



PLANNING COMMISSION MINUTES

Wednesday, March 13, 2024

7:00 PM

In Attendance: Planning Commissioners – Vic Costa, Allen Riley, Anthony Colache, Cathy Jayne, and Anna Riggan. In addition to, Eleanor Collyer – Town Council, Chris Rogers – Zoning Administrator, Tom Yeager – Attorney for Planning Commission, and Brandee Vaughan – Code Enforcement Officer.

I. Call to Order

Chairperson Vic Costa called the meeting to order at 7:00pm

II. Approval of Minutes

Minutes from the 2/14/24 meeting were reviewed. Commissioner Cloache made a motion to approve both sets of minutes, Commissioner Riggan seconded, all in favor, minutes approved.

III. Monthly Permit Report

No questions or comments on the report.

IV. Old Business

Discussion Chapter 225 Article V, Accessory Use and Residential Use Height –

Mr. Rogers reminded the commission that the BOA asked to eliminate the 1 ½ story and just leave the 20 feet. As this discussion progressed discussion started about the primary structure also needing height adjustment. Mr. Rogers recommends getting away from stories as a form of measurement, as it makes it difficult to review permits. He and Mrs. Vaughan discussed some possibilities, our neighboring town's ordinance states that an accessory structure can't be higher than the primary structure. Another idea that was discussed was using the current ratio of 66%, so if you increase the primary struct height to 40 feet than the accessory structure would be roughly 28 feet (actually 70%).

Planning Commission Meeting Minutes

Commissioner Colache voiced his opinion, and prefers to leave the story, and recommends the accessory structure to be 1 ½ story of the primary structure not to exceed 50 ft.

Chairperson Costa asked Mr. Rogers to explain the figures again he came up with in relation to the current ratio (30ft and 20ft – 66%).

Mr. Yeager brought up that Commissioner Colache had a valid point; in respect the town does not want to turn conforming properties into non-conforming properties. Mr. Rogers added that we do not tie the height of the primary structure to the height of the accessory structure. As there are no “stories” associated with the height of the primary structure, just stick with the feet. Mr. Yeager agreed, and Commissioner Colache stated that would not create non-conforming uses.

Commissioner Colache made a motion to eliminate the 1 ½ story from the ordinance for accessory use structure and to increase the height for residential use from 30 feet to 40 feet and increase the height for accessory use from 20 feet to 28 feet. Commissioner Riggins seconded the motion, all in favor. The amendment will be drafted to reflect the changes.

Discussion Chapter 225 Article VII General Sign Regulations –

Mr. Rogers reviewed and commented on the General Sign Regulations and presented them to the commission. His intent was to go through and look for obvious irregularities, inconsistencies, etc. The first of his recommendations is to remove the language that would require general maintenance and repair to require a permit. Another recommendation would be to add definitions as most of the signs in town are not in compliance with the code.

Councilperson Collyer brought up the discussion about flags, pennants, streamers, etc. and considered reviewing this section and making some changes.

Chairperson Costa would like to review the whole article, make the necessary changes, do it right and hopefully only this one time. He would like to keep this item on the agenda, Mrs. Vaughan asked the commission to review the proposed edits and have comments ready for next month.

V. New Business

Board of Appeals Case – Variance request referencing Accessory Dwelling Unit Review for recommendations –

Planning Commission Meeting Minutes

Mr. Yeager explained that it is required for the planning commission to make a recommendation to the Board of Appeals with an explanation why they are in favor or against. Mr. Rogers Then explained Accessory Dwelling Unit (ADU) and background on the Steen's case. It is interpreted by Mr. Yeager and Mr. Rogers that the ADU's "in the primary structure", where Commissioner Colache interpreted the ADU would be on an accessory structure not primary dwelling. The definition of ADU states it as to be inside or part of unit, based on the definition you can't request a variance. Mr. Yeager stated the problem is it is supposed to be in the same structure; by definition, it was suggested to make a zoning text amendment to remove it being within the same structure.

Chairperson Costa inquired if it would be better if the Steen's requested a variance for 338 sq ft for Echo Housing, but it would only be able to be used for family as defined. Chairperson Costa invited Mr. Steen to speak, he explained he had just built a house which is his primary residence and the cottage in question is not attached or contained in the primary dwelling.

Councilperson Collyer indicated that Mayor & Council were discussing ADU's and supports any ADU discussion.

Commissioner Colache made a motion to make a text amendment, Commissioner Riggan seconded the motion, all in favor, Zoning Text Amendment to Accessory Dwelling Unit will be drafted. Mr. Steen has asked to withdraw his BOA application at this time and wait for the text amendment.

VI. Citizen Comment

No Citizen Comment

VII. Adjournment

Commissioner Colache made a motion to adjourn the meeting, Commissioner Riley seconded the motion, all in favor, Chairperson Costa adjourned meeting at 8:32 PM

Respectfully submitted:

Brandee Vaughan

Approved by:

Vic Costa