

## Town of Londonderry, Vermont

### Planning Commission Special Meeting Minutes Monday Nov. 18, 2022: 2:00 PM Twitchell Building

Committee Members Attending: Maryann Morris, Larry Gubb, Dick Dale, Elsie Smith, Sharon Crossman, Heather Stephson, Dick Dale, Mimi Lines (remotely)

Attending: Brandy Saxton (remotely), Paul Abraham, Patty Eisenhour, Will Goodwin (arrived at 3:50 PM)

1. Meeting was called to order at 2:04 PM
2. The meeting was turned over to Brandy. She reviewed three complaints express at the meetings and in writing concerning the conservation district near Under Mountain Road and the rationale as to why each was established. Each of the three were large parcels and established because along the 1500-foot altitude ridge-line to preserve the rural character of Londonderry and effort to restrict housing to near established roads. The Goat farm, Ben Sargent, and Wilbur properties involved some unique characteristics and potentially limited the R-3 current use district now being changed to conservation. The PC could choose to permit more uses, or extend the boundary limits to between fifty and 200 feet, or reduce the size of minimum acreage at from thirty to more than ten, or create a statement that a plot of land would not be divided into two separate districts. Brandy will create a map of every of every parcel in any district that is divided into two districts so that the scope of the problem can be determined. Dick proposed twenty acres because that is the threshold for no septic restrictions by the State, Paul suggested that 10 acres permitted too much development. Larry wanted to preserve forest and animal corridors. There was much debate over making sure that the goals of establishing the conservation district were preserved while being fair to current owners. Brandy did point out that the conservation district was the most dramatic change in zoning and that she expected some opposition. She also said that making sure that the zoning bylaws be passed may involve political compromise. It was decided to take the Prouty land out of the conservation district as well as the land owned by the town above the Custer Sharpe House. Next, it was decided to remove from the zoning bylaws any reference or rules associated with short term rentals as the Selectboard is working on passing an ordinance which is the best way to manage short-term rentals. Brandy reviewed a number of policy issues that various provisions need to be resolved based on many of Will Goodwin's questions. River corridors were again rejected, but the language related to it still remains. There are other technical clean ups that Will suggested. The PC liked the language associate with mobile homes and tiny homes in section 3017 B and 3017 C (pp 3-13) requiring foundations. The PC permitted the section on requiring asphalt for more than ten spaces (3104 G page 3-40) be limited to the first sentence in the first section. The section on signs not being allowed to extend above the ridge line (section 3107 B, p.3-45; currently being violated by Tri-Mt Market, but possibly grandfathered) be retained. There was considerable discussion about section 3229 B, p3-76 concerning agricultural uses defined as a petting zoo, sleigh rides, and concerts as falling under the definition of agricultural use. Brandy stated that the State permits virtually anything a farmer does to raise money in support of a farm, but Will stated that the Selectboard has ruled on some of Taylor Farm's activities. The PC unanimously endorsed the provision for screening from the road in section 3106 E; P 3-44 (referencing 3012 E) now include all roads in Londonderry and South Londonderry. The final issue was how best to get the bylaws passed? Brandy suggested that Williston (with professional and full-time zoning administrators) spent five awkward years trying to pass new bylaws piecemeal and had much trouble enforcing new and old bylaws. She suggested that was not a good way to pass such a comprehensive new bylaw that Londonderry is considering. She strongly suggested that such a big change almost always is defeated if dependent on a town wide vote. She reminded us that it is normal to adjust and revise sections if they prove to be problematic within a year or even faster. She suggested that she is responsible for putting together the rationale for why the old bylaws no longer work, how they accord with the town plan, and why there are significant advantages to the Selectboard adopting on its own the new bylaws. It is useful if the Zoning Administrator, DRB, and Planning Commission jointly make such a recommendation, but she also pointed out that once the Selectboard acts, the citizens have to collect 5% of the voters to petition for a vote.
3. A special meeting to continue discussing changes was set for Nov. 30, 2022 at 2:30 PM. At the Twitchell Building.
4. The meeting was adjourned at 4:15 PM.

Respectfully Submitted,  
Dick Dale