

Dummerston Planning Commission

Approved Minutes

February 4, 2014

Meeting was called to order at 6:30 at the Town Office by Sam Farwell

Members Present: Sam Farwell, Deb Forett, Annamarie Pluhar, Andrew MacFarland, Bev Tier, Cindy Wilcox, Rich Cogliano

Absent: Maria Glabach,

Public Present: Charlotte Annis, Nelson Jillson, Bevery Kenney

1. Approve minutes of 1/28/14

Bev moves to accept the minutes, Cindy seconds. Motion passes.

2. Public Comment

Beverly Kenney spoke about her observations about changes of uses in zoning.

3. Correspondence and ZA Report

Charlotte updated the PC on legislative updates. There is something about removing exemptions over power generation in the coming legislation. She will update us in a future meeting.

4. Zoning Bylaw update draft

a. Agri-tourism

Andrew moves, Deb second the addition of words to definition so that it reads as follows; “A use and related structures attracting travelers or visitors to an area or areas that are used primarily for agricultural purposes, including overnight stays, events, festivals, recreation activities, tourism-enhanced direct marketing, education, and farm cafe. This includes activities conducted by a farm operator for the enjoyment and education of the public, to promote the farm’s products, and thereby generate additional income.” Motion passes.

b. Cemetery

Andrews moves, Deb seconds. Accept Cemetery draft as presented. Motion passes.

Draft Cemetery: Land designated for burial of internment of the intact or cremated remains of people either above or below ground.

c. Communication Structure

Cindy presents ordinance definition: All equipment (including repeaters) and locations of equipment with which a wireless telecommunication provider transmits or receives the waves which carry their services. This facility may be sited on one or more towers of structure(s) owned and permitted by the provider or another owner or entity. Decision not to do anything

Andrew moves we strike Conditional Uses for Communications Structure in the Conservation district and request that the Chair inform the SB that the ordinance should be updated. Bev seconds. Motion passes.

d. Storage Facility

Andrew offered a definition: a non-accessory use or structure for storing good, materials, equipment, supplies or vehicles wholly contained with a building.

Deb moves to rename the use “Enclosed Storage” to “Storage Facility.” Andrew seconds. Motion passes. Andrew will come back with a new draft of storage facility for us to discuss.

e. Interested Person

Deb moves to adopt definition of Interested Person as in Title 24 VSA Chaper 117) Section 4465(b) and strike “as defined in §4465 of the Act” from Section 716. Bev seconds. Motion passes

f. Residential Care Home

Andrew moves to strike "Group Home" from the Definitions. Rich seconds. Motion passes.

Andrew moves to correct that statute language (below) and adopt as corrected. Deb seconds. Motion passes.

Adopted Definition: A place, however named, excluding a licensed foster home, which provides, for profit or otherwise, room, board, and personal care to three or more residents unrelated to the home operator. 33 V.S.A. § 7102(10)

Andrew moves to change "Residential Care home 9 +" to "Residential Care Facility." Deb seconds. Motion passes.

Andrew moves to change the definition for Residential Care Facility to "a residential care home, nursing home, assisted living residence, home for the terminally ill, or therapeutic community residence licensed or required to be licensed pursuant to the provisions of 33 V.S.A. § 7102 and housing 9 or more residents." Motion passes.

Andrew moves to insert "up to 8 people" in Residential Care Home. Deb seconds. Motion passes.

Deb moved to strike Section 603 #5 from the bylaw. Bev seconds. Motion passes, Cindy abstains.

Andrew moves to create Section 603 #5, to say "A residential care home or group home to be operated under State licensing or registration, serving not more than eight persons who have a handicap or disability as defined in 9 V.S.A. § 4501, shall be considered by right to constitute a permitted single-family residential use of property, except that no such home shall be so considered if it is located within 1,000 feet of another existing or permitted such home. (24 V.S.A. § 4412 (1) (G)) " Deb seconds. Motion passes.

5. Other business

Schedule public forums

Next meeting: February 25, 2014, 6:30pm, at Town Office, Zoning Bylaw Update

Next Regular Meeting: March 11, 6:30 West Dummerston

Zoning Bylaw Update Meeting: February 25