

## **Monkton Planning Commission UPD Public Hearing Minutes Aug 1, 2016**

Approved: August 16, 2016

Planning Commission members present: Wendy Sue Harper, Lee Mahony, Ivor Hughes, Peter Close, Marilyn Cargill, Jay Frater, Gayle Grim

Location: Monkton Fire House

Moderator: Ken Wheeling

Members of the public present: Buck Bennett, Steven Pilcher, Curtis Layn, John McNerney, Robin Hopps, M.Brace, John C. Brace, Doris E. Brace, Peter Wendland, Debbie Houghton Laurence Pike, Susan R. Davis, Sam Burr.

The meeting was called to order at 8.00 pm.

The Moderator explained the procedure for the meeting to those present. The MPC would take statements but could not respond to questions or enquiries (note an informational meeting open to the public was held prior to the official UPD Hearing). The MPC will then deliberate on the statements at their regularly scheduled meeting on 08/02/2016.

The following statements were taken:

Robin Hopps: Ref UPD, page 79.

The creation of a PUD involving Non-Contiguous land — more conditions placed on degree of closeness on non contiguous parcels.

John Brace: Section 905, page 77 etc., PUD.

Would like open land mandated to the Town so the open land stays open and does not get built up.

John McNerney: Seconds Robin Hopps comments. With reference to PUD and its requirement for open land. Would like to see non-contiguous parcels in the same neighborhood and not across town.

Stephen Pilcher: Ref. Section 364 part C. page 37, Review Procedure.

No reference is made to the Monkton Town Plan. Site plans should be in conformance with the Town Plan. This will help with solar sighting. Allow the DRB more flexibility than just a checklist.

Section 376, page 41, First Cuts: This section is an appendix a vestigial appendage. It has been 40 years since zoning was implemented: so get rid of it.

Sam Burr: Section 400, page 44, Non-Conforming uses, Structures and Lots.

In the last year we have seen several abandoned non-conforming lots. The Supreme Court decisions on abandonment is they would not allow them to be redeveloped without coming into conformance. I think re-development of these lots is a good idea, and the current zoning agrees, if these are grandfathered in.

The language in the zoning regulations must conform to how we are interpreting the use of those lots. There are legal questions, if we think this is a good thing—write the regulations so they reflect that idea.

John McNerney: Section 503 E, Page 50, Accessory Dwelling Unit.

If you need to convert an existing building can the 50 feet be waived?

Susan Davis: Section 503, page 50: Accessory Dwelling Unit.

Owner-Occupied what is the definition; can the owner live in the accessory building? Can it be un-lived in? If after 2 years being empty is it considered abandoned? If it is not lived in is it taxed at the lived in rate?

What happens if the land near the house is not able to be built on?

Curtis Layn: Section 905, page 77, PUD Ref. section F, Specific Standards for PUD.  
PUD requirements come into play for major subdivision greater than 40 acres or more. Would like to see this re-evaluated. More and more people want to keep a small homestead and pass on the rest of the land. If you are only going to do one house it seems setting aside 20% of a large acreage to be disproportional.

Susan Davis: Section 509, Page 50, Required Frontage on, or access to Public Roads.  
Does this section impact existing lots and homes, could it prevent development because they cannot meet a driveway ordinance that did not exist when the house was built? Should this be grandfathered?

John McNerny: Section 376, page 41, First Cut: Their time has come and gone. Put a sunset provision in, rather it goes away entirely.

Curtis Layn: Section 376, page 41, First Cut:  
Thinks both John and Stephen are wrong about first cuts. Removing them will cause a jump in development and subdividing, increases taxes – that means people will have to do a real development. It would create real animosity in town.

Sam Burr: Section 376, page 41, First Cut: Reappraisal will see some different treatment on empty lots. The problem with First Cut is where do you draw a line?

Susan Davis: Section 376, page 41, First Cut: speaks in favor of retaining first cut.

The meeting was adjourned at 8:38pm.

The following comment was received by e-mail from Renee McGuinness:

Hello members of the planning commission.  
I will not be able to attend the meeting, and I do not have time to review the entire draft, as I will be out of town, but I would like to offer public comment via email.

I would like to make sure that the language that the buildout of any future power lines must be buried that was approved in 2014 remains.

Thank you all very much for your dedication of time and energy by serving on the Planning Commission! It is very detailed work! I am grateful for your contributions to the town.

Best regards,

Renee McGuinness

These minutes respectfully submitted by Ivor Hughes  
Amended minutes respectfully submitted by Gayle C Grim