

Washington Planning Board

Working Meeting Minutes

January 11, 2022

- 0.0 Assembly: 6:30PM, by Zoom
- 0.1 Members present: Hatch, Schwartz, Crandall and Kluk
- 0.2 Alternates present: Kapteyn
- 0.3 Members and Alternates Absent: Revane, Terani and Chidester
- 0.4 Visitors: Laurie & Allan Dube, Bruce Barker, Gary Kendall

Hatch opened the Working Meeting on the LUO changes at 6:30PM. Hatch said that this meeting is to discuss the comments we received at the Public Hearing and decide what further changes we want to make. He will take each section separately. He asked the timeline for another hearing and approval of changes. Schwartz said that January 31st is the last day we can hold a hearing and approve changes before the ballot goes to the Town Clerk on February 1st. Hatch asked L Dube about her question to the BoS on the simultaneous hearing and zoom. Dube said that she found it ok but not alright to have Hatch reiterate what people were saying. Hatch said that UVLSRPC does it this way; however, we will work on improving the process for the next hearing.

200.4 Business Use – Hatch stated we are deleting the 2/3rds vote of town meeting for a business building over 10K sf and adding Commercial Shooting Ranges as a non-permitted business. He asked for comments. Kluk said we need to do more homework on the 10K sf of building space. She said that using setbacks to control building size doesn't do enough and the 10% coverage rule could work but we need to do more research. Hatch said he is aware that more work needs to be done on this and we will take the public comments under advisement. Crandall suggested that we should change "is" to "has" in the second sentence to show that this means all buildings on a site. Kapteyn agreed. Kluk made a motion to make these changes, Crandall seconded and all voted in favor. We will keep this as Question #1 on the ballot.

Hatch took up the second change to this section; the addition of Commercial Shooting Ranges to the unpermitted businesses and said the public thought this was inappropriate to include in this section. Kluk commented that the 2nd paragraph states that businesses that take away from the rural character or that cause hazards due to the stated reasons are not allowed and the stated businesses in paragraph 5 all fall under this statement. She said that indoor shooting wasn't considered and she proposed a change to "outdoor Commercial Shooting Ranges". Hatch said that the power of not permitting is strong, do we define commercial shooting ranges well enough? He asked Kapteyn about the research he had done on this subject. He said that shooting ranges have been challenged in court when a personal shooting range becomes a commercial venture and a town can decide that they don't want this. He said that because we don't have a business zone it could go anywhere in town. Schwartz commented that "commercial" makes it a business and they would have to go through the Business Permit process. Hatch suggested adding "outdoor". Kluk agreed and wanted to make it a stand alone question (#2) on the ballot to let the town decide. Kluk made that motion, Crandall seconded and all voted in favor.

#304 BUILDING EXTERIORS – Hatch read through the change. Kluk commented that reference to the Certificate of Occupancy is redundant and not needed, it is mentioned in 502.1 and is not needed. She thinks that if it is not a dwelling it will be caught by the assessors and doesn't think we need a Certificate of completion as was suggested at the hearing. Kluk made a motion to make this change, Hatch seconded it and all voted in favor. This will be question #3 on the ballot.

#305 MINIMUM DIMENSIONS – Hatch said we are proposing to change the title to **MINIMUM HABITABLE DWELLING REQUIREMENTS** and strike the word “new”. Crandall made a motion to make the change as proposed, Hatch seconded and all voted in favor. This will be question #4 on the ballot.

#306 RECREATION VEHICLES – L Dube’s suggestion of re-ordering the wording from the hearing was discussed. Kluk thought this demoted the need for signs of construction if we put it after the waste-water pump-out receipts. Hatch suggested a period after ‘force’ and start the next sentence with substantial signs of construction progress putting all the requirements into one sentence giving them equal weight. Kluk made a motion to do this, Schwartz seconded and all voted in favor. Hatch asked about changing “state approved” to “manufacturer approved” concerning the waste containment system on RVs in the first paragraph as suggested by Marshall at the hearing. Kluk suggested “RV manufacturer’s functioning waste containment system”, Kapteyn suggested “waste containment system functioning according to manufacturer’s specifications”. Everyone liked this, Kluk motioned to go with this language, Crandall seconded and all voted in favor. This whole section will be question #5 for the ballot.

#501 LAND USE COMPLIANCE FOR CONSTRUCTION PERMITS (LUCC) – Hatch asked about the suggestion by Marshall to change “and” to “but”. Kluk commented that we should delete “are exempt and” and keep “will require a separate permit...” Hatch thought this was a good clarification. Kluk made a motion, Hatch seconded the motion and all voted in favor. This will be Question #6 on the ballot.

#502 OCCUPANCY – Crandall made a motion to go with the proposed wording for 502.1, Hatch seconded the motion and all voted in favor. This will be #7 on the ballot. Kluk made a motion to go with the proposed language for 502.3, Hatch seconded and all voted in favor. This will be #8 on the ballot.

Proposed Definitions

Dwelling – Crandall questioned if this was actually a definition. Schwartz commented that “dwelling unit” is defined in the LUO so we are choosing to use it here instead of “living units”, also the exclusion of commercial accommodations is appropriate as they come under businesses. Kapteyn said that Marshall had questioned the use of trailers for living space but the board agreed that this definition is appropriate as written. Kluk made a motion to keep as proposed, Hatch seconded and all voted in favor.

Seasonal Building – Hatch said that this is to define seasonal buildings for 502.3. Kluk said that in reaction to the comments at the hearing we don’t need an additional definition for “seasonal dwelling” and a seasonal occupancy permit is not needed. Kluk made a motion to move the definition as written, Hatch seconded and all voted in favor. The definitions will be presented as separate questions on the ballot (#9 and #10).

Kluk suggested setting the 2nd Public Hearing on LUO changes for January 31st at 6:00 PM and moving our Planning Board meeting to that night following the hearing, the Public hearing and meeting will be conducted at the 2nd floor of Town Hall and on Zoom. Kapteyn suggested using a speaker and mic combo and Schwartz suggested using the projector also. Hatch said he just received an email from Revane and Schwartz let him into the Zoom meeting. Revane suggested only one computer in the room. Schwartz will test a system at Town Hall for the hearing. Hatch says we get better participation using zoom also. Schwartz will write up the agreed upon changes and send out to members. She will notice the Public Hearing and meeting day change and set up the zoom session.

Adjournment: Time: 8:03PM
Motioned by Kluk, seconded by Crandall, all voted in favor.

Respectfully Submitted, Nan Schwartz