

WEST WINDSOR PLANNING COMMISSION

Draft Minutes

June 22, 2011

Present: Hal Pyke, Barbara Truex, Elvin Kaplan, Al Keiller, Mark Isenberg, Martha Harrison

1. Call to Order – Planning Commission Chair Hal Pyke called the meeting to order at 6:37 PM.
2. Changes or Additions – The PC agreed to meet at 10:00 AM on July 6th for a final review of the zoning regulations. The PC members confirmed their availability for an August 3rd public hearing.
3. Public Comment – None
4. Review draft ridgeline overlay district map – The PC discussed the draft ridgeline overlay district map and requested additional copies.
5. Swimming Pools – **Al made a motion to retain the existing language on swimming pools. Barbara seconded the motion.** Mark asked if a split rail fence would qualify as a “barrier.” The PC agreed that it would not. The PC agreed that it is not necessary to define “barrier.” **Hal called for a vote on the motion, which passed unanimously.**
6. Wastewater permits – After discussion, **Al made a motion to retain the existing language in Section 3.18 until the Vermont League of Cities and Towns (VLCT) provides draft language reflecting the new statute, which allows the town to require applicants to obtain their state water and wastewater permit before applying for a zoning permit to build. Elvin seconded the motion, which passed unanimously.**
7. Erosion Control – The PC reviewed the language that Martha drafted to reflect the recommendations of the Development Review Board. Elvin noted that it spells out what is expected. Martha said it also relaxes the standard for single-family homes with no surface water nearby. Al asked how the slope is determined. Martha said she has an inclinometer and explained how it works. **Al moved to adopt the proposed language for Section 3.5. Barbara seconded the motion, which passed unanimously.**
8. Campers – Hal noted that West Windsor’s zoning regulations do not currently address campers but they probably should. The PC reviewed Windsor’s regulations on campers. Al said the intention is that we don’t want people living in campers, but we don’t want to prohibit occasional use. With two minor changes, **Al made a motion to adopt Windsor’s language for campers and recreational vehicles as a new section in West Windsor’s zoning regulations. Elvin seconded the motion, which passed unanimously.**
9. Emergency repairs – Martha described a recent application for a rip rap stream bank stabilization project to repair an erosion problem, which the DRB considered and approved in an emergency hearing. Martha suggested including language that explicitly allows for an expedited process in an urgent or emergency situation. In this case, Martha said, a telephone pole, with phone and power lines, and a public road were at risk. The PC talked about which situations should be considered emergency situations, and who should review them. The PC agreed that imminent threats to public safety or public infrastructure should be considered emergencies and should qualify for an expedited review. The PC agreed that the DRB should be the body that reviews and approves development in urgent or emergency situations. Al suggested authorizing the DRB to waive the usual waiting time in a situation that they deem an emergency. Martha suggested checking with the Vermont League of Cities and Towns (VLCT) to find out if we can legally allow an expedited process. The PC agreed. Elvin suggested including the emergency repair language in Section 3.14 on Rivers and Streams. The PC agreed that they are in favor of an expedited process in emergency situations.

10. Inconsistencies in current regulations – Martha said “home occupation” has to be a permitted use. The PC agreed to move “home occupation” from the list of conditional uses in the Conservation district to the list of permitted uses. In the Resort/Conservation district, Martha said, accessory dwellings, two-family homes and child care homes are all listed as conditional uses. Martha said there *are* certain situations in which you can require conditional use approval for an accessory dwelling. The PC decided not to require conditional use approval for accessory dwellings. Hal said home occupations have to be permitted whether they are part of a PUD or not. The PC agreed. Martha said “child care home” has to be permitted as well, but “two-family home” could be conditional in the Resort/Conservation (R/C) district if we spell that out in Section 4.22. Barbara said the purpose statement specifies that the R/C district is for the development of single-family homes. Barbara added that, since it’s a PUD district, it has to be reviewed as such anyway. Martha said that’s true but if the developer is not affiliated with the resort, then the district is simply a conservation district. Elvin suggested making two family dwellings a permitted use when part of a PUD. The PC agreed.
11. Landfill – The PC discussed the wording of Section 4.11 with the word “unauthorized” inserted in #3. The PC agreed to include the sentence “Projects which cannot meet the above criteria require review and approval by the DRB in accordance with Section 3.14.”
12. Definitions – With regard to the definition of “logging road,” Barbara said the state has very strict logging guidelines. Martha agreed but said that the state guidelines are only there to protect water quality and don’t address situations like the one in Happy Canyon. The PC agreed that defining “logging road” will not prevent such situations. With regard to the definition of “footprint,” the PC decided to accept the proposed definition which includes decks and porches but excludes unenclosed patios and walkways. With regard to the proposed definition of “buffer,” the PC removed the phrase “is intended and designed to.” **Barbara made a motion to accept the proposed definitions as modified. Al seconded the motion, which passed unanimously.**
13. Minutes – May 4th: The minutes of May 4th were tabled. June 8th: **Al made a motion to approve the minutes of June 8, 2011 as written. Barbara seconded the motion, which passed unanimously.**
14. Adjourn – **Barbara made a motion to adjourn at 8:24 PM. Mark seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison