

**Town of Danville
Planning Commission Meeting
Approved Minutes
Thursday, March 28, 2019
Danville Town Hall 7:30 pm**

In Attendance: Glenn Herrin, Kate Whitehead, Vince Foy, Jeff Paquet, Michael Hogue

Guest: Mike Smith (DRB)

Minutes

MOTION: Jeff Paquet made a motion to approve the minutes of January with a change to note cancellation of February's meeting. Vince Foy seconded. Motion carried.

West Danville Village Center Application

On March 25, 2019, the Downtown Development Board found that the West Danville application met the statutory requirements and designated the village center to receive state benefits. The PC will plan to contact Danville businesses that fall within the West Danville Village Center to let them know of the new designation and benefits available to them through the program:

<https://accd.vermont.gov/sites/accdnew/files/documents/CD/CPR/CPR-VC-Designation-Benefits.pdf>

Zoning Bylaw Update

Waiver Language for interim bylaw

Mike presented a draft interim bylaw that included procedures and new language for waivers. If adopted by the selectboard the interim zoning bylaw will be in effect for two years at which point the full zoning update should be complete. Once the zoning bylaws have been updated, variances will not be needed.

The PC reviewed and discussed proposed updates to the Town's zoning bylaws:

- Defined and added "preexisting" to section 301 and modified language so that provisions would apply to preexisting small lots anywhere in town. *"PREEXISTING: A condition that began at a time prior to the adoption of the current version of this zoning bylaw."*
- A definition for variance was added; a "variance" can cover any bylaw and a "waiver" generally covers one condition/more specific related to dimensions (i.e.setbacks) *"VARIANCE: An appeal/request to deviate from a specific zoning requirement. If granted, a variance permits the owner to use their land in a way that is ordinarily not permitted by a zoning ordinance. A variance is not a change in the zoning law, but a single release from the requirements of a specific zoning bylaw."*
- Proposed Waiver definition: *WAIVER: A request to deviate, under specified conditions, from a specific dimensional requirement by a specified amount from a value as specified in the bylaws.* PC added "Set forth" to waiver language and removed " from a value as specified".
- Section 702: definitions added for "Preexisting", "Variance" and "Waiver"
- New Section 809 was added with comprehensive Waiver section:

- 809.2 a. permit processing by the ZA or the DRB – if permit applications have more than 2 waivers they will need to go through the DRB.
- 809.3 c. special conditions for a waiver = safety & energy structures will need waivers.
- 809.4 waivers are allowed for two specific dimensional requirements: setbacks and minimum lot size. Waivers cannot be requested for height.
- 809.4 a. Property Line Setback Waivers – language needs to be clear that waivers granted in the past does not equate to one being granted in the future – each given on case by case basis.
- 809.4 b. 2 abutting conforming lots cannot create a small lot (section 809)
- 809.4 v. A setback for a fence may be decreased to allow installation on the property line – unless it involves street and/or surface water setbacks.
- Old Section 809 (Variances) was moved to 814, and new subparagraphs 814.1&2 were added
 - 814.2 - language needs to be clear that owner needs to make the variance request. *“The application must, in writing, identify the specific zoning bylaw request of the variance and provide arguments supporting each of the facts described in Section 814.3”*

MOTION: Vince Foy made a motion to accept the proposed interim zoning bylaw and forward to the selectboard for review. Michael Hogue seconded. Motion carried.

- Review Design Control Districts
 - This agenda item will be moved to April

Village to Village Project Update

The Vermont Department of Health (VDH) is now partnering with the Better Connections Program to create a three agency partnership (ACCD, AHS & VTrans). Better Connections grantees were given the opportunity to apply for additional funds through VDH to support implementation of recommendations coming out of the Better Connections planning process. The Village to Village committee applied for and were awarded an additional \$13,000 to purchase and implement “quick build” projects; bike racks, water station, bike repair station and temporary installment of advisory shoulders on Peacham Road. These projects will be weaved into the Better Connections work. The next phase of the Village to Village project will focus on wayfinding.

Meeting adjourned at 9:15pm

Next Meeting: April 25, 2019 at 7:30pm at the Danville Town Hall

Respectfully submitted by Kate Whitehead