



**Town of Berlin
Municipal Office Building
108 Shed Road**

**Berlin, VT. 05602
Regular Select Board Meetings
1st & 3rd Monday of Each Month**

Special Meeting

Public Hearing on Proposed Zoning

Thursday, January 10, 2019

7:00 PM

Selectboard Members: Bradley Towne, Chair; Jeremy Hansen, Vice Chair; Wayne Lamberton, Secretary; Pete Kelley and Angelina Capron. Present: Dana Hadley, Town Administrator; Karla Nuissl and Tom Badowski representing the Planning Commission. All items are unanimous unless otherwise noted.

Selectboard Members Hansen and Capron were absent.

APPROVED MINUTES

The Public Hearing for Input on the Proposed Zoning Updates was called to order by Selectboard Chair Brad Towne.

Karla Nuissl (KN): Chairman of the Planning Board gave an overview of the work that the Planning Commission has done over the past three years to update the Town's 2013 zoning regulations. The Commission has welcomed input from the public during this process. They have met with several residents and have considered many suggestions. Much of the proposed zoning is the end product from the input they have received.

Tom Badowski (TB): the Assistant Zoning Administrator advised the Board that the Planning Commission has completed all of the regulatory obligations needed in order to be ready to have the Proposed Zoning for voters on the March warning.

Crosstown Road Resident Bill Warren (BW): Discussed the current zoning in his neighborhood. His concern is about the frontage in the new zoning plan. Many of the properties in this section of Crosstown road are located in two zoning districts. The frontage for the Highland Conservation District is now 300' and under the new plan it would be 120'. He feels that the reduction is excessive. He went to the map to point out the area in question. TB confirmed that these properties are in two zoning districts one is referred to as the "worm" and other is the Highland Conservation District. The latter 300' frontage and the other zoning district within the "worm" has 120' frontage. All of the homes in this area are in the "worm". In the new zoning the "worm" has been eliminated. The same frontage of 120' was kept as the frontage currently within the "worm". KN noted that the Planning Commission would be happy to reconsider the frontage and this can be amended in a future update that possibly could be as early as November, 2019.

Crosstown Road Resident Constance Warren (CW): Stated that she is not comfortable with the 120' frontage for a five acre lot. She said that the minimum lot size combined with the road frontage is a very

Selectboard Public Hearing on Proposed Zoning Updates

January 10, 2019

Page 2 of 3

odd proportion. She said she doesn't understand the logic behind making these lots with 120' frontage. She says that the change is rather dramatic and does not make sense to her.

Selectboard Chairman Brad Towne (BT) Asked if the road frontage could be more than 120' in these lots but not less. KN said that is true.

Selectboard Member Wayne Lamberton (WL) Asked for confirmation that these lots currently have 120' of road frontage for the zoning within the "worm" so that the proposed zoning is the same.

BW asked if all of the lots within the "worm" extend into the Highland Conservation zoning which zoning applies, and wouldn't it be the case that these lots would have to have 300' of frontage. KN said no the 120' frontage would be the requirement.

Crosstown Road Resident Gary Parker (GP) Spoke about the "worm", the minimum acreage and dimensions. He questioned about qualified lots. He said that the old map points out that conservation was in mind. He said to eliminate the "worm". There was discussion about the ineffectiveness of the "worm". KN said that she feels that more study and conversation is necessary in order to change the road frontage. She said that the Planning Commission needs to research the issue further.

BW asked what the ramifications if the zoning is passed. He is concerned that an opportunity would be missed. TB stated that a resident with a zoning concern with seeking a change could come and discuss it with the Planning Commission. TB encouraged Crosstown Road residents to come to the Planning Commission and express their concerns.

Sylvia Parker (SP) Asked if it were possible to remove the worm at this time and have the road go to 300' .?

KN explained that this would be a substantial change to what had been proposed and with time constraints such a change would require the Planning Commission to go through the legal obligations and a vote in March would not be possible.

GP talked about the fate of the highland conservation district. He feels that conservation is important and that he would like to protect the rural residential flavor of the town. He discussed several of the road frontages that he was concerned about as in the new proposal there is no 300' road frontage requirement. He is concerned about the reduction in road frontages and feels that it would dice up the town in small lots.

KN there was no intent on the part of the Planning Commission to "dice" up the town. She said that the road frontage had not been considered earlier. The Planning Commission considered the acreage and the frontages were analyzed in depth.

Ron Lyons (RL) Stated that the Planning Commission has done a great job in the zoning update. He is concerned with the proposed frontage change in the Shoreland Protection District and encouraged that it remain at 300' as it is now.

KN stated that she would support leaving the Shoreland Protection at 300' frontage. This would not be a substantial change since that is what it currently is.

WL expressed his concern of the change as the public has not had a chance to be represented in this matter.

Selectboard Member Pete Kelley (PK) said that in this case by not making a change would be a change to the proposed zoning.

PK stated that if there were concerns raised at a later date, the issue could be reviewed and addressed at that time.

Selectboard Public Hearing on Proposed Zoning Updates

January 10, 2019

Page 3 of 3

PK said that the Board cannot address the “worm” at this time but can allow the Shoreland Protection District to remain with the current road frontage as it is currently.

KN said that she would support the Shoreland Protection remaining as it is now.

SP asked if the vote goes forward how soon could the road frontage issue on Crosstown Road be addressed?

TB suggested that they are welcome to come to the Planning Commission as soon as the next meeting.

Being no further comments, the Public Hearing was closed at 8:04 p.m.

For the Select Board:

Dana I. Hadley