

**Town of Pawlet**  
**Planning Commission Meeting**  
**Monday, January 25th, 2021 7:30pm**  
**Meeting via Zoom platform**

**Members present:**

Jessica Van Oort, Chairperson

John Sabotka, Vice Chairperson

Rik Sassa, Clerk/Secretary

Frank Nelson

Gary Baierlein

Mark Frost

Tom Collard

Wayne Clark (alternate member)

Jonas Rosenthal (Pawlet Zoning Administrator)

Hillary Solomon

Ed Bove

Sally Achey

**Members absent:**

**Item 1. Call to Order:** Jessica Van Oort called the meeting to order at 7:33pm

**Item 2. Approval of Agenda Items- Review/Add/Delete:** John Sabotka made a motion to approve the agenda and Tom Collard seconded it. All approved.

**Item 3. Approval of minutes of previous meeting:** John Sabotka made a motion to approve the minutes, Gary Baierlein seconded it, all approved.

**Item 4. Zoning Administrator's Report- Jonas Rosenthal:** Jonas Rosenthal spoke about a few meetings coming up and a few communications with various residents concerning zoning questions. Jonas also forwarded his report to the commissioners.

**Item 5. Rutland Regional Commission Report- Tom Collard:** At the January 19<sup>th</sup> meeting of Rutland Regional Planning Commission, a solar project and a project in Pittsford were discussed.

At the Board of Commissioners meeting (Tom sent a report of that around to the commissioners via email), there was conversation about the Otter Creek Community Union District. Tom thought that there was no downside to joining the district. It would help the town in giving it more leverage in getting high speed fiber internet service to the townspeople. Sally Achey (Pawlet state representative) spoke about her major focus of getting universal broadband and how important that it is for Vermont and our area in particular. Tom wondered about the two boxes in town that supposedly had fiber put into them years ago. Frank Nelson said that the boxes were DSL not fiber. Tom also thought the commission should vote on whether we should join the communication district. Jessica asked the guests what the point of joining the district would be. Ed Bove said the more towns that joined the more it would add a sense of scale to what gets done, making projects easier and more likely. Frank thought that there might be some advantage to coordinate with Rupert since they also had some discussions with a fiber communications provider. Tom asked Sally to comment on whether it would be better to lean toward the south with Rupert and Bennington County or toward the Otter Creek district which would be leaning north and staying in Rutland County. Sally was not sure. Ed thought that it would be better to go with the relationship that Pawlet has in Rutland County rather than explore starting a new relationship with Bennington County. Tom thought that since Amanda and Ed are already engaged in the issue it would be best to go with the Otter Creek Community District. Frank counseled to discuss this with the school board as well. Jessica asked Tom to phrase the issue as a motion. Tom proposed that the Commission send a message to the Selectboard that the town should join the Otter Creek Community District. Mark Frost seconded the motion. All approved, motion passed.

**Item 6. Discussion of Topics and On-going Business:** Ed Bove, director of the Rutland Regional Planning Commission, took questions on the 2017 bylaws (not enough information for the state issue) and the Enhanced Energy Plan being adopted as an amendment to the town plan.

Ed spoke about the 1 acre/10 acre town for Act 250. He said that Pawlet should be a 1 acre town but it is not. The situation has been going back and forth for several years. He felt the source of the problem went back to the change in the UDO (unified development ordinance, which is another name for the town bylaws). Frank conveyed his memory of all the required steps being accomplished and Gary confirmed these. Ed also remembered it similarly, but the problem is the District Commission has no proof of the submission and that is all that matters to the state. Ed said readopting while updating the bylaws would be the best course of action. Without presenting overwhelming proof to the District Commission, the only other choice is to readopt.

Ed recommended starting the formal hearing process if the commission is satisfied with the document. Jessica noted that it would be one of a few hearings that we would need to pursue. Jonas commented on the process of hearing and approval regarding a zoning change.

Jessica asked the commission if there was a sense of which issue the group should pursue first. Wayne thought first should be resubmitting the old 1 acre/10 acre change before going on to additions to the town bylaws. Frank thought that changing ordinances should be the last to tackle. Ed said that to have an approved energy plan would give the town much more control if any issues arose. Ed also suggested that the Commission review the last two years of changes the legislature has made regarding accessory dwelling units and flood hazard zones before resubmitting the bylaws.

Jessica looked for consensus on whether the amendment to the bylaw regarding the new definition of “school” should be advanced to the Selectboard. The commissioners were mostly in agreement to submitting it.

Jessica read off the definition arrived at from previous work on the issue. She said her notes show that the language used in the definition was acceptable to the Planning Commission and the Selectboard at the time. Wayne wondered about apprenticeships in the definition and Jonas clarified that the states definition of school should suffice and other situations would be covered under conditional uses. Ed pointed out that in Pawlet’s bylaws, you cannot regulate what is state approved, like schools for instance. Frank thought that if it was a public school, then it would be covered under the definition and if it was anything else, it would fall under the 1 acre/10 acre Act 250. Jessica thought the commission should table that particular discussion until next month so that we could get to the energy plan in the current meeting.

**Item 7. Public Comments:** Hillary spoke a little about the Climate Change Watershed meeting. John had sent around a report on that meeting to the commissioners. Hillary was also interested in the upcoming conversation on the energy plan since Middletown Springs is working on their plan too. Jessica said that Barbara looked through Pawlet’s energy plan and said it met the checklist.

**Item 8. Old Business:** Jessica directed the conversation to the Enhanced Energy Plan. The plan was updated in 2019. Jonas had a concern about wind generation. Jessica said that there was language concerning wind generation, allowed outputs as well as areas where it would not be permitted. Frank thought that in terms of larger wind projects, they could be suitably located in the Pawlet/West Pawlet industrial zone. Jessica confirmed this was already stated in the document before the commission. Jessica asked for any specific edits. Frank said that he would put his comments in writing and the commission can go over them at the next meeting. Jessica suggested that the town could promote incentives (from others) for adding heat pumps and electric vehicles as well as energy efficiencies. Jessica noted several updates since the plan was written in 2019. Ed said to update solar installations, you could include permitted projects rather than ones that might or might not be built yet. The commission agreed on an edit removing a line that seemed to contradict the next sentence in the plan.

**Item 9. New Business:** Jessica directed the commissioners to: write up any specific edits to the Enhanced Energy Plan and circulate to the rest of the commissioners for review and discussion at next meeting. To decide whether to include data from the community mapping project to support directions that the plan is going or just to include it as an addendum to the Enhanced Energy Plan. To review the definition of “school” to see if any further clarifications are needed before submitting it to the Selectboard.

**Item 10. Set Agenda for next meeting:** Call to Order 7:30 2. Approval of Agenda Items - Review/Add/Delete 7:31 3. Approval of minutes of previous meeting 7:33 4. Zoning Administrator’s Report – Jonas Rosenthal 7:45 6. Rutland Regional Planning Commission Report – Tom Collard 8:00 7. Discussion of Topics & Ongoing Business 8:05 8. Public Comments 8:25 9. Old Business 8:35 10. New business 8: 45 11. Set Agenda for the next meeting 8:55 12. Adjournment 9:00

**Item 11. Adjournment:** Tom moved to adjourn and Rik Sassa seconded, all approved. The meeting adjourned at 9:01pm

Respectfully submitted, Rik Sassa, Secretary/Clerk