



## PLANNING COMMISSION

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Meeting Type: ..... Regular Meeting  
Date: ..... Tuesday, July 7, 2020  
Time: ..... 6:00 p.m.  
Place: ..... Community Room  
Address: ..... 43 Bombardier Road Milton, VT 05468  
Contact: ..... (802) 893-1186 or [chaiju@miltonvt.gov](mailto:chaiju@miltonvt.gov)  
Website: ..... [www.miltonvt.gov](http://www.miltonvt.gov)

## MEETING MINUTES

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*John Lindsay, Chair*

*Tony Micklus, Vice-Chair*

*Lori Donna, Clerk*

### 1. Call to Order & Welcome

The meeting was called to order by J. Lindsay at 6:10 p.m.

### 2. Attendance

**Members Present:** John Lindsay, Chair; Tony Micklus, Vice Chair; Lori Donna, Clerk

**Members Absent:**

**Staff Present:** Cymone Haiju, Planning and Development Director; Regina Mahony Interim Planner

**Others Present:** Seth Duchesneau

### 3. Agenda Review

--No agenda changes.

### 4. Public Forum

*The public may attend and participate in accordance with Vermont's Open Meeting Law (1VSA312).*

There were no public comments.

### 4. Staff Updates

-- J. Lindsay stated this meeting would be a good opportunity to have a fuller welcome and introduction to C. Haiju, the new Milton Planning and Development Review Director. C. Haiju shared her professional background and love for Milton and Vermont. J. Lindsay, L. Donna, T. Micklus, S. Duchesneau, and R. Mahony each introduced themselves and welcomed C. Haiju.

-- C. Haiju mentioned she received a letter from Michael McCormick this afternoon in response to CCRPC's recommended UDR edits. T. Micklus stated typically when we have received letters from the public it was included in the agenda packet for the meeting and PC members would be welcomed to comment. C. Haiju stated she would include the letter in a future agenda packet. J. Lindsay agreed.

-- C. Haiju stated a Certificate of Public Good petition was submitted by Georgia Mountain Communications Tower, LLC for a telecom tower to be placed among the wind turbines and serve as a radio dispatch for the northwest region. It will help Milton police get rid of dropped signal areas for their dispatch.

-- C. Haiju asked the Planning Commission members if they recalled making a decision on zoning district change requests from three property owners from R5 to R1 in the recent past. J. Lindsay and L. Donna remarked the Planning Commission decided they would not look at any individual zoning district change requests until they looked comprehensively at the issue of transitional zoning.

## 6. Business

### A. CCRPC Unified Development Regulations Technical Recommendations Discussion

R. Mahony provided an overview of five (5) minor/technical recommendations in the UDR, based on a previously submitted CCRPC list of recommendations, some of which came from requests from the Zoning Administrator:

(1) R. Mahony recommended that the PC consider changing the abandoned land development (1206), blighted or damaged structures (1207), and abandonment in the Flood Hazard Overlay (2201.J(2)) sections to match the discontinued use section's timeline of 12 months because of its difficulty from an enforcement perspective. R. Mahony highlighted that section 1206A covers safety issues, ensuring unsafe structures are mitigated immediately. T. Micklus mentioned he likes the consistency and can see how this would make the Zoning Administrator's job easier. L. Donna stated it would be fine if the permit was extended to 12 months but could not understand how discontinued use and the other types of problematic structures could be confused during enforcement. J. Lindsay clarified that this recommendation was brought to the Commission in order to create more consistency in the regulations and stated he would be in favor of updating the timeframe to 12 months. To L. Donna's point, R. Mahony stated staff can do further research on specific instances where there has been confusion on the differences between these categories during enforcement. J. Lindsay requested specific examples of this issue be shared at the next Planning Commission meeting.

R. Mahony recommended the Flood Hazard Overlay section also allow for the same 36 month extension provided to blighted or damaged structures given that structures in the Flood Hazard Overlay area may be particularly challenged with complying with a 12 month timeframe. Extending the timeframe would also protect future development opportunity for the area. S. Duchesneau recommended requiring a communication from the property owner within the 36-month timeline to show progress on rehabilitating the structure. R. Mahony stated there may be a way to accomplish this but further research may be needed.

(2) R. Mahony stated accessory structures, as regulated in section 2006C(1), are required on corner lots to meet the front setback requirements for both of the roads they interface. The Zoning Administrator's suggestion is that accessory structures on corner lots be allowed to use the side setback requirements on the road side which does not have driveway access. J. Lindsay and L. Donna had a clarifying question about whether accessory structures larger than 120 square feet would receive this provision. R. Mahony clarified that accessory structures over 120 square feet would receive this provision because accessory structures less than 120 square feet are exempt from requiring a zoning permit. J. Lindsay and L. Donna both requested clarification from the Zoning Administrator on what types of accessory structures have been requested for the side setback provision so that the Planning Commission can discuss whether this amendment would meet the original intent or not. L. Donna stated that it might make sense to allow this in some zoning districts but not others (i.e. downtown).

(3) R. Mahony stated there are some standards written into the schematic in DB1 (2101) that conflict with the dimensional standards for the district. R. Mahony recommended that staff look at the record a bit more to judge which standard is most accurate – the dimensional standards or the illustrations and to specifically verify if there is a minimum building height of 2 stories, and a minimum setback of 40' as the illustration on page 2-11 shows. J. Lindsay stated it would be worth looking at previous drafts of the UDR to ascertain whether the two story building

height mention in the illustration is accurate. As a separate technical edit, R. Mahony stated she would reach out to Brandi for clarification on how the build to line relates to minimum front setbacks and why both are defined.

(6) R. Mahony remarked there have been some requests to the Zoning Administrator for home businesses that are happening entirely within the structure without heavy traffic such as family resource counselors and hair stylists. Such home businesses could benefit from allowing business hours on Sundays. R. Mahony requested the Planning Commission consider a UDR edit that would allow the Zoning Administrator or Development Review Board to approve Sunday home business operation hours if there are no undue adverse impacts on neighbors. T. Micklus stated our overarching goal is to encourage more commercial in Milton. J. Lindsay mentioned given the COVID situation, home businesses should not be encumbered. For further clarification, R. Mahony stated from the UDR there are three tiers of commercial activities in the home: home office, home occupation, and home business. C. Haiju requested clarification on whether home businesses require conditional use approval based on the nature of the business. R. Mahony clarified home businesses require conditional use approval based on the zoning district in which they are located. 'Home business' is a conditional use in M4, M5, M6, and all R districts but home businesses are permitted in DB1, MC1 and in heavier use areas. L. Donna stated her support for a continuance of home business being a conditional use in the heavier use districts and the downtown area. C. Haiju stated leaving home business as a conditional use in those respective zoning districts would allow abutting neighbors and other interested parties to decide on a case-by-case basis if operating hours on Sundays would protect the neighborhood feel and community's preferences. The UDR edit recommendation would allow the Development Review Board the flexibility to make that determination. L. Donna expressed support for revising the UDR edit to allow only the DRB to make that determination for Conditional Uses; and to allow Sunday operation for permitted uses. This would make the decision discretionary for the DRB but not the Zoning Administrator. J. Lindsay approved and requested a modification to the UDR edit's language for review at the next meeting. R. Mahony recommended a further revision be included that would allow home occupations, which are less intense than home businesses and cause less disturbance than home businesses, to also be allowed to operate on Sundays.

(7) R. Mahony presented the traffic standards in the Conditional Use criteria (3303.A(2)) and stated reduced levels of service can be a positive occurrence in areas where it is desirable to see traffic slow down as this makes such areas more pedestrian friendly. Still, she did not recommend a revision to the UDR because the VTrans Traffic Impact Policy is mentioned under 3303.B and this policy is being edited to incorporate this concern.

#### **B. Conservation PUD Discussion**

J. Lindsay proposed a 6-month time frame for minor changes to be reviewed, revised, and submitted to the Selectboard and a 1-year time frame for the larger UDR edits to undergo the same process. J. Lindsay suggested that the next Planning Commission meeting focus on revisions of the five (5) minor/technical edits presented tonight without a second set of minor/technical recommendations to review. T. Micklus agreed. L. Donna agreed. J. Lindsay stated the Conservation PUC Discussion would be postponed until the next Planning Commission meeting July 21<sup>st</sup>.

**C. Required Commercial – Framework for Future Discussion**

This topic of discussion was postponed until a later date at a future meeting. R.Mahony noted staff will present data related to demand and input from the developer community to create a framework for future discussion on what UDR text edits should be considered. T.Micklus and L.Donna agreed with this proposed starting point. L.Donna requested that staff look at examples from Colchester and Essex related to the issue.

**7. Minutes**

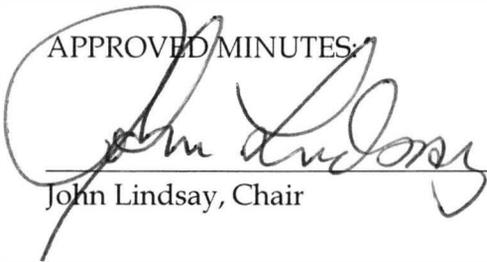
**June 16, 2020:** L. Donna requested more time to review the draft minutes from the Planning Commission meeting of June 16, 2020 and to approve.

**8. Adjournment**

**Meeting adjourned at 7:57 p.m. The next meeting will take place on Tuesday, July 21, 2020 in the Community Room.**

Respectfully Submitted,  
Cymone Haiju

APPROVED MINUTES:



John Lindsay, Chair

Date: Aug 4 2020

Filed with the Milton Town Clerk's Office on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST: \_\_\_\_\_, Milton Town Clerk