

Draft Minutes
Shoreham Planning Commission
Shoreham Elementary School
Public Forum on Proposed Zoning ByLaws
August 15, 2006

Present: Terry Eagan, Bob Fisher, Karen Shackett, Glenn Symon, Will Stevens

Guests: Jeremiah Parker, Joe Kelley, Scott Stanley, Paul Wagner, Phil Kivlin,
Marie Castano, Stephen Goodrich, Jeff Bronson

Continued review of proposed ZBL's:

4.07 Extraction & Quarrying:

Joe Kelley: Purpose of section (E)?

Glenn: Purpose is to create surety for site reclamation in case the ownership of a quarry changes hands over the lifetime of a quarry.

Joe Kelley: Town doesn't have rite to "go back after" former owners of quarries. Have we checked into the legality of this provision?

Joe: Does Sec. 4.07 fall under conditional use review? Is the ZBA capable of reviewing the technical aspects that need to be reviewed?

Joe: Are there specific state standards for quarrying?

Phil Kivlin: Is an approved Act 250 application with the state enough? Or should we as a town review further?

4.08 Farm Structures

Jeremiah: Can the secretary of Ag. Actually grant a waiver to allow for building in the setback.?

PC: Yes

4.09 Freestanding Dishes and Antennas

4.10 Gasoline Stations

Jeremiah: What about the property on the corner of 22A and 74, not being allowed to become a gas station because of (A)(1)? What is the reason churches can't be near gas stations?

Joe: Should the PC reconsider this? Discontinued uses should come under conditional use if they are reestablished.

Marie C.: Keep it in.

4.11 Motor Vehicle Sales or Repair Facility

4.12 Group Home

Jeremiah: (A)(3) Is this state mandated? No two group homes within 1000 feet?

Phil: Yes

Joe: Clarification of group home (under 8 people) and residential care facilities (over 8 people)

4.13 Home Occupations and Home based Businesses

Joe: Is a zoning permit required for a home occupation?

Phil: Not sure, we've never really required one.

Glenn: The purpose of this is to remind home based occupations that may grow into home based business that some review may be required as they grow.

Joe: When does a home occupation become a mixed use of property?

Glenn: When the primary use of the property is no longer residential. In favor of non-fee permit, in order to alert property owner of possible standards if business grows.

Jeff Bronson: In favor of permits in this case also.

Bob F.: The main difference is home based business require conditional use and home occupations are by right.

Joe: Suggests that home based businesses should be conditional use in all districts.

4.14 Kennel

Jeremiah: Can we add to definition: "... or personal use."

Jeff: With only 2 or more dogs? Everyone in town would be a kennel.

Glenn: PC understands your concerns with dog noise, but unsure how to proceed with using ZBL's to deal with this issue.

Jeff: Is a 500 ft. setback too far? Is 200 or 300ft. better? Or would an occupied building within 500ft be a better standard? Could setback be more conditional?

4.15 Light Industry

Jeff: Is a small feed mill industry or agricultural?

PC is unsure about the answer.

Stephen: Why is max height 35ft.?

Glenn: That seems to be the typical standard, no more than 3 stories?

4.16 Marinas

Joe: Is 100 ft. parking setback difficult on the elderly? This should be more conditional and flexible.

4.17 Mixed Uses

Joe: This sounds like anything but residential triggers Mixed Use.

4.18 Mobile Home Parks

4.19 Solar & Wind Energy Facilities

Joe: Setbacks should be farther because of noise nuisance.

Marie: Is there a height requirement?

Steve G: Is there no limitation on the amount of mills?

Terry E.: What would trigger state review?

Jeremiah: Selling the power commercially, rather than for personal use.

Glenn: 275 set because of the 300ft frontage requirement and 10 acre exemption, many lots may not have option of wind power if setbacks are increased.

4.20 Telecommunications Facilities

Marie C.- Keep it restrictive.

Joe: State where we want them and where we don't.

ART. 5. CONDITIONAL USE REVIEW

5.01 Applicability

5.02 Application Requirements for Conditional Use

Joe: Is this similar to the existing regs.?

Glenn: Pretty much.

Joe: (B)(2) The town has no mechanism to regulate wastewater.

5.03 Review Process

5.04 General Standards

Joe: Is this section the same as existing?

Will: Any comments on 5.05, 5.06?

Joe: 5.05 (5) Stormwater and Erosion Control. Is the town requiring a stormwater runoff plan.?
PC: The state requires standards over 1 acre.
5.07 Brief submitted by Jeremiah. "The Architectural Character Checklist/Questionnaire"

Meeting adjourned 8:40

Next meetings scheduled are for Aug.31. and September 7th. Begin next meeting with PUD section.

Respectfully submitted-
Terry Eagan, Shoreham Planning Commission