

Town of Pawlet
Planning Commission Meeting
Monday, May 24, 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

Members absent:

Wayne Clark (alternate member)

Jonas Rosenthal, Pawlet Zoning Administrator

Item 1. Call to Order:

Jessica Van Oort called the meeting to order at 7:30pm

Item 2. Approval of Agenda Items- Review/Add/Delete:

No new items were added.

Item 3. Approval of minutes of previous meeting:

John Sabotka moved to approve the minutes and Gary Baierlein seconded, all agreed.

Item 4. Zoning Administrator's Report- Jonas Rosenthal:

Jessica read from Jonas's report since he was not present. Jessica said that since the warning was mistakenly not printed by the newspaper, the Selectman will need to have a second hearing and warning.

Item 5. Rutland Regional Commission Report- Tom Collard:

Tom reported about the new ranking and review of the state regarding black-top projects. One future project involves Wells and down rt 30. Another area is Pawlet rt 149 up to rt 30. Based upon the state ranking both projects may get done together in the relatively near future. In the regional committee there was discussion of two solar projects and an Act 250 regarding the expansion of Walmart in Rutland. The CUD meeting didn't have a quorum so no voting was done, but some positive movement in terms of available funding was discussed. Wells is also joining the CUD.

Jessica updated the commission on some COVID relief funds. She noted that the commission can advise on the use, but the Selectboard will decide the actual usage. The amount will probably be around \$140,000 (roughly \$100 per towns person is how the state figures it). The funds can be used for helping people affected and future preparedness. The four specific areas the monies can go toward are: public health, direct aid, community and economic development, and infrastructure (other than roads).

Frank Nelson wondered about a timeframe for the funds. Jessica said that half would be available this year and the other half next year and all must be used by 2026. The funds have broad usage but cannot be used for paying off debts, rainy day funds, or piggy backing on other grants.

Frank wondered if some of the money could be used for an infrared camera to detect heat loss in area houses. Jessica thought it might be possible to suggest that under "climate change" which is on the list of suggested uses.

Item 6. Discussion of Topics and On-going Business:

Jessica directed the group in a discussion of the enhanced energy plan. The suggested edits from last time: Frank's edit regarding the town focusing on switching over to more efficient forms of heating. He mentioned an occasion with a borrowed infrared camera used around town and the astounding amount of heat loss in many of the buildings in town. Gary thought that the particular line in the plan contradicted itself. Jessica agreed that the paragraph seemed to be garbled. Frank offered a comment from Annette that the document should not get overly detailed. The decision was to tailor the language to include shifting reliance to local renewable energy sources, including heat pumps, to get away from fossil fuel usage.

The next edit was regarding bio-fuel. Frank noted that not all bio-fuels have a one year turn around in terms of carbon sequestering. Jessica thought to eliminate confusion the term bio-distillate should be changed to bio-fuels.

The next edit regarded a town energy coordinator. Frank thought, based upon the states use of the term, that the position of energy coordinator is an assistant position and not particularly relevant to the document. It was decided to delete that sentence.

The next edit involved the addition of: "Improved insulation practices" along with the improved efficiencies of heat pumps. Some other wording was altered to make the paragraph make sense.

Frank moved to make the above changes. Mark Frost seconded the motion, all approved.

Item 7. Public Comments:

No public attending.

Item 8. Old Business:

The commission continued their discussion on conditional uses. Jessica shared a spread sheet showing permitted uses and conditional uses among the various zoning districts. No changes to the Industrial district. Rural Residential zoning district had multiple changes. Jessica wondered why many of the permitted uses were suggested to be moved to conditional use, since she was not on the commission when these were discussed. Gary thought that there were a lot of extenuating circumstances that required individual determinations for many of the permitted uses. Jessica noted that contractor's yard is not in Village and Commercial. Gary thought that it was a matter of lot size that would prevent it in the Village. Gary found contractor's yard style businesses in the permitted uses under a different name. This was evidence that continuity in language was needed in some areas of the By-laws.

Frank spoke about retail stores vs farm stores in the Rural Agricultural district. Since the state has enforcement regarding farm stores and the state language is confusing, he thought that it was best to just leave it out of the bylaws. Tom thought that there was a difference between a farm stand and a farm store. Gary offered that the state comes in the minute you attach the word "farm" to it and they don't want farms regulated by the towns. Frank said that towns can only regulate setbacks and things of that nature but not whether or not it can exist.

Jessica moved to what was written regarding contractor's yard. Gary thought that it should not be the principal residence of the owner. He thought that was too restrictive. The 20% of the land usage was too restrictive as well. He thought that the DRB should have more control over those decisions based upon where it is in town. Jessica said that the issue of the owner living on the premises is in other situations as well and needs to be looked into. As well as some things being redundant and could be considered as standard conditions for all uses.

Gary thought that it might be good to propose smaller sections of edits to the Selectboard. Jessica reminded him that if that was the case each would have to be warned.

Tom wondered if we should be looking at all the areas regarding 20% of the property, acknowledging that some of these conditions are from different times.

Frank added that while looking through the state's farm criteria one could bypass many of the town's regulations if the property was considered a farm.

Jessica put on next meeting's agenda that the commission discuss both the 20% of property limit and owner of contractor's yard living on premises (as well as other businesses that require the same), as well as have each commissioner continue to look over the By-laws to see if other alterations need to be brought before the commission.

Item 9. New Business:

No new business was discussed.

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 & On-going 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 the meeting. Gary seconded the motion. All agreed, the meeting was adjourned at 9:10pm

Respectfully submitted by Rik Sassa, Secretary/Clerk