

Minutes Rochester Planning Commission
July 3, 2023
Rochester Town Office and via Zoom

Present: Chair Dan McKinley, Vice-Chair Sandy Haas; Julie Martin; Dave Curtis; Doon Hinderyckx, Zoning Administrator; Maya Newroot, Recording Clerk

Guest: Sarah Wraight, Two Rivers-Ottauquechee Regional Commission

Call to Order Dan called the meeting to order at 6:07

Approval of Minutes from meetings on 6/6/2023 and 6/20/23: Minutes of 6/6 approved unanimously; minutes of 6/20 corrected and approved as corrected.

Julie raised question of possible boundary-line infringement and how to manage this when noticed. Dan informed all that the Zoning Administrator (Doon) must be notified in such a situation.

Administrative Officer Report, Building and Zoning Applications

Doon raised a question, brought to him by someone building now, about riparian buffers. PC advised him of proposed new standards, being discussed tonight (50' from top of bank for structures, no ground disturbance w/in 35' of top of bank).

Adam and Judy Babcock, 727 Wing Farm Rd, adding screened-in section to existing deck; meets all setbacks, no change to footprint. Approved.

Megan Harvey, 447 Clay Hill Rd, roof extension; has plenty of setback. Approved.

Brian Carbone, 216 Access Rd, new construction of house, meets setback, does not have driveway or septic permits yet. Doon will hold onto his application until those permits come through.

Fred Stern, 754 N Hollow Rd, amending permit #22-20 from July 2022; some minor changes: enlarging one bedroom, shed roof over porch at summer house. Approved.

Dan advised Doon of issue of possible encroachment noted between LCS and new construction by neighbor. Doon is already aware of it and has spoken to involved parties; neighbor declines to change new construction. Doon will visit owner again.

Continuing discussion of Draft Proposed Amendments to Zoning Bylaw

Updates will be presented at a public hearing later this summer, then submitted to Select Board for formal adoption.

Sarah Wraight, TRORC, began with a recap of the discussion during meeting 6/20/23, for those board members who were unable to attend that meeting.

All changes agreed upon by Dan and Sandy at last meeting were agreed upon by Dave and Julie, with the following exceptions:

Extended discussion around the question of shielding all outdoor lights. It was agreed to make the existing conditional use standard a General Standard.

Changes to riparian buffer standards discussed; adapted from Pomfret's bylaws. Sarah noted that it is important to find a way to universally regulate land use near rivers because flooding is always a possibility. Dan moved to use these new standards and language; approved unanimously.

Wetlands: no need to include anything at all about wetland unless PC is willing to examine permits to meet standards. PC agreed to omit this section.

PC then moved onto discussion of questions raised by SW in her latest memo:

Short Term Rentals: No standards will be created in Zoning bylaws; definitions will be included. After discussion, it was decided that an ordinance made by Select Board (rather than adding to zoning bylaws) would allow for more flexibility in future revision of standards.

Discussion of initiating STR cap, and ways to use bylaws to encourage full-time residency: make STRs conditional use in Con-Res and Ag-Res (remove from permitted list). All present agreed.

Setbacks: Measuring from "the nearest point of a building or structure" would include fences and signs; all agreed to remove the word "structure". Secondly, according to Kevin, measuring from edge of road (current standard) is more difficult than measuring from center of right-of-way. Making this change would mean adding 24' to all front setbacks. Sandy pointed out that we have roads of varying sizes. Dan believes the difference between the two measuring standards would be negligible. All agreed, and language will be left as is (using edge of road surface).

Affordable housing: SW recommends leaving all the language in, as is. After discussion, all agreed that adding an extra floor to affordable housing buildings should be narrowly defined as limited to affordable housing, so that town building height limit (which is based on the maximum extension of Fire Dept. ladders) will not be affected; SW will discuss with Kevin. PC also needs to decide how long to make time frame of dedicated guaranteed affordable housing; 15 years is current, and all agreed to keep it there.

SW noted that language is needed to clarify that buildings can be multiple-use; she will bring that next time.

SW will also bring language re when a use can be considered abandoned.

Review Correspondence: Brandon Solar has scheduling hearing set for Thursday 7/13; Sandy will attend.

Opening on board: Julie would like to see a younger person join. All agreed to consider who might be willing and available.

Second July meeting? July 25th was agreed on.

Adjourn: 8:37

Next meeting on July 25, 2023 at 6:00 pm.

Respectfully submitted,

Maya Newroot

Recording Clerk