

**CITY OF VERGENNES  
PLANNING COMMISSION  
MINUTES  
REGULAR MEETING  
MONDAY, JANUARY 16, 2012**

Members Present: Shannon Haggett-Chair, Jason Farrell, Alexandria McGuire,  
Morgan Kittredge, Mike Winslow

Members Absent: Stacy Raphael, Ex-Officio Member David Austin

Also Present: Mel Hawley, Zoning Administrator

Shannon Haggett called the regular meeting to order at 7 p.m.

The minutes to the January 9, 2012 meeting were not available and thus were deferred to the next meeting.

The Planning Commission picked up their final review at Article XIII.

Alex mentioned that numbers are inconsistently written throughout the document (sometimes numerically, sometimes in words and sometimes as both) and there is a lot of dead space in Article XVI and suggested that each District doesn't need to start at the top of a page as long as the charts and lists of uses are not broken up by a page break.

Section 1301.2 – Omit “as” before “the Zoning Administrator”

Section 1302.1 – Second line should read “...displayed for more than...”

Section 1302.2 – First line will read “...or directing the public to entrances, exits, offices, rest rooms, etc.”

Section 1303.1 – The Planning Commission did not reach consensus regarding “signs containing moving parts”.

Section 1303.8 – Change to read “Off-premise signs except as allowed in Section 1306.I”

Section 1303.10 – Move wording to new Section 1306.I and change Section 1303.10 to read “Sandwich board signs except as allowed in Section 1306.I”

Section 1305.1 – delete “or welfare”

Section 1305.2 – Natalie will be requested to provide examples of signs that are considered detrimental to surrounding properties that might be appropriate to include in this section.

Section 1305.8 – First line, change to “...five (5) feet from the edge of the. . .”

Section 1305.8 – In the first sentence delete “except as provided herein”. Move the second sentence to Section 1302. Exempt Signs.

Section 1305.9 – The last sentence can be deleted since it is covered in Section 1306.B.

Section 1305.13 – Change the first sentence to read “Signs associated with a business must be removed within 90 days upon business closure, unless said sign is to be used for a new business at the same location.”

Section 1306.B.2 – Change “four” to “five”

Section 1306.B.3 – Change to read “Be a minimum of seven (7) feet above the surface of a walkway to allow for adequate pedestrian clearance.”

Section 1306.B.4 – The section on projecting signs exceeding the height of the bottom edge of second story windowsills will be discussed again as a consensus was not reached.

Section 1306.H.2 – Change to read “Be a minimum of seven (7) feet above the surface of a walkway to allow for adequate pedestrian clearance.”

Section 1306.I – Language will be inserted from 1303.10 with changes as outlined above.

Section 1309.5 – The section will be deleted because it is already covered under Section 1303. Prohibited Signs.

Section 1403 – Shannon said he will contact Natalie to see how stringent these sections are compared to other municipalities in the state. Members wondered if it may make sense to dial these back a little. For example in 1403.1 – 45db is quieter than a conversation between several people. Using a decibel meter on his cell phone Shannon registered between 60db and 70db at the table. Even though the performance standards are about a measurement at the property line, these seemed a bit rigid. The Planning Commission is looking for something to make these measurable, but not so severe that it will make passage difficult.

Section 1403.2 – Third line, change to “vegetation or other forms of property”

Section 1403.2 – The Planning Commission wondered about severity in the section as well. In his limited research, Shannon reported that the National Ambient Air Quality Standards show 150 micrograms/cubic meter as acceptable.

Section 1403.3 – Change “Ringlemann” to “Ringelmann”. The chart #2 works and the rest of the language in this section is fine.

Section 1403.4 – Members were unsure how stringent this is. Shannon will ask Natalie whether

there is something more appropriate or up-to-date than the 1951 guide. Shannon reported he had found a “Reference Guide to Odor Thresholds for Hazardous Air Pollutants Listed in the Clean Air Act Amendments of 1990” but was not certain it would work. He said he wanted to make sure that whatever is proposed in the regulations is appropriate and defensible.

Section 1403.5 – Shannon suggested the units of measurement be spelled out so “cps” will read “cycles per second” and stating that “g” stands for “acceleration of gravity”.

Section 1403.6 – Natalie will be questioned whether these levels are appropriate and defensible.

Section 1408.D – End the last sentence at “public purpose.” and delete “or for lots created within a planned unit development”

Section 1409.D – there is an extra space in the first line between “line” and “measured”

Section 1501.A – In the first sentence delete “buildings and” – We want to eliminate “accessory building” and replace it with “accessory structure” throughout the regulations – including in definitions.

Section 1511 – Add “Attached or detached” at the beginning of the first sentence before “garages”.

Section 1601 – We’d like to change some of the abbreviations and then make them consistent throughout:

RM to MDR for Medium Density Residential District  
RH to HDR for High Density Residential District  
A to AOD for Archaeological Overlay District  
FH to FHOD for Flood Hazard Overlay District

Section 1603 – After a lot of discussion it was felt best to delete the section. Any disputes regarding interpretation of Zoning District Boundaries can be handled through the permitting process.

Section 1605.D – The coverage maximum needs to provide a bit of clarification on the sliding-scale. It should read “For the first 5,000 sq. ft. = 50%“. Basically the Planning Commission desires language to allow up to 50% coverage for the first 5,000 sq. ft. and then decrease the percentage for the next tier, etc. This is to prevent us from restricting someone just over the threshold. For example, with current proposed language someone with 5,000 sq. ft. can cover 2,500 sq. ft. while someone with 5,200 sq. ft. can only cover 2,080 sq. ft. With the new language that coverage becomes 2,580 sq. ft.

Section 1605.F – References in this section to “the City” should be changed to “the Board”. This should also be checked throughout.

Section 1608.A – With the inclusion of the three Meigs Road properties, the Definition/Purpose

will be rewritten even though currently following the Municipal Development Plan.

Section 1609.E.1 – Change to read “Residential dwellings or units of any kind shall not be permitted.”

Section 1610.F.2.c – Change to read “In the event of catastrophic disaster, building height of the damaged structure must be maintained at a minimum or must be comparable in mass, form and scale with the damaged structure.”

Section 1610.F.5.b – should read: “Solar panels and devices shall run parallel to the original roofline and be located so as not to rise above the roofline, or alter a historic roofline or character-defining features such as a dormer or chimney.”

Section 1610.F.7 – Change “Fencing” to “Fences”

Section 1610.F.8.a – Insert “With the approval of the City Council” at the start of the first sentence before “street trees”.

Section 1610.F.8.b – Insert “with the approval of the City Council” in the first sentence after “public streets” and before “shall provide”.

Section 1610.F.9.a – Replace “City” with “Board” in the second sentence.

Section 1610.F.9.c – Replace “City” with “Board” in the second and third sentences.

Section 1613 – Similar to Section 1604, there will be an asterisk and note under permitted use stating the “State and community-owned facilities are not listed because they are exempted from these regulations, see Section 311.”

Section 1614.C – (see notes for 1605.D) – This section will read “For the first 2 acres...” – The chart will be amended to achieve the fairness of the sliding-scale.

The Planning Commission will hold a special meeting on January 30, 2012 at 7 p.m. for one more review of the document prior to submission to the State by the deadline in the Municipal Planning Grant. The date of the public hearing will also need to be established.

The meeting adjourned at 9 p.m.

Respectfully submitted,

Mel Hawley, Clerk