

Land Use Regulation Update Committee
Town of Ferrisburgh, Vt.

DRAFT – Minutes for meeting of July 17, 2019.

Members present: Bonnie Barnes, Bob Beach, Gail Blasius, Anne Cohn, Carl Cole, Clark Hinsdale, Karen Pettersen, Jean Richardson, Norm Smith.

Visitors: Brandy Saxton, Kristin DeBellis, Walter Reed.

1. Call to order; approve minutes. Bonnie Barnes called the meeting to order at 5:30 p.m. The committee did not take up minutes from the previous meeting.

2. Discussion of draft zoning regulations with consultant Brandy Saxton of Place Sense.

Drafts of several sections of the revised zoning bylaws, prepared by consultant Brandy Saxton, were distributed in advance of the meeting, and Saxton was on hand for a discussion of the drafts with committee members.

a. Draft PUD Standards—Conservation Subdivision and Compact Housing Development.

The draft rules on conservation subdivisions, permitted in the Conservation and Residential Agricultural Districts, provide that 60 percent of the total land area would be set aside as conservation areas, and lists categories of conservation resources that must be included, and categories that must be included to the maximum extent feasible.

Jean Richardson wondered why there were two sets of resources. Saxton said the idea was to have primary resources (must be included) and secondary resources (should be included if possible), because if there was only one category (must be included) there could be situations in which almost everything in a particular parcel was deemed too valuable to allow any development. For example, she said, there is far too much primary agricultural soil in Ferrisburgh to allow this to be excluded completely from developed land. She suggested the town could look at all of the conservation resources mentioned and decide which belonged in which category.

Discussion of conservation subdivisions touched on several issues, including: the status of parcels in multiple zoning districts; the continuing importance of septic capacity in determining what land can be developed; the idea of having one block of open land versus multiple blocks in one subdivision; whether the town would require landowners to do studies of archaeological assets (the consensus was no); and the idea that the town should allow the state's Shoreland Protection Act to govern development along Lake Champlain (the consensus was yes).

Compact housing development would be permitted in all zoning districts except for Conservation and Rural Agricultural. It would address the need for smaller, more efficient and more affordable housing choices, encouraging the development of pocket neighborhoods composed of small footprint homes around common open spaces. The allowable density would be twice that allowed in the base zoning district. In a district with 2-acre zoning, then, a 4-acre lot could include up to four compact houses.

Saxton said compact houses would not be what people think of as “tiny houses,” but rather would be modest homes. They could be modular or manufactured homes, and could be single- or two-family dwellings, or attached townhomes, or other multi-unit buildings.

b. Draft Erosion and Stormwater Management Standards.

Brandy Saxton said town rules on erosion control were important because the vast majority of development projects are not large enough to trigger state involvement, and soil erosion continues to be a problem in the town and the state. She added the state has good-quality publications that offer guidance to contractors and homeowners.

For stormwater management, the draft bylaws envision requirements for controlling run-off for any project that adds more than 400 square feet of impervious surface to a parcel. Requirements get more stringent as projects increase in size. State regulations kick in when projects involve one acre of impervious surface, though that will shrink to one-half acre in 2022.

There was a brief discussion of the 400 square foot number, and whether that might be too small. Saxton said that was about the size of the space for parking one vehicle, including turn-around space, or of a small accessory building.

Bonnie Barnes thought it might be helpful to prepare a mock application with a single-family house, driveway, parking area, garage, outbuildings, etc., and see how that would be affected by the proposed erosion control and stormwater rules.

c. Draft On-Farm Business and Agricultural Enterprise Standards

There was a brief discussion of on-farm businesses, during which Brandy Saxton noted that the state had decided towns cannot prohibit accessory on-farm businesses, so it made sense to include these as a category in the new bylaws. The proposed bylaws largely follow the rules established by the state, including that more than 50 percent of the annual sales from an on-farm business are from qualified products (listed in the definitions portion of the zoning bylaws) principally produced on the associated farm. Agricultural enterprises require that 50 percent of annual sales come from qualifying products that are “principally produced in Vermont or within 30 miles of Vermont.” On-farm accessory businesses would be permitted uses in all zoning districts. Agricultural enterprises would be allowed in specified districts as conditional uses.

d. Draft Overlay Districts—Flood Hazard, River Corridor and Shoreland Protection

e. Draft Wetland and Riparian Buffer Standards

Because the committee needed to adjourn its meeting by 7:30 p.m., members decided to hold off on discussions of d. and e. until the next meeting.

3. Other business: There was no other business.

4. Next meeting agenda: Committee members said they would continue their discussion of the draft documents at the next meeting. Norm Smith made a motion to hold the next meeting on July 30, 2019, at 5:30 p.m. Carl Cole seconded. Brandy Saxton said she could attend the meeting. All voted in favor. **Motion approved.**

5. Adjournment. Norm Smith made a motion to adjourn the meeting at 7:28 p.m. Carl Cole seconded. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells