

Middlesex Planning Commission
1/7/04 Minutes

6:30-8:30pm

Attending:
Sandy Levine
Gregg Faber
Dennis Nealon
Paula Crosset

Guest: Bernie Chennette, Brian Shupe

- * Bernie presented and discussed site plans for the Colby property. The plan includes 26 campground sites intended for seasonal RV use. Gregg stated it was a great plan and everyone agreed with that assessment.
- * Approved minutes for the December 10th meeting.
- * Sandy reviewed her 12/16/03 discussion with the Selectboard regarding the budget for the Planning Commission. The Planning Commission had not spent any of this year's money with the exception of funds from the planning grant. Sandy requested the Selectboard to provide the Planning Commission with a budget similar to the previous year.
- * The Planning Commission reviewed the draft Middlesex Land Use & Development Regulations with Brian Shupe of Burnt Rock Inc. Brian provided members of the Commission with revisions to the draft. Brain was requested to provide examples of clustering type development. Gregg also suggested addressing junked cars in the regulations. The Commission also suggested restricting cell tower development in areas above a topographic elevation 1500 feet.

The draft regulations will be provided to the Selectboard, Conservation Commission, Zoning Board and Road & Fire Departments for their input. Maps and a summary of the regulations are planned to be available for Town Meeting.

The Committee should review the revised regulations prior to the next meeting.

- * Meeting adjourned 8:30

6. Next Meeting February 11th.

Middlesex Planning Commission

5-5-04 –Minutes

6:30 – 8:30

Members Present:

Sandy Levine

Paula Crossett

Lowell Smith

Gregg Faber

Guests:

Brian Shupe, Planning consultant

Bill Rossmassler

Mike Kline, ANR

1. Minutes for April Meeting are the comments submitted by the public at the meeting.
2. Mike Kline discussed proposal from the Conservation commission to include a “Fluvial Hazard Overlay District” for a section of land along the Brook Road, between two tributaries of the Great Brook, that are at greatest risk of erosion and landslides. Mike reviewed his research over the past 2 years & proposal to provide additional review and standards to avoid development in this area that will further encroach on the brook and increase the hazards to existing homes, bridges, culverts & the road. Proposed district identified as area included in a 300ft setback from the center of the road.

Planning Commission accepted the proposal. and asked Brian to incorporate this into final proposed zoning changes.

3. Discussed comments from previous meeting & from town officials & how to incorporate these into final proposed bylaws.

a. Subdivision Review

Discussed whether standards should be eliminated or reduced, whether some subdivisions should be exempt &/or whether there should be two levels of review for “major” and “minor” subdivision. Selectboard had concern that review proposed is too burdensome. Decided to provide for “major” & “minor” subdivision review and to provide for more limited review of “minor” subdivisions.

b. Lot Sizes

Discussed alternatives to address concerns that lot sizes are too large in the Conservation & Rural Residential District. Discussed reducing lot sizes to 2 or 5 acre, or allowing smaller lot sizes, but keeping same density in these districts.

Decided not to change lot size in Conservation District & not to add additional areas to Medium Density district. The boundaries identified follow existing development patterns and allow for additional similar development in these areas. To allow greater flexibility and the opportunity to sell smaller lots so development can be in areas where there is good infrastructure (roads, suitable land for building), we decided to allow lots as little as 2 acres in Rural Residential, but to continue to have density for this district to be 10 acres, as this reflects current development density, and maintains the districts rural features. Based on a rough calculation, proposed district currently has about 419 buildings. Under this proposal, district would allow about 777 buildings total.

c. Access

Discussed changes to access standards. Remove C & D from page 13 – this is covered for major subdivisions in site plan review & by access permit granted by Selectboard. Keep E as these standards are good for emergency access and protecting water quality & avoiding damage to roads from runoff from steep driveways.

d. Conservation Commission Comments

Bill shared comments provided by Conservation Commission members and submitted at previous meeting. He will circulate electronic version. Proposal that incorporates minor changes will be available next meeting.

e. Other Comments

Technical changes based on other comments (attached) will be incorporated in final proposal for consideration at next meeting.

4. Next meeting 5/12/04

5. Adjourn

Middlesex Planning Commission

Minutes

5-12-04

Middlesex Town Hall

6:30 – 8:15 pm

Members Present:

Sandy Levine

Paula Crossett

Lowell Smith

Dennis Nealon

Guests:

Brian Shupe, Planning consultant

Gerry Carlson

Bob Onne

Susan Clark

Bill Rossmassler

Bernie Chenette (item 3)

1. Minutes for May 5 approved.

2. Review new draft of proposed zoning changes incorporating technical changes, and changes suggested from previous meeting. Draft dated 5/12/04 and highlights many of the changes that were made.
 - a. Rural residential lot sizes – incorporation of provision to allow smaller lots (2 acre) but maintain density in the district based on 10 acre). This should address concerns

from Selectboard that lot sizes are too large in this area. Smaller lots could be broken off to sell to a family member or someone else. It also reduces having to break up larger parcels and allows for larger areas of undeveloped land. Maintaining the 10 acre density is more consistent with maintaining rural features than either a 2 acre or 5 acre density. Frontage requirements changed to accommodate 2 acre lot sizes in this district. Discussed difference between this provision and existing 2-acre loophole in current zoning, which simply allows 2 acre lot if there is adequate septic.

- b. Fluvial Erosion Hazard area – reviewed revised map and addition of provisions to protect against erosion and landslides along Great Brook. Reviewed standards and how they would be implemented.
- c. Question about residential growth projection. – Anticipated growth is about 10 new houses a year for the next 10 years. This is consistent with growth over the past ten years.
- d. Question about industrial district in area that includes flood hazards.
- e. Subdivision – Changes provided for “major” (more than 3 lots in 8 years) and “minor” subdivision (all others). Removed some road & access standards. These are provided in access permit. More limited review of minor subdivisions
- f. Significant wildlife habitat – added definition as provided by comments from John Austin. Impacts addressed in subdivision review.
- g. Some technical changes to address new legislation.
- h. Comments –
 - Concern about 2-acre lot size in rural area. Like the alternative of 2 acre with 10 acre density.
 - Appreciate hard work & concern of planning commission
 - Good work

Motion to accept Proposed Middlesex Land Use and Development Regulations, & proposed zoning district map as drafted.

Motion carried. All in favor.

3. Site Plan Review for Welch Industrial Park Subdivision. Provide site plan approval for subdivision that has already occurred. Need site plan review for zoning permit. Reviewed site plan standards. Motion to approve site plan as proposed. All in favor. Dennis will draft order.

4. Public Hearing on Zoning Changes June 2, 2004.

5. Adjourn

Middlesex Planning Commission

Minutes

5-17-04

Middlesex Town Hall

7:00 – 9:00 pm

Members Present:

Sandy Levine

Dennis Nealon

Selectboard Members:

Bill Callnan

Peter Hood

Mary Alexander

Mary Just Skinner

Guests:

Brian Shupe, Planning consultant

Bill Rossmassler

3. Reviewed proposed Middlesex Land Use Regulations dated 5/13/04 with Selectboard members.
4. Items discussed:
 - a. Fluvial Hazard Overlay District. Selectboard will review in more detail, but in general think it is a good idea to have such a provision.

- b. Lot sizes: General support for the proposal to allow smaller lots in the rural residential district. Concerned still that 10 acre density is too large and makes lots too expensive. Reviewed alternatives of either 5 acre lot size, 2 acre lot size or making more areas medium density. Brian suggested another alternative of a “sliding scale” for lot sizes in this district. For example, parcels smaller than 5 acres could not be subdivided. Parcels 5-15 acres could be subdivided into two lots. Parcels 15-30 acres could be subdivided into 3 lots. Parcels over 30 acres could be subdivided provided the subdivision maintains an overall 10 acre density. The Selectboard generally seemed to like this alternative as it allowed some greater flexibility and allowed varying lot sizes.
 - c. Subdivision review: General support for effort to make subdivision review simpler and provide for major & minor subdivision. Agreed that larger subdivisions should have a careful review. Standard for smaller subdivisions should be that the application form & process should be fairly easy and accessible for a resident to complete without professional assistance. Concern that as written the subdivision rules do not achieve this. Some question whether Middlesex needs subdivision review at all or if this should be set aside for now. Less concern with the PC ability to manage subdivision review as a volunteer board as only about 10 per year would be expected. Suggested that a “deferral” of a subdivision permit be allowed that would require the permit at a later date when a development would occur, rather than when the subdivision takes place. Reason to have it when subdivision takes place is to ensure at that time that parcel can support some future development, as many subdivided lots will eventually be developed.
 - d. Reviewed Development Review Board vs Planning Comm’n & ZBA conducting reviews.
 - e. Reviewed process for adoption of zoning regs. Selectboard would like to have opportunity after the Public Hearing on June 2 to have the PC, together with the SB jointly develop a set of regulations both the PC and the SB agree upon, and have this be the final proposal given to the SB by the PC. SB will then go through its hearing process. Changes considered are not significant in terms of drafting & SB would have funds available for Brian to continue to work on the project and advise the PC & SB.
 - f. Selectboard appreciated the efforts & hard work of the PC in developing a set of zoning regs for the town.
5. As no quorum present from the PC, no action taken.

Middlesex Planning Commission-Minutes from June 29, 2004

Present: Sandy Levine, Dennis Nealon, Paula Crossett, Gregg Faber, Lowell Smith

Guests: Dexter Lafavour, Carol Krokenberger

Dexter has questions on the subdivision of his(their) 40 acre lot on Dolan Road, now zoned Conservation. He would like to subdivide 5 three acre lots with 25 acres left. A plan was shown to the Committee, for the subdivision, with road frontage included. Dexter will put a formal request into John Lincoln.

No bills brought forward

Correspondence: Comments received since the public hearing were reviewed:

ASparky≡-suggest in 4.2 it be changed so that owner could live on the property (in the apartment or main dwelling).

Doug & Beth Schaeffers= letter had been received by all

Review of Conservation -Discussion to change to Rural Residential along the roads, decrease to 10 acres lots to encourage building along the road. The review was continued with discussion of the Rural Residential district density standards.

Meeting moved to join the Select Board-7:45 pm, see SB minutes of meeting.

Middlesex Planning Commission Minutes July 14, 2004

All members present

Guests: Brian Tyrol, Eric and Kerry Carpenter

Correspondence: State of VT, District 5-notification of modification to tower on top of East Hill. Modification to a whip antenna. There will be no visual change notable. The MPC feels there is no need for action from this board.

No bills presented

Sandy has reviewed comments from the public hearing. The MCP needs to get a draft that addresses the issues raised by the Select Board to the Select Board by August and hope for a public hearing in September (held by the Select Board).

6:45-Site Plan review to property of Middlesex Properties on Three Mile Bridge Road (Brian Tyrol representing business)-to add an extension onto existing building. The proposal is for a building of 16x60 ft. on a slab with a roof, it will also have a loading dock for 18 wheelers-the business owns adjoining 2 acre lot, do not expect an increase of traffic. The business hopes the noise impact will decrease with the new building. The Carpenters are neighbors and discussed with Brian their concerns-and appear satisfied with the plans. Motion to approve site plan made by Lowell, seconded by Gregg, site plan passed as proposed.

See the attached page for continuation of discussion on zoning regulations.

Motion to adjourn 8:05pm by Paula, seconded by Dennis, meeting called

Middlesex Planning Commission

Minutes

8-11-04

Middlesex Town Hall

6:30 – 8:00 pm

Members Present:

Sandy Levine (minutes)

Lowell Smith

Dennis Nealon

Guests:

Kelly Kane (Item #3)

6. Agenda & Minutes for June & July meetings May 5 approved.

7. Correspondence & Bills
 - a. Bill for \$24.84 for copies approved.

 - b. The following correspondence was reviewed:
 - 7/21/04 -- PC to J. Lincoln re: notice of referral for site plan review
 - 7/22/04 – Dist. 5 Env. Comm'n to B. Sullivan re: Jurisdictional opinion that no permit amendment needed for change to antenna on tower on East Hill
 - 7/26/04 – Wireless Interim Bylaw from E. Montpelier
 - 7/04 – Schedule of hearings for the Housing & Community Development Program
 - 8/2/04 – CVRPC to PC re: Capital Budget & Program
 - 8/4/04 – McCain to Moretown DRB re: Curb cut plan on 100B for Quarry
 - 8/7/04 – William Spang to PC re: zoning changes on E. Bear Swamp Rd.
 - 8/11/04 – PC to AOT re: support for application for enhancement funds for Village bike & pedestrian planning; Letter reviewed & approved by PC.

8. Site Plan Review – Chapin Subdivision on E. Bear Swamp Rd. Reviewed & approved site plan for proposed subdivision to create new 5 acre lot with 220 ft of road frontage on E. Bear Swamp. Reviewed site plan criteria and none affected by proposed subdivision. Kelly Kane had questions about site plan review process and about location of parcel & the new lot, but had no concern about approving subdivision. Reviewed tax map to identify location of parcel. Site Plan approval granted.

9. Reviewed August 1 Draft of Proposed Zoning Changes & Summary of Changes.
 - Draft & Summary reflected changes discussed & decided upon since the June public hearing.
 - Reviewed how the changes to lot sizes and density in the Rural Residential & Conservation Districts would work & how the allowed subdivisions would be tracked.
 - Reviewed effects of changes compared to previous draft and compared to existing zoning on some sample parcels within the districts
 - Proposed changes address many of the concerns raised in comments at the hearing & in correspondence.
 - Forward draft to Selectboard & hold joint meeting with SB on August 24.
 - Public hearing in September. Send out postcards & put notice & article in the Middlesex Occasional about changes & the hearing.

5. Adjourn

Middlesex Planning Commission Minutes, December 8, 2004

Present: Sandy Levine, Lowell Smith, Gregg Faber, Paula Crossett

Absent: Dennis Nealon

Guests: Dorinda Crowell, Fred McCullough, Dale Klein, LeRoy Carlson

Meeting called to order at 6:35pm

Budget for fiscal year 2005/2006 discussed. It is noted with the Grant last year=s budget was \$1,133.44. The Middlesex Conservation Commission is also included in the MPC budget. It is suggested the budget for this coming fiscal year be a total of \$2075 will be presented to the Select Board. The budget includes: advertising/printing and copying \$600.00, mapping \$300.00, courses \$75.00, mail drop and postage \$600.00, and public announcements \$500.00.

The minutes for October and November reviewed motion to approve Gregg, seconded Lowell, motion passed.

Correspondence and bills reviewed.

Discussion opened up re: Zoning

LeRoy Carlson has written own edited definitions and will share these with the MPC. Copies of LeRoy=s comments were copied and shared with Board Members. LeRoy is willing to discuss these with any of the Board Members, and encourages them to call him.

Dale Klein, Dorinda Crowell, and Fred McCullough, representing the Rural Middlesex Conservation Alliance, suggested some possible changes to the Zoning Regulations including:

1: No sliding scale for lot sizes

2: Change map boundaries & add zones

3: Address road frontage

4: Incentive for owners to keep Conservation land open, incentive for seniors

5: Change minimal lot sizes to 2 acres in all districts except Conservation, make that 20 acres.

6: Expand the Industrial Zone

7: Change sign ordinance.

Should we define rural character? Sandy noted it has been defined in the Middlesex Town Plan, which has been voted on and accepted by the residents of Middlesex.

The RMCA also notes the Zoning Regs. recently put before the Town are too lengthy and need to be edited down.

The agenda for the next 3 meetings was opened for discussion. Sandy proposes the MPC on January 12, 2005 plan to review the Zoning Districts and what are in the districts?

At the February meeting the MCP plans to review maps and in March The MCP will review the process of how to rewrite the regs. The MCP will include site plan reviews at the meetings as brought up.

Meeting adjourned at 8:40 Motion Lowell, seconded Paula, motion carried.