

The meeting was held at the Depot office and was called to order at 7:04 PM by Co-Chair, Mary Rogers. Other Commission members present were Chris Damon, Kim Hall, Steve Lenox, and Bob Howe. Members Matthew Patterson and Joe Macbeth were unable to attend. No members of the public were present.

Mr. Hall made a motion to accept the Minutes of the June 21st meeting with no corrections or revisions. This was seconded by Mr. Damon and so voted.

Ms. Rogers noted that with Mr. Damon resigning from the Development Review Board to take the open Zoning Administrator position, there is a vacancy on the DRB to fill. Resident and business owner, Nick Disorda, expressed interest serving on the committee and attended the July 19<sup>th</sup> DRB meeting to observe proceedings. Steve Lenox made a motion to recommend Nick Disorda be appointed by trustees to the Development Review Board. The recommendation will be made at the August 8<sup>th</sup> trustee meeting. The motion was seconded by Bob Howe and unanimously approved.

Mr. Hall discussed a recent meeting he and Ms. Rogers had with the Chair and Vice Chair of Shaftsbury's Planning Commission. The purpose of the meeting was to get to know each other and see what potential exists for working together on common issues with respect to Act 47 requirements. Topics discussed included:

- Working with the BCRC
- Working with VLCT and DHCD
- Sharing a Zoning Administrator – some possible interest for future discussions
- Designated Village Center Benefits
- Bylaw Modernization Grants
- Dwelling Unit Density under Act 47 – pertains more to NB due to water/sewer service requirements
- Aligning our Permit Fee Structures – possible interest for future discussions
- Short-Term Rentals and STR Officers – Shaftsbury currently has loose requirements
- Probing the Limits of Cell Tower Regulation
- Cottage Court Developments
- Recreational Vehicle Tracks – interest in the language presented by Mr. Hall.

A motion was made by Mr. Lenox, seconded by Mr. Damon to add the following definitions and section 5.1.13 Recreational Vehicle Tracks to the bylaw draft. The motion carried.

- Definitions:
  - **Recreational Vehicles** are multi-wheeled, motorized vehicles utilizing fossil fuels and used for recreational purposes including but not limited to motorbikes, motor trikes, snowmobiles, and all-terrain vehicles.
  - **Recreational Vehicle Tracks** are pathways utilized by recreational vehicles for recreational purposes on a repetitive basis.

## DRAFT

- 5.1.13 Recreational Vehicle Tracks

Recreational vehicle tracks shall be no closer than 100 feet to the lot boundaries where those boundaries are shared with lots permitting residential use and no closer than 30 feet to lot boundaries shared with a public right of way. Use of the tracks is restricted to the hours of 9:00 am and 7:00pm all days of the year. Recreational vehicle tracks are not permitted in the historic overlay or conservation districts.

The previously approved subcommittee of Mr. Hall and Mr. Lenox presented details for the general and dimensional requirements tables on Section 6: Tables 6.2.1.2 and 6.2.1.3 pertain to residential districts and Tables 6.2.2.2 and 6.2.2.3 pertain to the other districts. Diagrams for each were sketched to ensure compliance with Act 47 density requirements and that area and setback requirements make sense.

Act 47 density requirements pertain to areas served by both water and sewer with several exceptions, one being services added to address public health issues (ie PFOA), and another being whether systems can accommodate development. Maps do not presently exist overlaying water and sewer service in North Bennington. All areas of North Bennington have the right to water service and capacity exists to serve future development. Not all areas have sewer service.

A suggestion was made to contact the GIS expert at BCRC to create a map showing the following overlays:

- Roads
- Zoning Districts
- Parcels
- Bennington-Maintained Sewer Trunks
- Village-Maintained Potable Water Lines
- Village-Maintained Potable Water Lines added due to PFOA contamination

The intention of the maps is to create a map showing three categories of parcels:

- Those without sewer service (Act 47 density requirements don't apply)
- Those with water and sewer service (Act 47 density requirements do apply)
- Those with water and sewer service where the water service was added due to PFOA contamination (Act 47 density requirements don't apply)

Height requirements were similarly diagrammed. The tallest structures are permitted in VR10 to promote mixed use.

Existing Bylaw language was highlighted requiring Bennington College to provide a master plan for their extensive property to be given to Village trustees and updated on a regular but not cumbersome basis. Existing language exists indicating that any property the College may sell for non-college purposes be classified as VR40. Buffers were adjusted for buildings or parking lots on college property abutting residential parcels.

Discussion commenced on Section 7: Project Review Criteria. The Commission requested reference to "developments" be changed to "projects" to avoid potential confusion. Proposed language under 7.1.2 pertaining to sound will note Village Ordinance 24 which covers the matter. The section also notes airborne particulates and odors, which will be written to accommodate agricultural activity.

Time did not permit review of the notations Mr. Lenox made about Section 7. These notes will be discussed at the August meeting.

## DRAFT

Prior to the meeting, Mr. Hall distributed a draft of an introductory section "Understanding This Document". The Commission found it to be well written in a friendly, easy to read manner to help readers understand the purpose of zoning regulations, the process for enacting such regulations and basic organization of the document. Now that the Village has permanent email and cell phone contacts for a zoning administrator, these contacts can be added to the document.

Mr. Hall stated that Sections 8, 9, and 10 remain unchanged from the current zoning bylaw at this point. Commission members should read these sections carefully and suggest revisions, if any.

The next meeting is scheduled for Wednesday August 16<sup>th</sup> at 7:00 PM at the Village Depot. Mr. Damon motioned to adjourn at 8:33 PM, seconded by Mr. Howe and so voted.

Prepared by Mary Rogers

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