

Planning Commission
Martin Memorial Hall
5459 Rte 5 Ascutney, VT
Planning Commission Meeting
DRAFT Monday, September 12, 2022 6:30 PM

Planning Commission Members Present:

Paul Tillman
Michael Todd
Howard Beach
Joseph Bublat

Ryan Gumbart, Land Use Administrator

Planning Commission Members Absent: Tyler Harwell

Attendees: Bart Mair, Julie Levy, Brian Bosenberg, Beth Hunton, Beth Gorton, Ken Blum,

Online Attendees: David Fuller

1.) Call to Order made by Paul Tillman, Chair at 6:32 pm.

2.) Agenda Review

No Changes

3.) Comments from the Chair and Land Use Administrator

Paul Tillman thanked everyone for coming. He let the Commission know that the minutes from the previous meeting were completed and posted. They will be included in the next packet.

Michael Todd wanted to make sure that it was known that it is State law that those minutes are to be generated and posted within 5 days. When the Chair is not at the meeting, it falls on the responsibility of the acting Chair and the Land Use Administrator.

4.) Comments from Citizens regarding items not on the agenda.

None

5.) Fairbrother – Sketch Plan Review

Application # 22.08.03.SP.1

Applicant is Brian Fairbrother

Land Owner is Kenneth Fairbrother

Tax Map/Parcel # 09-02-25.000

982 Roberts Road, Weathersfield, VT

18.66-acre lot for the purpose of building a single-family home.
Subdivision will be ~5 acres.

Ryan Gumbart, Land Use Administrator has started reviewing the checklist. The subdivision is not in any deer yards; however, he has not been out to inspect the property.

The property owner will be out of the country; however, he has given the applicant permission to speak on his behalf while he is away.

The Land Use Administrator will work with the applicant to complete the plat checklist prior to coming back to the Planning Commission to setting up a hearing.

6.) Bylaws – PUD Review

Article 2: Zoning Districts and District Standards

2.5 Table of Districts and Uses

2.5.1 Village (v)

2.5.2 Hamlet (H)

2.5.3 Rural Residential (RR-1)

2.5.4 Rural Residential Reserve (RRR 3-5)

2.5.5 Conservation (C-10)

2.5.6 Highway Commercial (HC)

2.5.7 Industrial (I)

AREA, LAND & STRUCTURAL REQUIREMENTS:

1. Only one principal use is allowed per parcel of land.
 2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.
 3. ~~Establishment of multiple principal uses on a single parcel of land requires a PUD permit.~~
- 4.3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations.

Article 5: Development Review

5.1 Application Submission Requirements

An application for a zoning permit shall be filed with the Administrative Officer on form(s) provided by the municipality. Required application fees, as set by the Legislative Body, also shall be submitted with each application.

5.1.3 PUD Review Application

Applications for PUDs shall include the following, in addition to the information required for subdivisions:

- a) **Application Form:** Supplied by the Administrative Officer; signed by the owner of record and, in the case of a non-owner applicant, by the applicant;
- b) **Site Plan:** A site plan shall meet all of the requirements of Section 5.1.2(b).
- c) **Project Narrative:** A description of the proposed project shall be required as

part of a complete application. Also required is a narrative that is clear and succinct and includes:

- a. A brief summary of the project and how it meets the PUD standards in this section;
 - b. A statement describing all proposed modifications, changes, or supplements to requirements in the Zoning Bylaws. Any such modification approved under this section shall be specifically set forth in terms of standards and criteria for the design, bulk and spacing of buildings and the sizes of lots and open spaces which shall be required and these shall be noted or appended to the plat;
 - c. A sound proposal for the financing and membership of the management organization which will maintain and operate the property in common ownership,
such as community facilities, private roads, and/or open spaces; and,
 - d. Additional information required by the Planning Commission to determine whether the proposed mix of uses, density and scale and intensity of uses will meet the standards set forth in these Zoning Bylaws.
- d) **Application Fees:** All applicable fees must be paid as part of a complete application.
- e) PUD applications may involve single or multiple properties and one owner or multiple owners under a common application.
- f) PUD applications are subject to approval by the Planning Commission in accordance with the requirements of Section 5.4 in these Bylaws.

5.4 Planned Unit Development

In accordance with the provisions set forth in Section 4417 of The Act, Planned Unit Developments (PUDs) are allowed to permit flexibility in the application of the Zoning Bylaws for the purposes of Section 4302 of The Act and in conformance with the Weathersfield Town Plan.

5.4.1 Purpose

- a) To encourage compact, pedestrian-oriented development and redevelopment, and to promote a mix of residential uses or nonresidential uses, or both, especially in downtowns, village centers, new town centers, and associated neighborhoods.
- b) To implement the policies of the municipal plan, such as the provision of affordable housing.
- c) To encourage any development in the countryside to be compatible with the use and character of surrounding rural lands.
- d) To provide for flexibility in site and lot layout, building design, placement and clustering of buildings, use of open areas, provision of circulation facilities, including pedestrian facilities and parking, and related site and design considerations that will best achieve the goals for the area as articulated in the municipal plan and bylaws within the particular character of the site and its surroundings.
- e) To provide for the conservation of open space features recognized as worthy of conservation in the municipal plan and bylaws, such as the preservation of agricultural land, forest land, trails, and other recreational resources, critical and sensitive natural areas, scenic resources, and protection from natural hazards.
- f) To provide for efficient use of public facilities and infrastructure.

- g) To encourage and preserve opportunities for energy-efficient development and redevelopment.

5.4.2 Applicability

- a) The PUD provisions may be applied to any land development in any zoning district within the Town of Weathersfield at the request of the applicant.
- b) Uses shall be limited to those permitted and conditional uses within the district in which the PUD is proposed.

5.4.3 PUD Review Procedures

- a) Complete applications for PUDs must include the information specified in Section 5.1.
- b) PUD applications shall be reviewed under the Subdivision Application Procedures set forth in Weathersfield's Subdivision Regulations, as most recently amended.
- c) Approval granted under this section for a PUD that involves the development of one or more uses requiring approval under conditional use review (Section 5.3) does not exempt
the proposed development from both review processes, although applications for PUDs may be reviewed concurrently.
- d) The order of PUD review will be:
 - 1. Planning Commission – Sketch Plan Review
 - 2. Zoning Board of Adjustment – Site Plan Review, Conditional Use Review, other reviews administered by the ZBA
 - 3. Planning Commission – Preliminary Review (if required by PC)
 - 4. Planning Commission – Final Plat Review

5.4.4 General Standards

In addition to the standards set forth in Weathersfield's Subdivision Regulations, the following general standards must be met in order for the Planning Commission to approve a PUD application:

- a) PUD is consistent with Town Plan.
- b) The density requirements do not exceed the number of units permitted if the land were subdivided in accordance with district regulations.
- c) All Site Plan Review requirements in Section 5.23 have been met.
- d) The PUD is an appropriate and unified treatment for the proposed development.
- e) The development is designed so as to be compatible with the character of the area. Particular attention will focus on the aural and visual impacts.
- f) The development will not place an undue burden on municipal services.
- g) State and local standards for fire and safety regulations by local fire and police officials are in compliance.
- h) Adequate water supply and sewage disposal facilities are provided.

5.4.5 Standards for Residential PUDs

- a) The total number of dwelling units in any Residential PUD must not exceed 125% of the number of lots into which the parcel could be legally subdivided based upon minimum lot size requirements of these Bylaws.

- b) Only residential and residential accessory uses shall be permitted within a Residential PUD.
- c) Of the land left open within the Residential PUD for common usage or ownership, no more than 25% shall be developed for community facilities (excluding subsurface installations), access road, parking areas, or recreational structures.

5.5.2 Modification of Zoning Regulations

After a duly-warned public hearing (per Section 6.3), simultaneously with subdivision approval, and subject to the standards and conditions set forth in this section, the Planning Commission may modify the zoning district regulations for the proposed PUD as to the following requirements only:

- a) Setbacks, including provision for zero lot lines;
- b) Height, Bulk and Spacing of Buildings;
- c) Type of Building, including ~~a mix of residential and commercial uses in one building~~, a variety of residential structures (one, two, and multi-family structures).
- d) Location of buildings; and
- e) Size of lots.

Any modification of the Bylaws for the proposed PUD granted by the Planning Commission shall be noted on the subdivision plat.

7.) Town Plan – Energy Section – tabled for future discussion

8.) Town Plan – General – tabled for future discussion

9.) Discussion of Items for Future Agenda

- a. Town Plan – Energy Section
- b. Town Plan – General

10.) Any other business that can be legally discussed

11.) Adjourn

Michael Todd made a motion to adjourn at 9:43pm

Joseph Bublat– 2nd

No discussion

Vote - unanimous

Next Planning Commission Meeting is scheduled for Monday, September 26, 2022 at 6:30 pm at Martin Memorial Hall.

Respectfully,
Chauncie Tillman

Recording Secretary

Planning Commission

Howard Beach, Vice - Chair

Joseph Bublat, Clerk

Tyler Harwell, Chairperson

Paul Tillman, Chair

Michael Todd, Chairperson