

**I - Call to Order**

PC Members attending- Dennis Casey, Chair, Norm Cota, Dan Harris, Hugh Johnson, Jeff Keeney, Kelly Norris and Dan Nugent

Others attending- Tom Perry, Kerry Kurt and Dave Wetmore.

7:00 PM –Dennis called the PC meeting to order.

Dave administered the “oath of Office to Jeff Keeney and Hugh

**II- Minutes**

PC reviewed 2/18/2016 minutes- Hugh moved as corrected. Norm 2nds. 2/18/2106 minutes approved 6-yes, 0-no, Jeff abstained.

**III- PC Business**

**Visitor Business and adjustments to agenda- No adjustments**

Tom Perry- PC has reviewed the questions and comments Tom presented earlier this week.

Tom asked specifically about how zoning districts are determined/delineated. Are they surveyed, is any consideration given to soils, flood plains and other significant features. What is process to amend district boundaries.

PC shared what they know of the existing zoning district history and where the changes are proposed. The existing HDRC was drawn around existing higher density populations, but failed to acknowledge the presence of Brookside Mobile Home Park, Freedom Acres and Tatro Road. Dave shared the description of each district, some being delineated by setbacks, known elevations and existing property boundaries at the time. Dave also noted that State law requires a defined process to amend the bylaws and the zoning districts.

Tom- asked about application of building envelopes, are they negotiated? As proposed BE apply to SD as well as PUD. They are determined based on location of significant resources, including agricultural soils, wetlands, streams, flood hazard areas, as well as DRB and landowner negotiations.

Tom- noted that the bylaws will allow for growth especially in the HDRC. PC expressed that the expanded HDRC district will allow for growth, primarily what the PC called infill. The expanded HDRC district acknowledges that there is significant development surrounding this area, including areas along Tatro Road, Freedom Acres and Brookside Mobile Home Park. The Town Plan supports this change. The same point can be made for the MDRC in the Village and in South Starksboro. Tom expressed concern that zoning often results in unintended consequences, has the PC considered this? Tom also spoke of the pictures he sent the PC. He stressed that he felt that development that formed a tight footprint was important and cited Bristol, and European towns as examples. He likes the clean transition between clustered living and agricultural areas. He notes that Starksboro’s edges area are important and expressed concern about the new MDRC. PC expressed that they are trying to avoid leapfrogging into undeveloped areas. This bylaw provides the tools that residents and developers can use to infill where higher densities are present. The hope is to concentrate more intense growth and uses along State Highways and adjacent

to higher densities. Mixed use districts are challenging to ensure uses are compatible. Difficult to change without creating areas solely dedicated to highway commercial or industrial type uses. Starksboro was never set up this way and to do so would be problematic because residential uses are so prominent.

Tom- described “pattern zoning” and asked if the PC had ever considered it? PC has not considered this type of zoning but Town Plan’s since 1993 have included some of those concepts including a parallel road to 116 as a way of encouraging more development within the HDRC district. This would only happen if property became available for development and the bylaws support the development. PC expressed that they feel these bylaws do provide these opportunities.

#### **Bylaw discussion-**

PC review of Jim Carroll’s comments-

Jim comments come to the PC as follows- “These edits are a combination of my recommendations done for the purpose of promoting internal consistency, correcting typographical errors, or tracking relevant enabling legislation. My review has been limited to a review of the form of the proposed Regulations and compliance with statutory and constitutional limitations on the adoption of land use regulations in Vermont. I have also looked at maximizing internal consistency and I have made an effort to sharpen the clarity of some sections based on my understanding of the PC’s intent. It is not my intent, however, to alter or change the substance of the PC’s objectives in drafting this proposed Ordinance which I very much view as within the purview of the PC based on the extensive input they have already received and will no doubt continue to receive as the process moves forward. To the extent that any of my proposed revisions have changed the substance of the PC’s work from a planning perspective, it is unintentional and we should work to implement the PC’s intent”.

The Board is OK with most all of Jim’s suggestions. There are a few questions, including:

1. Section 221.A- PC comments that these areas are part of the designated PA. Dave should ask Brandy if they need to be further defined?
2. 224.B- Jim’s expressed to Dave that a waiver is reserved specifically for exception to a dimensional requirement. PC agreed to Jims edits. These edits apply also to sections 234.E, 244.D
3. 234.A- PC agreed that this needs a little more clarity. PC thought it was all SD’s as well as PUD’s.
4. 234.A PUD is section 428. Applies to 244.A, 255.A
5. 253.B- This still confuses the PC. Ask Brandy to explain this again. Is Jim’s suggestion the same?
6. 311.E- Dave expressed that he doesn’t agree with the ZA conditioning approval. ZA doesn’t have any authority to condition a zoning permit! Ask Brandy.
7. 311.G(2) – PC agreed that cost to applicant should not be a factor. Edit Jim’s suggestion (“due to east or the physical...”).
8. 312.E-Edit Jim’s suggestion (“public or private road ~~or right of way~~ ...”).
9. 314.D- Edit Jim’s suggestion (or overflow parking ~~in which event~~ the DRB ...”).
10. 315.H – Remove Jim’s suggestion.
11. 352.D- Jim doesn’t like the use of the term “building rights”. Dave will check with him, but ask brandy if she has any thoughts on this?

12. 402.G, J and K, 412.C, 417.D and G- Dave expressed his opinion, that Jim is trying to avoid any conflict that may arise from changes to law. Dave should ask him about this.

Does Brandy have any thoughts?

13. 427.A- Ask Brandy if this change work?

Dave should check w/ Jim and Brandy. Once clarified Brandy should incorporate Jim's suggestions as agreed to by PC.

**IV- Other**

Next meeting March 17, 2016

**VII- Adjournment**

Norm moved to adjourn at 9:40 PM, Jeff 2nds. Motion to adjourn 7- yes, 0-no.