

WEST WINDSOR PLANNING COMMISSION

Draft Minutes

June 8, 2011

Present: Hal Pyke, Barbara Truex, Elvin Kaplan, Al Keiller, Jason Rasmussen, Glenn Seward, Martha Harrison

1. Call to Order – Planning Commission Chair Hal Pyke called the meeting to order at 6:40 PM.
2. Changes or Additions – Definitions: Hal suggested adding “allowed use,” “permitted use,” “conditional use,” and “prohibited use” to the definition section of the zoning regulations. Al and Barbara agreed.
3. Public Comment – With regard to any future meetings between the owner of Mile Long Field and the Planning Commission (PC), Elvin asked Glenn if it is appropriate for the Selectboard to attend. Elvin thought it might be a conflict given that the PC would be making a recommendation to the Selectboard. Glenn said that’s up to the PC but his initial thought was that the Selectboard would not attend.
4. Swimming Pools – Hal said his inclination is to leave the language the way it is. Hal read sections of the model regulations. Al said he is also inclined to keep the language we have. Elvin said he would be in favor of requiring either a fence or an automatic pool cover that meets the standards. Barbara said she is ambivalent but thinks the 4’ fence is a good idea. Barbara said another option is to eliminate that section of the zoning regulations. Hal said that would probably save the town from liability. **Al made a motion to retain the existing wording in Section 4.21. Hal seconded the motion, for discussion purposes.** Barbara said she thinks the town should recommend that the homeowner check with his or her insurance company, unless the pool is in a congested area. **Al voted in favor of the motion. Elvin, Hal and Barbara were opposed, so the motion was defeated. Elvin made a motion to amend the current pool regulations to include “shall be surrounded by a barrier for an in-ground pool of no less than 4’ high, or that an automatic pool cover is employed which functions as a barrier meeting the performance specifications as outlined in the model regulations.” Hal seconded the motion for discussion purposes. Elvin voted in favor of the motion. Al and Barbara voted against. Hal abstained. The motion was defeated. Hal made a motion that all outdoor pools and spas shall be enclosed by barriers to entry that will effectively prevent small children from gaining unsupervised and unfettered access to the pool, and for pools and spas where dwelling walls serve as part of the barrier, a power safety cover for swimming pools that meets the requirements of ASTM F1346 will serve as a barrier. Al seconded the motion.** Al noted that the language Hal proposes is more restrictive than West Windsor’s existing language, but he would support it. Barbara asked if this issue can be tabled. Barbara said she thinks a lot of towns don’t have pool regulations. **Hal withdrew his motion. Barbara made a motion to table the discussion. Elvin seconded the motion, which passed unanimously.**
5. Review draft ridgeline overlay district map – Jason noted that Glenn Seward drove many of the main roads in West Windsor and marked a map with his observations of the prominent ridgelines. Jason said the regional planning commission (RPC) also made a map of the higher ridgelines and the first 80’ of contour lines. Jason said sometimes the lower areas are more visible from the road than the higher points. Jason had some slides to help the PC visualize the map of the higher ridgelines. Jason said the PC should consider whether they want to include existing developed areas in the overlay district, which could be unpopular. Jason asked the PC if they want to focus on the more visible ridges or the higher ridges. Jason said RPC Director Tom Kennedy thinks the PC should have a consistent methodology. Jason said the RPC is thinking about buying some software that would enable them to do a view shed

analysis. The PC reviewed Glenn's map and the RPC's map. Hal said he would like to include fewer ridges. Elvin agreed. Hal said the PC should only be concerned about views from the Brownsville-Hartland Road and Route 44. Glenn said the visibility changes depending on the direction in which you are driving. **Al made a motion that the PC's next step should be for the RPC to map Glenn's observations so the PC can observe them and make decisions relative to the validity of those observations, taking into consideration existing development. Hal seconded the motion.** Barbara said she would like to see Glenn's map overlaid on the RPC's map. Al said he would like to see the maps both separately and overlaid. Jason asked the PC about their timeline. Hal said the PC is scheduled to have their first public hearing on August 3rd. Martha asked how committed the PC is to including ridgeline regulations in the current revision. Hal said it's more important to make sure that our zoning conforms to state regulations. Hal said, given the deadline for completion, he doesn't think the PC is going to be able to include ridgelines in the current revision. Al asked if it's an option to defer ridgelines to the next revision. Hal said yes. Glenn asked what the PC will be working on after they finish the zoning regulations. Hal said the PC will have to review the subdivision regulations. Glenn said he would hate to see the ridgeline regulations put off for another year. **The PC voted on Al's motion, which passed unanimously.**

6. Review Zoning Regulations with regard to Class 3 wetlands, streams and buffers (as referenced in Sections 3.13, 3.14, 4.11, 4.17, 4.23, 5.1, 5.2, 5.4, and 6.2) – Hal said he reviewed all the references and thinks that 3.14 is the most important. Hal said Tom Kenyon called him and said that he likes Norwich's language about removing dead trees. Hal said he likes Windsor's language. Martha said bike paths in West Windsor are exempt from zoning and it sounds like Windsor requires conditional use review for bike paths. The PC asked Martha to draft buffer language using Windsor's language as a model, without the conditional use requirement. Martha asked the PC if they have any concerns about Section 4.11 (3), which prohibits filling within 50' of a stream or wetland. Hal said his inclination is to keep the existing language. Martha asked the PC if they want to allow filling in a buffer with conditional use approval. The PC preferred to retain the existing language. **Elvin made a motion to add Windsor's wording to Section 3.14. Al seconded the motion, which passed unanimously.**
7. Town roads & bridges – Hal noted an email from Martha with suggested wording for Sections 1.7 and Section 3.14, and a definition for "Essential Service." **Al made a motion to approve the suggested wording. Elvin seconded the motion, which passed unanimously.**
8. Other Business – Buffer definition: Martha said she recalls Tom Kenyon being concerned about the definition of "natural, undisturbed, vegetated buffer." Martha said there is considerable variation in how that phrase is interpreted. Hal noted Windsor's language, which the PC just approved, that allows mowing once per year. Hal said the implication is that weekly mowing is not acceptable.
9. Minutes – May 4th: The minutes of May 4th were tabled. May 25th: **Al made a motion to approve the minutes of May 25, 2011 as written. Elvin seconded the motion, which passed unanimously.**
10. Adjourn – **Al made a motion to adjourn at 8:10 PM. Elvin seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison