

Thetford Planning Commission
April 20, 2010 – APPROVED Minutes

Present: Wayne Parks (chair), Stuart Blood, Kevin O’Hara, Liora Alschuler, Lori Howard (till 9 PM), Rick Howard (arr. 7:48 PM), Dean Whitlock (Clerk)

Absent: None

Guests: Dan Grossman (7:19-9:06) (Numbers below refer to agenda items)

1. Meeting called to order by Wayne Parks at 7:19 PM
2. Public Comment: None
3. Review of Minutes of March 16 (7:19): Accepted as amended.
4. Review of Tracking Document (7:26): Nothing new to report

5. Review of Zoning Draft (7:27):

Stuart Blood referred to the document he had emailed on 4/14, containing the most recent changes to Article VI of the draft bylaw and covering primarily site plan review. Kevin O’Hara moved that the draft be approved; Wayne Parks seconded. The motion passed unanimously. Stuart Blood said that the next step would be to post the draft to the selectboard for their review. He requested authority to seek a professional editor well versed in Microsoft Word to help correct the formatting. That authority was granted and Dean Whitlock suggested names he could contact.

6. PUD Discussion 7:33

Wayne Parks opened the discussion with the statement that the commission had spent quite a few hours discussing the many issues surrounding PUDs but now needed to focus and make decisions. Stuart Blood referred to his email of 4/19, in which he reversed his previous point of view regarding when and where PUDs should be permitted, posed specific questions regarding that issue, and proposed a way that road standards could be used to help protect “character of neighborhood”. He proposed that all PUDs be a conditional use requiring review, and that the commission consider affordable housing and energy-efficient housing as two separate issues. He said he believed that at a minimum the PUD regulations need to be modified to allow for the sort of projects already on the drawing board for East Thetford and Post Mills. He then asked if PUDs for affordable housing should be allowed in all three districts or only in Village Residential and Commercial Business? Finally, he explained that he had received advice from one of the professional planners at VLCT indicating that using road standards as part of conditional use was an appropriate way to determine if a particular development was suited to the “character” of a distinct neighborhood within the broader area of a zoning district without naming specific roads or creating overlays for specific neighborhoods.

There was some discussion of how the DRB would determine Level of Service (LOS) as a metric for traffic conditions before and after a development. Liora Alshuler reminded the commission that their goal was not to limit development but to direct it toward the type of development the town wants, as stated in the Town Plan. She said she believed that road standards alone were not sufficient to define the character of a neighborhood, but that they were a good standard to include with others. Dan Grossman referred to the other characteristics that he and Dana Grossman had listed in the document they submitted on 2/26. After further discussion of which characteristics were truly distinguishing of character, it was agreed to jump to the other questions Stuart Blood had raised.

It was agreed that PUDs for affordable housing should be allowed, with conditional use review, in Village Residential and Commercial Business districts. It was also agreed that PUDs might be appropriate in the Rural Residential districts, but that they also would probably require different standards. Liora Alshuler specifically raised the issue of small developments of 1-3 units that, under traditional zoning rules, result in sprawl that slowly changes the character of a neighborhood and an entire district. Wayne Parks directed the commission to focus on Village Residential PUDs, under conditional review. Liora Alshuler and Stuart Blood are to work on a clear formula for incentives in this situation, and also for energy-efficient housing in the same VR/CU situation.

7. Accessory Dwellings (8:40)

Kevin O'Hara referred to his email of 4/16 with notes from the Accessory Dwelling Units working group meeting, and comments from members of the working group following up on the notes. The working group agreed on several issues: the maximum number of dwelling units on a single lot without PUD approval is 2; the maximum size of the ADU would be the larger of 30% of the primary residence or 450 sq. ft; ADUs not included within or attached to the primary residence are a conditional use; they cannot be more than 200 feet from the primary residence; and the appurtenant building used for the ADU has to be pre-existing for some established length of time, still to be determined.

The working group determined that the PC needed to define "habitable space" so the 30% rule could be properly applied. Is it heated space; lighted and heated space; finished floor area; or something else? The working group also felt that an upper size limit should be set for ADUs in very large primary residences to avoid creating a situation that is essentially a duplex dwelling. The PC will need to determine if the state law allows an upper limit. The working group also felt that there should be some leeway to allow a limited sublet of the primary dwelling; for example, if the owner was temporarily transferred to a new job site for a year. There was some discussion of using the listers' formula for "finished area" and "habitable".

Lori Howard left the meeting.

The working group notes specified that Site Plan Review would not be required as part of a conditional use application for a detached ADU; this exception will need to be cross-referenced in the bylaw section on Site Plan Review.

The working group will take the comments from this meeting and other comments emailed to them and will create draft bylaw language for the next meeting.

Dan Grossman left the meeting.

8. Informational Forum - Planning (9:06)

Liora Alschuler referred to the new version of the PowerPoint slides, emailed on 4/18. There was a brief discussion of the level of detail. The Conservation Commission was added to the list of advisory committees to the PC. There was a lengthy discussion of the format that the presentation would take and who would present which sections of the slides. Liora Alschuler would be the primary presenter. Wayne Parks and Kevin O'Hara would each handle a section. The others would be on hand to field questions in their areas of expertise. It was agreed to limit questions from the audience as much as possible until after the presentation was completed.

9. Time Line Review (9:54)

Kevin O'Hara presented a brief review of upcoming issues.

10. Reports (9:56):

a. Selectboard - The selectboard wishes to attend an upcoming PC meeting in May for 1/2 hour. This was scheduled for the May 6 meeting, to be the first item on the agenda. Wayne Parks gave a further description of the selectboard meeting and the issues discussed, which included empty slots on the PC, the reasoning behind the public planning meetings in April and June, the selectboard's concerns and desire that the PC use them as a sounding board. Liora Alschuler said she felt the PC needed more communication with them and hoped their designated representative to the PC would be able to attend more frequently.

b. Two Rivers - None.

11. Old Business (10:29): None

12. New Business (10:29): None.

The meeting was adjourned quickly at 10:08 PM.

Respectfully submitted,
Dean Whitlock, Clerk, Thetford Planning Commission