

Land Use Regulation Update Committee *Town of Ferrisburgh, Vt.*

FINAL – Minutes for meeting of January 22, 2019; approved February 26, 2019.

Members present: Arabella Holzapfel (chair), Bonnie Barnes, Bob Beach, Anne Cohn, Carl Cole, Steve Gutowski, Dave Mentzer, Karen Pettersen, Kurt Plank, Norm Smith.

Visitor: Mark Franceschetti.

1. Call to order. Arabella Holzapfel called the meeting to order at 5:30 p.m.

2. Approval of minutes. Carl Cole made a motion to approve the minutes of December 12, 2018, as submitted. Karen Pettersen seconded. Bonnie Barnes, Anne Cohn, Carl Cole, Arabella Holzapfel, Karen Pettersen and Kurt Plank voted in favor. Bob Beach, Steve Gutowski, Dave Mentzer and Norm Smith abstained. **Motion approved.**

3. Review of town plan map; review of zoning districts map; preliminary conclusions and next steps. Committee members engaged in a discussion about the zoning districts and the town plan map, which focused on how the current districts are drawn and whether changes were needed to match the districts with the goals of the new town plan. The discussion touched on changes to boundaries, and also on whether those changes might involve new or renamed districts, leading to changes in the permitted and conditional uses for those districts.

Committee members briefly discussed the Industrial District (IND-2), on the west side of Route 7 on both sides of Tupper's Crossing, and on the Highway Commercial District (HC-2). The boundaries of both have been subject to questions from townspeople.

Kurt Plank noted there are single parcels in town in as many as three different districts. Carl Cole said the Conservation District (CON-25), which affects many properties in town, was originally limited to the area of the Town Forest but had been greatly expanded over the years.

Plank suggested that the committee focus on one zoning district at a time as they consider a new map to go with the revised land use regulations, soliciting suggestions from townspeople, and then seeking professional planning help when necessary.

Steve Gutowski said one focus of the discussions about new land use regulations should be that someone who buys a piece of property should know exactly what they're buying, and what can and can't be done in the way of development.

Dave Mentzer said a look at the current map shows the town's default zoning district is rural, either the Rural Agricultural District (RA-5), with 5-acre zoning, or the Rural Residential District (RR-2), with 2-acre zoning. He thought considering those two districts first might be a good way to start and frame the discussion.

Carl Cole noted that there was a lot of conserved land and state-owned property in town, all of which needed to be taken into account in discussing the rural districts.

Kurt Plank made a motion to start the discussion of the zoning map with the two rural districts, RA-5 and RR-2. Anne Cohn seconded. All voted in favor. **Motion approved.**

Committee members noted that the RR-2 district had in the past been delineated mostly according to soil quality as it applies to septic system potential. It was noted that advancements in septic system technology likely would make some parts of the RA-5 district suitable for 2-acre zoning. Bob Beach suggested people probably would not like to see a reduction in the size of the RR-2 district, but might be willing to support conversion of parts of the RA-5 to RR-2 where new septic technology allows.

Anne Cohn said it was important to consider what the town wants to protect, and so decisions should be informed by the new town plan. Dave Mentzer said the town plan encourages denser development, rather than traditional “suburban” development, through the use of Planned Unit Developments (PUDs), meaning that a developed parcel would have houses clustered together with the rest of the land left open. Carl Cole suggested that meant less concern about the size of each house lot and more with the overall density, so that a 50-acre parcel could have five houses on a 5-acre section, with the rest of the land open.

It was pointed out that townspeople have not always been in favor of cluster development, in part because it was less well understood than traditional suburban-style development. Committee members said outreach and education would be important in the future.

Anne Cohn said the town should envision “healthier” development of the community. One example, she said, would be connecting neighborhoods by emphasizing walkability, especially for school students and the elderly, possibly creating rights of way that connect otherwise separate parcels. She used the example of requiring homes near the elementary school to provide rights of way allowing students to walk through neighboring lots to get to school.

Norm Smith suggested the town decide where it wants more development to occur and make changes to the zoning bylaws to enable that. He wondered if there could be a benefit provided to landowners who decided to use clustered housing, such that, for example, a 50-acre parcel in RA-5, which would normally be limited to 10 house lots, could have 15 houses if they were clustered in the right way, in the right place. He also suggested knowing what soil types were available on different lots would help the town figure out where it wants growth to occur.

It was pointed out the town now requires a minimum of 25 acres for a PUD in any zoning district where they are allowed, but that this number was arbitrary. A smaller minimum would allow, for example, two homes to be built on a 10-acre lot in RA-5, with the houses on one acre and nine acres left open.

Arabella Holzapfel thought it would behoove the committee members to educate themselves on PUDs and in particular what other towns in the area are doing. She said there had been talk of Monkton, Charlotte and Ferrisburgh joining forces to research the issue with the help of a grant, but that the grant had not been approved. She thought it was important for the committee to educate itself so that it could, in turn, educate the public.

A suggestion was made that that there could be different PUD rules for the two rural districts. Karen Pettersen also said some towns subtract wetlands, steep slopes and other natural features from the total acreage, which can reduce the number of house lots available on a parcel. Some committee members thought that would be counter-productive, discouraging rather than encouraging cluster development that could help protect natural features.

Dave Mentzer pointed out that the town plan includes soil maps that could be used to look at the current RR-2 zone and see if there were places where it could be expanded and/or places where RA-5 zoning is more appropriate. Bob Beach made a motion to have Dave Mentzer create an overlay with the soil maps to facilitate the committee's investigation of the current RR-2 and RA-5 districts. All voted in favor. **Motion approved.**

It was suggested that the committee keep a list of all the suggestions that are made about the various zoning districts.

4. Discussion of conserved lands. & 5. Review of conditional use approval requirement for commercial and industrial uses in Highway Commercial (HC-2) and Industrial (IND-2) Districts. These agenda items were deferred to a future meeting.

6. Other business. There was no other business.

7. Adjournment. Steve Gutowski made a motion to adjourn the meeting at 6:53 p.m. Bonnie Barnes said she would work on researching land use regulations in other towns nearby, and would share what she learns with other committee members before the next meeting. Arabella Holzapfel said the next meeting would be held February 26 at 5:30 p.m., during which the committee could look at information from other towns and specifically how they deal with development in rural districts. She also said outreach and education would be important efforts for the committee and she hoped committee members could give this some thought before the next meeting. Kurt Plank seconded the motion to adjourn. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells