

Town of Sunderland Selectboard
Public Hearing on Proposed Land Use and Development Bylaw
Monday August 3, 2020 7:00 PM
104 Mountain View Road Sunderland, Vermont
Hearing Minutes

- 1.) Call to order- Meeting called to order at 7:00 pm by Selectboard Chair Jon French.
- 2.) Introduction of Board members and residents present- Chair Jon French, Rick Timmerman, Richard "Dixie" Zens, Andrew McKeever and Bruce Mattison, all board members present. Planning Board chair, Ed Bove, Rose Keough, Richard Davis and Peter Luca also present.
- 3.) Opening statement by Mr. French explaining that all residents present will have a chance to be heard and also explained that discussions will be kept to the contents of the proposed Land Use and Development Bylaws.
- 4.) Mr. Bove gave a brief explanation of the updated bylaws, Broken down into 4 parts, Zoning, Subdivisions, Signs and Flood Hazard area, which are all included in the current bylaws. The purpose was to bring the bylaws up to State standards and be compliant with Chapter 117. Hoping to encourage some development while following what's in the Town Plan. Tried to make it easier to use.
- 5.) Mr. French then declared the Public Hearing open and asked if any residents would like to speak.
- 6.) Peter Luca, town resident, was the first to speak and voiced his displeasure with the proposed bylaws, especially with development, and questioned if any surveys had been done with regards to aquifers. Rose Keough followed agreeing with Mr. Luca and going further with the discussion regarding development. Mrs. Keough went page by page pointing out discrepancies, also felt too much control was given to Zoning Administrator. Richard Davis also questioned the intent with encouraging development feeling it was open to more of a negative impact than positive. Question arose on Right of Way minimum footage.

7.) Mr. Bove then responded to the questions that had been presented.

Explained that a lot of things are controlled by the State, aquifers etc., and they tried to eliminate those portions that the state controls from the Town bylaws. Also explained that areas of the proposed bylaws can be tweaked by the board as far as acreage for development, setback footage and so on. Areas can be rezoned as well to prevent development in RCR zones. State permitting and regulations will further prevent a lot of development so they didn't want to have those restrictions in the town bylaws. Mr. Bove explained that decisions by the Zoning Administrator are all appealable, which is State Statute. Mr. Bove further explained the planning boards decision making in writing the bylaws.

8.) Discussions continued on the proposed document including notification of Fire Safety and/or the Fire Chief in regards to development and subdivisions. Also discussed was travel trailers being parked at a residence, both time parked and size of trailer. How are these restrictions enforced was discussed. Clarification was asked for on the appealing of decisions made by the Zoning Administrator and also fees for appeals. Selectboard responsible for fee schedules and can decide to waive fees for a successful appeal.

9.) The topic of Energy Codes was then discussed, with enforcement, responsibility, compliance and accountability all being addressed. Energy codes are addressed in the Town plan and signing off on the energy code is on the application.

10.) Mr. Bove then suggested we go through the dimensional questions that arose during discussions and change those. Mr. French brought up demolition which Mrs. Keough had brought up earlier in the discussion. It was agreed upon to eliminate last statement on page 3 of the Proposed Land Use and Development Bylaw under Development and include the 150 feet with statement 4. Page 8 under Commercial/Industrial District changed from 1 acre Lot to 1.5 acre lot, Minimum Front Setback changed from 15 feet to 30 feet and Minimum lot coverage from none to 75%. Page 10 under Issuance of Permit add "Energy Code" at end of application requirements. Planning Board will ensure Energy Code form is with application packet. Page 14 correct spelling of Variance. Page 19 under Frontage and Access change rights of way be no less than 10 feet to no less than 20 feet. Page 68 under Definitions

“Travel Trailer” changes from 30 feet in length to 45 feet in length. Discussion was held on Item #5b on page 39 of the Land Use and Development Bylaw (proposed) which states Recreational vehicles etc... “Be on site for fewer than 180 consecutive days.” This will be left as is but Mr. Bove will look into State regs.

- 11.) A Motion was made to accept the proposed Land Use and Development Bylaw with the changes discussed by Mr. Zens and seconded by Mr. McKeever. Unanimous vote in favor. Motion carried.
- 12.) Mr French closed the meeting at 8:52 pm.