



PLANNING COMMISSION MEETING
Wednesday, May 2, 2018
Minutes

Present: Walter Clark, Michael Knoras, Walter Wallace (presiding), Sabrina Smith, Char Osterlund, Michael Martin (ex officio), Walter Martone (ex officio), Nathan Wardwell, Jerry Farnum, Chuck Gregory

Also present: Allison Hopkins (SWRC), Renee Vondle, Town Planner

1. **Call to Order:** Chair Wallace called the meeting to order at 6:35 p.m.
 2. **Special Hearing** – Reorganization of the Commission
 - A. Elect Chair: **Chuck Gregory nominated Walter Wallace as Chair. Jerry Farnum seconded. Passed by acclamation.**
 - B. Elect Vice-Chair: **Walter Clark nominated Mike Knoras as Vice-Chair. Lori Claffee Seconded. Passed by acclamation.**
 - C. Elect Alternate Recording Secretary: **Lori Claffee nominated Chuck Gregory. Mike Knoras seconded. Passed by acclamation.**
 - D. Readopt Rules of Procedure: The Commission discussed the following:
 1. Under Organization #7: *“There is no limit to the number of times a member of the body may speak to a question. A member may speak or make a motion only after being recognized by the chair...”* Discussion followed regarding the issue of repetition and the need to progress the meeting in a timely fashion. The Commission agreed that following Robert’s Rules of Order (allows the calling for a point of order) will suffice and no change needs to be made.
 2. Under Documentation (1a): *“Maintain minutes...unapproved draft must be posted with 5 business days.”* Change “business days” to “calendar days” per State Statute.
 3. The Commission discussed a Conflict of Interest Policy and it was decided to follow the Conflict of Interest policy adopted by the Town Charter.
- Chuck Gregory moved to adopt the Rules of Procedure with changes. Mike Knoras seconded. Motion passed unanimously.**

Adjourned at 7:05 p.m.

3. **REGULAR MEETING:** Walter Wallace called the regular meeting to order at 7:05 p.m.
 - A. Pledge of Allegiance
 - B. Roll Call of Commissions
4. **Requests by commissioners for additions to agenda:** There were no requests for changes.

5. Announcements:

- A.** Walter Wallace welcomed the new Town Planner/Zoning Administrator, Renee Vondle. Ms. Vondle introduced herself noting that she is a lifelong resident of Vermont having been born and raised in Bellows Falls, Vermont. She graduated from New Hampshire College with a B.S. degree in Business Management. She currently resides in Saxtons River and has three adult children. She has been the Assistant Zoning Officer for the Town of Woodstock, Vermont for the past 15 years. She expressed her gratitude for the opportunity to serve the community and looks forward to working with the Planning Commission, Development Review Board and Downtown Design Review Committee.
- B.** Walter Wardwell welcomed the new Commissioners Jerry Farnum and Sabrina Smith to the Commission. Each spoke of their relationship to the community.
- C.** Town Planner Renee Vondle announced that there will be the VLCT Spring Planning & Zoning Forum on Wednesday, May 23, 2018 at the Franklin Conference Center in Rutland and all Citizen Planners and DRB members are encouraged to attend this training. Registration deadline is May 15th. If interested, please contact Ms. Vondle. Char Osterlund, Walter Wallace, Chuck Gregory, Sabrina Smith and Jerry Farnum will attend.

Ms. Vondle announced that Vermont's Downtown and Village Center Tax Credit program is available for owners or lessees of a building constructed prior to 1983, located in the Designated Downtown who wish to renovate their building. Applications are due by Monday, July 23, 2018. For more information, call the Planning & Zoning Office or visit the website for the Vermont Agency of Commerce and Community Development.

- 6. Approve Minutes of April 4, 2018** – It was noted that Nathan Wardwell was recorded as being a non-voting member in error and the acronym for the Trails, Greenways, By-ways, and Rural Economy Committee should be TGBREC throughout the document.
Walter Clark moved to approve the Minutes of April 4, 2018 as amended. Mike Knoras seconded. Motion passed 6-0 (Lori Claffee, Jerry Farnum, Sabrina Smith abstained).

7. Town Zoning Administrator's Report

Renee Vondle gave an update on Enforcement Activity noting that two property owners have been served and another property owner has been ticketed. The Commission directed the Town Planner to continue using the enforcement log developed by the previous Town Planner. Lori Claffee stated that the Commission had previously received an ongoing list of complaints and status. Walter Clark inquired about the status of the paperwork and review of the plans for renovating the Factory Falls, LLC building at 12 River Street. Ms. Vondle provided the update, indicating that application is following due process and proceeding through the hearing process. The Downtown Design Review Committee has made their recommendation to the Development Review Board for their hearing on May 8th. The recommendation and agreement by the applicant was to present the brick wall portion of the façade renovation to the Development Review Board and then rework the application with a more detailed plan for the next hearing in June. Ms. Vondle stated that there have been five permits issued since the last meeting.

8. Old Business:

- A.** Review Trails, Greenways, By-Ways, and Rural Economy Committee (TGBREC) Input regarding definition of "heavy cut". The Committee agreed to continue this discussion until the next meeting in order to concentrate on the Zoning Bylaws Rewrite.

B. Zoning Regulations Rewrite – Articles 5 & 6

Allison Hopkins, Regional Planner for the Southern Windsor County Regional Planning Commission led the discussion.

Section 5.0 Site Plan Review- Lori Claffee asked about the inclusion of the rooming house zoning amendment status. Ms. Vondle stated that a rooming house would not be considered a single-family residence as it would fall under a commercial use and be subject to Vermont State Fire Safety permitting as well. Allison Hopkins said she would add that to the document for later discussion and revision. Walter Wallace assured the Commission that this issue will be resolved in the appropriate section.

Lori Claffee asked if “proposed development” was the proper term to describe the conversion of a dwelling to a rooming house. The Commission agreed to substitute “project” for “development”.

Ms. Vondle noted that Bed and Breakfast and Short Term Rentals are not currently in the Bylaws and both would be reviewed under Site Plan Review.

Section 5.0 Downtown Design Review – strike out *“Specifically exempted from Downtown Design Review is any change of use or type of occupancy that does not result in any alteration to the exterior façade of the building.”*

Ms. Vondle stated that this sentence needs to be struck out because the Downtown Design Review Commission reviews applications for exterior changes to structures *only*, not use or type of occupancy. This change will affect the wording in Section 2.2 (B) as well.

Section 5.4 (E 1.) Downtown Design Control District Standards and Procedures / Review by Administrative Officer (1a) – *“Applications for signs and for **minor change** to the exterior of a structure that do not alter the building footprint or roof planes may be issued by the Administrative Officer if they are in conformance with the recommendations of the Downtown Design Commission and in compliance with Article 4.”*

Ms. Vondle asked for clarification of what types of minor changes in the Downtown Design Review Overlay District would fall under the Administrative Officer’s purview and stated that she was under the impression that “all exterior changes” are under the purview of a Downtown Design Review Commission and Development Review Board because that is the main purpose of having a Downtown Design Review Overlay District. She is concerned that this statement gives a wide berth to the discretion of the Administrative Officer and would like more direction.

Section 5.4 (D) Design Criteria - The terms “will” and “should” were changed to the word “shall”.

Section 5.6 Flood Hazard Review Procedure - Continued to a future meeting.

Proposed section on outdoor trails. Generally accepted, but to be discussed later.

Certificates of Occupancy - Continued to a future meeting.

Char Osterlund asked if the building codes RBES (Residential Building Energy Standards) would be included in the Certificate of Occupancy. Allison Hopkins said it is not the

burden of the Administrative Officer to prove the standards have been met; the AO has only to make the applicant aware of the need to fill out the disclosure statement. Ms. Vondle stated that she can obtain the Residential and Commercial Building Energy Standards booklets to hand out with permits for new residential and commercial construction.

Section 6.3 Violations and Enforcement – addition of “Code Enforcement Officer “ to: “Issuing officials authorized to enforce these Zoning Regulations include the Springfield Town Manager, Administrative Officer, **Code Enforcement Officer** and/or Constable.

Section 6.4 Municipal Administrative Requirements / E.3 Decisions

All decisions shall be sent by certified mail, within the required 45-day period, to the applicant and their designated agent(s) or to the appellant on matters of appeal. Copies of the decision also shall be mailed to every person or body appearing and having been heard at the hearing, and filed with the Zoning Administrator and Town Clerk as part of the public record of the municipality, in accordance with Subsection (F) of this Section 6.4.

The Commission and Town Planner discussed mailing by certified postage the Notice of Decisions to Hearing Participants per [§4464]. Allison Hopkins stated that only the participants, not all who sign in should get a copy of the ruling. Discussion followed regarding who is considered a “participant”. It was agreed that although a citizen attends the hearing, they are not necessarily give an “interested party” status and that one must take an active role in the hearing. Ms. Vondle stated that it is the “certified mailing” cost that is at issue. She stated that she does not believe that all participants should receive their Notice of Decision by certified mail.

Discussion followed regarding changing the wording to read “Copies of the decision shall be mailed to any person who attended the hearing and specifically requests a copy be sent to them.”

Section 6.4 (A.3)

Ms. Vondle asked that there be a provision included that the main purpose of the DDRC is to support the applicant’s effort so that they are able to present a clear representation of their project to the Development Review Board, thereby obtaining approval without a continued hearing. Allison Hopkins stated she felt this could be placed elsewhere. Lori Claffee recommended the creation of a flow chart.

9. New Business – There was no New Business

10. Identify agenda items for June 6, 2018 meeting: not discussed.

Walter Wallace stated that next month’s meeting will be a review of all the regulations processed, plus “parking lot” discussions. He expressed the hope that it would result in one single document. He asked that if the Commission should request that the next month’s document have all the changes incorporated with all but the parking lot notations removed. Mike Knoras asked if Allison Hopkins’ service be extended to help us. It was pointed out it would require a planning grant, and that time is of the essence. The consensus was to have her provide the materials, but not her.

11. Adjournment

Walter Wallace moved to adjourn at 9:52 p.m. Mike Knoras seconded. Motion passed.

Respectfully submitted,

Renee L. Vondle
Recording Secretary/Town Planner