**TOWN OF WATERFORD**

**PLANNING COMMISSION**

**MAY 16, 2018**

**MINUTES**

**MEMBERS PRESENT:** Bill Dimick; Howard Remick; Tom Robinson; Dave Senio; Jennifer D’Agostino (clerk/alternate)

**NON-MEMBERS PARTICIPATING:** Chris Brimmer, Zoning Administrator; Irene Nagle, NVDA; Clifton Bullock; Bill Willis; Gregg Aldrich; Ricco Kozlowski; Colleen Kozlowski; Gary Allard; Kevin Gillander; Dave Morrison; Andrea Dineen; Ed Allen; Ginny Allen; Marcia Martel; Roberta Gillott; Anne Chase; Lynn Troy; Denise Hindle; Jack Newland; Paul Cranmer; Tom Frackleton

Bill called the meeting to order at 7:00pm.

**Approval of May 9, 2018 minutes:**

Tom made a motion to approve the minutes of the May 9, 2018 meeting as recorded.

Dave Senio seconded the motion.

There was no discussion.

Bill called the motion.

The minutes were approved unanimously.

**New Business:**

Bill asked Irene Nagle to present the suggested Planning Commission regulations of the Unified By-laws. Public comment was encouraged upon completion of Irene’s presentation.

*The following questions and discussion was had:*

* Where is the Village Commercial District? Is it near Gingue Farm?  *Response:*  It’s near Gingue Farm; off of Route 18.
* What is “walkable retail?”
* What is allowed as conditional use for the Industrial District? *Response:* Permitted Use v. Commercial Use will fall under the responsibility of the DRB

**RV District**

* Are previous laws grandfathered in if these by-laws are adopted?
* Could larger lots be broken up? How large/small would be allowable?
* Does “prime-agricultural land” require you to have land that qualifies under Current Use?
* Does Current Use value affect the Grand List? How is land that falls under Current Use funded? State? Town? *Response:* Act 60 was intended to fund Current Use lands. It is not the responsibility of the town; it’s a relationship/ responsibility between the state and the land owner. This is a state, not a local decision.

**Ag Overlay**

* Why should the DRB review all site plans rather than the Zoning Administrator? *Response:* There is a limitation on the size of the footprint. When this is limited, it’s an issue for the judicial body, not the Zoning Administrator.
* If there’s a question of where the house is sited, and it doesn’t interfere with agricultural land, because the issue is discretionary, the decision would be the responsibility of the DRB, not the Zoning Administrator? *Response:* Yes. Anything that is discretionary goes to the DRB. The Zoning Administrator can only enforce the rules as put forth in the by-laws. S/he cannot make a judgement call.
* Is the 2000 ft footprint per building?  *Response:*  Yes.
* What regulations would the DRB use to decide whether site plans are valid? *Response:* The DRB has an avenue to decide what is practical.
* The town shouldn’t be involved in defining valid zoning for a single family home. Isn’t it opinion on where a home should be placed? *Response:* DRB would have the ability to make that decision.
* Real Estate sales are being restricted because these by-laws decide where construction can take place. Buyers should be able to build wherever they want. It should not be the town’s concern as long as there is a proper set back. *Response:* It depends on the location of the building site and whether it conforms to what the Select Board has set forth as the town plan.
* The DRB needs guidelines for the purpose of consistency. A land buyer should know what the regulations are. These by-laws are introducing more restriction and giving less clarification. *Response:* The Zoning Administrator’s job is to “issue, deny, or defer” based on town regulations and s/he can’t impose special conditions. Special conditions are up to DRB decision. *The DRB was encouraged to provide written comment on the Unified By-laws prior to public approval.* The DRB can use the permitting process for upkeep and to ensure a property continues to fall under zoning regulations as per the town order.

**Proposed Changes to Zoning**

* Where is the town center?  *Response:* there is no specific town center; the existing village district with the Inn, church, etc. is where much of the town center exists.
* What is the future of Duck Pond Rd? *Response:*  There is no predicted change for the future.
* How is traffic controlled in the new districts? Who will be responsible for maintaining speed limits and traffic control? *Response:* The hope is that these zoning by-laws will reduce the potential for development in residential areas, thus reducing potential traffic issues.
* What recourse do people who are already land owners have for a potential increase in traffic (specifically Duck Pond Rd.)? *Response:* The proposed by-laws should not increase development and therefore, traffic in residential areas. It should remain flat. The proposed by-laws are not intended to restrict the community, they are intended to protect the town as put forth in the town plan. These proposals should not change the traffic flow on Duck Pond Rd.
* How much land defined as “agricultural” is actually used for agricultural purposes?  *Response:* The town plan requires that there is an agricultural presence, but at this time, there is very little land used in terms of the conventional definition of agricultural land.
* The proposed by-laws are fluid and could be changed at any time in the future should it be deemed that they do not fit the desired direction of the town; none of this is set in stone. The purpose of this meeting is to listen to feedback from community members and to create by-laws to fit accordingly.
* The Planning Commission’s goal is to create appropriate zoning laws in accordance with the town plan.
* Does the state or town recognize prime agricultural land that isn’t being used for farming for the intention of future potential Ag use rather than residential?  *Response:* The state would have recognized prime Ag soil to protect it. Look at the map to identify any Ag lands that would qualify as prime and compare them to the state’s definition.
* Can people change out of Current Use? *Response:* Yes.
* If proposals are made on people’s land, it’s essential to look at the GIS layer to ensure the land is labeled correctly.
* Where is the Village District and how is it changing? Are commercial opportunities such as storage units available? *Response:* Village District now extends from about 1000 feet from Maple Street down Lower Waterford Road towards Route 18 South ending at the I93 overpass on Route 18. Storage Sheds are now not an option but could be added to Rural Residential areas if the town approves such measures.
* What is the definition of a storage shed? Timson owns one across from Petty Co Junction similar to those accepted in Waterford. *Irene read the definition of a storage unit as listed in the by-laws.*
* Why would you reduce lots from two acres to one? *Response:* it’s simpler to issue permits this way.
* Where is industrial waste stored in Waterford? *Response:*  There is none currently stored. These by-laws are meant to prevent things like this.
* Why do farms in the village areas not have to conserve Ag land access? *Response:* they would actually need to do so.
* There is a difference between an acre based vs. a yield/density based system. This is a very different mindset and it’s difficult for voters to grasp the yield based system after being used to an acre based system.
* These by-laws do not support earth extraction but the state promotes this. Has the Planning Commission given any consideration to encouraging this? *Response:* This could be a DRB issue. The Planning Commission does not want to over dictate this type of use. Taxpayers should have the latitude to do what they want with their land.
* Please define an “envelope.”  *Response:* This is the area that is identified in a lot where building could occur. The purpose is to protect developing in a wildlife corridor.
* What is the Planning Commission’s overall plan? How is the town encouraging farmers to return? *Response:* These by-laws are intended to preserve Ag lands according to the Town Plan set forth by the Select Board.
* These by-laws seem to be restricting farms to continue as farm land forever. Restrictions now make it so the land cannot be subdivided. Can the town create a town forest to save forest land? Can the town subsidize sawmills to encourage farm/ land use?
* What does Paul Gingue think about the By-Laws? *Response:*  Nothing that has been discussed would have bearing on what they do now. Their use would be grandfathered in.
* Everything in the discussion during this meeting will be considered by the Planning Commission. The final draft of the By-Laws will be presented at a Public Hearing and then passed to the Select Board for their consideration. The Select Board will have a hearing to present the final outcome.

Meeting was adjourned at 8:55.