

**Town of Pawlet**

**Planning Commission Meeting**

**Monday, August 23, 2021 7:30pm**

**Meeting in person and via Zoom platform**

**Members present:**

Jessica Van Oort, Chairperson

John Sabotka, Vice Chairperson

Rik Sassa, Clerk/Secretary

Frank Nelson

Gary Baierlein

Mark Frost

Wayne Clark (alternate member)

**Members absent:**

Tom Collard

**Item 1. Call to Order:**

Jessica Van Oort called the meeting to order at 7:40pm

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

Mark Frost moved to accept the agenda, John Sabotka seconded and all agreed, the motion passed.

**Item 3. Approval of minutes of previous meeting:**

John made a motion to accept the previous meetings minutes, Gary Baierlein seconded, all agreed, the motion passed.

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

Jonas Rosenthal was not present but sent a report for the commissioners. Frank Nelson asked for clarification on the Slate Ridge (Banyai) ruling. Jessica thought that Mr. Banyai did not satisfy the requirements necessary for his past permit to be accepted. Gary had a question about a permit on the Clark road in West Pawlet. He felt that the permit was under an

agriculture use heading yet the individuals are not farmers. Jessica said that the qualifications for a farm are fairly broad.

#### **Item 5. Rutland Regional Commission Report- John Sabotka:**

John attended the Rutland Regional Commission. He said that the online meeting was divided up into 6 different groups. Unfortunately he was cut out after 45 mins of zoom meeting. Most of what was talked about was highway corridors involving traffic. They also spoke about energy stations and parking areas.

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

Conditional uses and contractor's yard: Jessica went over what the commission had already discussed in previous meetings. Gary spoke about some discrepancies between the two village centers involving lot size. He thought that one thing in Village commercial that should be changed is the part about the owner being required to live on the property. He thought so long as the individual lived nearby or in a neighboring town that should be sufficient. Jessica said that "Auction barn" is the only other situation that requires the owner to live on premises. The term, "owner occupied" comes up in several areas in the by-laws. John did not understand why that should be a criteria. Gary offered, any time the issue had come up in the past it was always supposed that if the owner lives on the property then they will take better care of the premises. However, Gary does not feel that this reasoning has played out as assumed. He gave an example of a past hair salon in Pawlet. Frank noted that the dilemma is the fear of unchecked businesses like a dollar store. Gary thought that other criteria could be used to discourage dollar store type businesses. He thought that if the wording "in keeping with the neighborhood" was added to the by-laws it would give the DRB enough control. Jessica clarified, that specifically with contractor's yard, there shall not be more than 10 employees according to the current by-laws. Jessica looked through other towns to see how they dealt with the owner occupied issue. Her take away was that owners living on the premises was not a significant element in other town by-laws.

Frank brought up the idea of having a design review board that would then assist the DRB (development review board). He felt rather than trying to spell out too many details ahead of time, the combined boards would be able to make relevant case by case decisions. Jessica was concerned that a cantankerous neighbor could shoot down someone's whole project if the wording and criteria were too loose.

Harley Cudney (public) raised the point of whether the 10 employees was company level from top down or just total employees in that particular location.

Frank did not agree that the number 10 was sufficient. He thought that the DRB should make that decision. Frank proposed that the 10 be eliminated and the DRB would decide based upon available parking.

Rik Sassa asked Gary (who is currently on the DRB) if more of the decision making were to fall on the shoulders of the DRB, then would it be helpful for the DRB to have a handbook of

suggestions from the Planning Commission to help make decisions on various topics. Kind of a pocket town plan guide.

Jessica moved the discussion to the enhanced energy plan. She spoke about the recent message from Annette regarding the very specific naming of roads that shall not have solar citations. Frank thought that the commission could have the opportunity to getting the format in place that would allow other towns to use. Rik suggested that the commission list all the roads in the Industrial zone running down the New York border as possible solar citations and list all the other roads in town as "shall not allow solar citing". That would be a good start he thought and then if exceptions needed to be made for specific pro or con citations then they could be added. Frank recommended that the commission not decide on this issue until someone from GMP comes to talk to the board about whether our current grid would accept any large scale solar arrays in any other areas than along the border where three phase power lines are available.

**Item 7. Public Comments:**

No other public comments.

**Item 8. Old Business:**

No additional old business discussed.

**Item 9. New Business:**

No additional new business 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:**

**Gary made a motion to adjourn the meeting. Mark seconded the motion. All agreed. The meeting was adjourned at 9:04pm.**

**Respectfully submitted, Rik Sassa, Secretary/clerk**