

I - Call to Order

PC Members attending- Dennis Casey, Chair, Hugh Johnson, Jeff Keeney and Dan Nugent.

Others attending- Susan Jefferies, Peter Marsh, and Dave Wetmore.

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

Visitor Business and adjustments to agenda- no adjustments

II- Minutes

Review of 9/1/2016 minutes- review next meeting.

III- PC Business

Bylaw update- Special meeting to vote to approve the action taken by the Selectboard (SB) on June 25th by Australian ballot will be held on September 27th at Robinson School. Absentee ballots are available. A public meeting on the proposed Bylaws will be held on September 20th. Peter and Susan are here to discuss meeting format and content. Dennis shared a copy of the checklist and encouraged members to make calls and/or contact folks to support the bylaw ballot question on the 27th.

Planning Commission (PC)- Hugh and Peter attended the most recent meeting that was put on by Dan Baker and group. The meeting was held at the South Starksboro Meeting House. Hugh shared that many ½ truths and misleading statements were made by the presenters. Approx. 25 people attended. Peter pointed to comments from Jim Runcie, specifically that the lighting standard may be more enforceable if it was left vague. Jim also expressed that he felt that the PUD bonus was quite generous.

Susan- reminded the PC that it is the Selectboard’s intent to immediately adopt interim zoning to address a couple of points, one being the PUD bonus.

As agreed by the Selectboard the changes include the following;

Section 325.A- “Non- residential land use activities ...”

Section 358.E- “The DRB may grant a density bonus for a PUD that is dedicated in perpetuity to affordable or elderly housing as defined in these regulations to allow construction of up to 100% (elderly and affordable) more homes ...”. This would effectively mean that 100% of any density bonus granted by the DRB would be required to be affordable or elderly.

Definitions-

“Light Trespass”- as defined by the USA Pattern Code- IDA Outdoor lighting Code, International Dark-Sky Association date 2010.

“Non-residential”-

The following concerns have been continually raised at the meetings

1. Growth control- Dennis has discussed/confirmed with Jim Carroll, Adam Lougee and Brandy (Dave also) that growth caps are illegal- Jim Carroll and Adam stated that there in not any

enabling legislation for them. Brandy cited 24 VSA§4422 which states that development may be phased or limited only when a capital plan/budget exists. These comments support the conclusion that growth caps such as that outlined in our existing bylaw is not legal and would not hold up to a challenge in Court. Dave pointed that the PC had included a provision for phasing of larger subdivision projects, section 426.H.

2. Lighting- the maximum allowed subject to DRB is 50,000 lumens, Dave researched the existing lighting around Town. The street lights out front are a 20 watt LED and produce 1800 lumens. The 400 watt mercury vapor flood light at the School produces approx. 22,000 lumens. The School fixture is not a down shielded light and located quite high up on the GMP pole and even then on illuminates approx. ½ of the parking lot (1/4 acre). Dennis expressed that St. Jude's in Hinesburg has recently installed 3-lights (with prior existing lights total about 29,000 lumens) and he is going up there tonight after the meeting to observe what they looks like. Dave reminded the Board that the 50,000 lumens is a recommended by the International Dark- Sky Association date 2010.
3. Section 325.A- this section specifically states that any project that increases traffic on a class 3 road above 25% must be approved as a conditional use. PC agreed that this is meant to address "non-residential traffic" which should be defined. This seems like a lot but on many class 3 roads in town it might only be a 3 or 4 lot subdivision.
4. The concern that the standards outlined ultimately determine what will be allowed by a court is not supported by Jim Carroll, Adam Lougee or Brandy. The DRB decision must be supported by the facts and conclusion based on the "character of the area" which is defined and required of all CU, SD and PUD reviews. PC agreed that greater specificity will lead to better more uniform decisions.

PC asked Dave to send to PC and SB the "USA Pattern Code- IDA Outdoor lighting Code, International Dark- Sky Association date 2010.

PC reviewed SB outline for 9/20 meeting prepared by Peter. This will be an informational meeting and PC agreed that this is the PC/SB opportunity to share that the Bylaws and standards outlines should not be cherry picked, but rather they need to be considered within the context of the entire document. PC will participate where they can. Additional points (beyond outline) to address include;

1. What is considered exempt and/or can be handled administratively by ZA.
2. The Bylaws provide clear guidance to the DRB and applicants.
3. They will assist the ZA to help applicants as to the expectations of the DRB.
4. They clearly strengthen the conservation of agricultural resources.
5. Waiting to complete amendments to the Town Plan will just bounce the adoption of the Bylaws further down the road, at a minimum 2 years.
6. Absentee ballots are available.

9/20 meeting preparation-

1. PC will help setup at 6:30 PM
2. SB will check on sound system
3. Dave should make 25 copies of chapter 210 and 211, copies of comparison work sheet and 20 copies of Bylaws.
4. Need to call Dan Harris, Norm and Kelly to remind them of the meeting on 9/20.
5. Dave will record minutes and tape meeting.
6. Bring easels and maps.

Town Plan objectives- The Town Plan expires in October, PC has discussed that the focus should primarily update the following with public input.

1. Statistics and update data
2. Flood Resiliency Plan (FRP) incorporates the river corridor map. PC expressed that we have these maps but have not used them. The purpose of the FRP is to think about where rivers run and building a plan that seeks to limit the damage from floods and other high water events.
3. Renewable energy siting.

IV- Other

Correspondence-

- VLCT Annual meeting and Town Fair, October 5th and 6th.
- Maple Hillside Solar, Martha Osmun

Next meeting September 20, 2016- SB informational meeting on Bylaws.

VII- Adjournment

Dan N. moved to adjourn at 9:25 PM, Jeff 2nds. Motion to adjourn 4- yes, 0-no.

DRAFT