

Thetford Planning Commission
July 15, 2014 – APPROVED Minutes

Present: Kevin O’Hara, Michael Schunk, Liz Ryan Cole (arr: 7:43), Patricia Norton (arr: 7:45), Dean Whitlock (Recording Clerk)

Absent: None

Guests: Jessica Eaton

(Numbers below refer to agenda items.)

1. Kevin called the meeting to order at 7:22 p.m.

2. Public Comment: None

3. Review of Minutes from the 6/17 meeting.
The minutes were approved as amended.

4. Selectboard Report: None

5. Subdivision

a. Review Energy Section - Michael reported that his research on solar access was not yet complete. He has asked the contractors for the Solarize Thetford project, who said they would check with their trade organization.

Jessica reported that, at the Shoreland Protection Act informational meeting, the question was asked if solar panels could be installed in a meadow within the setback area. The people from the state agency who were running the meeting said they had not considered that situation and would have to look into it.

b. Update Roads - Kevin referred the group to the new draft, 8.4, which he had emailed earlier that evening. He first went over the new text in section 3.6 on “Roads, Driveways, and Pedestrian Access.” He reported that he had read the related sections in the Subdivision Regulations for Norwich, Bethel, Windsor, and Strafford, and had modeled his text on Norwich’s subdivision regs. He pointed out the changes and noted where they referred to the VTRANS road standards for roads but the Thetford Zoning Bylaw standards for single-lot driveways. (Liz joined the meeting.)

Kevin next drew attention to Table 3.1, “Minimum Lane and Shoulder Widths for Rural Roads.” He suggested that this and other tables showing standards should be removed, since it is easy for developers to access the VTRANS standards and Thetford’s Zoning Bylaw, which might change. (Patricia joined the meeting.) There was general agreement to remove the tables.

Jessica raised the problem of sight lines being blocked at intersections when landowners planted shrubs to shield their homes from the road. If the shrubs are too close to the road or grow

too tall, they create a hazard. The problem is enforcement of the Zoning Bylaw and road standards (which many people do not know about). There was a brief discussion but no clear solution other than to make references to the standards more obvious.

Liz asked if we could create some standards that were more stringent than the VTRANS standards. The general consensus was yes, but that we would need to have a good reason for doing it.

Kevin pointed out that the section 3.6 (I) on traffic and road capacity allowed discretion to the Development Review Board (DRB) by using the term “may” instead of “shall.” The DRB members on the workgroup had asked for more discretion since no two developments had the same level of complexity.

There was a long discussion of the new text and whether it addresses the issue of equitability when roads need to be upgraded due to heavier traffic. The normal situation is that the developer who crosses the traffic tipping point bears the burden of upgrading the road, but on a private road, the burden of maintaining the road falls on all of the landowners served by the road. In the case of public roads, the town bears the burden, paid for through taxes.

There was a discussion of who would make the determination that a road needed upgrading due to capacity or safety reasons and how the determination would be made. Kevin pointed out that the text states, “The DRB may request the preparation of a traffic impact study . . .”, so the DRB would first decide that the road might need upgrading, and the requested study would provide the answer.

Several suggestions were made to clarify the wording. There was also a discussion of the role of the Director of Public Works in approving the work done on upgrades to public roads.

The general sense of the meeting was that this was a very good starting point. Kevin said he will now go over the new text with the members of the subdivision working group. He thought that, with the energy section completed and a few uncomplicated paragraphs filled in, as draft for public review should be ready soon.

6. Town Plan (8:20)

a. Discuss recent comments and older comments - Patricia first gave a quick lesson on the meanings of the codes in the “Sift” column and how they were meant to be used. She then led a discussion on all of the comments that were simply comments, not requiring changes to the chapters. There were many new comments related to the Education Chapter, some of which related to governance and communication between the various boards. After some discussion, Liz said she would check with the regional planning commission about whether the Town Plan was the appropriate mechanism for recommending changes in school governance procedures. Other comments about errors or lack of clarity in the text were noted for correction. As the session ended, Patricia asked each of the members to review the remaining comments related to their chapters and indicate what they felt was the appropriate response, to be discussed at a future meeting.

b. Mark up maps - Deferred to a future meeting.

7. Other Business (9:25)

a. Kevin referred the group to an email memo relayed by the Town Clerk earlier that day: “Order Revision pursuant to Act No. 199 (S.220),” which requested comment from the Selectboard and Planning Commission, among others. The deadline for comments is August 1, before the Planning Commission’s next meeting, which does not allow any time to research and discuss the new definitions being proposed. This led to a brief discussion of the Open Meeting rules and the need to post draft minutes instead of approved minutes if we are to meet the 5-day deadline for making the minutes of each meeting public. No immediate change in procedure was suggested. Kevin said he would research the issue further.

The meeting was adjourned at 9:38 p.m.

Respectfully submitted,
Dean Whitlock, Recording Clerk, Thetford Planning Commission