

MEETING OF THE LAND USE COMMITTEE 5-11-09

The meeting was called for 7 pm in the Town Hall. Present were Donna Kirk (chair), Sue Blacklow, Kathy Flaxman, Lees Hartman, Jim Roy, Joe Rubin, Bruce Russell, and guests Warren Rizzi (assistant to the Town Manager) and Daniel Button (member of the Climate Protection Committee). Absent: Dedun Ingram, Joel Rubin, and Linna Barnes (Council liaison).

Bruce reported that he had staffed a table at the Town's Annual Meeting. He distributed a handout listing committee tasks and goals. Residents paid most attention to the issue of parkland and open space.

Land acquisition questions and suggestions:

- When we look at Town rights-of-way, should we look at back yards also? The proposed survey was for fronts only, but the map suggests that there are some rear-yard rights-of-way as well.
- The corner of the 4-H property that extends to Meadow Lane: Could this be a good place for a pool, possibly to be shared with 4-H?
- When we look at properties for potential acquisition, we need to look at the range of potential uses, even though the particulars would be left to the Parks and Playgrounds Committee.

Streamlining of variance processes: Joe produced and circulated recommendations for front wall and fence replacements. The committee reviewed, modified slightly and approved. Bruce suggested that the definition of "fence" exclude free-standing arbors. Do we have a definition of "fence"? Does the county?

Question: Is there a reason we did not look at hedges? The apparent answer is that because hedges grow, height is essentially unenforceable. Wording of the current ordinance is adequate and we could recommend that the Town develop a program of enforcement. Some members felt that it would be preferable to respond to complaints.

Front porch coverings: The committee agreed to recommend no changes at this time but to revisit the issue when we have more information. The distinction between required front setback and the established building line needs to be clarified.

Backyard setbacks: The history of the "doughnut hole" problem is that the original recommendation was for a minimum 25' setback for everyone, but the Council thought that this was too much for smaller lots so they reduced the minimum to 20' for lots of 120' depth or less. The result is that beyond 120', the required setback suddenly increases by 5 feet which means that the buildable house depth decreases although the lot is larger. One solution would be to spread the increased setback out, .3 feet for each of the next 17 feet of depth until the equivalent of the previous formula is reached. To make this understandable we will need a formula, clear language and a table. Lees is still waiting for information from Alan Beale.

Side setback variances for a second story constructed over an existing nonconforming first floor: The committee agreed that these should be allowed by administrative variance. Kathy to write up.

35% rule: We have proposed the use of the term 'front surface area' as distinct from 'front yard' which is defined somewhat differently in the code. It was noted that in its proposed new regulations, the County uses the term 'surfaced area'.

Presenting proposed changes: The committee has seen its role this year as cleaning up and clarifying ordinances so as to make them workable, not as proposing any substantive changes. Bruce and Donna

will try to meet with Linna and Mayor Strom to discuss proposals, then probably present to the Town at a work session. Bruce suggested developing some FAQs for the Town newsletter.

Volunteer Day will be Saturday, June 6 from 5 to 7 pm. It is an expression of appreciation to current volunteers and also an opportunity for residents to learn more about volunteer opportunities in the Town.

Next committee meeting will be Monday, June 8th.

The meeting adjourned at 9:50 pm.