

**CITY OF VERGENNES
PLANNING COMMISSION
MINUTES
REGULAR MEETING
MONDAY, APRIL 20, 2015**

Members Present: Shannon Haggett-Chair, John Coburn, Tim Cook, Cheryl Brinkman, Jason Farrell, Morgan Kittredge

Members Absent: Mike Winslow-Vice Chair,

Also Present: David Pierson, Megan Kittredge

Shannon called the regular meeting to order at 7:00 p.m. Shannon proposed an amendment to the agenda in accordance with the rules of procedure to designate an acting clerk for the meeting as Mel Hawley was absent on a planned vacation. Shannon stated that he would designate himself as acting clerk unless anyone else wanted to keep the meeting minutes. Everyone agreed that he should be acting clerk. He then asked if there were any other amendments to the agenda. None were presented.

Shannon introduced David Pierson. Mr. Pierson is a property owner and wanted to discuss Section 1205 and to urge the planning commission to consider flexibility in the regulations to authorize the development review board to allow driveways of less than 20 feet in width. Mr. Pierson had requested a change of use for property at 11 South Maple Street. The change of use was approved, but his proposal to create a curb cut with access to parking spaces could not be approved as it was determined there is approximately 14 feet between the building and the property line.

Additionally Mr. Pierson was concerned at how the process unfolded. He said the prior owner had been permitted to create the curb cut over ten years ago, but admittedly never executed the curb cut. He said he felt it was clear that he now should be allowed the curb cut and access to parking spaces as it had been previously permitted. He also expressed frustration that he didn't attend the Development Review Board meeting as he was told his presence wasn't necessary. He wondered if the decision may have been different if he had been there. At Cheryl's request Mr. Pierson showed everyone a copy of the site plan and gave a brief overview of what he wanted to do with the property.

Jason, who is also the chair of the development review board explained the review process and how they came to that point. He said that the fact-finding was done during the public hearing and deliberations afterward, and that the decision was already made prior to the meeting that Mr. Pierson did not attend. His attendance would not have made a difference in the decision. He added that the earlier decision from ten years ago allowing the curb cut was in error and that the permit if it existed had long expired.

Shannon noted that the planning commission had discussion of Section 1205 on the agenda for later in the meeting. He then outlined the process and timeline of making changes to the regulations. He stated that even if the members agreed to propose a change that evening, it would be months before the proposal would take effect. Mr. Pierson thanked the planning commission for considering his request and for clarifying the process for him.

The minutes to the regular meeting and annual meeting of March 23, 2015 were reviewed. Cheryl noted that in the first sentence of the sixth paragraph on page two, "Addison Council Solid Waste Management District" should be corrected to "Addison County Solid Waste Management District". Cheryl moved to approve the minutes as amended. The motion was seconded by John with all voting in favor. Jason added that he was saddened to learn that Rebecca Rey had resigned and said that her work with the Planning Commission was valuable and would be greatly missed.

Next Shannon called for discussion on the proposed amendments to the rules of procedure. The most substantive amendment was to move the monthly meeting of the planning commission from the third Monday to the fourth Monday of each month. Everyone agreed that the date change and the other proposed amendments were beneficial. Shannon read an email message from Mike, who was out of town and unable to attend the meeting. Mike's email expressed support for the proposed amendments. Cheryl moved to accept the amendment to the rules of procedure. The motion was seconded by John with all voting in favor. Shannon noted that the meeting for May would be a special meeting on the third Monday of the month as the fourth Monday of the month is Memorial Day. Meetings on the fourth Monday of the month will commence in June.

The planning commission reviewed a draft from the Addison County Regional Planning Commission (ACRPC) of proposed guidelines for municipalities regarding the siting of solar developments. Cheryl asked if the guidelines were meant to discourage large solar developments. Shannon answered that the energy committee of the ACRPC crafted the guidelines to give municipalities a starting point for inclusion in their municipal development plans. He added that this has been a big issue for nearby towns and under the current process, the Public Service Board does not require solar developments to comply with local zoning regulations, but if a municipality has some guidance in their plan, it may influence the Public Service Board in their review. He noted that this was something that everyone should be thinking about when amendments to the plan are considered. Jason added that it is relevant for Vergennes as at least one developer has floated the idea of a large-scale solar development within the city.

Next, the planning commission continued review of potential regulation changes from the "parking lot" of items that have been cataloged over the past several years.

- Section 312: definition of a "playhouse" – it was determined a definition was not needed.
- Section 1608: addition of "Professional Service" as a conditional use – everyone agreed.

- Section 1506.4: clarifying language on camper trailers. Shannon noted that this was discussed at a previous meeting and he read the proposed new wording and everyone agreed it was acceptable.
- Article XVI: from a meeting on January 17, 2013 regarding residential solar systems, “Mel had noted that only systems less than 80 square feet are considered exempt.” The group discussed net-metered systems which are exempt from regulations as they need to receive a certificate of public good from the Public Service Board. Shannon said he would research this a bit further and discuss with Mel so that this item could be revisited in May.
- Section 314: concerning Development Review Board powers of review over certain types of entities – Jason stated that the language in place comes directly from state statutes and has been working well so there was no need to revise it.
- Section 1609: ground-floor parking garages for multiple-family residential uses in the Central Business District – the group discussed this at length and ultimately found that there was no need to propose any changes to the current regulations.
- Section 1604.5: new buildings shall contain a minimum of two stories – this has already been discussed and completed.
- Section 1501: detached accessory structures placed in front of building front line – Tim and Jason stated that from the Development Review Board perspective, the current language works well and does not need to be changed.
- Sections 402.3 and 1408.C: it was perceived that there was a circular reference between these two sections and the group proposed changing the language of Section 402.3 to remove the reference to Section 1408.C to clarify the intent.
- Section 1612.C: building maximum height in the Public District – the regulation currently reads 40 feet, but there was concern that there are buildings that are over 40 feet. After discussion, everyone agreed that the maximum height should be moved to 60 feet to match the limit in the Central Business District.
- Section 1204.4: regarding parking or loading spaces be no closer than twenty-five feet to the property line abutting the residential district – the group recommended changing “residential district” to “residential use”.
- Section 1204.5: no parking is allowed in front of the front face of the principal building. Parking may be allowed in side yards adjacent to the principal building only if allowed by the Development Review Board – this section will need to be revisited in May’s meeting.
- Section 1205: location and width of driveways – the group reviewed this section and discussed Mr. Pierson’s comments from earlier in the meeting. Jason stated that no substantive changes need to occur with the language, but no consensus was reached. This section will need to be revisited in May’s meeting.

The planning commission ended discussion of regulations and proceeded to the timeline for completion of the zoning and subdivision regulations update. Shannon said he would capture all the proposed changes thus far and would have them ready for review at May’s meeting.

Transportation Committee update – Shannon stated that the proposals from consulting firms for the planning project under the Strong Connections, Better Communities grant were in and the selection committee would review them in the next two weeks to announce a firm by May 5th.

Education Committee update – Shannon stated that Mel had hosted a class on municipal government with the Modern Citizenship class at VUHS and that he had heard the content was well-received by the students.

Stormwater Committee update – No update.

Tree/Urban Forestry Committee update – Tim informed the group of the most recent basin task force meeting. A work day for brush clearing and general cleanup has been scheduled for May 16th. The task force has also started brainstorming ideas for a river walk so they can generate a proposal and seek funding for the project.

Materials Management Committee update – Cheryl noted that as the regulations regarding materials management continue to evolve, everyone is still trying to determine exactly what it all means and how it will impact municipalities. She will keep everyone updated as this process progresses.

No new business was brought up.

The meeting adjourned at 9:23 p.m.

Respectfully submitted,

Shannon Haggett, Chair and acting Clerk