

**Public hearing on draft Unified Bylaw
7:00 PM Robinson School**

Starksboro Selectboard

Minutes 6/25/2016

I - Call to Order

Selectboard (SB) Members attending- Susan Jefferies, Peter Marsh and Tony Porter

PC Members attending- Dennis Casey, Chair and Jeff Keeney.

Others attending- twenty-one residents, see attached sign in sheet, Dave Wetmore. Dave took minutes and recorded the hearing

II- Public Hearing

10:00 AM –Susan called the hearing to order. Made introductions and announced the purpose of the hearing. Susan Jefferies welcomed all who attended and presented some background information regarding the bylaw development process. Points made include;

1. The current Town plan was adopted in October 2011.
2. This is the 2nd of 2 public hearings to be held by the Selectboard (SB).
3. This morning's meeting objective is to receive additional feedback from residents regarding the proposed Bylaws.
4. Susan asked that people wishing to speak state their name before offering comment/questions. Peter Marsh asked that folks cite the specific section and page they are referencing.
5. SB noted that the hearing will conclude at 11:30 and that the SB will convene at 11:30, a special SB meeting to discuss the Bylaws.
6. Peter announced that Primary Ballots are now available for absentee voting.

Susan Klaiber- asked if the public hearing concluded early would the SB meeting be convened earlier than 11:30- SB stated no due to open meeting requirements.

Dan Baker- asked about adoption process. SB stated that's what the 11:30 special meeting is scheduled for. The SB has several options;

1. Vote to adopt administratively as presented
2. Move to have the bylaws adopted by Australian ballot.
3. Make some amendments to the proposed and rewarn a new public hearing.

SB shared that it was the recommendation of the ACRPC for the SB to adopt administratively. The default is the Australian Ballot.

Dan Yonkovig- if SB voted to adopted administratively when would they be effective. SB stated 21 days from the vote to approve.

Dan Baker- he respects the Planning Commissions efforts, but it is his opinion that the Bylaws do not reflect the Towns goals to curb growth. The Bylaws allow for increases to density, reduces agricultural land preservation, allows large scale development, does little to limit lighting and would result in high levels of traffic. He supports backing up and working to revise the Town Plan before adopting these regulations. This can be a more positive process that would not seem so rushed.

Lisa Trayah- she agrees with some of Dan comments. No specific comments on the Bylaws. Looks at things from a more global view. Enjoys being part of the process. Should take the long view, like what

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will the future look like, i.e. drones use, ability to barter services and goods, monopod housing options, etc. Concerned about clean water and the Towns ability to have a say in its destiny.

Suan Klaiber- do they need to be updated by a certain date? Changes to the Bylaws need to be adopted before the expiration of Town Plan (10/18) or amendments to the Bylaws must follow the Town Plan re-adoption.

SB- observed that there are several areas of the present Bylaws that are deficient. The SB has heard from the DRB and others that the Bylaws need to be clear and consistent. DRB would like more specificity than currently exists. These Bylaws represent a great deal of public input over many years and observed that the goals and objectives outlined Town Plan aren't expected to change. These Bylaws are not expected to be acceptable to everyone, but when read together with the Town Plan the Bylaws do seek to implement the Plans objectives. The SB does not expect that everyone will rally around a single vision for the Town Plan. The presently adopted Town Plan is a significant change from prior Town Plans, clearly providing a much more comprehensive Town Plan and the PC does not expect major changes to the Town Plan during the next re-write. The new changes to State law relative to Town Plan amendments have changed to the requirement to update the Town Plan from 5 years to 8 years.

Dan Yonkovig- stated that he had participated in the planning process and that he felt there was a support for a single vision. SB observed that the vision varied from group to group.

SB- spoke of the changes to the zoning districts proposed. The SB feels strongly that the proposed Bylaws do conserve agricultural resources. They provide a structure for DRB review of agricultural resources and conservation of this resource and forest resources, The Bylaws provide specific guidelines that seek to limit fragmentation of existing blocks of agricultural and forest land. This is not so in the present Bylaws.

Dan Yonkovig- asked about the rational for the PUD standards related to elderly and affordable housing. SB expressed that they have considered minor changes to the density bonus for elderly and affordable PUD's. SB observed that Dan is asking about section 358 and are undecided whether to get this done now or after adoption. As written "up to" the DRB would be able to apply discretion whether the developer's plans meet the standard as written. Susan shared that they SB has also discussed including definitions regarding "light trespass" and "glare".

Alan Quittner- expressed little support for cluster housing, flexibility is not necessary, i.e. making smaller lots. Alan feels that if the Low Density Residential and Commercial District is 800-ft from centerline of highway it should be the same throughout Town. Suggest that declining populations need access to affordable housing.

Mike Shepard- admitted that he had not read the proposed Bylaws entirely, but supports more protection for agricultural resources, especially along Rte. 116. Concerned about development that causes dramatic change.

Rich Warren- spoke specifically to page 2-4 and the use tables that seem to allow for administrative review (site plan) for some uses and not others (impacts from a drinking establishment vs. wood processing). Dave noted that site plan review approval is required from the DRB for both and it is

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outlined in the Bylaws. Wood processor is describing more than someone that cuts and markets their own wood products from their own land. This is about a sawmilling or similar wood processing operation where most of the raw wood product are brought in as well as shipped out.

Rich- also addressed the notion of single family attached vs. detached housing. Not sure he supports attached condo/town house type housing. Dave noted that detached SFH are a permitted use, attached SFH would require conditional use review.

Marguerite Gregory- expressed concern related to the idea of “large scale retail” section 3.15C. Are we OK with large scale retail”? She does not think there is a lot of support for it. Jeff Keeney stated that development requires infrastructure which likely includes community water and wastewater, neither of which Starksboro has.

SB- shared that the current existing Bylaws don’t restrict “large scale”. Just because it is not mentioned in the Bylaws does not mean it can’t happen.

Marguerite- can the Town Plan be specific about what we do and don’t want? Jeff Keeney shared his personal experience with a court case related to Jericho.

Kerry Kurt- the Town Plan is meant to be a snap shot of the Towns vision at that time. Things change, visions change. It is her opinion that the Town Plan could be very specific about what you do and don’t want. Her research suggests that the Town Plan should take only 10 months to develop. As for community water it extends all the way to Jim Geier’s property presently which coupled with the zoning district change would allow for hundreds of home to be developed. Dave stated this is not a true or accurate statement.

Robbin LaRue- The Town Plan vision is critical to the micro decisions that will be implemented with the zoning bylaws. Sign lighting across Rte. 116 from her has changed her quality of life, not for the better. She observed that these Bylaws seem to encourage development and likes Starksboro the way it is. Food and clean air is critical and need to protect these resources.

Erin Buckwalter- opposes the proposed bylaws. Does not want development and agrees with Dan Baker. These Bylaws seem friendly to development. Starksboro should not become Hinesburg. Need to restrict development.

Alan Quitner- participated in the development of the Town Plan. Suggests that minor if changes to the Bylaws need to be done they can be accomplished without huge efforts. SB noted that changes to the Bylaws require a process laid out in State law. It takes time. Dave suggested that “interim zoning” is also an option.

Marjorie Dickstein- expressed that she has been a DRB member for the past 6 years. She also participated in the development of the Town Plan. She supports the proposed Bylaws. It been a very long time coming and the DRB needs them to make the review process better. The DRB is always running up against issues related to lighting, signs, conservation of agricultural openland, etc. that are not addressed well in the current bylaws. These new Bylaws are measurable and provide a framework which the DRB needs.

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Tom Perry- expressed that he also participated in development of the Town Plan. It was an exhaustive process that did not have a lot of citizen participation. Tom stated that he has not read the entire Bylaws proposed, and is concerned that the PC membership has not changed for many years and he does not feel the PC represents the group here today. He feels that the PC needs more diversity. Tom respects the work that the PC has done. These Bylaws reflect someone's vision just not his.

Chandra Rochon- stated that she was here to listen and learn and that she doesn't have much to add.

Kathy Duclos- stated that the Town Plan reflects the Town's vision and these proposed bylaws support and reflect that vision. Kathy supports these Bylaws.

Susan Klaiber- Can't we restrict the type of use. Where would we need a drive-through? There isn't one in Williston.

Robbin LaRue- shared her experience with the boat repair business and the review that took place. The ZBA used their judgement and it was approved. She thinks the present Bylaw works as it should. She then addressed that Brookside MHP was created under zoning and that it conserves agricultural land.

Dan Baker- expressed that the Town Plan does not expire. There is no crisis. The wrong zoning will hurt the Town. Dave noted that that was just not true. Without a Town Plan you cannot adopt any zoning changes, including interim zoning, seek grants etc.

SB- noted that the time is 11:35 and they have to be cleaned up and out around noon. Rich asked if this discussion could continue? SB stated that there might be a little time during the special meeting at visitors business.

III- Adjournment

SB thanked everyone for turning out. Susan declared the public hearing closed at 11:35 PM.

Date approved: _____

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Signed: _____