detailed definition was preferable

As requested at the prior meeting, each commission member stated their position on buffers regarding each VDEC standard/objective (river/stream stability, water protection, wildlife habitat) for the three types of water bodies (Lake, River, and Stream), and regarding a definition for streams, as follows:

- Lori Howard recommended different buffers for each type of water body, and noted that a clear definition of stream is important.
- Liora Alschuler commented that she is in favor of trying to achieve the state objectives for stability and water quality, however wildlife protection is more difficult to achieve; as with the Commission's discussions on Wildlife Habitat and Forest Resources, and should be punted to that further discussion.
- Rick Howard commented that while some buffer is needed, 100 feet for all types of water bodies is too much.
- Laurie Burnham commented that she is in favor of all three objectives, and suggested having the State experts help with the challenges of writing the regulation.
- Kevin O'Hara said he is in favor of some buffers; recommended that the Commission take a position, even if it is a compromise; and noted that he is in favor of hearing the experts.
- Stuart Blood suggested considering different standards for different types of development (site plan review, conditional use, PUD, subdivision).

In follow-up, Laurie Burnham will set up a meeting regarding buffers for November 17th, with two experts from the River Management Office, and one from the Fish and Wildlife Department. It was recommended that the meeting be scheduled for about one hour, starting at 7:00, or 7:30. It was noted that the goal is to further explore with the experts the corridor option, the definition, and examples from other towns. Laurie Burnham will coordinate with Wayne Parks, regarding the agenda of the November 17th meeting, for which votes on final drafts of other topics are scheduled.

8:30: Sign Regulations, discussion: Bill Bridge reported on his research, noting that the issues are:

- At what point do you need a permit?
- Who issues the permit?
- Size.
- Illumination.

Bill Bridge researched other towns including Fairlee, Bradford, Burke, and Norwich. He noted that Fairlee regulates signs larger than 20 square feet. Bradford has a separate ordinance.

In discussion of size, it was considered that there could be separate standards according to use, but recommended not to have separate standards for each district.

In follow-up, Stuart Blood will contact TRORC, for their recommendation regarding having the sign regulations be a separate ordinance.

8:42: Agricultural Land Protection, 2nd Reading: Liora Alschuler, Lori Howard, Rick Howard. The Planning Commission discussed the prime soils maps for each village, distributed by Stuart Blood, as requested. It was noted that the maps show a disproportionate amount of prime soil in the villages, with large tracts in Post Mills. In discussion, it was recommended to remove the applicability section, so that review of agricultural land protection would apply to all zones; and though development could occur in the villages, the placement would be guided to protect prime soils.

Kevin O'Hara made a motion that the agricultural land section go to final draft for vote, based on the discussed change; striking the applicability subsection, and adding a sentence in the appropriate place encouraging discussion with landowners. Liora Alschuler seconded the motion. The vote passed unanimously.

The Planning Commission thanked the working group for their work.

9:30: PUD Standards- Energy Efficiency, 1st Reading: Stuart Blood reviewed the draft he distributed.

In discussion of building density bonuses for builders exceeding minimum state energy efficiency standards, Kevin O'Hara noted that though the recommendation has merit conceptually, the testing for meeting those standards must be done after the building is completely built, and therefore the bonus could be a problem for a developer, unless willing to build the development sequentially.

In further discussion, Laurie Burnham raised the following questions: 1.) Is the concern of the standard/bonus the carbon footprint or energy efficiency? 2.) The result of the bonuses could be in attracting development from other towns. 3.) Are there other similar regulations in other towns?

In follow-up, Stuart Blood and Kevin O'Hara will work together on the draft.

9:45: PUD Standards- Affordability, 1stDraft, Liora Alschuler: Tabled.

9:45: 2012 Town Plan, Discussion of Time Line, resources, process: Liora Alschuler and Lori Howard volunteered for the working group. It was noted that Selectperson Andrew Toler also

has offered to participate in the working group. Liora Alschuler recommended that the group review the survey option discussed at the last Planning Commission meeting and consider other means of getting the town view.

9:50: Assignments for next meeting (November 3, 2009):

- PUD/Affordable Housing: Draft 1: Liora Alschuler
- PUD/Energy Efficiency: Further discussion: Stuart Blood and Kevin O'Hara
- Village Character: Draft 1: Liora Alschuler
- Signs: Update: Stuart Blood

9:59: Reports: None.

9:59: Old Business, New Business: None.

10:03: Motion by Laurie Burnham to adjourn, seconded by Lori Howard. The vote was unanimous in favor.

Respectfully submitted,

Ann Fenton
Recording Clerk, Thetford Planning Commission