

**Montpelier Planning Commission**  
**February 27, 2006**  
**Memorial Room, City Hall**

*Subject to Review and Approval*

**Present:** Carolyn Grodinsky, Vice- Chair; David Borgendale; Craig Graham; Richard Sedano  
Staff: Valerie Capels, Planning & Community Development Director

**Call to Order**

The meeting was called to order by Ms. Grodinsky.

**Minutes**

The Commission agreed to table action on the minutes.

**Review of Agenda**

There were no changes to the agenda.

**Continued Discussion of Zoning and Subdivision**

Section 205.D.4.a.iv (Accessory apartments): Ms. Grodinsky said that Rick DeAngelis sent a message asking why the Housing Task Force is not supporting an increase in the size limit for accessory apartments from 30% of the principal dwelling to 50%. Ms. Capels said the Housing Task Force wants the provision to proceed through the process without becoming a lightning rod for objections. Mr. Borgendale said he has been in favor of increasing the percentage. The Commission has not heard a great deal of concern from the public on this. Ms. Grodinsky suggested increasing it to 50% and see if there actually are objections. Mr. Sedano said he would be in favor of increasing the limit to 40% and seeing what types of comments are received. The Commission agreed to go ahead with the limitation of 40%.

207.D .2 (Measurement of building height): Mr. Borgendale said the description of how to measure building height was difficult to understand. Ms. Capels explained the figure that went along with the section. Mr. Borgendale said he would like to use some type of mean for the base level for measurement. The Commission agreed with the suggestion.

505.G (Demolition): Ms. Grodinsky said that Ms. Campbell sent some suggested language to avoid situations where historical structures are allowed to deteriorate through neglect. Ms. Capels said the administrative process of determining what would constitute neglect would be difficult and enforcement would also be difficult. She said that Burlington applies a surcharge on vacant buildings that staff has been looking into. She added that Ms. Smith may have some ideas on this subject. Ms. Grodinsky said that this topic should be kept on the Planning Commission's "to-do" list.

508.A.2.b (Purpose of planned development): Ms. Grodinsky questioned the meaning of the term "intensively used and other open space". She said the words "intensively used" did not seem to add anything. Mr. Sedano said the words may not be needed if the reference is intended to mean all open space. The Planning Commission agreed to delete "intensively used".

508.D.2.a.iii (accessory structures): Mr. Borgendale asked for the basis of the 250 square foot limit on accessory structures that may be approved administratively. Ms. Capels said she was trying to relate it to the size of a residential garage. She noted that projects under the threshold

would still need permits, but would not be required to go through a public hearing. Mr. Borgendale said that the threshold basically would be equal to a single car garage. Mr. Sedano said the threshold was acceptable to him as proposed.

601.D (Table of submission requirements for subdivision and planned development): Ms. Grodinsky said she thought that the natural resource was going to be removed in response to comments. Ms. Capels said these requirements were in the existing regulations. The difference was that these requirements apply only to subdivisions and planned developments whereas the previously proposed community resource overlay requirements would apply to all development in those areas.

802.B.12.v (Access roads): Mr. Borgendale said the reference to community resources should be removed. Ms. Grodinsky said that the words "to the extent practical" should also be removed. The Commission agreed.

805.C.2 (parking dimensions): Mr. Sedano asked why the requirement that parking aisle widths "shall be 22 feet . . ." was changed to "should". Ms. Capels said the change came out of a discussion at the TRC meeting. The suggestion was to allow for some flexibility for situations where there would be a one-way aisle. Mr. Borgendale said he would like to have a specific minimum and keep the "shall". Mr. Graham said he was satisfied with the language if that was what the Public Works Department wanted.

812.B.12.v (accessory apartment): Ms. Grodinsky said the 30% limitation should be changed to 40% consistent with the decision on section 205.d.4.a.iv.

Natural Resource Items: Ms. Grodinsky said she was not clear on where the items that were included in the community resource provisions were moved to. Ms. Capels said they were not all in one place. She found that some of the items were repetitive of items that were already in the ordinance. Ms. Grodinsky said that it might be better if there was a checklist for the DRB to use since the natural resource criteria have not been applied by the DRB. Ms. Capels said the criteria are in the ordinance, but may not get as much attention as more controversial issues like traffic. Ms. Grodinsky said the Master Plan should clearly describe a vision for what it wants for natural resources.

815.E.1 and 2 (Forested Hillside): Ms. Capels said she carried over the provisions about the forested hillside and was unsure of whether the Planning Commission wanted that. Mr. Sedano said he thought that the reference to view openings. Mr. Graham said he had a problem with the first line of item #2 which requires that existing forest cover should be maintained adjacent to proposed structures. This may not be appropriate everywhere. Mr. Borgendale said he agreed that it was not always appropriate. The building can sometimes part of the view. Mr. Sedano said he had a preference with the provision as written, but would accept that it is not always appropriate. Ms. Grodinsky said that section should use the term "should" and the applicant could then make a case for why compliance with the provision was not appropriate. There was general agreement to use the term "should" and see what public comments are received. Mr. Borgendale said that item #3 on view openings should be left in if item #2 is retained. There was general agreement on this point. Ms. Capels said she was not able to sort out what explanation the Commission wanted to see in the text box on 815.E.1. Mr. Sedano said he thought the idea was to explain how the specific views were chosen. Mr. Borgendale said

that he thought there was a need to clarify that the views to be protected were public as opposed to private views. He also thought that the Commission wanted to explain why it had decided to keep this provision. He offered to try to write something.

810.G (lighting for outdoor sport facilities): Mr. Sedano noted that the Planning Commission had received some suggestions on this section. Ms. Capels said she was concerned that the comment proposed a lighting level set by the governing board of the league for the sport franchise. She said the City did not know what those levels were and the interests of the league might not be the same as the interests of the City. Mr. Borgendale said he would accept the suggestion, but add the words "whichever is less". A certification from the engineer could be required. Ms. Grodinsky said she was satisfied with the provision as currently proposed. There was general agreement that the proposed language in item #1 would be retained. The Planning Commission agreed to accept the suggestion that item #2 be revised to say that "illumination directed off-site is minimized".

813 (purpose): Mr. Sedano asked why the words "policies, purposes and recommendations of the Master Plan" were added instead of simply referring to the Master Plan. Ms. Capels said that was discussed at the last meeting. She said the Commission's intention was to make the statement stronger in order to have the DRB make specific findings.

813.A.2.c (density bonuses): Mr. Borgendale said it should be necessary to do more than just meet the general goals of the Master Plan in order to qualify for density bonuses. The language needed to be more specific. Ms. Grodinsky agreed that the section should say more than simply "support the goals". Ms. Capels said this might be where the Commission could add the cross reference to cluster development in 813.E in order to tie the concepts together. Mr. Borgendale said it may be better to separate the affordable housing criteria from the cluster criteria and then set the maximum cumulative bonus that is allowable.

813.D.2.f (garage setbacks): Mr. Borgendale said he would like to have an exception for the types of garages that are located under the houses. Ms. Grodinsky said the section allowed flexibility since it said "shall" and "to the extent practical". Mr. Borgendale said that was acceptable.

813.E (density): Ms. Capels said she had intended to delete the repetitious references to open space and, instead, add a cross reference to section 813.B. Mr. Borgendale said he was trying to understand the purpose of having density bonuses in the planned development provisions and then repeat the bonuses under clustering. Ms. Capels said the current regulations allow planned development to be optional and the density bonuses were used as incentives for applicants to go through planned development. She said that Ms. Power had specifically asked that the density bonus language be retained on page 8-38. Ms. Capels said she understood that the Planning Commission generally agreed with Ms. Power.

813.B.4.c : Mr. Borgendale said the regulations should not require that the DRB consult with the TRC since that body is administrative. Ms. Capels said that was a vestige from an earlier version. She said that items #6, #7, #8 and most of #5 could also be deleted.

Street illumination: Mr. Sedano said he did not have the language for street lighting together. Ms. Capels said that section 402.A.2.I would provide that street lights would not require zoning

permits. Mr. Borgendale said that City owned streets should meet the same requirements as are applied to streets in new developments. Ms. Capels said that the Public Works Department does follow the standards. The question was whether the City would go through the Development Review process. Mr. Borgendale said that he just wanted to state somewhere that the City had to adhere to the same standards. Ms. Capels said she could add that it is the City's intent to comply with these standards.

Definitions: Ms. Grodinsky asked where the definitions related to habitat linkage and wildlife corridors were. Ms. Capels said that her memo included a number of definitions, but the Commission had not discussed them. Mr. Sedano said that some of these things may be defined by State regulations. Ms. Capels said she would circulate an e-mail with some of the definitions for the Commissioners to review. Ms. Grodinsky said that she wanted to have definitions of the natural resource terms that are used in the regulations.

### **Adjournment**

MOTION: Mr. Borgendale made a motion to adjourn the meeting at 9:40 p.m. Mr. Graham seconded the motion. The motion was approved unanimously.

Respectfully submitted,

Valerie Capels

*Transcribed by Kathy Swigon*

*These minutes are subject to approval by the Planning Commission. Changes, if any, will be recorded in the minutes of the meeting at which they were acted upon.*