

LANDGROVE PLANNING COMMISSION

Minutes of Meeting
November 21, 2019

Attending:

Charles Sweetman Mary Licata
Joshua Wengerd Michael Mole Michael Morfit

William Goodwin (Zoning Administrator)

The meeting was called to order at 5:25 pm, with 5 Commissioners and the Zoning Administrator present.

1. Public Hearing on Application by John Ogden and Andrea Ogden (69 Landgrove Road)

The Landgrove Planning Commission duly warned that it would hold public hearing for the purpose of receiving comments regarding the Conditional Use Application for an addition of a roof over a porch area attached to an existing residence presently being renovated. This residence is located at 74 Landgrove Road, in the Utley Flats Scenic Overlay District. Detailed information was also available to the public at the Town Office.

The Chair invited Commission members to announce any conflict of interest with this application. None was identified.

No members of the public attended this hearing, apart from a representative of the applicant (John Ogden).

In his overview statement, the Zoning Administrator stated that the application raised no issues or concerns on his part. The proposed addition is part of a substantial renovation to this property, but it fully meets the setback and other zoning requirements. It is also consistent with the Utley Flats Scenic Overlay requirements and would be within the approved building footprint.

The Zoning Administrator has received no inquiries from any of the neighbors with contiguous property, although it was noted that the abutting property owners have not yet been formally notified by certified letter, as required by the town's by laws. The Planning Commission, the Zoning Administrator, the Select Board and Town Clerk have to date received no objections from the public.

There being no further questions from the Commission and no abutting property owners or other members of the community present and wishing to speak, the Chair closed this public hearing at 5:45 pm.

The Commission legally has up to 45 days to provide a formal response to this application, but past practice suggests that the applicants will probably receive notice in about 14 days.

2. Deliberative Session. The Commission moved into deliberative session at 5:46 pm to discuss this application.

3. Commission Action. The Commission came out of deliberative session at 6:05 pm and unanimously approved the application as presented, with three conditions:

- a) The applicant (John Ogden) provide the Zoning Administrator with documentation stating that he has formally notified abutting property owners and he affirms that they have expressed no objection to this application;
- b) any exterior lighting should be planned to minimize light pollution, for example, using downlighting; and
- c) any additional landscaping work should be designed to maintain the character and continuity of the Utlely Flats Overlook.

4. Information Session – possible variance application (Jay Snyder and Kimberley Burke)

The Commission received materials and a briefing from Jay Snyder and Kimberley Burke. They are considering an application for a zoning variance to permit them to divide their jointly owned property on Rte. 11 (Parcel ID 05-00-46). One part of this possible subdivision would be a 4 acres parcel around the existing residential structure. The remaining 2 acres could be sold for development of a solar energy installment. This subdivision would require Commission approval because it would be less than the 4 acre minimum requirement.

The Commission indicated that it is open to further discussions with the owners about this possible application. It was noted that if the application process were to go forward, the usual formal notification of abutting property owners, public warning and hearing would be required

5. Solar Enhanced Energy Plan.

The Commission continued its discussion of the costs and advantages of developing an integrated land use and energy plan designed specific areas as ‘preferred’ for solar development. The complexity and costs of developing such a plan continue to be a concern of the Commission. It was agreed that we are not in a position to proceed with this effort this year, but are open to continuing consideration in 2020.

The designation of a limited number of specific sites as ‘preferred’ (without completing a comprehensive plan) is still a possibility that the Commission is open to exploring going forward.

It was also noted that state funds to defray the costs of developing a comprehensive plan meeting state standards may become available later in 2020 and that this would be an important consideration.

6. Revised Fee Schedule.

The Zoning Administrator pointed out that the current public schedule of application and permit fees do not cover the actual costs incurred by the town. In addition, the schedule fails to include a certification of zoning compliance.

Any changes to the current published fee structure would have to be approved by the Select Board. The Zoning Administrator will draft a memo to the Select Board outlining these changes.

The Commission adjourned at 7:10 pm, to reconvene at 5:30 pm on Thursday, January 16, 2020.