



TOWN OF WILLISTON
Planning Commission Minutes
February 4, 2014 - 7:00 P.M.

Williston Town Hall Meeting Room

MEMBERS PRESENT: JAKE MATHON, TOM WALSH, SHANNON HILTNER, MICHAEL ALVANOS, KEVIN BATSON PAUL LASKA; PLANNING COMMISSION MEMBERS KEN BELLIVEAU AND MATT BOULANGER PLANNING STAFF, BOB PASCO, JACKIE WASBURN, PETER MUMFORD, ERNIE ROSSI, 5 OTHERS, LAKE IROQUOIS RESIDENTS AND LANDOWNERS.

1) CALL TO ORDER

Jake Mathon called the meeting to order at 7:14 PM.

2) LAKE IROQUOIS

Ken Belliveau introduced the topic and reviewed the history of recent discussion before the commission relating to water quality and shoreline protection in the Lake Iroquois area.

Belliveau explained that the state's process in attempting to adopt shoreline protection standards would cover the same area along Lake Iroquois- a jurisdictional area of 250 feet from the water with no new impervious surface allowed within 100 feet. Previously, the town had been considering a similar restriction at 75 feet.

Belliveau said that at previous meetings, residents along the lake had expressed concerns about modest structures being replaced by much larger structures. Belliveau said that he had drafted a list of bylaw amendments to address both setback and nonconforming lot provisions as well as the expansion (upward and outward) of existing structures.

- The first part of the draft bylaw would reduce the existing setback from 150 feet to 100 feet. -The draft bylaw changes would also reduce the maximum height of structures from 36 feet down to 30 feet above average finished grade.
- To prevent massive expansions, the draft changes would also limit the expansion of existing structures to the lesser of 200 square feet or 10% of the size of the existing structure.
- Another proposed change, in keeping with the draft state rules, would allow a 10% expansion of the footprint of a nonconforming structure by 10%, but only on the side of the structure opposite the lake.
- Expanding a structure would also require applicants to demonstrate compliance with CURRENT wastewater treatment standards. This would likely mean that when a structure is proposed to be expanded, a new septic system would be required as a condition of approval.
- Applicants would have to show that their proposal was in compliance with all state shoreline protection standards.

- The town regulations would allow for a structure to be moved back further away from the lake.

Shannon Hiltner asked about expansions where somebody would excavate underneath a structure to add more floor area. Belliveau said that current rules deal almost entirely with footprint, but that floor area additions below grade would be subject to the draft town standards limiting the expansion of floor area.

Meghan Cope asked if interior expansion that did not change footprint would trigger the requirement for a new septic system in compliance with current state standards. Belliveau said that as drafted, any addition of footprint or floor area would trigger that requirement. The addition of floor area in a basement would also be part of the “10%/200 square feet” limitation on new floor area.

Jake Mathon said that the draft rules seemed to limit people from adding second stories to one story camps and that seemed to be more restrictive than people were talking about in previous meetings. Mathon suggested that limitations on floor area might be overly restrictive.

Jackie Washburn said that restrictions on height and footprint would be sufficient without the additional restrictions on adding floor area.

Tom **Wheat** asked for clarification about what the goal of the planning process was. Belliveau explained some of the difficulties that the town had experienced in permitting new structures and changes to existing structures over the last few years, along with town wide concerns about the impacts of development on water quality.

Jake Mathon said that if the limitations on expansion were too restrictive, people might not do the work that could trigger the upgrades to septic systems.

Bob Pasco asked if the bill was not passed by the state, would the town require vegetated buffers on its own. Belliveau said that the town would likely pursue adopting local buffer standards. Jackie Washburn asked if there was a way for the town to move forward independent of the state. Belliveau said that the town could but would be likely to be operating on the same time scale as the Legislature. Belliveau detailed the likely time for the town’s process. Jackie Washburn asked what the next step was for the property owners.

Tom **Salt** said that it seemed to him that expansion would be prohibitive due to the septic system requirements. Belliveau said that the town would not regulate setbacks for systems, but would look for state approval of whatever systems were approved. Belliveau also detailed that it is the addition of bedrooms, but not necessarily additional floor area, which typically causes the town to look for new permits for septic systems.

John Salt asked what would happen if somebody increased their footprint incrementally (10% every year, for example). Ken Belliveau said that the draft Bylaw would have to add some kind of time limit in order to make an expansion. Belliveau discussed the general principles of nonconforming uses and structures- that the intent of most regulation is that nonconforming lots eventually “go away.” Lake Iroquois in Williston contains almost entirely properties where there is no place to build a structure in conformance with the current regulations.

Kevin Batson said that he thought a 10% expansion of a 2000 square foot addition would be 200 square feet would be significant.

Ken Belliveau said that it seemed that the consensus of the group was to drop the restrictions on floor area but keep the ability to make a small expansion of footprint for a nonconforming structure. It also appeared to be the consensus of the property owners in attendance that modest second floors were not problematic, but large 3-story homes would be out of character with the area.

Peter Mumford said that he thought the proposals discussed seemed to make good common sense. Bob Pasco urged the staff and the commission to continue to coordinate with the town of Hinesburg as they work through their regulations for their portion of the shoreline of the lake.

Shannon Hiltner asked what would happen if a nonconforming structure was destroyed. Belliveau said that under the current bylaw, a destroyed structure could be replaced if a permit to do so was obtained within a year.

Belliveau said that he would edit the proposed changes to generate a draft bylaw chapter and return that to the commission for further discussion.

3) Minutes of the January

The meeting adjourned at 9:00.