

Thetford Planning Commission
May 18, 2010 – APPROVED Minutes

Present: Wayne Parks (chair), Stuart Blood, Kevin O’Hara, Liora Alschuler, Lori Howard, Rick Howard, Dean Whitlock (Clerk)

Absent: None

Guests: Tig Tillinghast (7:21 - 8:55), John Bacon (7:21 - 8:55), Cathee Daum Clement (7:21 - 8:00), Dan Grossman (7:21 - 9:25), Don Longwell (7:21 - 9:25), Dale Gephart (7:21 - 9:15), Joe Tofel (7:25 - 9:15), Bill Bridge (7:27 - 9:25), Sean Mullen (7:30 - 9:25)

(Numbers below refer to agenda items)

1. Meeting called to order by Wayne Parks at 7:21 PM
2. Public Comment: None
3. Review of Minutes of May 4th (7:24): Accepted as amended.

4. Timeline/Task List Discussion (7:28):

Wayne Parks introduced how the timeline was used to keep track of issues that had to be discussed and resolved in order to complete the zoning ordinance draft by 11/02/10, which is a relatively short period. Stuart Blood explained that 11/02 is the date it would have to be completed in order to allow enough time to warn and hold public hearings, make small amendments, and get passage before town meeting. The Planning Commission hopes the selectboard can help in working through issues that could be stumbling blocks. With the timeline was a list of issues indicating deadlines and the default situation if nothing is done (see Stuart Blood email of 5/16 for timeline and list of issues). For example, the issue of signs: without help from the selectboard, the PC would probably do nothing and accept the default situation (i.e., the current, unenforced regulations would stay in effect). Stuart Blood briefly described each of the issues and its default. At the end, he said the Planning Commission believes it can deal with all of these issues on time, but would have to change its operating procedures and take the timeline dates as deadlines. Kevin O’Hara added that the PC anticipates that other issues will come up and be added to the timeline.

Tig Tillinghast (selectboard member) said, in regard to the sign issue, that Cathee Daum Clement was going to be reviewing all town ordinances and that signs could be added to that project. In regard to professional review (e.g., by Twin Rivers or VLCT), the selectboard has already discussed the use of consultants and need to consider how to work that in for the PC. He said it was good to have a mix of resources involved. On the issue of professional document layout assistance, he asked if this was for basic formatting or more complicated. Stuart Blood replied that he wasn’t sure yet; it could be someone to show him how, or someone to actually produce the final layout.

It was noted that the public feedback time was not included on the timeline. That would take place after 11/02. It was also noted that the PC was thinking of other avenues to solicit public feedback prior to holding another public informational meeting; for example, describing individual issues on the town listserv. The PC hopes to start a dialog before the full draft is offered for review. Public input has been on-going from certain engaged individuals and committees. It becomes more formal when public hearings are warned. Once that happens, the PC cannot change the document for 30 days. The process before warning of hearings is to respond to all comments with a reason for changing or not changing the draft. There is time built into the timeline for a reasonable degree of feedback. The time needed for a second public hearing has not been built into the timeline; it would be required only if many substantive changes were required after the initial public hearing. Kevin O'Hara said it would be possible to develop a separate timeline for the review period.

Cathee Daum Clement left the meeting.

The Planning Commission discussed the timeline task list and clarified the assignment of at least two people each to specific tasks that were not yet assigned. (Maps: Wayne Parks, Rick Howard. Driveway standards: Wayne Parks, Rick Howard. Principal use of lot: Kevin O'Hara, Wayne Parks; District Definitions: Liora Alschuler, Bill Bridge, Sean Mullen, Dan Grossman. Signs: selectboard.)

Returning to the question of consultants, Tig Tillinghast said that there is money in the budget for it, enough for about 25 hours from Twin Rivers.

John Bacon (selectboard member) started a discussion about district definitions: he felt that one bylaw doesn't suit all; for example, the villages are very different from each other. Bill Bridge pointed out that the rural residential areas are not all the same either. The planning commission explained that they had discussed that, but that they do not plan to add or subtract districts, that there is no guidance from the town plan on adding any, and strong indication from townspeople that they don't want more overlays. Dan Grossman suggested making more detailed and nuanced definitions without adding new ones; for example, the current rural residential district definition is only two sentences, while the Thetford Hill Historical District overlay has a page and a half of description. The group assigned to that task agreed to that concept.

Stuart Blood pointed out that there are two months in the timeline period that have 5 Tuesdays in them. There was discussion of meeting on those 5th Tuesdays, and that course was adopted. It was also decided to have a timekeeper to help the meetings stay on schedule. Dean Whitlock took on that task.

5. Selectboard General Discussion (8:21)

Tig Tillinghast said that the timeline had been the selectboard's biggest concern so there was not much else to discuss at this time. Stuart Blood noted one other consideration for the selectboard: the historical district will be removed from the zoning bylaws to become an independent advisory commission with their own bylaws. Oversight of the commission needed to be handed off properly.

6. PUD Discussion (8:24)

a./b.c. Density bonuses for affordable housing, energy efficient housing, and resource protection were discussed in a group. Liora Alschuler and Stuart Blood presented a spreadsheet with a built-in density bonus calculation tool, which allows a realistic review of possibilities for bonus amounts and cumulative bonuses. (See Stuart Blood email of 5/16.) Stuart Blood said he hoped the Affordable Housing Committee could help by using the tool to determine bonuses that would make their current projects workable. Dale Gephart (Affordable Housing committee) said they needed the planning commission to move forward first on defining bonuses and resolving other issues, such as what part of a lot is included as developable. He asked when the new regulations would be available, and Tig Tillinghast replied that the selectboard could adopt the new regulations in December at the earliest.

Bill Bridge asked if the planning commission had considered changing the base density in village residential; for example, down to 1/4 acre per lot. There was discussion of septic issues and how a PUD using density bonuses could achieve the same result while encouraging energy efficiency, etc., and would apply in all districts. There was then discussion of the issue of undevelopable land and how that would effect the number of units permitted on a lot, which is the basis for the density bonus calculation. The discussion ended with a commitment by the planning commission to come back with proposed density bonus numbers by the next meeting.

d. Road Standards is discussed below under agenda item 8.

Tig Tillinghast and John Bacon left the meeting

7. Accessory Dwelling Units - Final Draft (8:55)

Kevin O'Hara referred to his email of 5/13, which included the proposed final draft of the ADU regulations and the proposed revision to the related language under Conditional Use. There was some discussion of section C(2) of the ADU standards, which allows an ADU to exceed 30% of the habitable floor area of the primary residence, up to 500 square feet (to accommodate a larger ADU in a small residence). Dale Gephart expressed his full support of the draft, which allows "aging in place." There was a discussion of co-housing, but in that case the principal use changes.

Stuart Blood moved to except the draft; seconded by Liora Alschuler; passed unanimously.

Stuart Blood moved to accept the revised Conditional Use language (Section 6.06 (B)); seconded by Rick Howard; passed unanimously. Start Blood will incorporate the draft language into the draft ordinance for final review and approval at the next meeting, after which it will be sent to the selectboard and DRB.

There was another short discussion regarding the requirement that the residence be owner occupied. It was explained that this was required by the state statute. Co-housing will be discussed as part of the principal use issues.

8. Conditional Use Road Standards (9:09)

Stuart Blood referred to his email of 5/13, which contained a revision to the paragraph relating to road standards for conditional use review and a definition of "context sensitive road design" that he proposes for the zoning draft. There was a brief discussion of the source and rationale for inserting the definition of context-sensitive road design. There was also a small

point raised over using “shall” in regard to “shall use context-sensitive road design...”; however, it was deemed appropriate in the context of the intent: the DRB “may deny” approval, but the developer “shall use” context-sensitive road design.

Dale Gephart and Joe Tofel left the meeting.

Liora Alschuler also questioned the restriction on the cutting of 100-year-old trees in the right of way; she felt stating the age was too specific and too arbitrary. There was a discussion of what would be appropriate language to describe trees that shouldn’t be cut. Kevin O’Hara moved to use the term “significant trees”; seconded by Liora Alschuler; passed unanimously.

9. District Definitions (9:25) - Nothing to discuss at this time.

Don Longwell, Bill Bridge, Sean Mullen, and Dan Grossman left the meeting.

10. June 16th Informational Meeting Issues (9:26)

There was a review of the last meeting’s decision to not hold a meeting on the 16th. Kevin O’Hara restated his concern over writing and publishing details about the issues, which could lead to being swamped with emails. Liora Alschuler offered to write up one issue to circulate internally to test reactions. The suggested topic was Standards, which would start with an overview of their function, to be followed by a detailed discussion of one standard needing review.

There was discussion of announcing the cancellation of the meeting, particularly to the attendees of the previous meeting. Members volunteered to post an announcement on the listserv and to contact different groups of previous attendees.

The minutes of the April 21 informational meeting were reviewed and approved as amended.

11. Time Line Review (9:34)

Stuart Blood pointed out that the timeline had been discussed in detail already, but that the group had not considered the list of issues brought up previously by the zoning administrator, Richard Blackwell. Some, such as ADUs have been addressed or are at least on the tracking document. Stuart has found the list on the web archives and will send the link to the rest of the group so they can review the list for discussion.

12. Annual Organization Meeting (9:41)

Wayne Parks announced that he will resign from the Planning Commission when the bylaws are adopted by the selectboard. he recommended that a new chair be selected now so that there would be continuity after his departure. There was a discussion of the need to bring on new members and to maintain continuity no matter who is chair. The selectboard is aware of the need but has not suggested any nominees. The members asked Wayne Parks to remain as chair. Stuart Blood and Liora Alschuler volunteered to stay on in their capacities as Vice Chair and Clerk, respectively. The slate was accepted by acclamation.

13. Old Business (9:48): The commission commended the timekeeper for moving discussion forward to an end before 10 PM.

12. New Business (9:49): The commission commended Liora Alschuler for developing the automated density bonus calculator.

The meeting was adjourned at 9:50 PM.

Respectfully submitted,
Dean Whitlock, Clerk, Thetford Planning Commission