

Minutes of the Planning Commission
April 26, 2011
COLE HALL
SHAFTSBURY, VERMONT

Present: Chris Williams (Chair), Norm St. Onge (Vice Chair), Bill Pennebaker, David Spurr

Others Present: Suzanne Bushee (Zoning Administrator), Robert Whitney (Recording Clerk)

1. Call to Order: Chair Chris Williams called this meeting of the Shaftsbury Planning Commission to order at 7:00 p.m.
2. Approval of Minutes: March 8, 2011
Bill made a motion to approve the Minutes as corrected and David seconded. All in favor, 4-0-0.
3. Old Business
 - a. Expansion of Village Residential District: Bill is not in favor of expansion of the Village Residential District without public water. Bill suggested making expansion contingent on town water and sewer being available for use. Chris drew the Commissioner's attention to proposed bylaw 4.2.2 which covers size of lots with town water and lots without town water; half acre and one quarter respectively. Bill feels that this is too dense; presently it is one acre. Septic regulation trumps zoning regulation, Chris reminded the Commission. Bill proposed that a higher density may be possible with village water and sewer; half acre with town water and quarter acre with town water and sewer. Without town water and sewer the present size of one acre is possible. Norm mentioned that septic systems are controlled by the State and the size of a septic system determines possible lot size. Norm feels that it is not incumbent on the Commission to determine lot size as it could all be changed by unforeseen circumstances. Bill's sense is that high density without town water and sewer is not possible. Bill proposes a new designation, a "VR 2" District, where lot size could not be changed unless town water and sewer are available. A collective septic system may be an adequate way to address this problem, Bill added. Chris said that this would be a major change requiring another public hearing. Chris asked the members if they feel comfortable hashing this out and having another public hearing before submitting the proposal to the Shaftsbury Select Board. This matter could be separated from the other revisions which could be sent to the Select Board before expansion of the VR is ready. It is the sense of the members that this approach is a good one. Norm is not convinced that such a level of detail is needed. He feels that the present VR district is acceptable. Chris leans that way

as well. David will draw up diagrams using the well and septic shields and the implications for lot size. Norm feels that trying to engineer lot size is fruitless. Chris mentioned that the Planning Commission budget allows for paying an engineer to come in and talk to the Planning Commission about this. Bill said David's diagrams are a good place to start. That would settle the issue of whether a one half acre lot size is acceptable or not; a minimum lot size could be determined by this diagramming exercise. It is the sense of the Planning Commission that if this turns out to be a bad idea they can walk away from it. Bill suggested that Joe Herman could be invited to appear before the Commission as his knowledge is valuable.

- b. Affordable Housing bylaw: This matter will be deferred to a future meeting.

C. Update on Paulin's signage settlement: Chris said that the matter of Paulin's signs is down to a level of nitpicking. Bill said that the Select Board will deal with the proposed settlement when received. Suzanne has taken photographs to use as a benchmark.

4. New Business:

- a. Zoning Administrator update: Suzanne submitted a report of her activities for the year 2011 to date and entertained questions from the commission.

Zoning Administrator Report

1/1/2011 - 4/25/2011

Since January I have prepared several different types of permits, appeals, letters, etc. The total of each is as follows:

<i>House Permits:</i>	<i>3</i>	<i>Shed Permit:</i>	<i>1</i>
<i>Bianchi letters:</i>	<i>7</i>	<i>Permit Extension:</i>	<i>2</i>
<i>Appeals:</i>	<i>2</i>	<i>Additions:</i>	<i>2</i>
<i>Garage Permits:</i>	<i>1</i>	<i>COO:</i>	<i>1</i>
<i>Porch Permit:</i>	<i>2</i>	<i>Variances/Conditional:</i>	<i>3</i>
		<i>Use</i>	
<i>Home Occupation:</i>	<i>2</i>	<i>Curb Cut:</i>	<i>2</i>
<i>Subdivision:</i>	<i>2</i>		

I am still currently working with Attorney Woolmington on the Paulins matter. I have just received a Motion for Contempt of the Hale Mountain matter that I need to review.

I am also going through documentation regarding the property on Airport Road to resolve some concerns of possible violations.

Also, Verizon Wireless has requested to replace their antennas on Buck Hill so I am working with them for proper permits, if needed.

Right at this moment, I have one violation, home occupation and a beagle club application going before the DRB next week.

Respectfully Submitted,

*Suzanne Bushee
Zoning Administrator*

It is Bill's understanding that the State has pre-empted local zoning until 2012 as part of the broadband initiative. Suzanne will get a reading from Rob on this.

Chris is looking for a training session for Suzanne to attend but has not found one as yet.

Suzanne's office hours have been busy with no complaints about the hours. Suzanne does return calls promptly with the exception of the voicemail system being out of order for a period of time. She will add her office hours to her answering machine message.

b. Norm passed along a memo from the Bennington County Regional Commission pertaining to their Annual Meeting and Dinner to be held in Manchester on May 26, 2011.

5. Adjournment: Motion to adjourn made by Bill and seconded by David. All in favor, 4-0-0. Adjournment at 8:55 p.m.

Respectfully Submitted,
Robert Whitney