

Middlesex Planning Commission

Minutes

Planning Commission Meeting

1/12/05

6:40-7:15pm

Attending:

Sandy Levine

Dennis Nealon

Lowell Smith

1. Due to the snow conditions and folks not able to attend, substantive discussion of zoning is tabled. PC will review correspondence & minutes only at this meeting.
2. Approval of minutes tabled until next meeting as Dennis did not attend the Dec. meeting..
3. Correspondence:
 - Reviewed & approved letter drafted by Lowell on behalf of the PC to Anka Petty, who had written expressing concern about the proposed Schaefer subdivision that was approved by the PC in November. Letter and a copy of the findings will be sent to Ms. Petty.
 - Memo from June re: town report deadline & petition deadline for candidates. If Dennis is up for reelection, he does not plan to run again. Candidate petitions due Jan 24 & require 12 signatures.
 - Letter from CVRPC offering presentation on statute changes. Sandy will contact them to arrange presentation at future meeting.
 - Report from Montpelier Planning Commission regarding proposed amendment to Montpelier Municipal Plan.
 - Memo from VLCT on Legislative priority meetings.
 - Letter from Dept of Buildings, State of Vermont providing notice and map of Source Protection Area – area to protect drinking water well – for the state general services complex.

- Zoning Application – site plan review needed for proposed installation of emergency generator at the State’s General Services Building. Sandy will contact them and arrange for hearing at February meeting.
4. Zoning – SL will collect zoning regs from neighboring towns. We have proposed regs or existing regs from Moretown, Calais & Berlin.
 5. Next meeting February 9 at 6:30 p.m.
 6. Meeting adjourned at 7:15 pm

Middlesex Planning Commission Minutes,

June 8, 2005

Present: Sandy Levine, Lowell Smith,

Absent: Gregg Faber; Steve Martin; Paula Crossett

Guests: Betty & Aden Crowell, Fred McCullough, Dale Klein, Jim Colby; Dave Shepard; Bill Rossmassler

Meeting called to order at 7:00 pm. No quorum was present or available. Following are notes of discussion that took place and input provided by people present. No action was taken or decisions made.

1) Mixed – Use District / Interim Zoning:

- Sandy noted that PC was working on a draft to make permanent the Interim Zoning changes. It is her recommendation that the changes should follow the existing Interim Zoning for the Mixed Use district rather than the revisions included in the September 2004 zoning re-write proposal that was not adopted by voters. As written in the September 2004 draft, there are many references to other parts of the proposal that are not in the current zoning.
- Betty Crowell asked if their property should be part of the mixed use district.
- Jim Colby expressed concern about the Mixed Use zoning and changes between the Interim Zoning and the September 2004 proposed zoning. These include:
 - Use of earth resources should be allowed anywhere on the property and not only in the Mixed Use District;
 - Building height limitation should be 40 ft not 35 ft
 - Elderly housing should continue to be included as a listed use
 - More than 4 units per building should be allowed, especially if there is interest in encouraging elderly housing
 - More uses should be allowed in the district.
 - Mixed Uses in this area does not maximize the economic benefit for the Town
 - The Mixed Use area should extend farther up Center Road and include the other side of Colby Road
 - The back field on the Colby property should be Mixed Use and not Conservation
 - The PRD or PUD requirements in the Sept. 2004 zoning proposal are too restrictive for development in the Mixed Use district
- Fred McCullough & Dale Klein suggested the area should allow industrial & commercial uses. If there is concern about big box stores, limit those uses, but do not limit all commercial or larger industrial uses. This area is good for uses that do not now fit in the Village. The Village has a main road going through it and it is difficult for this area to develop as a Village. Middlesex should consider having the Mixed Use area be a separate Village.
- Sandy noted these issues were discussed in drafting the Village Plan and in the recent re-write of the

Town Plan. If these changes are wanted, the Town Plan would need to be revised.

- Gregg was going to look at Telecommunication ordinance. Sandy prepared preliminary draft that includes the Telecom section from the September 2004 zoning proposal. Sandy will circulate before next meeting to have it available for discussion. For a vote in the fall, the PC should have a final proposal ready in August.

2) Review maps & Development Potential analysis prepared by Central Vermont Regional Planning Commission.

- Reviewed maps from CVRPC
- Dale Klein also has the data available, along with parcel data on his computer so we could review the various overlays.
- Suggested that the PC use contours & waterways to define boundaries.
- Resources such as deer yards and ag soils are good to know about but not ideal for identifying boundaries.
- Dale Klein suggested the need to look beyond zoning and suggested the PC should address the tax burdens on large landowners or else there will always be pressure to subdivide the larger parcels.
- Reducing tax burdens or the effect on taxes need to be addressed.
- Bill Rossmassler noted that residential development generally does not pay in taxes the cost of providing the services needed by such development. Conservation, Industrial & Commercial development generally pay more in taxes than they use in Town services.
- Suggestion that if goal is to reduce tax burden then density should be increased in some areas and land available for commercial & industrial land should be increased.
- Jim Colby noted that the Mixed use district should allow more than residential and should allow development that will increase the tax base. Development there is not visible and close to services, such as the Interstate.

Meeting ended at 8:30 p.m.

Middlesex Planning Commission Meeting-July 13, 2005

Present: Steve Martin, Sandy Levine, Paula Crossett, Gregg Faber (late)

Absent: Lowell Smith

Guests: Dave Shepard, Dale Klein, Bill Rossmassler, Laurie Dodge, Penne Smith

Meeting called to order 6:30pm

Correspondence: John Colby's Letter received and reviewed

LeRoy Carlson's letter re: Pettibone property on the corner of Macy Road and Wood Road reviewed

LLC Properties-copy of the Act 250 noted for addition to present building

No Bills

Please give June a copy of all grants (when applying)

Discussion begun on Interim Zoning changes-Mixed use and Telecommunications and what is needed to make them permanent. The MCP will wait for Gregg to discuss further. It was decided to add a meeting in August for the Public meeting to give the Select Board time to hold their Public Meeting.

7:02 Review for easement to back lot on Lower Sunny Brook Road. Laurie Dodge and Penne Smith present for discussion (Penne is owner of the lot). Adjoining landowners were notified by applicants (by phone). It is noted an easement has been deeded in lot 1 deed (warranty deed) to include a 20 ft drive way. Motion to accept Paula, motion seconded Steve, motion carried. Sandy will write the findings and get them to John Lincoln.

Discussion continued on Mixed Use Districts, Gregg present. Motion to accept present Interim Zoning as permanent Paula, seconded Sandy, voted- Paula, Sandy, Gregg yes, Steve no.

Discussion on Telecommunications Zoning, Motion to accept as written in September 2004 rewrite by Steve, seconded Gregg, motion carried.

Review of maps and how to pick boundaries: Suggestions include 1) roads with greater depths, 2) streams, & 3) contours. It is noted wetlands have their own natural buffers. Gregg, Steve & Bill will look at maps and boundaries for the next meeting.

The Conservation Committee will circulate their suggestions again

August Meeting -will look at zoning district boundaries and district uses

September Meeting-will look at lot sizes, density and subdivision review.

Public Hearing is August 17, 6:30 p.m. at the Town Hall. Meeting adjourned.

Middlesex Planning Commission

Minutes of Public Hearing for Proposed Zoning Changes

August 31, 2005

7:00 – 7:35 pm

Middlesex Town Hall

Attendance:

Planning Commission Members: Sandra Levine, Gregg Faber, Lowell Smith, Steve Martin, Paula Crossett.

Public: George Fox, Fred McCullough, Darlene Martin, Dale Klein, Aaron Weed, Dave Shepard, Chris Nordle

Introduction on process for zoning changes. (SL)

Comments from those present:

1. Dave Shepard –
 - Support changes as drafted and encourage adoption
 - If zoning for mixed use area not proposed, PC should still move forward with proposed telecom changes.
2. Dale Klein –
 - This is piece meal and should be taken up with townwide zoning changes.
 - Disagree with substance & mixed use.
 - Don't agree with way treating property in that area.
 - Telecom provision may limit ability of town to grow. Wireless is coming in multiple forms. Physical constraints will limit where towers can go.
3. Darlene Martin –
 - Need to know more about changes. Proposal is confusing.
4. Aaron Weed –
 - Don't see why there is a limit to not have commercial in Mixed Use district.
 - Square foot limits OK.
 - Should not block development in Mixed Use area or make area residential.
 - Would like to see the Interim zoning expire and zoning for area north of interstate revert to Industrial / Commercial.

- The boundaries before were good.
 - Not opposed to restriction on big box development in area.
5. Fred McCullough –
- Mixed Use proposal is spot zoning.
 - More uses should be permitted instead of conditional uses or not allowed at all.
 - Change structure to prohibit what uses are not wanted instead of only allowing permitted & conditional uses.
 - Mixed Use area should be Industrial. Town needs more industrial land.
 - Uses in Mixed Use area too restricted
 - If don't want big box stores in mixed use area, say so.
 - Regarding telecom provisions – concern about repeater distance & does this make sense. Should not have to climb tower to access repeater.
 - Good to have guidelines for telecom.
6. George Fox –
- Has the town spoken with any telecom company about proposal?

Middlesex Planning Commission

Meeting Minutes

August 31, 2005

7:40 pm

Middlesex Town Hall

Attendance:

Planning Commission Members: Sandra Levine, Gregg Faber, Lowell Smith, Steve Martin, Paula Crossett.

1. Discussed if Mixed Use area should be Industrial. State law requires zoning to implement Town Plan. For Village & Exit 9 area, Town Plan at pg. 44-45 include the following land use goals & recommendations this area:
 - Foster a development pattern characterized by compact, mixed-use development surrounded by open countryside.
 - Maintain historic Middlesex Village as a commercial, cultural, civic & residential center of the community.
 - Encourage manufacturing and related business activities to concentrate within a well defined Industrial District south of I-89.
 - Consider a mix of small scale mix uses in a compact manner north of I-89, while preserving natural and agricultural resources, fragile features and the scenic and rural character of this important gateway to Middlesex.
 - Avoid strip development around the interchange;
 - Encourage development in the areas north of I-89 that would enhance the historic village as a community, commercial and business center of town;
 - Protect aesthetic and scenic character of the Center Road and I-89 corridor.
2. Reviewed correspondence with Jim Colby (Aug 12 letter; Aug 25 email reply from Sandy; Aug 27 email from J. Colby; Aug 30 email from J. Colby). Discussed possible language changes to clarify that more than one industrial building is allowed in the Mixed Use District.
3. Discussed whether some conditional uses should be changed to permitted uses. Either business uses made permitted or other lower impact uses made permitted. Review should be allowed for some uses to avoid conflicts in uses in this area.
4. Change that would list prohibited uses instead of permitted & conditional is better taken up as part of overall zoning re-write.
5. Discussed whether mixed use & boundary change proposal should go forward at all.
6. Motion by Steve; Second by Lowell: The zoning proposal should not be advanced to the Selectboard. Yes – Steve & Lowell; No – Paula, Gregg & Sandy. No votes suggest some changes made to proposal before it is advanced.

7. Motion by Gregg; Second by Lowell: Change Mixed Use District as follows: (1) add “per lot” after “aggregate” in definition of light industrial; (2) move conditional uses 1, 2, & 3 to permitted uses. Discussion and friendly amendment to add 4 & 7 to uses that would be permitted. Yes – Gregg, Lowell, Paula. No – Steve
8. Discussed Telecom Tower provisions.
9. Motion by Gregg; Second by Paula: Advance the telecommunication proposed bylaw as written to the Selectboard. Yes – Gregg, Paula, Steve, Lowell.
10. Adjourn: 8:20 p.m.

9/14/05 MIDDLESEX PLANNING COMMISSION MEETING

Present: Sandy, Steve, Paula, Gregg, Lowell

Guests: Charlie Grenier, Audrey Irons, Paul Irons, Ron Mazzuca, Steve Hagenbuch, Sue Clark, Bill Rosmassler, Tom Jackman

Municipal Planning Grant-Tom Jackman is unable to attend at 6:30 will be here later in the meeting

Minutes from Aug. 10 & Aug. 31 accepted by MPC.

Bill for certified mail accepted and passed to June

Correspondence: E-mail from Mr.Colby to the Selectboard was passed for members to read.

Noted Oct. 5th public hearing for the selectboard.

Seminars and conferences passed around.

Discussion began to be repeated at 8pm.

See #8 on agenda discussion begun re: off set from road adding 400 feet.

7:00pm Hearing on Grenier Land Co. Site Plan Approval. Prints reviewed, has Act 250 approval.

Motion to accept Gregg, seconded Steve-motion carried. Gregg to write the findings and get to Sandy for forwarding to John Lincoln.

7:15pm Hearing on property of Audrey Irons for subdivision without road frontage. Noted no deeded Right of Way for back lot. Steve recused as neighbor. Motion to table until next meeting and Owner and Paul Irons invited back to provide deeded proof of Right of Way.

7:30pm Hearing on property of Ron Mazzuco for subdivision. Has deeded Right of Way. Found to have required frontage on private drive. Motion to accept Gregg, seconded by Steve. Motion passed. Gregg will write findings and pass them to Sandy, who will forward to John Lincoln.

7:45pm Tom Jackman present to discuss planning grant and the needs of the Town at present. .Motion to accept going forward with planning grant, by Gregg, seconded by Steve, motion passed.

8:00pm Susan Clark present to discuss letter from the Solutions Committee dated Aud. 10, 2005.

Discussion re: for increasing Town involvement in the process of Zoning regs.

Meeting adjourned 8:40 motion Gregg, seconded Lowell.