

Planning Commission Meeting  
September 20, 2011

Present:

Members: Sue Kavanagh, Tom Wells, Ken Weston, Willow Wheelock, Chico Martin, Kris Perlee, Skimmer Hellier, Bill Sayre & John Elder

Visitors: See attached list

Others Present: Mary Arbuckle, NEAT TV; Lisa Dupoise, Board Clerk

Meeting called to order at 7:05p.m. by Tom Wells

1. Public Comments: None at this time
2. Ken moved to approve the minutes of September 6, 2011, and seconded by Skimmer Hellier. Ken Weston would like to change where the word "currently" is. Motion was approved with all in favor.
3. Discussion about the process of putting out the draft Town Plan for people to review it and notice about the public hearing. Tom Wells asked a board member to volunteer to make any corrections or changes from the public hearing and to have the draft ready for Brandy to reformat. The meeting on October 4<sup>th</sup> will be with Adam Lougee and they will continue with the zoning review. The meeting on October 18<sup>th</sup> will be making the changes to the draft town plan and sending it off to the Selectboard.
4. Public Hearing opened at 7:30 p.m. by Tom Wells

Tom gave a brief background on the existing Town Plan that it was put out in 2001 and readopted in 2006. The 2006 issue is going to expire at the end of this year. The draft Town Plan will replace the existing one once it is approved by the public at a vote. The first draft town plan was turned down by the voters in March of 2009. After that was voted down the planning commission held several town forums to gather information to make changes to the draft town plan. The planning commission has also started looking at the zoning districts and are continuing to work on those.

Bruce Acciavatti feels that the core downtown area has been addressed. Seems like there is contradiction in the Conservation zone as to where extraction can be. What was the rationale for making the conservation areas to begin with? Bruce inquired about the quarrying to be not determined in a certain area until there is a further study on it and wanted to know if this study is being done now. Tom said not as of yet but will be in the future. Bruce asked if this would be the last hearing before the plan goes to vote, Tom said yes for the Planning Commission unless major changes are made. The Selectboard has to hold two hearings.

Kevin Harper would like to thank the members of the board for their hard work. Kevin appreciates the emphasis on affordable housing. Kevin is pleased with the economic development piece in the town plan too. Kevin feels that the conservation zone is

troublesome when it comes to extraction, if you take it away then there would be no areas for extraction. Kevin is in favor of studying what is in the ground to know where extraction should or should not be. Kevin wants to see the town plan pass as it has been a long process.

John Moyers curious about how the commission decided where extraction could be in the conservation zone, and would like to hear the rational from each member. John is also in favor of studying where extraction should or should not be in the conservation zone. The language in the existing town plan does not say that extraction is or is not allowed in the Conservation zone. John would like to see more specificity in the town plan about extraction. Willow said that they made a conscious decision to not make any changes on extraction in the Conservation zone partly based on a couple of applications that were before the Board of Adjustment and there was no public input on them. John said that there is diversity on the board and that it is a contentious issue. Tom said that the board does not side with either of the parties in regards to extraction; it is up to the courts for that matter. The board is trying to eliminate the ambiguity of extraction. Kris Perlee said that part of his rational was prohibiting it in the town plan did not make sense. Kris feels that this can be addressed more quickly at the zoning level or individual ordinances as they move along. Bruce Acciavatti asked to clarify when the zones would be worked on. Tom said that they are working on them now and they will not be up for vote until the Town Plan passes. John wants the board to make it very clear in the town plan that extraction is or is not allowed in the Conservation zone.

Pete Diminico said on behalf of the Conservation Commission he would like to see a mortuary time line for the study of extraction on the conservation zone. Peter would like to have River Watch changed to New Haven River Watch. He would also like to see something about ecotourism included in the plan. He would like to have geomorphic assessments be added to item 5 under tasks for chapter 11 Resources.

Steve Brown would like to thank the board members for their time working on the town plan. He is concerned about the east side of Mountain St that is part HDR, LDR and then CON. Steve is questioning the line on the map for the area that is in the no extraction zone. Tom said that the lines were not drawn in the correct place and that the map does need to be looked at again and the lines do need to be adjusted. Steve said that preservation and conservation even though they are not the same, many do consider them to be. Tom said that extraction should not be done in such a way to harm environment or neighbors, and that the core downtown area will never have extraction allowed.

Chris McGrory-Klyza would like to see more in regards to culverts, bridges, & roads to be proactive for areas that could be damaged by storms. In the conservation zone, it would be great to determine how much percentage is left for extraction. What is the opportunity to have their lands in the Conservation zone changed to rural agricultural.

Tom said that yes someone could come and ask for that.

Jim Lathrop more productive to take old gravel pits and reclaim them than to say no gravel extraction anywhere when the downtown has a hard time keeping businesses. Jim said that there is spot zoning and that the downtown is not just the core area. Jim said that the Lathrop's have over the years asked to be on this board and are always turned down. Jim said that under Energy there should be woodchips listed. He came in to someone at the town offices and asked to have his mill become a conforming business so that he could get a loan to rebuild and he could not so he was able to change his business

to the wood chips for fuel. Jim said that if only bank run gravel can be extracted, why wouldn't you want to screen some of it. Tom said that the whole board does have respect for the whole Lathrop family and all that they have done for the town.

Andy Jackson was looking at the map around the Stoney Hill area and said it seems to be an enclave that is owned by the Town with no plans for extraction. Andy would like to see this area included in the no extraction zone. Andy said that there are many places where the word should is used particularly in the gravel area where he thinks that will would be a better word to use since the Board of Adjustment doesn't issue permit approvals based on the town plan only the zoning bylaws. The word will would be more effective when ACT 250 comes in to play. Andy also wondered what is meant by Forest Uses.

Kevin Harper would like to have the word should be changed to will concerning extraction on pg 53. Kevin has learned that there can be a development with out a zoning permit but has an ACT 250 permit. Kevin feels that when it comes to zoning regulations or the town plan, and you know what you want to say then the town plan is the place to say it.

John Moyers is concerned about the permits being in line with the town plan and would like the language to meet criteria 10 of ACT 250. John also said that there are a few places in the Land Use section that has future tense language and feels that this could be used in litigation. John went through the land use section with many suggestions for the board members. John may submit his suggestions in writing as long as they will not be ruled out of order. Tom said that they would be looked at.

Public Hearing closed at 9:10 p.m.

Meeting adjourned at 9:15 pm