

**DRAFT**  
**Town of White Creek**  
**Comprehensive Plan and Ag Protection Plan**  
**Steering Committee Meeting Minutes**  
**February 17, 2010**

Attendees: Peter Hetko, Sarah Ashton, Jim Perry, Darryl Caputo, Carol Moore, Don Sweet, Rody Walker

Absent: Tim Smith, Rupert Jennings, J. Tudor, Rich Moses, Bill Badgley, Ed Gulley

Minutes: The minutes of the January 2010 minutes were approved with one change on page two regarding the mediation board for the Right to Farm Law. Motion by Walker and seconded by Perry..

Mobile Home Law Audit

Nan provided her audit of the Mobile Home Law. It was determined that she had not been provided with the complete law. This will be forwarded to her and she will re-review the law. Essentially, in the short term, she noted the following:

- Definitions had to be updated to comply with HUD regulations. Homes built to HUD standards now are actually called manufactured homes. There may be new regulations beyond those noted in the current law mandated by HUD. It should be confirmed that Town and County Codes are consistent especially around issues of anchoring and pad construction. Some homes have a chase which classifies them differently than others. Nan noted that sometimes single wides and double wides are treated differently. Walker pointed out that ultimately they are taxed differently too. Nan suggested that the whole law be reviewed with an eye toward updating and modernizing definitions. Perry noted that the Town does not review manufactured homes— Washington County Code Enforcement does.
- Under the current law, the Town Board reviews the site plan, inspects and issues a certificate of occupancy. Nan has never seen this. Is this something the Town Board wants to do Nan asked? In other communities the Planning Board conducts the site plan review and a Code Enforcement entity inspects and issues a certificate of occupancy. Ashton will ask Washington County Code Enforcement if they inspect and issue certificates of occupancy for mobile homes.
- Walker asked if the ag laws super ceded the mobile home law. Mobile homes can be placed in an Ag district but should be reviewed Nan noted. The Town can't say you can't have a mobile home but can say how and does now.
- There were questions about the role of the Town Board in determining violations and serving an order of remedy. Again she had never heard of a Clerk issuing a remedy. Perry noted that an attorney drew up the language and the Clerk helped deliver it. In other communities a building inspector who issues the CO enforces the law.
- Ashton noted that it had been pointed out that mobile homes were being singled out and perhaps the Town might want \$1million homes siting reviewed too. Nan asked the bigger question of what the community was trying to accomplish with the review? Other homes could be placed in the wrong place. Right now only during a subdivision is the future siting of other stick built homes considered. Should the community be concerned with set backs, distances from streams and avoiding impact to agricultural lands? Moore suggested that it might be desirable for all new residential structures to go through site plan review. Hetko noted the need to look at buffers with streams.. Such a regulation could look at minimum lot size, set backs and relationships to streams etc. Walker suggested that the County looked at some issues of septic when issuing building permits. Nan noted some other ideas to consider. She noted that the Town could develop a residential site plan review process allowing for various simple processes residencies

or other communities have developed simple rural oriented zoning laws for example in Green County the whole town is one district and the same standards apply for everyone. Walker suggested that individual rights could be taken away and a Pandora's box opened if standards were established and whose standards would they be. Nan noted there is always that risk but asked: How does the Town of White Creek accomplish its goals and maintain its rural character in this case? The committee ran through a couple of scenarios to see how you might balance community goals with individual rights (including an addition for an elderly relative, placement of a garage near another's property line, building a house in a scenic view). It was noted that in the scenarios discussed no one was saying someone could not do something just that they needed to site it well without significant impact and a public process to allow for discussion about the development was included. Walker suggested that setbacks were very important but aesthetics and scenic value had no purpose; in difficult times people need to be able to sell their land and enable others to build. Caputo suggested that property held greater value if elements of the community was protected; and asked does the plan want to be proactive or reactive and how can the goals of the plan be accomplished. He suggested that there be specific regulations about setbacks for example. Perry noted that existing regulations need tweaking to work better; there was a need to protect individual rights. Moore said development can sneak up and she has seen it happen. Nan noted that some communities in Colorado for example they do regulate around views because they want to protect the Rocky Mountains and for example only allow for structures with a limited number of stories.

Nan offered an idea: the Comprehensive Plan could include a recommendation that in order to meet the goals of the plan, consideration could be given to amending the existing site plan review, subdivision, right to farm law and mobile home law. The plan could offer an appendix for consideration which would include siting design standards which look at environmental protection, setbacks, and minimum lot size. Such design standards would not look at issues like ridgeline development for example. The design standards would be very simple. She could provide a model for the Steering Committee to really look at. The plan could state that the goal would be to balance an interest in achieving community goals with individual rights. Perry noted that another committee would specifically draft the standards.

#### Public Presentation:

The Committee then turned to the two public presentations to be held in March. The meetings will give the community the opportunity to review and comment on the vision statement, goals and emerging recommendations for the sub topics such as agriculture, economic development, housing, the environment, recreation etc. and outlines of more detailed objectives and recommended strategies to realize the community's vision in each of these categories. The presentation would include information about the strategy developed to prioritize farmland for protection and review new maps. Nan would provide her audits of existing ordinances (including the site plan review, subdivision, Right to Farm Law and Mobile Home Ordinance) with an eye toward ensuring that they contribute to reaching the community's vision for the future. The evenings would also include a workshop on land use if time permits. Nan will work on an agenda.

Committee members were encouraged to invite neighbors and fellow residents. Articles will be placed in the newspaper and Perry will approach the Fire Department to see if the meetings can be announced on their sign.

**Next Steps PUBLIC Meeting March 17<sup>th</sup> at 7:00pm at Jermain Hall. Agriculture Meeting Weds. March 31<sup>st</sup> in Jermain Hall.**