

Johnson Planning Commission Meeting Draft Minutes

Special public meeting on form based code

Johnson Municipal Building

Tuesday August 2nd, 2017

Board Members Present: Charles Gallanter, Phillip Wilson and Paul Warden, David Butler, Rob Rodriguez, Ben Waterman, Kim Cotnoir

Other Attendees: Brian Story, Nat Kinney, Lois Frey, Louise Voan Weise, Dorcas Jones, Sue Lovering, Rob M., Seth Myer, Walter Pomeroy, Meredith Birkett, David Goddette, Kyle Nuse, Lynda H., Cynthia Hennard.

1. David called the meeting to order at 7:09 P.M.
2. Walter Pomeroy had a question on street trees and street scaping. He asked why it has been removed from the code. Sue Lovering mentioned that the tree board would like to have the put back in to the code. Phillip Wilson from the planning commission mentioned the reasoning behind that was that the planning commission removed it because the planning commission thought that requiring planting in the public or state right of way was out of the landowner's jurisdiction and the should be the towns or states requirement. Also the code is written to dictate what is done from between your building and the build to line which is the right of way. Charles thought we could still require that things be done in the right of way. Charles Gallanter brought up the landscaping definition to explain that all bare soil must be landscaped However as Walter pointed out right now as written an individual could simply pave their entire frontage instead of landscaping. He further explained the reasoning of the steering committee behind their proposal for street trees. Charles brought up the fact that part of the reasoning was the commission strove to remove uses from the code and the landscaping section was use specific and difficult to write in the new use neutral code. David Butler proposed changing the language in the code which currently states "unpaved ground area along the frontage shall be landscaped" to instead say that "all non driveway or sidewalks must be landscaped" and to review the definition of landscaped to make sure it is acceptable which could remove that paving exemption. Charles and Walter went back and forth on permitting the planting of trees in the state's right of way. Walter suggested reintroducing the first drafts language around landscaping. Walter brought up that the build to line should be the right of way and not the sidewalks as the diagrams show. The planning commission is going to correct the discrepancies between the text of the code and the diagrams where there are discrepancies. Cynthia asked if the paving of areas for outdoor use could be tackled by the development review board as a variance to the permit. Walter asked why we had included "back yard properties", or property without road frontage, in these zones when they had excluded it in the original draft. He suggested that by zoning of the back yard properties in village general we are forcing parking in

the rear of those lots which may be in the river corridor which could pose potential problems. Walter would like those lots to be in another district to allow for the build to line to be further from the front property line. The planning commission had developed a solution to that problem in their code which had not made it in to the final draft. That exemption was found and read to the public which satisfied Walters objections. That exemption from the minutes from May 2<sup>nd</sup> and will added to the code. Walter asked about why the commission changed the district maps for Railroad Street. Previously Village General had been zoned for the entire road and now it has been split between Village General and Village Neighborhood. Ben answered that the section of Village Neighborhood on Railroad Street was planned because that is the look of the neighborhood now and we did not believe that commercial development was in the character of the neighborhood. Walter would like Railroad Street to be more commercial as was proposed in the Village Center Designation application. Walter would prefer the Village General designation since it could force denser development on Railroad Street. David Butler asked Meredith Birkett if the changes in the code precluded anything the village would like to do and whether it would affect the village center designation. Meredith said no not really but it may help to switch it back to how it was to try and increase denser development. The planning commission will get the maps for Meredith to look at lining up the Village Center designation with the Form Based Code districts. Walter asked about parking and why the commission had made all of the changes to the districts from the first draft. Charles brought up that with the stripping of usage and making the code use neutral we had to find a compromise on the parking. Walter asked how public parking was accommodated in the code and why we would now require every lot to have its own parking. Walter would like to see some requirements for apartments, but not the small businesses, those could use public parking. The commission will review and clarify offsite parking language. Cynthia Hennard brought up the fact that making the code to stringent might hinder the passing of the code. David Goddette asked how changes would be made in the future to the code if it were adopted by the select board. David Butler Someone could propose a change to the planning commission, the commission could choose to adopt it or not. The planning commission would have a public meeting, send the changes to the select board and they would have their two public meetings and choose to adopt the change or not. A minimum of 45days but most likely a few months. Walter asked about Section 3.01 A. 1. "Special Requirement". The language was originally special circumstances. This section needs to be clarified. David Goddette asked what the next steps would be. David Butler said the commission will meet again to consider potential changes. After making those changes and adopting or rejecting the code it would be sent to the select board. The select board would warn two public hearings on the document. They could then choose to adopt the code or put it to a public vote. If the select board would like substantial changes it would need to go back to the planning commission to change. How and when the vote occurs is still in question however the select board has said a public vote will occur on the final document. Scott Meyer and Walter commended the planning commission for all of their work. David Goddette asked about enforcement of the code and who would be responsible for the code. David Butler responded that is largely up to the select board, that the commission is simply drafting the code, but it was presumed that someone already on staff at the town would be the Administrative Officer (AO)

responsible for enforcement. Lois Frey asked about forming of the Development Review Board (DRB) and how that would work. Details on the DRB and the AO are in the code but much of the details are up to the select board to decide.

3. The meeting adjourned at 8:44 P.M.

The next scheduled meeting is August 16 at 7:00P.M. at the town office. A special meeting is planned for August 10<sup>th</sup> at 7:00P.M. to review the public comments.