

Montgomery Planning Commission
Montgomery Public Service Bldg.
Tuesday, July 11, 2017
6:00-8:00 p.m.

Present: Roberta Baker (chair), Barry Kade, Alissa Hardy, and Joe Sherman. One position is vacant.

No members of public present.

The Chair called the meeting to order at 6:10.

1. Additions and/or Deletions to the Agenda None were offered.
2. Approval June 14, 2017, Minutes Roberta made motion to accept with corrections; Ann Lavery (ZA) and Darren Drevik were also present; left executive session at 8:05, not 8:50. Vote 4-0 minutes approved as corrected.
3. Zoning Regulations
 - a. Meets and bounds Need to contact RPC to find out what guided them in drawing what is now the official zoning map. Then incorporate in regs to be sure official map matches meets and bounds description.
 - b. Maps Merle pointed out that the DRB and a landowner both have a problem locating the district boundary for some properties. He requested that we recommend to the Selectboard that a duplicate set of lister maps be made and have a mapper draw the zoning boundaries. Alternative have RPC blow up current map to several different maps, each with adequate scale. Barry to call RPC to see what they can do and/or recommend.
 - Changes & Updates
 - Meets & Bounds of Districts tabled until map situation resolved.
 - c. Change "feet" to symbol " ' ' ".
 - d. Zoning district descriptions. Should the descriptions be in town plan? Consensus to leave as is.
 - e. Agreed we need to come up with definition of "yard sale" Then discuss restrictions.
 - f. Look up if "religious institutions" can be regulated as conditional use. [See bk notes]
 - g. Is B Setbacks on p. 26 [allowing variance from yard setbacks as conditional use] consistent with State law? [See bk notes for relevant statute]
 - h. P. 35 line 24 on to be numbered as 3,4,5.
 - i. P.410 take out section 6, [typo. There is no p. 410]
 - j. look up 24VSA 2241 salvage yard [see bk notes]
 - k. Barry to search past minutes to see if there is any reference to dropping metes and bounds for some districts and how was map to be drawn. [See bk notes (none found)]

4. Zoning admin job description and evaluation. Roberta volunteered to create drafts from docs she has collected.
5. Roberta moved to adjourn at 8:10 Alissa seconded; approved 3-0 (Joe had left).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barry Kade', with a stylized, cursive script.

Barry Kade, Secretary
Montgomery Planning Commission

Addendum to 7-11-17 Minutes. Barry Kade research notes on matters referred to in the minutes

§ 4413. Limitations on municipal bylaws

(a)(1) The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use:

* * * *

(C) Churches and other places of worship, convents, and parish houses.

(2) Except for State-owned and -operated institutions and facilities, a municipality may regulate each of the land uses listed in subdivision (1) of this subsection for compliance with the National Flood Insurance Program and for compliance with a municipal ordinance or bylaw regulating development in a flood hazard area or river corridor, consistent with the requirements of subdivision 2291(25) and section 4424 of this title. These regulations shall not have the effect of interfering with the intended functional use.

(d) A bylaw under this chapter shall not regulate required agricultural practices, including the construction of farm structures, as those practices are defined by the Secretary of Agriculture, Food and Markets or accepted silvicultural practices, as defined by the Commissioner of Forests, Parks and Recreation, including practices which are in compliance with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont, as adopted by the Commissioner of Forests, Parks and Recreation.

(1) For purposes of this section, "farm structure" means a building, enclosure, or fence for housing livestock, raising horticultural or agronomic plants, or carrying out other practices associated with accepted agricultural or farming practices, including a silo, as "farming" is defined in 10 V.S.A. § 6001(22), but excludes a dwelling for human habitation.

(2) A person shall notify a municipality of the intent to build a farm structure and shall abide by setbacks approved by the Secretary of Agriculture, Food and Markets. No municipal permit for a farm structure shall be required.

[BK NOTE: IT DOES NOT SPECIFY THAT A FARM STRUCTUE MUST BE ON A

WORKING FARM]

10 V.S.A. Section 6001(22) (22) "Farming" means:

- (A) the cultivation or other use of land for growing food, fiber, Christmas trees, maple sap, or horticultural and orchard crops; or
- (B) the raising, feeding, or management of livestock, poultry, fish, or bees; or
- (C) the operation of greenhouses; or
- (D) the production of maple syrup; or
- (E) the on-site storage, preparation and sale of agricultural products principally produced on the farm; or
- (F) the on-site storage, preparation, production, and sale of fuel or power from agricultural products or wastes principally produced on the farm; or
- (G) the raising, feeding, or management of four or more equines owned or boarded by the farmer, including training, showing, and providing instruction and lessons in riding, training, and the management of equines.

§ 4444(8) Waivers.

(A) A bylaw may allow a municipality to grant waivers to reduce dimensional requirements, in accordance with specific standards that shall be in conformance with the plan and the goals set forth in section

4302 of this title. These standards may:

- (i) allow mitigation through design, screening, or other remedy;
- (ii) allow waivers for structures providing for disability accessibility, fire safety, and other requirements of law; and
- (iii) provide for energy conservation and renewable energy structures.

(B) If waivers from dimensional requirements are provided, the bylaws shall specify the process by which these waivers may be granted and appealed.

24VSA 2241 "Salvage yard" means any place of outdoor storage or deposit for storing, keeping, processing, buying, or selling junk or as a scrap metal processing facility. "Salvage yard" also means any outdoor area used for operation of an automobile graveyard. It does not mean a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs.

From 4-12-11 minutes "This meeting consisted of discussion of redoing district types and boundaries. Greta provided overlay maps which were projected onto a screen." [No specifics re meets and bounds. This was the only reference I was able to find in past minutes]

END

