

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

FINAL – Minutes for meeting of August 7, 2019; approved August 27, 2019.

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

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

Jean Richardson made a motion to approve the minutes of the meeting on June 25, 2019, as submitted. Karen Pettersen seconded. Bonnie Barnes, Anne Cohn, Carl Cole, Clark Hinsdale, Arabella Holzapfel, Karen Pettersen, Jean Richardson and Norm Smith voted in favor. Bob Beach abstained. **Motion approved.**

Jean Richardson made a motion to approve the minutes of the meeting on July 17, 2019, as submitted. Karen Pettersen seconded. Bonnie Barnes, Bob Beach, Anne Cohn, Carl Cole, Clark Hinsdale, Karen Pettersen, Jean Richardson and Norm Smith voted in favor. Arabella Holzapfel abstained. **Motion approved.**

Anne Cohn made a motion to approve the minutes of the meeting on July 30, 2019, as submitted. Karen Pettersen seconded. Bonnie Barnes, Anne Cohn, Carl Cole, Clark Hinsdale, Arabella Holzapfel and Karen Pettersen voted in favor. Bob Beach, Jean Richardson and Norm Smith abstained. **Motion approved.**

**2. Rural Agricultural (RA-5) and Rural Residential (RR-2) Zoning Districts: Retain the purpose of these two districts (same general borders and minimum lot size) or revise the zoning for the rural areas?**

Committee members had a lengthy discussion about the two rural zoning districts. Some of the thoughts expressed:

Do we need to have the number of acres attached to the rural zoning districts?

We are looking at the boundaries of the districts and the concepts behind the districts, which are two different things. Let's take them one at a time.

If we go with density-based zoning, what is the purpose of having one district with two-acre zoning and one with five-acre zoning?

What is density-based zoning? We haven't described it all that well, yet. If we can't describe it, we certainly can't advocate for it.

Two- and five-acre zoning: Townspeople are going to say, if it ain't broke, don't fix it.

We should make it clear what minimum lot size means with density-based zoning.

We are thinking about setting up a raft of new rules, new mandates, in the new zoning bylaws. Perhaps tinkering with the RA-5 and RR-2 districts is more than we can do at this time.

Q: When we get done, if someone comes in with a subdivision request, would they be able to create one-acre lots? One-half-acre lots? A: Yes, the new PUD rules would give you the flexibility for that, to allow the town to approve those kinds of subdivisions.

Q: If we want to promote low-income development, with easy access, would that be possible? A: It's difficult with the present cost of land and land development. If we can reduce those costs, it makes it possible to have higher-density development.

We're no longer scared of families moving into town, with all the children that we'll have to accommodate at our schools. We welcome families now.

We cannot change all of the rural areas to five-acre zoning, because we would be creating non-conforming lots in areas now subject to two-acre zoning. We *could* change all of the land currently zoned rural to two acres.

Q: There are people who want or need five or 10 acres. What's wrong with five acres?

A: Five-acre zoning and the associated road frontage requirements tend to create a sameness, especially along rural roadways. Driveway, house, driveway, house, at similar intervals.

Q: If we turn it all to two-acre zoning, what's the worst that can happen? A: One thing is that your neighbor with 10 acres could be putting in a subdivision with five lots, or even more if they earn a density-based bonus. That would not be something you signed up for when you bought the lot next door.

The town plan does not call for serious changes to the zoning district map. It seems to call for minimizing conventional subdivisions, providing density bonuses for PUDs, to create flexibility. Perhaps the biggest mandate in the town plan is resource conservation.

Are there places we want to push development, like the town center? Do we want denser neighborhoods along Route 7? Then we should provide options for smaller lot sizes in those areas.

The town center is now kind of a mess. It would be nice if we could encourage development there, both commercial and residential.

The town plan supports that.

If we reduce RA-5 to two-acre zoning, we are setting up the potential to have lots more houses in town—if you can sell them. Housing costs are going through the roof, as are borrowing costs.

We want lots of modest houses to attract young families, with kids—so Clark’s taxes will go down!

The possibility of Vergennes extending its sewer and water lines to serve the southern part of Ferrisburgh is something to keep in mind, but not something we can plan on, at this point.

Conservation PUDs, as described in Brandy Saxton’s draft bylaws, provide flexibility in the rural zoning districts. Compact development can be used to create twice the density allowed in the underlying zoning district.

Again, where do we want to encourage development, and what tools do we use? In some places, we don’t want to encourage the scattered format, but rather call for a cluster of smaller lots, preserving open land. We can use PUD rules to make that happen.

### **3. Review zoning map; discuss needed revisions.**

Thoughts expressed during a brief discussion, at the end of the meeting, on the zoning map:

Since we are being asked to reconcile the zoning bylaws with the town plan, we should use the town planning map as the draft for the map of our zoning districts.

How far can we stray from the town plan and still be true to the mission of implementing the town plan through zoning?

The town plan encourages us to use PUDs and density-based zoning, and specifically mentions two rural districts, with two-acre and five-acre zoning.

In a straw poll of committee members, all but one of the members raised their hands when asked if the town should keep the RA-5 and RR-2 districts, and thus the vast majority of the zoning district map, largely as is.

Bob Beach, chair of the Planning Commission, said his group would have a conversation about these issues at its next meeting on August 21, and he invited all members of the Land Use Planning Regulation Update Committee to attend.

### **4. Use table review.**

There was not enough time for the committee to take a detailed look at the use tables, which were roughed out in meetings this spring. The committee agreed to forward the tables to the Planning Commission for their review.

It was mentioned that lots of uses are NOT included in the draft of the use table. Jean Richardson said many of the definitions of permitted and conditional uses were updated during a previous zoning rewrite, but never made it to the bylaws.

**5. Timeline. & 6. Other business.** There was no discussion of these agenda items.

**7. Next meeting.** Arabella Holzapfel and committee members agreed to hold their next meeting on August 27 at 5:30 p.m., during which the committee will hope to incorporate what it hears from the Planning Commission in firming up the zoning map and use table.

**8. Adjournment.** Norm Smith made a motion to adjourn the meeting at 6:59 p.m. Bonnie Barnes seconded. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells