

TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
Minutes for November 3, 2010 Meeting
Approved on December 1, 2010

Commission Members Present: Mark Letorney (Chair), Gordon Gebauer, Patrick Haller and Seth Jensen

Commission Members Absent: Jason Hoover.

Also Present: Melissa Manka (Planning Coordinator), Ted Pelkey, Michelle Pelkey and Robert Pittala.

The meeting began at approximately 7:03 p.m.

Zoning & Subdivision Regulation Amendment Public Hearing – Steep Slopes & Driveway/Private Road Standards

The Planning Commission opened the public hearing.

Mark briefly explained the purpose of the newly proposed steep slope language.

Robert Pittala asked what this regulation would mean for forestry operations that occurred on steep slopes.

Mark said the regulation would affect development proposals on existing lots and within subdivisions, not forestry and agricultural operations.

Robert asked if it were true that a property owner could not cut vegetation on steep slopes.

Pat said the regulations did not prohibit the cutting of vegetation, but use of the word “cut” meant the manipulation of soils and rock only, as in “cut and fill”.

Seth stated that the proposed language is actually more developer friendly since it allows a developer to impact 1,000 square feet of slopes 25% or greater while the current Subdivision Regulations prohibit any development on steep slopes. He did state that the proposed language would affect development on existing lots, which the current language does not currently do.

Pat said the town attorney originally asked the Planning Commission to amend the steep slope language due to legal questions that have arose past few years regarding the clarity of the current regulation.

Robert asked what the allowed impact would be in terms of building a road through steep slopes.

Pat said a 22 foot wide road could potentially impact approximately 50 feet of slopes 25% or greater under the proposed regulations.

Ted asked what would happen if a property owner had to develop a very long road on steep slopes to access developable land for subdivision, like in the case of David Adams’ property. He said this regulation would not allow any further development in town.

Melissa referred the group to the Town Plan Nature Features map that generally depicts the location of slopes 25% or greater and stated the proposed regulation would not prohibit further development in town.

The Commission reiterated that a property owner would be able to impact 1,000 square feet of steep slopes and that impact would be accumulatively calculated, which is less stringent than the current language

Robert said he was okay with the regulations, but he thought the 1,000 square foot waiver was a little small.

The Commission asked the members of the public to suggest an adequate amount of allowed impact.

Ted said 5,000 square feet.

Rob said 2,000-3,000 square feet and stated he liked the fact that the revised language was black and white.

Pat asked the members of the public what they felt would be too much impact.

Rob said that number would vary depending on the individual proposing to develop on steep slopes.

Ted asked the Commission to look into excluding roads from the regulations or calculating road impacts differently than building impacts, because he feels roads should be allowed to have more of an impact on steep slopes.

Melissa explained that cutting a 22 foot wide road through an extended length of steep slopes would increase the likelihood of erosion, stormwater pollution, wash outs and negative environmental impacts, which would nullify the intent of the regulation. Furthermore, it would increase maintenance costs and could potentially cause an issue with emergency vehicle access.

Robert asked what resources the Commission used when drafting the language.

The Commission responded that they had been working on the language for over a year and had used example regulations from all over the country.

Melissa said they also used the Vermont Planning Manual as well as steep slope management guide books.

Mark MOVED to close the public hearing.

Pat SECONDED the motion.

The motion PASSED: 4 – 0.

The Planning Commission then discussed the comments received. They agreed that there was no compelling reason to increase the allowed impact area since this would only effect slopes 25% of greater and all planning documents recommend that development on slopes 25% or greater be prohibited. Furthermore, the proposed regulations are already less stringent than the current regulations.

Melissa said that the example language used to draft the proposed regulation allowed for 500 square feet of impact and the Commission already increased that amount to 1,000 square feet.

Pat said they could always amend the language further if the DRB said the regulation was still too stringent and prohibiting a lot of development.

Gordon reiterated that impact is calculated accumulatively so small of areas steep slopes could be affected throughout a property.

Mark agreed the language should be put to the test before increasing the impact area any further.

He added that 1,000 square feet of impact is reasonable compared to the current regulations.

Mark MOVED to send the draft regulations as proposed to the Selectboard.

Pat SECONDED the motion.

The motion PASSED: 4 – 0.

Form/Performance Based Zoning & Commercial Areas, Sizes & Uses

Mark said he would like to integrate the Commission's work with Smart Growth into their work on commercial regulations throughout the town.

Melissa said Smart Growth would just focus on the Town Center areas, but the Commission could use the knowledge they received from their experience with Smart Growth to update the commercial language in other districts.

Pat said the Commission could pursue form based zoning, conditional use zoning or a hybrid of the two. He said that from his understanding of the seminars on form based zoning most towns have a hybrid.

Seth said commercial operations that create a lot of foot traffic or are commercial retail should be located in the Town Center area and industrial uses should be located along Route 128.

Therefore, he supports a hybrid of the two forms of zoning.

The Commission began by discussing the definitions of home business and home occupation.

The Commission agreed to the following revisions:

- Change the terms home occupation and home business to home occupation – permitted and home occupation – conditional.
- Allow permitted home occupations to have an exterior sign.
- Allow conditional home occupations to have 4 outside employees.
- Remove sign size requirements from the definition of both and deal with signage size for home occupations in the sign section of the regulations. Furthermore, they decided sign size should be regulated based on the district in which the business is located (i.e. paved roads be allowed larger signs than on dirt roads due to travel speeds.)
- Allow off site, on street parking in the Town Common District, but on-site parking shall remain outside of setback areas.
- Research reducing parking requirements in the Town Common District.

Other possible changes discussed were:

- Look into reduced minimum lot sizes in the AFR 2 District and/or allowing multiple principal structures on one lot and/or not requiring a hypothetical density plan for commercial development in the AFR 2 District.

The Commission will discuss the definition of other uses listed in the Zoning Regulations at their next meeting.

PUD Density Bonuses for Donation of Public Spaces

The Planning Commission will review the draft regulations at their next meeting.

Other Business

Spiller Property

The Commission briefly discussed possible future uses of the Spiller property, now owned by the Westford Historical Society and under review by the Common Concepts Committee. The Planning Commission stated the property would be ideal for municipal uses (town office expansion, post office, historical society, etc) and shared wastewater capacity. They stressed the importance of the possible wastewater capacity on the site, especially when planning for a replacement area for the current town office and library. The Commission also agreed that other uses such as commercial, retail, eateries, private offices should be considered. The Commission felt it important to keep all possibilities open since the property's location and districting allows for a wide variety of uses.

Job Evaluation Form

Melissa asked the Commission to provide her with comments on the draft Planning Coordinator Evaluation Form sometime next week.

Planning Commission Work Plan

The Planning Commission will review their work plan at their next meeting.

Minutes of the September 1, 2010 Meeting

The Planning Commission will review the minutes at their next meeting.

Minutes of the October 6, 2010 Meetings

The Planning Commission will review the minutes at their next meeting.

The meeting adjourned at approximately 8:59 p.m.

Submitted by,
Melissa Manka, Planning Coordinator