



APPROVED SPECIAL MEETING MINUTES - JANUARY 25, 2023
TOWN OF GREENSBORO PLANNING COMMISSION
Greensboro Free Library and Zoom *(Hybrid Meeting)

MEMBERS PRESENT: Kent Hansen, Ellen Celnick* (via zoom), Christine Armstrong* (via zoom), Kelli Story* (via zoom), MacNeil, Alexis Mattos* (via zoom), Brett Stanciu (ZA and non-voting member)

ABSENT MEMBERS:

OTHERS PRESENT: Janet Patterson* (via zoom)

1. CALL TO ORDER: (3:05 PM)

2. REVIEW: review incorrect and/or omitted items in the SPD Bylaw as passed in 2022 as compared with the version of the bylaw as approved by the GPC in 2021 and which were identified at the GPC's December 5th meeting for additional review. (See 12.5.22 GPC Public Folder for reference documents: *Table of Differences* and *Amendments to Definitions*.) It is not an ongoing, continuing review of the SPD Bylaw and the GPC will keep in mind the intent the GPC had when it approved its SPD Bylaw in 2021. Discussion only. No motions made. Kent noted that he added some definitions and other incidental changes for review.

Kent also mentioned that he is of the opinion that the entire 51 year old Bylaw needs to be updated—he will connect with the DRB to float the idea of jointly supporting the grant writing to hire a consultant to write the Town's Zoning Bylaws.

Definitions:

Land development vs development: They are inconsistent definitions now but can be corrected throughout the bylaw when the entire bylaw is redone.

Permitted use vs permitted use: Needs to be corrected for the entire bylaw. There would be a large change in how Greensboro permits so this ought to be reviewed with larger overhaul. Reference made to the Elmore bylaw states that a permit is required unless something is included on a specific list as something where a permit is not required.

Footprint: Some PC members note this proposed definition is a substantial change. Intent of the SPA is to manage impervious surfaces and cleared area which is not how 'footprint' is considered townwide. Defer to larger rewrite.

Habitable floor area: Some PC members noted this a substantial change. There was discussion that this definition is an area that is possibly being exploited and should be corrected now.



Some PC members do not want to discuss this at length at this time but want to wait for a full review.

Vegetative Cover: New definition. Accepted.

Floor Area: New definition. Accepted.

Mitigation: Improve current definition. Accepted.

Differences:

Purpose: Current 22 bylaw is same as 2015 bylaw (2.7) but GPC approved bylaw was more detailed. Kent maintains that 2022 and 2015 purposes are fine; the purpose is not water quality. Christine notes Article 8 is about water quality protection. Brett notes individual property rights exist. Christine notes the Greensboro community survey data showed that the community members believe there is too much development around the lakes. Goal and intent of the SPA is to protect water quality. There are two separate purposes in 2022 bylaw which could be consolidated. Kent will send out an email requesting for individual replies on this subject within a few days.

Applicability: Some PC members do not want to use proposed applicability language which includes exact Shoreland Protection Act vegetation considerations and language: To what extent is vegetation removal considered development? MacNeil notes the DRB has difficulty in this area and would like to study it. Christine notes that vegetation consideration is critical for water protection and should not be vague and should be included; the biggest red flag for water quality is the overdevelopment of the shoreland. Regulation for vegetation is key to protection. MacNeil and Brett do not want to rush into something that they would like to examine further. Kent notes Janet wrote a summary paper that clearly defines what is allowed and which can be a resource. Deferred to future review. (not specified if this is the larger, consultant review or simply a GPC review after study).

Exempt development: Accepted as proposed.

Habitable floor area: Deferred.

Parking: Clarified as '2 required' for new construction only.

ADU sf with decks and porches: Correct the language to exclude porches and decks in measurements. Accepted.

Definition of rental requires state permitting, not local permitting. Clarified footnote. Accepted.

Accessory Structures: There was discussion over adding size limits for new AS. Deferred.

New boathouse: Discussion about requiring location of new BH 25 feet back from the mean water mark. It was pointed out that SPA's goal is to prevent erosion and maintain 25 feet of trees/vegetation. Deferred.

Moving rebuilt boathouse: Not agreed to. GPC will not suggest to a property owner move a structure to make structures more conforming as suggestions are not indicated in the bylaws.



Steps to develop nonconforming lots that preexist 2014: Unclear to some. Kent asked Brett to discuss further with Janet and they can make a recommendation at our next meeting.

Nonconforming structures: Deferred because it considered cleared and impervious surfaces, not only structures.

Replacing lawns: Agreed with word change 'cleared' vs 'forfeited'.

Mitigation: more specific definition. Accepted.

Misc: 8.1 - 8.5 Kent reported that NVDA indicated these provisions need to be made in the general Zoning Bylaws but do not need to be included in each article, as per the NVDA.

Vegetative cover standards and enforcement: Discussion about the changes made in the 2022 Bylaw that resulted in diluted standards and an absence of specific enforcement. ANR and NVDA will review and send their comments back to the GPC and SB in relation to compliance with the delegation agreement. At that time these items may need to be updated. If not, these items will be deferred.

Amend 8.9 to allow AO authority outside the Shoreland Buffer Zone if all permit standards are met. Kent asked Janet to discuss further with ZA and for them to make a recommendation at the next PC meeting.

Further *Small Corrections* noted on the attached document offered at 1.25.23 meeting.

6. OTHER BUSINESS AND ADJOURNMENT:

Brief discussion of Kent's proposed ballot item.

Next regular PC meeting will be February 7, 2022.

March meeting date will be March 14, 2023.

Motion to adjourn offered by MacNeil. Approved. Adjourned at 4:49 PM.

Submitted by,
C. Armstrong, Clerk

SMALL CORRECTIONS OR AMENDMENTS PROPOSED AT 1.25.23 GPC SPECIAL MEETING

1) Small Corrections or Amendments

- a) §1.2 Update from 2012 to 2019 Town Plan
- b) §1.7: Update to repeal 2022, not 2013, Bylaw



- c) §2.2: Are 2008 Zoning Maps the most recent?
- d) Update §2.6 Resource District and §3.9 Water Resources and to include the eastern shore of Eligo Lake.
- e) Under Permitted Uses in §2.7, possibly add “Silviculture” to “Forestry [see 3.6]”. Reason: §3.6 does not refer to “Forestry”; only refers to “Silvicultural Practices”. Also, 24 V.S.A. §4413(d) states that a bylaw may not regulate (A) required agricultural practices (B) accepted silvicultural practices, and (C) forestry operations. Review §3.6 for completeness.
- f) §3.8(A)(4) and Article 8 Heading: Update “Lake Shoreland Protection District” to “Shoreland Protection District”.
- g) §8.6(C) and §8.9(A): Propose deleting “The minimum lot shoreline frontage shall be 100 feet and the minimum depth shall be 200 feet”. Reason: Redundant. Covered adequately in §2.7.
- h) There are many terms that apply only to the SPD. Do those definitions need to appear in both §8.4 and §9.2?
- i) Footnote in §8.4 states “Each term that is defined in Section 8.4 of this Bylaw will be capitalized throughout the document.” Capitalization of defined terms is not consistent throughout the Bylaw.
- j) Propose adding to the section with the provisions on % Cleared Area, % Impervious Surface Area, Steep Slopes): “When a permit is required for a permitted or conditional use in this district, the applicant will be required to provide information demonstrating the conditions of this section are met.”
- k) Update links to references outside of the Greensboro Bylaw. Some no longer work.
- l) Update Figures for 150’ Buffer Zone.
- m) Make sure that “Development, grading or clearing of vegetation on land with slope greater than 15% applies in the entire SPD, not just <250’ from the lake.
- n) Change all references to “Lake Eligo” and “Eligo Pond” to “Eligo Lake” as the body of water is referred to on maps.