

Thetford Planning Commission
July 20, 2010 – APPROVED Minutes

Present: Wayne Parks (chair), Stuart Blood, Liora Alschuler, Lori Howard (dep: 9:25), Rick Howard (arr: 7:39), Dean Whitlock (Clerk)

Absent: Kevin O'Hara

Guests: Dan Grossman (7:46-8:32)

(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 June 6 (7:20): Accepted as amended.
4. Review of Zoning Draft (7:23):

Stuart Blood referred to the document emailed on 7/9, which contains proposed changes to the zoning draft based on approvals at the last meeting. He reviewed the changes. Liora Alschuler moved to accept the changes; Stuart Blood seconded. Passed unanimously. There was a brief discussion of which sections would be sent to Twin Rivers Ottawaquechee Regional Commission (TRORC) for review.

6. District Uses First Draft (7:27)

Dan Grossman was expected to arrive shortly to be involved in the discussion of item 5, so the chair moved to item 6 first.

Liora Alschuler referred to the document she had emailed on 7/19 and reviewed the changes she had entered based on the discussion at the last meeting. The paragraph explaining Setbacks was moved to the Definitions section. She pointed out an area of confusion in the Dimensional Standards table for Village Residential (VR), where the maximum number of dwellings is one per 20,000 feet. There was extended discussion about whether to change the default maximum density from one dwelling unit per 20,000 square feet to one dwelling per 20,000 square feet. Liora Alschuler pointed out that it would fit with the Town Plan, which encourages increasing the density of VR districts and more affordable housing. Stuart Blood pointed out that changing the language would be a policy change, not to be made in a hurry. There was further discussion and Liora Alschuler will incorporate the comments into the proposed 2nd draft to be presented at the next meeting.

There was a brief and inconsequential discussion of the meaning of "Drive-in establishment," a Conditional Use in the CB district. The term is somewhat dated but still applies.

Dan Grossman joined the meeting.

Liora Alschuler noted that TRORC should review the maximum lot coverage figures, which are the same in all districts. She pointed out item 1.c in the Thetford Hill overlay, which is a process item rather than a descriptive item, and asked if it should be moved. It was decided to leave it for want of a better place.

There was discussion of the decision to move the entire paragraph describing Setbacks to definitions. Stuart Blood suggested moving the first sentence to definitions but leaving the rest of the paragraph, which explains why the specific setback widths were established (fire protection at the sides and back and highway maintenance at the front). Liora Alschuler will make the suggested changes for further review at the next meeting.

5. District Definitions Final Draft (8:03)

Liora Alschuler referred to her email of July 18, Revision 4 of the proposed language for district definitions. She reviewed the changes since the previous discussion. To the introductory paragraph at the start of section 2.01, she added a new sentence describing “Appropriate development” as discussed at the previous meeting. She placed it here since it applied to all districts. Dean Whitlock suggested breaking the sentence into two shorter sentences, and making one grammatical change that would help clarify the meaning of the final clause.

Liora Alschuler clarified that the commission was considering the approval of sections 2.01 and 2.02, which included the incorporation of the current 2.03 and 2.04 into 2.02.

Dan Grossman, when asked for his comments, politely declined to suggest any more changes, in deference to the time already spent discussion the definitions and the need to move on in order to complete the revisions to the bylaw on schedule. Stuart Blood, echoed by other members, expressed his thanks to both Dan and Dana Grossman for their input and suggestions, which led to important discussion and changes in the language of the definitions. Wayne Parks also thanked the Grossmans for their time and effort and said he wished the commission could have come up with more protection for “character of the neighborhood” that would offer more clear guidance to the Development Review Board, but that it was necessary to move on now and leave that to the next review.

Wayne Parks raised a question about the definition of Minimum Sprawl, which is referred to in the definition for Rural Residential (RR). He suggested removing the one bullet point about “Lack of choice in housing types and prices,” because he did not feel it was generally applicable to sprawl. There was some discussion of the other bullet points. It was agreed to remove the one bullet point.

Stuart Blood moved to approve Section 2.01 and 2.02 with the grammatical changes indicated and the definition of Sprawl with the removal of the bullet point. Rick Howard seconded. It passed unanimously, with reservations stated by Wayne Parks. The new language will be included in the red text for Zoning Draft review at the next meeting. Stuart Blood noted that he would not be at the next meeting but that he will prepare the red text for review as usual and email it to the commission before he leaves.

Dan Grossman left the meeting.

7. Planned Unit Development (PUD) Red Text - Finish (8:32)

Stuart Blood referred to the document he emailed on 7/14. He noted one complication in Section 6.07(B) relating to amendments to a prior approved PUD, which he felt would need discussion and advice from TRORC. He went over a few other changes he had made for clarity and consistency. Most of the language relates to PUD application/approval process and was taken from the Norwich bylaws. There was a brief discussion of these process sections in regard to Site Plan Review, as set forth in Section 6.05.

The group then discussed the issue of amendments to an approved PUD. Stuart Blood explained that, in a training on PUDs back in February, one of the instructors had emphasized that there must be a clear process described for making amendments so that developers did not have to go through a complete review process again for minor changes. Stuart did not feel that he was capable of writing the exact language and proposed that the rest of the red text be approved this evening, leaving this one issue open, to be submitted to TRORC for their input. Liora Alschuler moved to accept the red text into the draft bylaw; Rick Howard seconded; passed unanimously. Stuart Blood will submit draft language for the amendment procedure as soon as possible.

8. Richard Blacklow's Memos (8:59)

a. Travel Trailers and Travel Trailer Camps - Lori Howard passed around a draft based on the old bylaw. She noted that it already needed updating to reflect some earlier changes made to the draft. The sections on Mobile Homes could be ignored for this evening's discussion. She will clarify that the section on non-paying guests allows one travel trailer or camper only; any more than that would be considered a travel trailer camp. The new language sets a time limit of 14 consecutive days of occupancy (non-paying guests, one trailer/camper, no hookups) and no more than 30 days total in a year. There was discussion of how to monitor these stays: property owners could be required to notify the Town Clerk as suggested in the proposed language or it could be left open. There was a brief discussion of her other noted questions in the text and of the proposed definitions. She will incorporate the suggested changes, get show them to Richard Blacklow for input, and present the next draft at the next meeting.

Lori Howard left the meeting.

b. Fences - The issue has to do with a perceived lack of clarity in the current zoning regarding the circumstances under which a landowner must get a permit in order to put in a fence. The commission needs to verify that the draft language is clear. Rick Howard asked if the draft definition of "structure" excluded fences. Only on an operating farm. Liora Alschuler will check with Richard Blacklow to see if the "de minimum" statement covers fences. If not, she will ask him what language he would recommend.

c. Application, house footprint, First reading, combined with d. Review and Assignments- Stuart Blood went through the newly formatted spreadsheet of the memos. Apart from the Fence issue, there are only a couple to discuss.

Regarding Location of Building on Lot (house footprint), what if the building as built is not located on or near the spot indicated on the sketch included with the application and attached to the permit? Stuart Blood pointed out that the draft language in section 7.03(B) requires that the sketch be drawn to scale, which is possible by the landowner without contracting with an engineer or surveyor. The language states that the project is in violation of permit if it is not built

as described. There was some discussion why a shift in location would be bad: The issue is not a few feet in either direction (as long as the building conforms to setback and buffer requirements); it is a move to a different area of the lot.

Certificates of Occupancy are no longer required and that language will be deleted from the draft.

Is a lot in RR 2 acres or 80,000 square feet? It is 80,000 square feet, as specified in the dimension tables in section 2.06: District Uses. Though it is often informally referred to as 2 acres, the two are not exactly the same.

Item 1 in the spreadsheet refers to the renewal of permits when the work is not completed within 2 years (as described in section 7.03(F)). Stuart Blood referred to his email of 7/14, which contains his suggested alternative language for that section (taken from the Norwich bylaw). This new language is lengthy, with four detailed paragraphs detailing the conditions under which a permit can be renewed and for how long. There was a very lengthy discussion.

9. Professional Review of Zoning Update (10:02)

The discussion of the most recent set of comments (Stuart Blood email of 7/9) was deferred due to the hour, and rescheduled to the meeting of August 16. There was a brief discussion of which sections would be sent to TRORC next.

10. Meeting with Development Review Board (DRB) (10:06)

The date proposed by the DRB could not be attended by Richard Blacklow or Sherry Crossley. It would also mean a fourth meeting in August for the commission. Wayne Parks will try to reschedule to September on a date when everyone can be there.

11. Time Line Review (10:10)

In Kevin O'Hara's absence, Wayne Parks led the brief discussion of accomplishments and status of on-going and up-coming issues. All agreed he did a fine job. The Article 3 technical review will be postponed until the 2nd August meeting, so Stuart Blood will be there to discuss. Liora Alschuler noted that she will not be at the 9/21 or 10/5 meetings.

12. Reports (10:15)

a. Selectboard - The members expressed concern that the selectboard had scheduled a special public meeting on the future character of Thetford's villages without asking the Planning Commission to be involved.

b. TRORC - none.

13. Old Business (10:02): None

14. New Business (10:08): None.

The meeting was adjourned at 10:15 PM.

Respectfully submitted,

Dean Whitlock, Clerk, Thetford Planning Commission