

**VILLAGE OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
January 6, 2011**

- MEMBERS PRESENT:** Diane Clemens, Aaron Martin, Nick Meyer, John Alden, Dan Kerin. (Liza Kilcoyne and Andrew Boutin were absent.)
- ADMINISTRATION:** Robin Pierce, Development Director; Terry Hass, Assistant Zoning Administrator.
- OTHERS PRESENT:** Renee Paulman, Brian Rathburn.
- AGENDA:**
1. Call to Order
 2. Audience for Visitors
 3. Additions/Amendments to Agenda
 4. Minutes (12/28/10)
 5. Public Meeting
 - Site Plan, Single Family to Duplex, 48 Lincoln Street, Brian and Colleen Rathburn
 6. Public Hearing: Land Development Code (LDC) Amendments
 7. Other Business
 8. Adjournment
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1. CALL TO ORDER

In the absence of Chairwoman Liza Kilcoyne, Diane Clemens called the meeting to order at 6:35 PM.

2. AUDIENCE FOR VISITORS

There were no comments from the public at this point in time.

3. ADDITIONS/AMENDMENTS TO AGENDA

There were no changes to the agenda.

4. APPROVAL OF MINUTES

December 28, 2010

MOTION by John Adams, SECOND by Aaron Martin, to approve the 12/28/10 minutes as written. VOTING: unanimous (5-0); motion carried.

5. PUBLIC MEETING

The hearing procedure was explained and individuals to give testimony on applications before the Planning Commission were sworn in.

Site Plan for conversion of a single family dwelling to a duplex at 48 Lincoln Street in the R-O District by Renee Hart Paulman, agent for Brian and Colleen Rathburn, owners

Renee Paulman and Brian Rathburn appeared on behalf of the application.

APPLICANT COMMENTS

Brian Rathburn explained the proposal to change the existing single family dwelling at 48 Lincoln Street to a two family dwelling or duplex.

STAFF REPORT

The Planning Commission received a written staff report on the application, dated 1/6/11. Robin Pierce explained the property is located in the R-O district. There is an existing accessory apartment in the house. There is enough parking for a duplex. All setbacks are met. Ideally the application could have been handled administratively.

Nick Meyer asked if abutting property owners would be notified of the change if an application or change to a multi-family dwelling is approved administratively. Robin Pierce stated the neighbors would not be notified individually, but there is a 15 day appeal period once the permit is posted. The permit itself is notice to the neighbors. The proposal before the Planning Commission is to change to a two family dwelling from a single family house with an accessory apartment. The change is the technicality of the accessory apartment. John Alden asked if there could be separate owners of the units. Mr. Pierce said the units would then be considered condominiums.

PUBLIC COMMENT

There were no comments from the public on the application. The evidentiary portion of the hearing was closed.

DELIBERATION/DECISION

Site Plan, Conversion of Single Family Dwelling to Duplex, 48 Lincoln Street, Rathburn

MOTION by John Alden, SECOND by Aaron Martin, to approve the site plan application for conversion of a single family dwelling at 48 Lincoln Street to a duplex by Brian and Colleen Rathburn with the following staff recommendations:

- 1. There shall be two parking spaces per unit.**
- 2. The dwelling shall not be converted to office space without further review by the Planning Commission.**
- 3. The applicant shall meet all state health and safety standards for duplexes including, but not limited to, fire separation, mechanical, plumbing, and electrical codes.**

VOTING: unanimous (5-0); motion carried.

6. PUBLIC HEARING: LAND DEVELOPMENT CODE AMENDMENTS

The Planning Commission reviewed the LDC amendments and made the following modifications:

- Section 501.D.3 – Mailed Notice, first sentence – rewrite to read: “Planning Department staff shall mail notice to all property owners contiguous within one hundred fifty (150) feet of the project site impacted except as specified herein.”
- Section 502.L.3 – Review Procedure (accessory apartment), first sentence – insert “is wholly” before “within the existing footprint...”
- Planned Agricultural Density Bonuses, introduction, second sentence – rewrite to read: “Density shall be calculated on an overall project basis and allowable bonus

density on developable land that is preserved may be applied elsewhere in the development.”

- Section 714.A – Temporary Signs (g), first sentence – insert the word “are” before “to be located near the business establishment entrance...”
- Section 721.C – Accessory Apartments Permit Review – insert “is wholly” before the words “within the existing footprint...”
- PRD/PUD Design Considerations, B.5, 2nd paragraph, 1st sentence – change to read: “At a minimum up to 15% of the gross PRD or PUD area...”
- PRD/PUD Multifamily Dwellings, C.5 should read: “Density may be calculated based on the entire project area and density may be transferred within the project area...”, and C.6 is the General Standards text.
- PRD/PUD, D.4 (Compatible with Environs) and D.7 (Public Services) are deleted. Sections and subsections are renumbered accordingly (D.4 becomes ‘Circulation’, D.5 becomes ‘Open Spaces and Landscaping’, D.6 becomes ‘Phasing’).
- Typographical and numbering/lettering of sections are corrected as indicated.

MOTION by John Alden, SECOND by Dan Kerin, to approve the Land Development Code amendments as modified on 1/6/11. VOTING: unanimous (5-0); motion carried.

Staff will incorporate the changes and forward the document to the Trustees for review.

7. OTHER BUSINESS

None.

8. ADJOURNMENT

**MOTION by Dan Kerin, SECOND by John Alden, to adjourn the meeting.
VOTING: unanimous (5-0); motion carried.**

The meeting was adjourned at 7:25 PM.

RScty: M.E.Riordan