

**Thetford Planning Commission
December 1, 2009 – Minutes**

Present: Liora Alschuler, Stuart Blood, Lori Howard, Rick Howard, Kevin O’Hara, Wayne Parks (Chair)
Guests: Dan Grossman (7:15 – 9:10), Jamie Thaxton (7:15 – 9:10), Li Shen (7:15 – 9:30)

7:20 Meeting called to order by Wayne Parks, Chair.

7:21 Wayne asked for a volunteer to take the minutes

7:25:30 After 4-1/2 minutes of deathly silence, Kevin O’Hara haltingly volunteered.

7:26 Public Comment: None.

7:26 Review of prior minutes: The draft minutes although ready had not yet been posted for review. Liora said she would post them prior to the next meeting.

7:27 Wayne Parks spoke to Laurie Burnham’s resignation which the board had received in an e mail on 11/30/09. Wayne thanked Laurie for her hard work and contributions to the zoning rewrite that the board is working on and asked that his and the boards appreciation be noted in the minutes of the meeting. Liora added that she would like to see the names of all members who have contributed to the revised zoning ordinance be listed as contributors when the publication comes out. There was general support for this idea.

7:29 Review of the tracking document. Liora reported no changes to the document.

7:30 Review of the zoning regs. Stuart reported that he had inserted the revised text that had been approved at the previous meeting relating to Forest and Natural Resources and Wildlife Habitat. Liora moved to accept the edits to the draft and Kevin seconded the motion. Discussion ensued about the “finalness” of this language. It was discussed that if the town boards who are reviewing the language, or townspeople once they’ve had an opportunity to review the language, have valid alternate points on this or any language we put forth in the draft, that we as a board would of course consider the points of view and potentially make final edits prior to submitting the document as a whole to the selectboard. The vote on Liora’s motion passed - 6 yes – 0 no.

7:33 Stuart reported that he did not yet have anything new written to share with the commission on energy efficiency based density bonuses as they relate to PUDs. Stuart explained that he is working on a concept where the developer could receive a density bonus based on meeting expressed energy efficiency standards which would need to be certified through a certificate of compliance or something similar to such a certificate.

Stuart mentioned that preserving “Open Space” seems to be at the core of the PUD concept.

Stuart had sent language out for review and had heard back from Bill Bridge and Richard Blacklow. Bill’s comments in part addressed the density bonus carrot, if you will, not being enough to capture all development that might be of a concern. He raised the issue with Stuart that it would be good for the commission to discuss mandatory PUD procedures for large developments. We discussed the notion that PUDs can be voluntary or mandatory in certain districts. Wayne expressed his opinion that he would not be in favor of mandatory PUD review.

Stuart also presented the concept of waivers which on the surface appear to provide an avenue for pursuing any and all of the 4 PUD goals possibly without using the PUD process. Stuart referenced 4414-8) and after reading from this it appears that density bonus incentives for instance could be granted through waivers. Stuart added that waivers can only be granted to alter dimensional standards. Stuart also stated that if were only offering incentives, and not mandating certain developments to go through PUD procedures, then the waivers appear to be the easier way to go. Stuart is going to look into this further and possibly run it by VLTC, because it's unclear at this time.

Dan Grossman commented that his experience tells him that PUDs are pursued by developers primarily because much of the land available has limited space that can be developed and so the developer looks to cluster the buildings closer together, thus leaving more open space. In Dan's experience he's not aware of a developer having sought to develop a PUD because of a density bonus offering.

It was noted that developers do leverage PUDs for density by building units in closer proximity to one another than otherwise would be allowed.

Jamie Thaxton agreed with Grossman. He then added the example of the Gile Hill development in Hanover having received a density bonus for meeting an affordable housing goal.

Liora commented that "open space" may not be such a focus in Village development where we want to encourage PUDs.

Regarding bonuses Liora suggested a possible point system where certain goals might be addressed, i.e. affordable housing, or energy efficiency and the developer would get bonus points for achieving certain levels of compliance, but may receive zero points for open space set asides or protection of Ag. Land if he or she doesn't choose to or is unable to address these issues. Liora suggested considering different thresholds for different circumstances. She suggested a table with a point system as being preferable to percentages.

Rick asked if anyone who applies for a subdivision could apply for a waiver or waivers. Stuart responded yes it seemed so, as long as we write it that way. Again, Stuart will work on this and get back to the PC at the next meeting.

8:30 PUD Procedures. Dan Grossman suggested that the process for getting through the DRB is very cumbersome and needs to be consolidated or clarified or both. There was general agreement among the board.

8:35 Liora produced a handout as a Draft Standard for Traditional Patterns of Settlement for PUDs. (Dated December 1, 2009.)

Wayne called into question Liora's statement that the traditional pattern of settlement especially in RR districts included clustering of houses. He suggested the bulleted points read more as goals rather than real characteristics. Liora countered that it depends on which areas of RR one is looking at and suggested examples of some clustering in certain RR areas. Wayne suggested that the word "clustered" be removed.

Dan Grossman raised the question of how to define "rural". Additionally the question was raised as to the meaning of "traditional". Stuart asked if pre- automobile would be a reasonable marker for "traditional"

Liora suggested that her sense was that “traditional” referred to a time when livelihoods in Thetford were supported largely through agriculture.

The concept of “mixed use” in village districts was discussed. Liora said she will add mixed use language.

Rick asked about the 1st bullet in rural areas “Close to but not disruptive of worked fields.” After some discussion Liora suggested inserting language that reflected one of the standards previously agreed to which would be the concept of minimizing adverse impact.

Liora asked that members send their additional feedback to her and that she will attempt to reflect the changes suggested in the 2nd draft due at the next meeting.

9:15 The PC discussed where we stood on wetlands and associated buffers language. Kevin reported that his review of the Hanover NH and Hartford VT zoning produced nothing in the way of a definition of “disturbance”. Li Shen suggested a few concepts that she felt should be included in a definition. When asked, Li said she would take on the task to try to come up with a definition of “disturbance”.

Wayne asked if we would be ready for the vote on wetlands language at the next meeting. The assumption is the language will reflect the VT state guidelines along with a definition of “disturbance”. All appeared to agree that we would be ready for the vote.

9:20 Riparian Buffers were discussed. We discussed “stream orders” and reviewed how stream order is determined. Li Shen provided a brief but educational remedial tutorial. Wayne asked what constituted a “stream”. We had some discussion around this issue, but decided to wait to review the map at the next meeting before getting too deep in the discussion.

Kevin or Liora will bring a copy of the map to the next meeting.

9:30 Unassigned Topics: Liora read from the tracking document what she had captured as topics still yet to be assigned. They were “sprawl”, “frontage/access” and “signs”. Liora agreed to take on sprawl since she had defined it in her traditional patterns of settlement work to date. The issues related to signs are in the hands of the Selectboard. Frontage and Access was discussed briefly as already having been discussed and resolved.

Liora mentioned that there were about 6 items under the sub heading of “administration” that still needed to be dealt with/assigned. Liora said she would post these to the board. We decided we would review these again at the next meeting.

9:35 Timeline discussion. Kevin reviewed where we were on the rewrite and procedures timeline and we discussed briefly what would be on the agenda at the next meeting from the timeline.

After some discussion, the pc generally agreed that the timeline continued to be something of a useful tool. For the time being we’ll continue to make use of it and Kevin will continue to maintain it.

9:40 Stuart Blood reported that Mike Brown had resigned from the Selectboard.

9:42 Under “Old Business” Liora began a discussion around the notion of setting target dates for educational meetings with the town on some, what might be thought of as more sensitive issues in the town zoning draft. After some discussion the board largely agreed that at the next meeting we would try to identify a few issues and potential dates as early as February where we might begin holding educational meetings with the town.

Stuart asked Wayne where we stood in the search for a new recording clerk. (Stuart spoke extremely slowly so that the temporary, one time only, recording clerk could record his query.) No potential candidates had responded to date. Stuart said he would run a posting in the list serve focusing on service to the town and the fact that this is a paid position. Liora suggested we run an ad in the Valley News as well.

We discussed upcoming planning commissioner’s schedules: Wayne will be gone the last meeting in January and the 1st meeting in February. (He said he might be gone for the 1st meeting in January as well.) Liora mentioned that she will miss the 1st and 2nd meetings in January as well.

9:55 Under New Business we discussed whether or not the timeline tool was putting too much pressure on committee members and the general agreement was that it was not.

Wayne reminded everyone to get his or her assignments out to the commission by the Friday prior to the next meeting so that all members have a chance to review the information before the meeting.

10:00 Rick moved to adjourn. Lori seconded the motion. Kevin sighed in relief.

Respectfully submitted,

Kevin O’Hara

Temporary, might I suggest one time, Recording Clerk, Thetford Planning Commission