

**Minutes for Town of Pawlet Planning Commission  
Pawlet Town Office  
Pawlet, VT Monday, June  
25th, 2018 7:30 p.m.**

**Members Attending:**

**Rik Sassa  
Harry Van Meter (via phone/visual link)  
Eric Mach  
Mark Frost  
Wayne Clarke  
Gary Bairlein  
Melissa LaCount**

**Members Absent:**

**Others Attending:**

**Frank Nelson, W. Pawlet, John Davis, W. Pawlet, Raymond Duquette W. Pawlet, Dolores Luebke, W. Pawlet, Valerie Davis, W. Pawlet, Paul Tilander, W. Pawlet, Gary Hadeka, W. Pawlet, Anne Hadeka, W. Pawlet, Beth Moser-Duquette, W. Pawlet, Michelle Tilander, W. Pawlet, Judy Lake, Pawlet, Lauryn Axelrod.**

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Eric called the meeting to order at 7:30 p.m.

**Item 1: Meeting Agenda**

Eric Mach made a motion to add committee member election nominations to agenda. Melissa LaCount seconded. Eric nominated Harry Van Meter to be Chairman, Harry made a motion to accept the nomination, Wayne Clarke seconded. Harry nominated Eric Mach as vice chairman, Wayne Clarke seconded. Eric nominated Rik Sassa as secretary.

**Item 2: Minutes of April 23rd Meeting**

Harry Van Meter made a motion to approve minutes, Gary Bairlein seconded. Motion passed unanimously.

**Item 3: Public Comments**

Ray Duquette wanted to know about the status of the bylaw alterations that was brought up at the last meeting. Eric Mach asked Ray to write up a proposal for the group to consider. Gary Bairlein (as well as others attending) were given to understand from the last meeting, that John Thrasher (the town legal advisor) would be present at this meeting to help craft language for the bylaw

alteration regarding the definition of “school” and it’s pertaining to the training school/shooting range controversy that transpired in the last meeting. Gary Bairlein said that one of the problems with the bylaws, not having anticipated the problem of defining “school”, is that if no one complains, then nothing is done about it. Gary read from a hand out that Harry Van Meter had prepared, including a particular definition of “school”. Gary thought that any school should be conditional use. Ray Duquette read from last month’s minutes regarding a definition proposed by John Thrasher. Eric Mach said that the particular training school in question can not actually be called a school. Eric said that Mr. Banyai has now applied for a permit as a classroom and not a school. Anne Hadeka wanted to know why the board could not stop this. Rik Sassa noted that if something is not specifically defined or addressed in the bylaws then it can not be decided by the board. Also, that this particular board is not the town’s enforcement mechanism. Gary Bairlein said that we are not here to dispute what the group gathered is saying. He said we all need to come up with a definition for “school”. Gary also thought that Act 250 should be involved. Harry Van Meter said there is already an Act 250 action based on the right of way issue regarding Mr. Banyai’s property. Beth Moser-Duquette said that realtors told her that they are obligated by a state statute to disclose if a property is within 5 miles of a shooting range. Beth also noted that the training school is a school for gun fighters and on 30 acres as opposed to 100 acres or more. Ray Duquette clarified that a an earlier complaint in West Pawlet involving a shooting range for the Fish and Game Club and Act 250 ended without the state actually coming down to investigate the proposed site. Anne Hadeka felt like she was not getting any satisfaction from these meetings. Gary Bairlein said that the board had its hands tied without John Thrasher being present. That he was not comfortable writing legal language without that guidance. Dolores Luebke felt like Mr. Banyai should be fined because the building was there for a while and has not been permitted. Eric Mach said the site has a well and a waste water permit. He did not know if a septic was in place. Harry Van Meter was curious, that if Mr. Banyai has a classroom, does it comply with the state’s requirements. Anne Hadeka said that the bylaws state that there are no allowed shooting ranges in town. Eric Mach clarified that in the bylaws, a shooting range is classified as an accessory use. Eric said that with the permit application, he was given a sketch of the house, but not the range. Ray Duquette said that he spoke to the Rutland County State Permit Specialist, and he was told that Mr. Banyai has no permits. Melissa Lacount was curious how someone can suddenly change from calling something a school to a calling it something different. Rik Sassa offered that bylaws are often created as problems arise and often can not foresee a future problem. He said that Pawlet’s bylaws are a relatively thin document compared to a more heavily populate town; more people, more likelihood that problems will arise over time. Frank Nelson wanted to know if John Thrasher had an official role in this matter. It was explained that John Thrasher is the recognized lawyer for town business and could help with the necessary legal wording required to define a “school”. Anne Hadeka questioned Eric Mach’s comment that he thought Mr. Banyai had stopped the school. She said that, as a neighbor to him, this was not the case. Beth Moser-Duquette confirmed that Mr. Banyai has been offering free days to generate likes on his facebook page. Ray Duquette wanted the board to google Mr. Banyai and see what kind of individual they were dealing with; he had his own opinion, but did not want to air it. Dolores Luebke wanted to know the process where by a building was taxed. It was explained to her that the listers of the town visit the property and do an assessments which goes on record in the town and then is subject to the current tax rate. A building permit can signal the listers to visit a property for reappraisal. Gary Bairlein insisted that the state is the body that can enforce the infraction at Mr. Banyai’s. John Davis felt like each board has been passing the buck. He said this is about our quality of life

and he was concerned that their property values were going to drop. Ray Duquette said that he asked the select board to place a cease and desist order on Mr. Banyai but, the selectboard said that they can not do that. Gary Hadeka felt like the next time that bylaws were written, that enforcement should be written into them as well. Beth Moser-Duquette said that she was behind the board and understood the difficulties involved, but felt like her continued presence, and that of other towns people, was still important to keep pressure on the situation. Mark Frost agreed with Beth and added that coming to the warned meetings was very important as well. Wayne Clarke reminded everyone that we are all neighbors and trying to work together is what Vermonters do.

#### **Item 4: Zoning Administrator's report**

Harry Van Meter pointed out that this is Eric Mach's last week as zoning administrator. Harry said that it is the planning commission's job to find candidates to recommend to the selectboard. Eric said he spoke to one person about interest in the spot. Harry was emphatic that the board needs to make the final recommendations of the nominees.

#### **Item 5: Economic Development and Infrastructure Improvements**

Lauryn Axelrod, representing Mettowee Makers .Org, spoke to the committee regarding promoting economic development in Pawlet valley. She spoke about hand made and homespun in Vermont's Mettowee Valley. Judy Lake said she would be promoting financing of this venture, and Frank Nelson said that Lyle Jebson of Castleton College was going to help with funding. Manchester has done a similar program, this is their second year for a "Pop-up" event. Lauryn suggested a farm tour for this area. She claimed that hand made items and home grown products are what people are now interested in. She went on to say that it takes a group to make this happen. Eric Mach thought we were all on board with Lauryn. Lauryn explained, to be able to say that "the town is behind this" was important. She said that there are a lot of artisans involved. Eric Mach made a motion for the planning commission to support Lauryn's group. Harry Van Meter wanted reciprocal support, and asked Lauryn to attend our monthly meetings for a few months. Lauryn said she was eager to. Gary Bairlein made a motion for the PPC to support Mettowee Makers.Org. Mark Frost seconded, the motion passed unanimously. Harry Van Meter thought that having a chamber of commerce for the town would be a good thing, so that all the area businesses could align. Frank Nelson commented that parking and cleaning up the town would be an important part to strengthening the town. Eric Mach asked Frank to write up a proposal for the committee.

**Item 6. Next Meeting**

Next meeting is Monday, July 23rd, 2018. Agenda for meeting as follows: Meeting agenda, Minutes from last meeting, Public comments, Zoning administrator's report, Economic Development and Infrastructure Improvements.

Rik Sassa moved to adjourn the meeting at 9:00pm, Gary Bairlein seconded the motion. The motion was unanimously approved. Meeting adjourned.

Respectfully submitted by Rik Sassa