

Planning Commission Meeting
January 3, 2012

Present:

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

Visitors: Kelly Laliberte, Emmett VanBuskirk, Jo LaFontaine VanBuskirk, Randall Freeman, Naomi Drummond, Jim Lathrop, Steven Brown, Chris Shaw, John Myoers, Bruce Acciavati, Bruz Brown, Dave Folino, Sue Folino, Ian Albinson, Bunny Daubner, Slim Pickens, Susan Small, John McCright, May Morris, Robert Bernstein, Jill Mackler, Mary Ann Rueger, Russ Rueger, John Pandiani, Bruce Duncan

Others Present: Jen Stetson

Chico called the meeting to order at 7:32.

1. Administrative Matters: Willow found some discrepancies of the zoning, while John Elder would like to reconsider Appendix D map, proposed in the previous plan to prevent another hearing. Sue questioned item number five she thought the group had the understanding of option A and when they reviewed the proposed uses that in Village Mixed extraction would not be allowed and needed a clarification on this. Kris had no new plan proposed but stood behind the maps that he had presented earlier. Chico had nothing new to propose but also stands behind the maps that have been presented.

2. Slim Pickens: Based on his general understanding of everything that had been presented to the public, he feels that the map that was presented regarding the non-extraction zone doesn't reflect what the public wants. He suggested that the entire Lathrop property be excluded as well as the conservation zones surrounding the extraction areas.

Bruce Acciavati: He would like us to go back and use the map prior to the modifications based on the general agreement that was supported at that time. He was disappointed to find out that the Planning Commission has allowed extraction in Conservation Zones.

Steve Brown: Discussed the northern part of the town near Hazel drive and has noticed that the extraction zone has moved closer to town, and by moving that boundary south along with some other lines makes it seem as though the Planning Commission is creating ambiguity rather than clarification, what is the reason for the movement of that line? What is the logic?

Kris responded to public comment based on the map submitted with the extraction line changes. He drew out the existing zoning districts and the new zoning districts based on what had been created from the Town Plan. As a group they have spoken extensively about the growth pattern of overall development. When we move to the next round of zoning all the names of the zones will be different.

John Moyers: Agreed with what Slim had said. After the last hearing the Chair at the time had chosen an extraction zone, and feels as though constructive re-zoning was

decided from there. The last he had heard, the discussion related to Village Mixed and within this zone would be no extraction. This zone would go down to Rounds Road again reflecting the general consensus of the public and not allowing extraction. The areas immediately adjacent to the village should be protected from extraction (current Town Plan).

Jim Lathrop: When the Planning Commission sets the name for a property and uses its boundaries to prevent extraction is considered spot zoning and that is discrimination. He also felt as that perhaps the Planning Commission should put this on hold until the Geomorphic Assessments are done for the town. He challenged the group to think about the two pits adjacent to Mt. Abe, and they crush and they haul gravel out of there and there is no complaint. He has pits under ground and they challenge him.

3. Willow discovered where she thought some discrepancies happened, and is unsure whether she wants to move forward with what she came here tonight based on public comment. What she recalled was a prohibition area that was further north than the poll showed. John Elder proposed that they return to the Appendix D in which the outlines for the non-extraction zone reflect the poll that Willow was referring to. He thought that if this map had been changed before the hearing there could have been great discussion on this, if the board decides that they don't want to use Appendix D then this would be a significant change of the plan and he would want to call another hearing. Kris understood that the map might have been in question regarding the extraction zone, the verbiage in the land use section has not changed. Kris said that one map was incorrect, and he used the land use section and the public had a chance to comment on that particular part of the plan during the last hearing. He thought they had worked very diligently on the plan and the wording that went into each section and this map reflects what we worked on. Chico noted that they group as a whole worked on the wording of this plan and are completely familiar with the text, but no one took the time to work with the maps and perhaps as a group for the future work on the maps together as well to become just as familiar. Sue felt that the group suffered from the turnover of the consultants as well as the numerous amounts of maps the group has. John Elder thought that there is some tension between the language and maps. His take on this has always been that we have been thinking about this extraction zone as a way to catalyze what they were thinking about zoning. John Elder thought that maps have a huge impact on the public, and is a huge impact of what the public is considering when accepting a plan.

Ken thought the group had discussed about the General Business, and it seems to him that they are leaning on individual landowners and not considering other landowners in a similar situation. He felt like they weren't treating everyone equally. Chico responded by saying they weren't zoning based on individual property owners, but to create zoning based on the vision the town plan reflects.

Kris explained his map that he created based the discussion and the wording that the plan the group had made reflected this. After using all of this information, he made three new maps for the group to discuss at the meeting. This map is what he drew from the plan and the existing data, which was given to the group. John Elder and Sue both agreed that they were facing a difficulty in finding that the Planning Commission is juggling not only

zoning but also the plan. John understood Kris' logical movement to make into the future, but his premise is therefore his result is different.

Chico wanted the group to reach a consensus, but felt that there wasn't a majority in either direction. In order to move towards a consensus Chico suggested that the group adjourns, and Sue, John, Skimmer, and Willow, meet and discuss modifications to John Elder's plans that might move towards Kris', and Bill, Ken and Kris discuss Kris' and a way to move towards John Elder's plan, in hopes of eventually finding a consensus.

Meeting recessed at 8:33 for discussion.

Meeting reconvened at 9:12.

John Elder discussed that his group was sensitive to the fact of the many issues here. They discussed working on extending the no extraction zone to the east, as well as including the stony hill property of the town Appendix D map from the August 2011 proposed town map, (refer to attached map). They felt that this proposal reflected both what the hearing discussion related to, as well as related to the map Kris made. Everything that didn't propose changing would remain the same as in the Appendix D in the proposed Town Plan.

Bill responded with discussion about the southern boundary of the extraction zone. As Bill's group reflected on the map, in their case the majority of them knew where the boundaries fell when they voted on them. Some of the issues that the other group raised are the issues that were affected when they were voting. The maps that were drawn verses what they thought they were discussing. Where the boundaries actually would be so everyone is clear on where the boundaries would be. They felt the most effective way to make a compromise would be to recreate both the map and the reconstruct the wording within the plan to make a better consensus as a group. Spot zoning around one landowner seems to be a matter of concern to many as well as town property and private properties. Bill thought that if they focus directly on the map together using the land use language would better suit the Board in making a definite decision. This would mean that they would have to pull the town plan back in order to recreate this, putting everything else on hold.

John Elder thought it was better to reconcile misunderstandings and come up with something that everyone can explain and voters can understand. Ken wanted the group to find a way to satisfy the majority of the people to get to the zoning process, while the proper ordinance can protect the public, but would gladly like to see the group recreate the map and the land use language.

Next meeting would change based on re-looking at the boundaries of the no extraction zone as well as the language that can perhaps help recreate the maps. Chico talked about the definitions that might make this difficult. Ken wanted to make the zoning districts more clear which would make this process more helpful in making a map that is reflective of this. John Elder felt that the group needed to finish and complete the plan in

order to then continue in the discussion with the zoning. John thought that by re-doing this process the group had bought into the fact of having another hearing, and it was important for the board to do this. Kris explained that he thought the plan should be visionary, finding a way to tentatively protect interests on both sides until two things occur, until they can re-evaluate what they want to achieve and collecting relative data. He thought that they should reconsider not only the conservation zone and the no extraction zones, but all of the zones and what they contain within them. John Elder felt that the more information the better, and where do they go when they don't have the information they need. Kris still was hoping for a philosophical aspect of the town plan.

Ken is in favor of finishing zoning issues because he felt that it would affect the current issues that have arisen.

Chico thought everyone should come to the next meeting with a fresh map creation based on the constraints and land use section of the proposed plan.

Chico motioned to adjourn at 9:45 Sue seconded all were in favor.