

MINUTES
ST. ALBANS CITY PLANNING COMMISSION
REGULAR MEETING
ST. ALBANS CITY HALL, 100 NORTH MAIN STREET
5:30 PM MONDAY, OCTOBER 17, 2022

Approved November 21, 2022

Commission Members Present: Lauren Dees-Erickson; Courtney Seale (via Zoom),
Alternate; Michael Gawne

Commission Members Absent: Denise Smith, Chair; Amy Burlison; Carl Watkins; Zac Nuse

City Staff present: Chip Sawyer, Director of Planning & Development; Arleigh Young,
Minute Taker

Members of the public present: Barbara Riley; Horace Riley; Joseph Murphy; Donald Bailey,
Shirley Bailey

1. Begin Recording and Open Meeting.

- a. Introduction of attendees. **L. Dees-Erickson opened the meeting at 5:33pm 10/17/2022.**

J..Murphy Lives on Best Court

H. Riley & B. Riley- owners of property on Best Court and North Main St
Shirley Bailey home owner Federal Street

Donald Bailey Lives on Federal Street

- b. Public Comment on issues not on agenda.

No additional topics

- c. Discuss additions or deletions to
agenda. None

- d. Assignment of Alternates.
Courtney Seale

2. Discuss Residential-Professional District proposal and associated changes.

- a. Update on warning official hearing.

C. Sawyer opens with the explanation about the changes that the PC has been discussing for quite some time to change the district parameters around Best Court, Federal Street, Lower Newton Street, and North Main Street. Looking at the map C. Sawyer explains that the zoning changes in this area better reflect what is actually happening there. The area on Lower Newton and Federal St is currently zoned as business 2 district which is a business and industrial district, the PC would like to see that area zoned for more residential and smaller businesses, not gas stations and larger retail. J. Murphy asks W. Sawyer to clarify that this change would stop a gas station from going up on a street like Best Court. C. Sawyer agrees, and states that the zoning should reflect the neighborhood, and right now it does not.

C. Sawyer continues onto Federal Street where the area is noted as service industrial which does not even allow for residential use, the PC proposes bringing this area into the Transitional Business District which would allow for residential and industrial to be mixed.

J. Murphy states that in his home on Best Court he feels he is being taxed as a business style property. C. Sawyer states that the assessor department does not take these zoning maps into account when making tax related decisions on the property. Home value is based upon the home, age, and condition. J. Murphy furthers that he wants to be sure that he is not being taxed as commercial or as a higher rate. M. Gawne points out that all tax rates are the same, and it is only the Homestead Declaration that offers a lower tax rate to homeowners.

C. Sawyer moves to North Main St and Federal Street where they are proposing to make a professional/residential district. This would allow for residential homes, offices, and light industry. J. Murphy asks if this will change the gas stations and such down by Branon's. C. Sawyer confirms that those businesses would remain the same, and they would be grandfathered in as they are currently. J. Murphy asks to confirm that these changes will not raise his taxes. C. Sawyer confirms no tax changes. J. Murphy furthers that he is wondering why Best Court was not included in sidewalk and curb improvements because Best Ct. is inside the TIF District. C. Sawyer states that anyone can advocate for sidewalks, and Best Court could in this new district. J. Murphy states he does not actually want a sidewalk because it will take up too much of the properties. At this the public who came to listen felt they received all the answers they were looking for. C. Sawyer let them know in closing that there would be an official warned meeting to finalize a vote on these changes on November 21, 2022 at 5:30pm. From there this proposal will go to the City Council where they will have to approve it twice before the changes are official.

C. Sawyer moves on to discuss what will need to be done once this proposal is approved. There will be changes to Section 303 to include the definition of the Residential-Professional zone. We will have to make changes to the Zoning Map, and add a definition about Craft Production and retail shop in Section 202. The Residential-Professional zone will need to be added into section 301, clarify the reference to the official zoning map 303, and move the overlay districts to section 305. The Residential-Professional district to list of approved uses 304. Clarify reference to zoning districts for non-conforming parking 412.2. Create a transverse boundary lot line rule in Sec 502. Amend sections 307, 513, 515, 516, and 517. Add requirements to article 7, and clarify references to zoning & overlay maps in Article 10.

C. Sawyer starts with Article 2 Section 202 where they would add a definition of craft production and retail shop. M. Gawne asked if the language can be adjusted to clarify business owner types. C. Sawyer States that he could adjust to reflect a sole proprietor establishment, or to wording eluding to 1 or 2 owners.

Continuing on the additions to the zoning maps as well as the addition of the Residential-Professional district to section 303 Article 3. Adding the permitted and conditional uses as previously discussed.

C. Sawyer notes to PC that the City Council would like to see changes to the setback for a pools and accessory structures between houses from 2' to 5'. L. Dees-Erickson asks how far if not 2 feet. C. Sawyer states 5 feet. M. Gawne states that 2 feet is very close.

C. Sawyer continues into the striking out of overlay districts and create a new section 305 for the overlay districts. Moving into Section 307, 412.2. On to Amendment 9, Article 5 section

502 on dividing lots. Clarifying what happens when a property is divided by a district transversely or laterally. L. Dees-Erickson asks if this will create hardship in zoning. C. Sawyer states no, this will be along the lines of what had been done before.

Continuing into Amendment 10, 11, 12 and 13 will enact some verbiage changes. Amendment 14 speaks to the house type, look and feel. C. Sawyer states that the Design Advisory Board will be the ones to decide what fits in the new RP district. M. Gawne wants to clarify what classic means, C. Sawyer states it was not about a specific design type, more about a widely recognizable home types. C. Sawyer asks is this word should be removed. M. Gawne agrees. C. Sawyer states that he could change the sentence to say that the homes will reflect traditional to the area. M. Gawne states that perhaps it can be worded to bring folks back to what a dwelling should look like in our land regulations. C. Sawyer states that he will work on making that connection and will bring forth some guidance for this issue.

Lastly C. Sawyer discusses the map boundary changes. L. Dees-Erickson confirms that none of the public comment were against the map changes.

3. Discuss Municipal Planning Grant.

a. Potential discussion of application resolution.

C. Sawyer states they have until December 1 to apply. He would like to try for a small grants to get some consultation on how state statutes have changed since the last City Plan, and to be sure that we are referencing any statute changes. The PC needs to approve a resolution to file a grant application.

M. Gawne Makes a motion to draft an application for this grant for no more than 1 million dollars, C. Seales Seconds, Motion Passes 6:29PM

4. Other amendment proposals.

a. Presentations and discussion.

C. Sawyer would like to discuss the work plan and specifically the updates to fencing. C. Sawyer begins with a bit of history into a fencing rule he wrote for the planning commission about 5 years ago. This rule was particular to the front of the home where they did not want to see more 6' Stockade and chain link fencing. These rules state that a fence in the front of the house it had to be no higher than 4' with allowances for different types of fencing, the fence must be 2' off sidewalk, and still no chain link. C. Sawyer states the problem is that there is no limit to where the fence can be located specifically when there is a dispute over the property lines. C. Sawyer would like to adjust the language to state that the fence will have to go on to the agreed property line. City staff does not want to get in the business of defining property lines and neighborhood disputes. L. Dees-Erickson asks how these disputes would get solved. M. Gawne shares his past experiences with these disputes and his own land survey process stating that it can property boundaries are sometimes fluid and change depending on usage and current status. C. Sawyer states that the end all is neighbors agreeing or court. C. Seales states that surveyors are cost prohibitive and because there are so few in Vermont it can take a long time. L. Dees-Erickson adds that they should consider the busy person who may not have time to do detailed searches into their property lines.

C. Sawyer would like to see a language change in the fencing regulations to state that fences are not a delineation of property lines, and to allow a setback or courtesy area on the outside of the fence to maintain both sides of the fence on your own property. M. Gawne does not like the courtesy space and feels that a fence is the definition of the property boundary otherwise why have it. C. Sawyer states that because you do not

always know how your relationship will be with changing neighbors that you should be able to maintain your fence on your own property and this includes mowing or gardening. L. Dees-Erickson likes defining that a fence is not determinative of the property line, but is hesitant about the courtesy space. C. Sawyer will bring some examples of other municipalities fencing rules that include a buffer/courtesy area to the next meeting for further discussion.

C. Sawyer discusses that there has been some interest in allowing veterinary hospitals in districts other than the service industrial. C. Sawyer would like to discuss allowing this use in the Business Districts as well. This would be a conditional use where the DRB would be able to ask probing questions about many of the possible issues like overnight stay. M. Gawne states that there is n if any rule is in place it should be to no overnight boarding for people in general. C. Sawyer assures that that would be considered a kennel, and this is already only allowed in Service Industrial and that would not change. C. Sawyer states the biggest issue is where will the pet relieve themselves? In doing some research there are many urban vets throughout cities. L. Dees-Erickson states it will really come down to the property. C. Sawyer shares that that is exactly why there is conditional use review with the DRB, they can put in place conditions to avoid some of the possible issues as seen from neighbors of the property.

C. Sawyer changes the topic to changes for Article 7 Design Review and that he will preparing materials for next month's meeting. Items like exempting single and two family homes from design review except in new construction, significant rehabs, and deterioration of materials. L. Dees-Erickson states she would like to discuss materials and color uses if they are going to start digging in on design review. She had been told in the past that too many of these regulations become prohibitive. C. Sawyer adds updating energy standards into the regulations. L. Dees-Erickson would like to see this encouraged, not regulated. M. Gawne states that one way you could move this forward is to have a fund for folks who can't afford it. C. Sawyer states there is already a program to help folks in homes that need upgrades, but there is not a lot of interest. L. Dees-Erickson asks if the city can just move forward to aid these troubled properties and C. Sawyer states that it is really only after a foreclosure or tax sale that the city can step in. M. Gawne states that these properties hurt the homes around them and that is why some standards have to be set and enforced.

C. Sawyer asked about the definitions discussion and is it ok to move forward with what he had already put together for the next meeting. L. Dees-Erickson and M. Gawne agree.

b. Consider warning hearing(s).

none

c. Discuss work plan going forward.

Discussed above

5. General Business.

a. Approval of Minutes.

Will be done at the next meeting

b. Review next meeting date and format.

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c. Other.

6. Adjourn.

Michael Gawne motioned to adjourn early. C. Seales seconds. Lauren Dees-Erickson adjourned the meeting at 7:08 pm.

PC Meeting 10/17/2022

THANK YOU FOR COMING. PLEASE SIGN IN.

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/

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