

**Town of Pawlet Planning Commission
Pawlet Town Hall (meeting held via ZOOM)
Pawlet, VT**

**Final Minutes of Meeting
For Monday, July 27th, 2020**

Members Attending:

Harry Van Meter, Chairman
Rik Sassa, Secretary
Mark Frost
Tom Collard
Melissa LaCount
Gary Baierlein

Members Absent:

Others in Attendance:

Jonas Rosenthal
Jessica Van Oort (candidate)
Frank Nelson (candidate)

From

Interim Zoning Administrator for Pawlet
Pawlet
West Pawlet

Item 1: Call to Order

Harry Van Meter called the meeting to order at 7:46pm on the Zoom app platform.

Item 2: Approval of Meeting Agenda

Tom Collard moved to approve the meeting agenda, Rik Sassa seconded. All approved and the agenda was passed.

Item 3: Approval of Minutes of June 22nd, 2020 Meeting

Tom Collard moved to approve last month's minutes, Gary Baierlein seconded, all agreed and the motion passed.

Item 4: Candidates for vacancy on Planning Commission Board

Jessica Van Oort, a candidate for the open position spoke first. She is a current resident of Pawlet. Jessica had been a university professor and did a fair amount of committee work. She has been involved with several local functions (fireman's auction, book sale, etc..) She would like to participate more in the town and plans on living in town for a long time.

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The second candidate present via zoom was Frank Nelson, who is a current resident of West Pawlet. He has been a past Captain of the fire department, he has worked with the NRC, He has had a lot of experience with environmental issues and in particular with West Pawlet which he feels is a pressing issue to get a village overlay to bring the two halves of the town in alignment with each other. Frank has also been a regular citizen attendee to Planning Commission meetings for years.

John Sabotka was not present so Harry read from the position application John submitted. John has been a resident of the town for over a year. He has a history of building construction on a large scale. He has served on a number of town committees in a couple of different New York towns over the years. Harry said that all the candidates' credentials will be sent to the Selectboard for them to make a selection for the seat vacated by Eric Mach and an alternate position. Harry asked the two candidates present whether each of them would be willing to be chosen as an alternate if they did not get the commissioner position. Both candidates present said they would be open to being an alternate.

Item 5: Zoning Administrator's Report- Jonas Rosenthal

Jonas spoke about the art display in West Pawlet at Indian River Gallery. There was a question as to whether the art work represented a sign and if so, does it violate the criteria for signage in that zoning district. Jonas said that there was no definition of "sign" in the zoning regulations.

Gary Baierlein thought the whole complaint, or inquiry into it, was ridiculous. Harry spoke a little about the possibility of the presentation being on the flood plain (since the parcel is near the Mettowee river flood plain). Frank Nelson commented that since the presentation is outside of the building, which is an art studio, it is just a continuation of that art establishment. Jonas said this is a good example of the absence of some definitions in the by-laws. There is no definition for building, or sign. To summarize, Jonas wanted to know what to get back to the two selectmen that made the inquiry. The board's response was that the installation is temporary and does not seem to have the nature of a sign and the judgment was made that it is art work and does not pertain to regulations regarding signs. Harry wondered whether the original sign at the gallery was ever permitted since that definitely is a business sign.

Item 6: RRPC Report- Tom

Tom spoke about the RRPC. There was a meeting on the 21st and what was under discussion was an AT+T tower in Mendon and a solar farm in Castleton and Wells. The committee stayed silent on one of the topics at the time and will meet again to review further. Harry was wondering why the town of Pawlet was not included in a particular CUD (Communications Union District) grant to bring better internet services to an area. Neither Jonas nor Tom were able to speak to Harry's question. Jonas thought it might be for the broadband expansion study.

Item 7: Topics of Discussion

Discussion of Conditional Uses:

Harry spoke about the Park and Ride and retail store conditional uses. He thought that "retail store" should also be included in the Rural Agricultural district. Gary thought that farm stores must be already allowed since there are farm stores all over. Harry thought that those farm stores might be exempt because they are on the farm. Tom questioned the difference between a farm store and a farm stand. Jonas said that if fifty percent of the product is generated on the property then it is exempt. Some conversation ensued about the recent farm store on rt.153 and what was being sold and what was being produced on site. Rik thought that the issue was out of our purview and if there was a particular question or complaint then proof of how much was produced and from where, could be discussed at that time. Tom had a question about parking in the Village with regard to a retail store. A reference was made to the short lived West Pawlet general store that used the neighboring church's parking lot across the street.

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Harry thought that “park and ride lot” could be expanded to the Rural Residential district. There has been no requirements described so far for a park and ride lot. Gary was opposed to seeing a park and ride lot in anything other than Village or Industrial districts. The commissioners were in agreement that a park and ride was not a problem in the Village or Industrial but that the commissioners would look over the added description to see if it addressed any concerns that they might have in another district.

Rik worked on “Boarding houses and Nursing homes”. Rik tried to use the same criteria that other like size establishments had to follow in the respective districts. Harry thought that medical waste disposal might be an issue that needs to be addressed. Rik added that during his research, he was very impressed with the town of Leister’s town zoning that offered an overview for each separate district and what the town hoped to accomplish, thus giving the DRB more clear guidelines to work with in their decision making process.

Rik also spoke about “Rooming house”. He used the same criteria for a duplex or multiple family dwelling. Frank Nelson commented that the rooming house is also a commercial business and the state as well as insurance sees a difference.

Jonas spoke about the 8 specific criteria that Leister township had that would help guide the DRB. Jonas worked on “personal services”. First he thought that it needed a definition.

Mark had “repair or service station”. He had criteria regarding signs and how they might be illuminated with other criteria for similar size buildings in the respective districts. Harry thought it might be important to include shielding lights to prevent light pollution.

Mark also dealt with “appliance repair shop” and thought it could be in Village Commercial and Industrial districts. Harry wondered why it wasn't also in the Agricultural district like “auto repair”. Gary thought that some existing auto repair shops that are in the Agricultural district might have been pre creation of the town by-laws.

Gary spoke about “salt and sand storage shed”. He stated that any building needs to be less than 35 feet high as is consistent with the rest of the town. He felt that all piles of mixed sand or salt needed to be covered to prevent leeching into ground water and streams. The building should be visually in keeping with the rest of the buildings in the district. Gary also covered “breweries”. He did not have his conditions typed up at the time and said he would send them out to the rest of the commissioners. Melissa was also going to type up her report and send it to the commissioners

Item 8. Public Comments

Frank commented on a multiuse structure that is evolving into an apartment without the required parking for such a use. He said another section of the building is turning into a school. Harry clarified that the definition of "school" is very narrow and it does not preclude a private school in one's house or other building, but it is not covered under the conditional use or permitted use of school in the respective district.

Item 9. Old Business

The meeting was running late so any old business was tabled until future meetings.

Item 10. New Business

No new business.

Item 11. Set Agenda for the next meeting

The next regular meeting of the Pawlet Planning Commission will be held on August 24th, 2020 at 7:30 pm on ZOOM .

The agenda for the next meeting will generally follow the usual format with noted additional speakers:

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1) Call to order; 2) Approval of the agenda; 3) Approval of minutes of previous meeting; 4) Zoning Administrator's report; 5) RRPC report; 6) Topic for discussion by the Commissioners or presenter; 7) Public comments; 8) Old Business; 9) New business; 10) Set agenda for next meeting; 11) Adjournment.

Item 12. Adjournment

Gary moved to adjourn. Tom seconded the motion. All agreed. Meeting adjourned at 9:18pm

Respectfully submitted: Rik Sassa, Secretary.