

WEST WINDSOR PLANNING COMMISSION

Draft Minutes

September 22, 2016

Members Present: Al Keiller, Arthur Steinberg, Elvin Kaplan, Barbara Truex, Matthew Kantola
Also present: Tom Kenyon (Selectman), Dick Beatty (Selectman & DRB), Jason Rasmussen (SWCRPC), Allison Hopkins (SWCRPC), Preston Bristow (Zoning Administrator)

1. Call to Order: Chair Al Keiller called the meeting to order at 3:00 PM.
2. Changes or Additions: None
3. Public Comment: None
4. Addressing the Certificate of Occupancy backlog: Al Keiller summarized the problem as years of zoning permits issued over the tenure of several zoning administrators for which certificates of occupancy have never been applied for or issued. It is estimated there may be 315 outstanding permits for which a certificate of occupancy has never been granted. The Selectboard has asked the Planning Commission to make a recommendation on resolution of this problem. Tom Kenyon offered to be appointed as assistant administrative officer to clean up the backlog by December 31 of this year. After discussion **the following recommendation was unanimously adopted:**
 - (a) **That Tom Kenyon be appointed by the Selectboard as assistant administrative officer for the purpose of researching, inspecting and issuing Certificates of Occupancy for permits issued prior to 2015 at a cost not to exceed \$3,500.00;**
 - (b) **That the current administrative officer be responsible for pursuing Certificates of Occupancy for permits issued from calendar year 2015 forward;**
 - (c) **That the Planning Commission schedule an annual review with report by the administrative officer on the status of Certificates of Occupancy issued and outstanding at their November monthly meeting; and**
 - (d) **That the Planning Commission consider in the draft land use and development regulations now under consideration that the requirement for a Certificate of Occupancy be limited to habitable structures.**
5. Request for clarification from the DRB: does the 5-acre minimum lot size in the Recreation/Conservation PUD District refer to lot size or lot density in a PUD?
On August 18, MFW Associates met with the DRB at an “Informal Review” meeting and presented a concept plan to subdivide 97 acres off Coaching Lane into 13 lots, 10 lots over 5 acres and 3 lots under 5 acres, with over 50% of the project area to be maintained as open land under a PUD (Planned Unit Development). While the general standards for PUDs under section 5.4 of the zoning regulations allow “individual lots which are smaller than the minimum lot size in the district,” the amendment to the Recreation/Conservation PUD District adopted on February 2, 2015 appeared to set a firm minimum lot size of 5 acres for PUDs. Martha Harrison reviewed the recording of the December 9, 2014, Planning Commission meeting and sent an email reporting it was understood that the pending amendment to the R/C PUD District would allow lots of under 5 acres if over 50% of the project area was set aside as open land. Al and Barbara recollected the same.

A clarification was unanimously adopted that the DRB could approve individual lots under the 5-acre minimum in the R/C PUD District provided no less than 50% of the land is preserved as open space.

6. Unified Regulations:

- Jason Rasmussen of the Southern Windsor County Regional Planning Commission (SWCRPC) led a review and discussion of flood hazard and river corridor regulations. River corridor regulations are voluntary (there are certain disaster relief incentives) and Commission members expressed concern about the implications to the many properties in town within mapped river corridors including Brownsville village and the pellet plant. **It was agreed not to pursue drafting or adopting river corridor regulations at this time.** An update to the current 2007 flood hazard regulations would be welcome if it was more user friendly.
- Allison Hopkins of SWCRPC led a review of Article 5 on Development Review. Her suggested changes were discussed and modest changes made.
- Tasks for the October meeting will include review of Article 6 (Subdivision) and Article 7 (Design Standards).

7. Approve minutes: The minutes of the August 18, 2016 meeting were approved.

8. Adjourn: After setting October 27, 2016 at 3:00 PM as the date and time of the next regular meeting, the Planning Commission adjourned at 4:45 PM.

Respectfully submitted,

Preston Bristow