

Planning Commission
Minutes of 5/2/19
Unapproved

Board members present: Denny Casey, Rodney Orvis, Dan Nugent, Jeff Keeney, Brad Boss
Unable to attend: Dan Harris, Denny Barnard
Visitors: Norm Cota

The meeting was called to order at 7pm by Chair Dennis Casey.

Changes to the agenda: none

Visitors' business: none

Motion to approve the minutes of 4/18/19: Jeff, Dan N

Discussion: none

Motion carried.

Bylaws Discussion continued

Abandonment –

The board continued discussion about the definition of “abandonment” and how it should be applied and enforced. As an example, the house at the north of the village on 116 formerly owned by Big Heavy World continues to have taxes paid on it. The use has changed from residential to commercial and now, with the ownership with the State of Vermont, likely a “government use.” The land changed hands in 2016. No permit has been applied for with the town.

Jeff Keeney said the former Brown house on Big Hollow Road is another good example to discuss. It lies in the watershed protection zone. A residential home is conditional use. The bylaws need a definition that covers examples like these.

Dan Nugent stated he is hesitant to put in these types of restrictions. It is a slippery slope and the board should proceed with caution.

- If a structure was pre-existing before zoning should it be allowed and not deemed abandoned?
- What about old cellar holes on land where the taxes are paid?

Rebecca will contact Jim Carroll for his opinion on whether the PC has the right to create a bylaw to instruct a person to tear down a house/structure if it is abandoned?

The group looked at the current definition of “Structure”:

“An assembly of materials for occupancy, use, and/or the shelter of people, animals or property including but not limited to a building, mobile home, or trailer, sign, wall, fence, or parking lot.”

How should the bylaws define “abandonment of use” vs. “abandonment of structure”?

What other considerations are there about residential vs non-residential use?

The board discussed an example of a partially constructed house, later abandoned, and just sat and fell apart.

Discussion on 124.B – currently a 36-month time frame. Brad Boss suggested a 7-year window. After 7 years, the use is considered abandoned. ZA would have to send a notice of abandonment. What is the trigger? How would the ZA know that 7 years has passed?

Discussion of seasonal camp access vs. year-round home access. The current bylaws address year-round homes and requirements for access. The board will consider access issues related to seasonal camps and seasonal structures.

Jeff stated that if the bylaw isn't enforceable on a practical level, the board should consider other options.

Rebecca asked the board for guidance on signage and permits for seasonal signs that do not advertise a business.

Motion: Dan Nugent made a motion to adjourn the meeting at 9:20 p.m. Jeff Keeney 2nd.

Respectfully submitted,

Rebecca Elder

Zoning Administrator

DRAFT