

**Thetford Planning Commission
January 19, 2010 – Approved Minutes**

Present: Stuart Blood (acting chair), Kevin O’Hara, Lori Howard, Rick Howard, Dean Whitlock (Clerk)

Absent: Liora Alschuler, Wayne Parks

Guests: Li Shen (7:18-8:05)

(Numbers below refer to agenda items)

1. Meeting called to order at 7:18 PM by Stuart Blood.

2. Public Comment: Deferred till item 4, riparian buffers.

3. Review of Minutes (7:20)

Jan. 5, 2010 - Amendment offered by Kevin O’Hara (Item 11, time of CU discussion should be 1st meeting in February). Approved as amended.

4. Riparian Buffers (7:22)

Refer for background to document emailed by Li Shen and forwarded by Stuart Blood on 1/15/10.

Li Shen reviewed the list of sources for the document (see email). She added that the Hartford regulations provided exceptions that would mitigate effects on homeowners. Agricultural and forestry uses are excepted already. She pointed out the addition of item c to the Purpose description: c) slow down the siltation of Lake Fairlee, a major threat to the lake. She noted that this would apply to any lake in town.

Stuart Blood noted that the language would go into the general standards section and would apply to conditional use, site plan review, PUDs (if adopted), and subdivision review. It would not apply to one- and two-family dwellings or agriculture and forestry land. About half the language is exceptions. Contentious points would most likely focus on buffer widths and what’s not allowed within them, similar to wetlands issues.

Kevin O’Hara said that, since the buffer widths were recommendations from state scientists, it was a good starting point to get town reaction.

There was discussion of the classification system for rivers and Kevin O’Hara pointed out a typo in the document (D.3.c should be 3rd order, not 2nd).

Rick Howard objected to having buffers specified. He felt the town wouldn’t need it, that it would cause a lot of contention. He also felt that the rivers would go where they pleased no matter how many trees were left or planted. He thought the number of exceptions would appease some people but, since they weren’t mandated by the state, we shouldn’t adopt them.

Li Shen asked if the commission would consider the alternative of setbacks based on the meander belt of the river, which would keep structures back from the water but would not apply

restrictions on vegetation types and uses. Rick Howard pointed out that a current owner might have a lot that, under such new setbacks, might not be deep enough for a house site. Stuart Blood said a meander belt had value for setting a safe, prudent building zone. Li Shen then noted that the meander belt had not been plotted for the Ct. River and was only partially studied on the Ompy. Buffer widths are easier to state and understand and provide a clear measure. Using meander belts would require the town to fund a full study, which would be expensive.

Stuart Blood asked if a narrower buffer for the bigger rivers would be acceptable, on the order of 50 feet instead of 100 feet. Rick Howard replied that any buffer represented a taking of land by the town in his opinion and that riparian buffers would be a foot in the door for more regulations of that type. Li Shen said she was more comfortable with the setback concept if it could be made clear.

There was additional discussion about the effect of a 100-foot buffer around Lake Fairlee (which would only affect new development; existing houses would be grandfathered). The Lake Fairlee Association has asked for buffer regulations and it is in the town plan; however, it will probably require special regulations specific to the lake.

The final decision was to wait for the full board to be present to hold further discussion. This would be at the next meeting, on Feb. 2. In the meantime, Li Shen would research setback regulations and methods for determining them. Rick Howard will consider what uses and activities should be excepted under either a buffer or a setback plan in order to soften the impact on the owners.

Li Shen left the meeting.

6. Site Plan Review (8:05)

Kevin O'Hara presented a first draft of regulations for site plan review, which was based on the set from Norwich and incorporated comments from the members at the previous meeting. He felt it all made sense but need further discussion on certain points. He went over the document, section by section, noting where he had concerns, most of which had to do with issues of aesthetics and overly detailed technical specifications where reference to building manuals with engineering standards might be more appropriate (for example, in the area of outside lighting).

Stuart Blood noted that he had been expecting more of a review of the procedures for review, whereas this draft contained a lot of standards. How is it related to or overlap conditional use review? Should we put these standards into the general standards, or do they apply only to site plan review? Can the standards regarding parking flow and aesthetics be condensed? Kevin O'Hara agreed that some could go there, as long as there were specific references to the standards on those points, and referral in the standards to site plan review so the connection is obvious from either starting point.

The final decision is that Kevin O'Hara will take the suggestions and go back through the document to condense language, pick out specific items to move to standards, and determine where reference can be made to manuals, e.g. with regard to lighting. Stuart Blood suggested that Two Rivers might be a useful resource for that research.

7. Review of Red Text in draft (8:40)

Stuart Blood presented the revised list of red text from the zoning draft, noting that he had incorporated the changes approved at the last meeting, reducing the number of items to consider, but had also added items. The two major issues are:

1. Continuing Care Retirement Communities. It was decided these fell under multi-unit housing and didn't need separate treatment. The text will be deleted.

2. Child Care Facilities. It was decided to leave the text as is since it was identical to the Vermont zoning law.

New to the discussion was Article 7 and its subsections. All were close or identical to the Vermont law and were approved as is, except for 7.03.2.c which will still red pending further review.

There was discussion of the regulations regarding nomination and election/appointment of the zoning administrator. There is a three-year limit to the term, which the town needs to follow.

Stuart Blood pointed out that the language in the description of the Rural Residential District actually referred to the Village Residential District due to an error in copying/pasting while editing, which was only caught that day. It needs to be fixed and carefully reviewed for other errors at a later time. He has discovered other inconsistencies in wording from the current ordinance to the new draft. The commission granted him the authority to fix editorial errors as he found them. He will lead a review of what he finds at a later meeting.

8. Review of Time Line (9:07)

Kevin O'Hara went over the time line. The next meeting is scheduled to cover affordable housing and traditional patterns of development, led by Liora Alschuler; a first discussion of conditional use processes, led by Wayne Parks and Kevin O'Hara; a second reading of site plan review; and a second discussion of riparian buffers/setbacks with Li Shen.

9. Reports (9:12)

Stuart Blood reported that four people from Thetford are signed up for the PUD training in Wilder. Others are welcome.

10. Old Business (9:13): none.

11. New Business (ditto): none.

Rick Howard moved to adjourn; 2nd by Lori Howard. Meeting Adjourned at 9:14 PM.

Respectfully submitted,

Dean Whitlock
Clerk, Thetford Planning Commission