

UNDERHILL PLANNING COMMISSION

Wednesday, November 30, 2016 6:30 PM

Minutes

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

Staff/Municipal Representatives Present: Andrew Strniste, Planning Director

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

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

[6:32] **Chair C. Seybolt asked for a motion to approve the November 2nd, 2016, Minutes.**

Commissioner Bergersen moved to accept the motion and Commissioner Lamphere seconded the motion. The motion was approved unanimously.

[6:33] Staff Member Strniste provided an **update on events that have occurred** since the last meeting. He explained that he has been working extensively on zoning issues that have occurred over the last few months.

[6:34] Chair C. Seybolt provided an **overview of the Planning Commission's future schedule**. She recommended that Staff Member Strniste connect with the Town of Jericho to setup a meeting with their Planning Commission to discuss the AARP grant and the implementation of their new commercial district. Commissioner Linde suggested a discussion be had about the sidewalk issue as well. Chair C. Seybolt inquired about the Unified Planning Work Program (UPWP), and whether that is something that can be performed with the Town of Jericho.

[6:38] Staff Member Strniste advised the Commission that the **projector and projector screen have been ordered and delivered**. He will set up an informational meeting with the various Boards and Commissions, which Staff Member Strniste will follow up on.

[6:39] The Commission recommended that Staff Member Strniste reach out to Bernie Piene regarding the **redesign of the Town website**, as well as inquired about the **Underhill Center Designation application**.

[6:41] Commissioner Phillips provided an **update about the announcement to solicit perspective commissioners**, which she will post in the near future. Commissioner Lamphere/Staff Member Strniste stated that the Commission should field for interest rather than one position in order to retain perspective commissioners for the future.

[6:43] Staff Member Strniste provided an **update of his analysis regarding nonconforming lots in the Water Conservation zoning district**, which could potentially lead to an overlay district. He informed the Commission that over 50% of the lots in the Water Conservation district are adversely impacted by the minimum lot size requirement. Commissioner Lamphere provided an overview of his research regarding overlay districts, and stated that he found several municipalities that have used them for different purposes, and not necessarily for one district. His belief is that an overlay district could help ease some of the restrictions for accessory structures such as decks, porches, etc. Chair C. Seybolt stated that the Development Review Board should be prepared to discuss why they want an overlay district for when the Planning Commission and the Development Review Board next meet, hopefully in January. Staff Member Strniste and

Commissioner Lamphere provided additional background on the functionality of overlay districts, as well as informing the Commission the costs of variance/waiver hearings. Lastly, Staff Member Strniste advised the Commission that while overlay districts can be used to relax standards, they can also be used to increase restrictions, which should be explored.

[6:56] Chair C. Seybolt provided the **workplan for the next few months**. She advised the Commission that all proposed bylaw changes shall be completed by mid-July, thereby allowing Staff Member Strniste that opportunity to complete the report by the end of August. In the beginning of January, the Commission should meet with the Development Review Board to discuss the potential overlay district, which the Commission would discuss in the more depth next meeting. In February, the Commission should meet with the Development Review Board again to discuss any outstanding concerns, which would be further discussed by the Commission at the next meeting. Chair C. Seybolt advised the Commission that they should also plan for public meetings in the late winter/early spring. All members of the Commission liked the work plan.

[6:59] Chair C. Seybolt then informed the Commission of their first task, to **resolve the issues pertaining to multi-family housing**, as this was identified to be the most important issue. She advised the Commission that they had been **split up into teams of two to address different sub-issues**: Commissioners Edson & Kearns will address issues with accessory dwellings; Commissioners Phillips & Lamphere will address issues with density; Commissioners Seybolt & Bergersen will address issues with condominiums; and Commissioners Gregson and Linde will address issues pertaining to the delineation of multi-family house. Starting on January 18th, the Commission will review the research of each team. Staff Member Strniste then provided a brief overview of each sub-issue and the problems that the Town currently faces or could potentially face.

[7:20] Chair C. Seybolt then began a **discussion about temporary structures**. She informed the Commission that her research yielded minimum results as most municipalities did not address temporary structures. She then informed the Commission that the Towns of Fletcher and Stowe did have some regulations that were stricter than Underhill's. Furthermore, Chair C. Seybolt stated that she had not found any regulations pertaining specifically to tiny homes. Staff Member Strniste provide some background on why/how temporary structures and tiny homes could be a problem by outlining a current situation. Commissioner Kearns initially stated her support for having tiny homes reviewed by the Development Review Board on a case-by-case basis. Commissioner Edson expressed his belief that the discussion about tiny houses was a waste of time as they are not treated any differently than regular dwellings, and therefore, tiny houses do not need to be addressed in the Land Use Regulations. Commissioner Phillips stated her belief that Underhill should take some type of proactive approach by adding wording to the regulations to address tiny homes, thereby making sure the house is permitted properly. Commissioner Kearns informed her belief that Staff Member Strniste was correctly interpreting the Regulations, and that some clarity was needed. She continued to state that the Regulations should include a Tiny Home definition, and further determined what Regulations are needed for permanent tiny homes and temporary tiny homes. Commissioner Phillips stated that the crux of the issue was between the tiny home being mobile and non-mobile. Staff Member Strniste stated his belief that a tiny home, regardless of its mobility, should not be treated differently from a single-family home, as there is a distinction between a recreational vehicle and a tiny home. A discussion ensued between Commissioner Edson and Staff Member Strniste about the permitting process and the ramifications of permitting an accessory dwelling before a single-family dwelling. Staff Member Strniste expressed his belief that Planning & Zoning should be trying to capture the full intent of the applicant, while Commissioner Edson stated people's intent change, and therefore, if an accessory dwelling is built before the single-family dwelling, then the accessory dwelling can

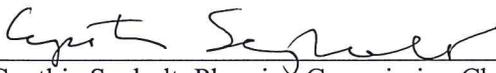
be permitted as the primary dwelling. Staff Member Strniste was asked to draft wording that incorporates tiny house into the Regulations, as well as possible views expressed by the commissioners and himself on the subject.

[8:03] **Chair C. Seybolt provided an overview of what was expected in the coming meetings, and then reminded the Commission of the planned pot luck the following week.**

[8:07] **Chair C. Seybolt asked for a motion to adjourn.** Commissioner Lamphere moved to accept the motion and Commissioner Bergersen seconded the motion. The motion was approved unanimously.

Respectfully Submitted By:
Andrew Strniste, Planning Director

The minutes of the November 30, 2016 meeting were accepted this 8TH day of January 2017.



Cynthia Seybolt, Planning Commission Chair