

TOWN OF SHAFTSBURY
PLANNING COMMISSION
COLE HALL AT BUCK HILL ROAD
MAY 10, 2011

1. **Call TO ORDER:** This meeting of the Shaftsbury Planning Commission was called to order by Chair Chris Williams at 7:02 p.m.

2. **APPROVAL OF MINUTES OF APRIL 26, 2011:** Bill made a motion to approve the Minutes and Norm seconded. Discussion followed and the following changes submitted: in paragraph 3a change "determine" to "engineer," in the next sentence change "sewer is not possible" to "sewer may be possible." Minutes approved with changes, 4-0-0.

3. **OLD BUSINESS:**

a. **Expansion of the Village Residential District:** David spoke with septic designer and Arlington Planning Commissioner Chris Hines to get information on lot sizes with and without water and sewer. He found out that if personal water and septic, or no municipal services available, than a one acre lot can be supported. If community public water or septic is available than a half acre lot can be supported. If both community water and sewer is available than a 5,000 square foot lot can be supported. So one acre lots are fine but if smaller lots are desired then municipal water is needed.

Taking this information into consideration the expansion of the village residential district is dependent on availability of public water. Public water allows lot sizes of ½ acre, without public water a one acre lot size is required. A community septic can support four or five residences David said. Norm said that a talk with David Mance revealed that the land under consideration for expansion of the VR district may soon be conservation land. The total acreage (Howard and Lear parcels) is fifty acres and the expanded VR will be a fraction of that total.

Chris' sense is that the expanded VR is a sound idea. It follows the principles of smart growth. Bill asked if there are other viable alternatives for expansion of the VR if the Howard and Lear parcels are unavailable. Chris mentioned the Twitchell Hill area. The other side of Buck Hill Road (the Peter Cross property) is another option. Discussion of other available land and "Plan B" ideas discussed. Chris will try to get accurate information on the possible land conservation.

Bill suggested that RR-40 with public water can go to double density. Further discussion will be deferred until accurate information is uncovered.

b. Affordable Housing Bylaw: Norm passed out a proposed bylaw with excerpts from Bennington and Manchester bylaws. The proposed Shaftsbury affordable bylaw has been enumerated in the March 8, 2011 Minutes. The Bennington excerpt is as follows:

"A density bonus of 25% of the permitted overall density may, in accordance with the Act, be permitted in instances in which not less than 20% but not more than 30% of the total number of dwelling units created are affordable housing units, as defined in Article 3."

The Manchester excerpt:

"As an overlay zoning district, this special regulation does not diminish the underlying rights of property owners. Rather, this ordinance is designed to provide an option for property owners to work in partnership with the town to produce less costly housing."

It is the clear intent of this section of the zoning ordinance to provide for a degree of flexibility in the design and density of affordable housing projects that meets Manchester's needs. The Town of Manchester understands the difficult financial obstacles that stand in the way of producing less costly housing. This ordinance is one manner in which the Town can provide a financial incentive (through design and density increases) to projects that will meet Manchester's affordable housing needs. Approval of PARD projects will only be granted when a clear need is demonstrated and when the project meets some or all of these needs."

In order to qualify as an affordable housing project under this bylaw and gain the density bonus authorized herein, at least 60% of the dwelling units shall be legally defined and protected as 'affordable' consistent with this bylaw and Vermont Housing Finance Agency (VHFA) guidelines."

Norm's opinion is that the Shaftsbury proposed bylaw is closer to the Bennington one.

Chris asked what the bylaw is trying to accomplish. He further asked if an affordable house sub-division is wanted.

Norm outlined the VHFA income and house cost limits of \$65,000 and \$250,000 for a one or two person household and a three or larger person household of \$75,000 income and \$275,000 housing price. He feels these limits are not overly restrictive. Norm said this may not really address the sense of affordable housing in the Town Plan.

Chris asked if this is opening the door to shoddy construction.

Norm is hesitant due to the VHFA numbers being so high. He would like to return to a reading of the Town Plan to see how the proposed bylaw supports the spirit of the Town Plan.

This discussion will be deferred until the next meeting. Chris will contact Joe Ederle of VHFA.

c. **Updates on Paulins Settlement and Hale Mt. Case:** Chris updated the commission on the pending Environmental Court cases. He feels that the Paulins settlement will be approved. The Hale Mountain case continues as strong as ever. This case involves demolition of illegal improvements without town approval.

4. NEW BUSINESS:

a. **Private Citizen Norm St. Onge comments on adaptive Reuse bylaws:** Norm presented the plot plan of his existing barn that he would like to convert to four single bedroom efficiencies. The barn is 8,500 to 9,000 square feet in size. Norm is at the point where he needs to decide whether to invest more money or tear it down. Current zoning does not allow him to carry out his plan. There is no accommodation for this in the Village Residential District. This situation seems to be defined by the term transient lodging. David Mance suggested that this is a situation for adaptive reuse of an existing building. The Development Review Board suggested writing an adaptive reuse section of the bylaw for barns and existing structures. Norm took the adaptive reuse of motel proposed bylaw and rewrote it to include existing structures and a definition of transient lodging.

This revision to the draft of January 25, 2011 is as follows:

4.2 VR Districts (page 16)

Rev - 4.2.1.1 Single and multi-family dwellings, subject to the requirements of this bylaw.

4.2.3 Conditional uses in VR districts (page 17)

Add - 4.2.3.3 Dwellings and facilities to provide for transient lodging. Such use shall not change the character of the existing neighborhood.

Add Definition - Transient lodging. Overnight and extended stay accommodations provided for guests that are not permanent residents. Lodging may be in the form of bed and breakfast inns, hotels and motels, or self-contained dwelling units such as furnished vacation condominiums and apartments that are individually equipped with a kitchen and sanitary facilities.

Transient lodging is typically defined as guests who are staying for 30 days or less. However, it may also encompass a longer term guest such as an employee of a company who is on temporary work assignment in the area or someone relocating to the area that may need accommodations for several months but is not considered neither a lease-hold tenant of the property nor a permanent resident of the area.

Chris said this is something we want to encourage. It will help the local economy. He felt this should be solved for the sake of the town's benefit and improvement. Bill thinks this would be a mistake to allow this town wide but should be restricted to VR and RC districts.

b. **Zoning Administrator Hours:** Chris raised the issue of how to administer the Zoning Administrator. Norm suggested hiring an assistant ZA to be available during business hours.

Chris feels that invites trouble. A second ZA invites communication trouble. The Planning Commission feels Suzanne is doing a good job but cannot be available during business hours. Margy and Judy feel "put upon" dealing with people looking for permits during business hours. Bill suggested that Margy and Judy be contacted. Chris will do so.

5. ADJOURNMENT: A motion to adjourn at 9:20 p.m. was made by Bill and seconded by David. Approved 4-0-0.

Respectfully submitted,

Bob Whitney