

Minutes of the Planning Commission

February 15, 2011

COLE HALL

SHAFTSBURY, VERMONT

Present: Chris Williams (Chair), Norm St. Onge (Vice Chair), Bill Pennebaker

Absent: David Spurr

Others Present: Linda Meskur, James Meskur, Tom Browe, Oliver Durand, Harriet Durand, Rosemary Lindsay, Ronald Lindsay, Helen Olney, Peter Cross, Suzanne Bushee (Zoning Administrator), Robert Whitney (Recording Clerk)

1. Call to Order: This meeting of the Shaftsbury Planning Commission was called to order at 7:00 pm by Chair Chris Williams. The Chair welcomed the attendees who came to this public hearing on the expansion of the village residential district.

2. Public hearing on expansion of the Village Residential District: Chair Chris Williams opened the floor to public comment.

Text of the proposed zoning map change is included below:

Expansion of the Village Residential District

Draft March 23, 2010

In accordance with recommendations in our recently adopted Town Plan, the Planning commission recommends expansion of the Village Residential (VR) district in the South Shaftsbury village area. The Town Plan states, *“The expected continuing demand for new residential development in Shaftsbury, therefore, suggests that, to avoid scattered development, it may be appropriate to encourage additional village-type development by expanding a VR district or establishing a new VR district where access to the public water system is possible.”* At this time there are fourteen undeveloped lots in the VR district of which only eight appear to be suitable for development. The attached map shows a proposed expansion to the east and south contiguous with the present district encompassing fifty acres. The present Village residential district encompasses 201.5 acres; therefore this will represent a 25% expansion.

This area could be served by the municipal water system which has a capacity for about thirty more residences. There is evidence that the area also has well drained soils suitable for on-site septic systems. The land in question is owned by only two parties. Presently one parcel is for sale. The Planning Commission views this change as a long horizon project to encourage concentrated housing growth in the village center and slow scattered development in the rural areas.

Oliver Durand spoke first. Mr. Durand does not see the need for a zoning change as none of the land is presently for sale. He feels that since the land is presently zoned as Rural Residential, meaning one acre lots, that a change is not necessary. He feels that it is impractical for the land to be zoned Village Residential, meaning quarter acre lots. Chris outlined the reasons for the proposed change and the goals of the Town Plan. Chris explained that there are eight lots that are developable and are discontinuous to the Village, the Planning Commission is setting parameters for what is possible and that this is a long term project.

Tom Browe spoke next. His property adjoins the properties in question. Tom said that he was not notified about this proposed expansion of the Village Residential District. He learned about the public hearing from a neighbor. His questions related to why there is interest in property that is unavailable. He sees no need for the expense and trouble to change the zoning. There is potential for 400 quarter acre lots and that there is ledge present, solid rock, making water and sewer unavailable. He feels that of the 50 acres there are 15 acres of wetland. He concluded that most of the abutters are not interested in more neighbors.

Rosemary Lindsay opined that putting more houses there means more foot traffic going through the existing properties. She does not want the additional traffic. She said that she and her neighbors would have to put fences up. The area has enough problems there anyway.

James Meskur said the he was not notified about this change. He said that septic systems, wells and additional power are not possible for the area. James said that he and his neighbors are not happy about this.

Chair Chris Williams said that any building may not happen for a long period of time to come. Any ledge present would limit building. He apologized for the Commission that not all were notified and said that though the law does not require the Commission to notify everyone it is good public policy.

Linda Meskur questioned why the zoning change required $\frac{1}{4}$ acre lots.

Chris replied that presently the area is zoned for one acre lots and that the rural character of Shaftsbury is disappearing.

Peter Cross asked what is wrong with keeping Shaftsbury rural. Why take vacant land and zone it for twice as many houses.

Chris replied that the Commission is looking towards the future, generations into the future. The Commission is looking to continue the historic settlement patterns of Vermont. The Commission welcomes input and the Commission needs to know if concentrating development in the village center is or is not what the public wants.

Donald Lindsay inquired as to the origins of the change. He emphasized that he feels that he and his neighbors are being singled out to shoulder more than their share of growth.

Norm St. Onge replied that the change is considered to be a natural expansion of the Village Residential District.

Peter Cross said that the water supply there is at jeopardy. The land in question should be left vacant to protect the water supply. The water pressure there can be zero at times even with no additional houses.

Bill Pennebaker said that the number of units for the expanded VR district is limited to thirty due to the water supply. The present water supply is a limiting factor for growth.

Rosemary Lindsay asked where the available lots in the VR district are located.

Chris Williams outlined the locations of the eight available lots in the present Village Residential District and that some of the lots are not suitable for development.

Norm St. Onge said that the State of Vermont is pushing for a VR expansion. The State guided the Town Plan. A developer for any building would construct roads and provide a water supply; the cost would be handled by the developer. On paper it looks like 400 lots but practically it would be less than a quarter of that amount.

Chris Williams said that the two properties in question may not be for sale in many years. The pace at which homes are being built in the area has been off for years. There is no pressure to build homes in Shaftsbury right now. There will be another public hearing before the select board. As Shaftsbury grows the water system can grow.

Bill said that the water supply is a limiting factor to building.

Chris said that the select board will warn this issue so you will have notice as to the date when the proposed change will be considered. You will have another opportunity for input at that time.

As there were no further comments the members of the public took their leave. The Planning Commission entered into a discussion of the public's comments. There was no input in favor of the change. Bill said the he understands why the change is not welcomed and can sympathize with the views expressed. Chris said that he agrees there was no interest in dispersed development expressed by those present. The Planning Commission agreed to send the proposed change to the select board as is with a narrative addressing the public's concerns.

3. Approval of Minutes: January 25, 2011. In the last sentence in Old Business the word "growing" should be replaced by "permitting mobile home parks being located on adapted reuse properties." **A motion to approve the amended Minutes was proposed by Bill and seconded by Norm. All in favor, 3-0-0.**

4. Old Business:

A. Update on Paulins Signage: The Zoning Administrator had a site visit with Rob Wilmington and Paulins' attorney to view the signs on the property. They agreed to come up with a solution to resolve the issue. Chris did a site visit this evening before the meeting and noted there were sign violations. The Planning Commission and the zoning administrator perused Paulins' file for applications and approvals. Application 91-2773 dated April 9, 1991 was germane. The central issue is that a business is allowed 32 square feet of signage in the Village Commercial District. Much more than that is present on the Paulins property. Also, illuminated signs are not allowed by ordinance and the Paulins property has illuminated signs present.

5. Other Business:

A. Shires Byway: Bill talked about the proposed Federal Byway from the Massachusetts border through Pownal on Route 7A to Manchester and the interchange of Route 11 and Route 7. Bill proposed support of this byway that will advertise attractions. A sample letter to endorse the byway was introduced. **Bill made a motion to send a letter of support to VCRC endorsing this Byway. Norm seconded. All on favor, 3-0-0.**

B. Dog Ordinance: Bill reported that the select board has made a preliminary review of the proposed ordinance.

6. New Business:

A. Affordable Housing Bylaw: As the time was after 9 p.m. it was decided to postpone this topic to the next meeting.

7. Adjourn: A motion to adjourn was made by Bill Pennebaker and seconded by Norm St. Onge, all in favor 3-0-0. Adjournment at 9:15 p.m. The next meeting of the Planning Commission will be on March 8, 2011.

Respectfully submitted,

Bob Whitney