

UNDERHILL PLANNING COMMISSION

Wednesday, February 22, 2017 6:30 PM

Minutes

Planning Commissioners Present: Chair Cynthia Seybolt, Carolyn Gregson, Catherine Kearns, David Edson, Pat Lamphere, Irene Linde

Staff/Municipal Representatives Present: Andrew Strniste, Planning Director

Others Present: Stacy Turkos, Underhill Resident; Matt Chapek, Development Review Board Representative; David Glidden, Prospective Commissioner

[6:30] The Planning Commission convened at Underhill Town Hall at 6:30pm.

[6:31] Chair C. Seybolt called the meeting to order.

[6:31] Members of the public who attended introduced themselves.

[6:32] Chair C. Seybolt asked for a motion to approve the minutes of January 18, 2017. Commissioner Lamphere moved to accept the motion, and Commissioner Edson seconded the motion. The Commissioners voted unanimously to accept the minutes. The minutes from January 4 and February 1 could not be accepted because a quorum from those meetings was not present.

[6:35] Staff Member Strniste reviewed the timeline to have changes to the bylaws made. He proposed having the updates completed by mid-July at the very latest.

[6:37] Chair C. Seybolt asked if the Commission wished to move their meeting day. The Commission agreed that the first and third Thursdays of each month would be more conducive for their schedules. Staff Member Strniste was advised to inquire with Commissioners Phillips and Bergersen to confirm Thursday would work for them. The Commission was in agreement that their preference would be for more special meetings than having longer meetings.

[6:44] Member of the public David Glidden provided a background of himself and why he wished to be a member of the Planning Commission. He advised that the Commission that he grew up in Underhill, and wished to have input in the community. He is a political organizer and lives out on Wild Berry Lane. Mr. Glidden then asked the Board about how they are relaying information to the public. Chair C. Seybolt answered that the Planning Commission has had a difficult time, as it is hard to get the public engaged. Commissioner Kearns explained that they need more information output. Commissioner Kearns then asked about how he dealt with disagreement and conflict. Commissioner Lamphere stated that a goal of the Planning Commission is to find common ground and listen to everyone. Chair C. Seybolt explained that the Commission is working to be more in sync with the Development Review Board. Commissioner Gregson gave an overview of how the Planning Commission used to be also the Zoning Board of Adjustment, which provided them the opportunity to not only craft the Regulations, but also apply them. Mr. Glidden stated that the only conflict he would have in attending meetings would be during election season due to the nature of his job.

[6:57] Staff Member Strniste provided any overview on the outstanding bylaw issues, which include transferring language involving roads and access to the Road Ordinance, updating the definition sections, and the creation of a new zoning district for Underhill Center. Board Member Chapek explained that the Development Review Board would be in favor of transferring road/access language to the Road Ordinance since it is not their purview. Chair C. Seybolt explained that

Board needs to consider whether they want an overlay district v. a new zone for Underhill Center, or do not want to change current zoning. Staff Member Strniste explained that the map he provided was an arbitrary boundary, and that the Planning Commission should consider one acre zoning v. two acre zoning if they were to create a new district. Other bylaw issues that Staff Member Strniste provided were moving some sections from Article IV to Article III and grammatical errors.

[7:04] A discussion ensued regarding density bonuses. Chair C. Seybolt first inquired with Board Member Chapek regarding the Development Review Board's opinion on the issue. Board Member Chapek responded by stating the Development Review Board just had its first case with density bonuses and that there were positives and negatives. Commissioner Lamphere expressed his dissatisfaction with density bonuses being a part of the Regulations. Commissioner Kearns asked the Board to consider and list the positives of having density bonuses, which were: providing for affordable housing, providing for renewable energy, and providing flexibility for property owners. Commissioner Gregson expressed her concern of how large the bonus awards are. Chair C. Seybolt asked the Commission to consider the negatives of permitting density bonuses, which are: circumstances have not changed so why should density, prevent profiteering. Commissioner Lamphere expand upon the first negative point by asking the Commission what environmental circumstances have changed to allow less acreage per lot.

[7:20] The density bonus discussion continued with Commission Kearns stating that as of now, these were not provisions that are being abused. Commissioners Lamphere and Gregson both affirmed that this section regarding density bonuses were put into the regulations either without their knowledge or without their understanding of their true impact. Board Member Chapek directed the Commission to consider the definition of affordable housing and how that impacts their interpretation of that density bonus. Commission Lamphere asked the Commission why a waiver could not be granted for undersized lots, where Staff Member Strniste responded by stating that it was a slippery slope, and a precedent that should not be set. Commissioner Edson stating his belief that the definition of density should be updated to include land within existing and proposed road rights-of-ways. Cynthia stated that the affordable housing definition was concerning. Staff Member Strniste then provide an explanation on why he believes the density bonus idea is a good idea, focusing mainly on the flexibility provided those lots that are nonconforming. Chair C. Seybolt then stated that the Planning Commission may need to focus on the criteria needed to obtain density bonuses. Board Member Chapek provided the Development Review Board's point of view on the issue again, as well as stating that this was the first time this issue went in front to the Development Review Board.

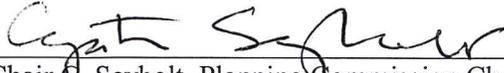
[7:39] Commissioner Kearns continued the density bonus discussion by stating that while she is typically a proponent of flexibility, she believes that people choose to live in Underhill for the bigger lot sizes. Commissioner Edson proposed to allow those lot owners who are within a certain percent of subdividing the ability to utilize density bonuses. Commissioner Kearns stated her belief that the intention of this section was to increase the net housing, and that the purpose of subdividing was to make a dollar. Staff Member Strniste rebutted by stating some may choose to subdivide in an effort to parcel off a piece of land for a family member. Commissioner Lamphere rebutted by stated that the family member still obtains an economic gain. Commissioner Lamphere stated that he was not opposed to the lot on Beartown Road utilizing density bonuses to subdivide. Commissioner Gregson asked if lots that utilize density bonus could have a single family dwelling and an accessory apartment each, thus totaling six dwelling units. Staff Member Strniste stated, and Board Member Chapek confirmed, that a planned residential

development is like a contract with the Town, and would need to be amended if any changes were proposed.

- [7:54] Commissioner Kearns began a discussion regarding having concerns about the density bonus awards. Chair C. Seybolt wished to change the definition of affordable housing and asked Staff Member Strniste to inquire with CCRPC about being required to use the current definition of affordable housing. Chair C. Seybolt took a straw vote to see where Commissioners stood with keeping the density bonus as written, where no one voted in the affirmative. Two members of the Commission wished to eliminate the density bonus in its entirety, whereas four members wished to modify the density bonuses.
- [8:02] Commissioner Gregson asked what the rural character of Underhill really meant, as this was an important role in determining where multi-family house should be placed. Staff Member Strniste explained that this was an issue with a previous conditional use application. Commissioner Gregson stated that the “rural character” language was put into the Regulations because a lot of communities were putting it in their regulations. Chair C. Seybolt asked the Planning Commission to come to the next meet with recommendations regarding their assigned tasks. Staff Member Strniste asked the commissioners to referred back to the December 19 email, and focus solely on the questions. Commissioner Lamphere also stated that the term “master plan” was used in several areas of the Regulations, but there was no definition.
- [8:09] Chair C. Seybolt suggested that she explain to the public at Town Meeting Day that Planning Commission is working on rewriting the regulations, and will be holding meetings and seeking input, and for more information, anyone on the Commission could be contacted. She also suggested informing the public that the Planning Commission is thinking of creating a new zoning district. Members agreed to this plan. Commissioner Linde made an announcement about the Underhill Historical Society and asked members of the Commission to bring food to Town Meeting Day.
- [8:11] The Commission expects there to be a quorum at next meeting, March 1, 2017.
- [8:12] Chair C. Seybolt asked for a motion to go into deliberative closed session to discuss the prospective commissioner. Commissioner Lamphere moved to accept the motion, which was seconded by Commissioner Edson. The motion was approved unanimously.
- [8:21] Chair C. Seybolt asked for a motion to come out of deliberative closed session. Commissioner Linde moved to accept the motion, which was seconded by Commissioner Gregson. The motion was approved unanimously.
- [8:22] **Chair C. Seybolt asked for a motion to adjourn.** Commissioner Lamphere moved to accept the motion and Commissioner Edson seconded the motion. The motion was approved unanimously.

Respectfully Submitted By:
Andrew Strniste, Planning Director

The minutes of the February 22, 2017 meeting were accepted this 1st day of March, 2017.



Chair C. Seybolt, Planning Commission Chair