

Town of Pawlet
Planning Commission Meeting
Monday, October 25, 2021 7:30pm
Meeting at Pawlet Town hall 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)
Harley Cudney (public)

Members absent:

Tom Collard

Item 1. Call to Order:

Jessica Van Oort called the meeting to order at 7:31pm in person at the town hall and via Zoom.

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

Frank Nelson wanted to talk about grant money and it was added under new business. John Sabotka moved to approve the agenda, Gary Baierlein seconded, all approved.

Item 3. Approval of minutes of previous meeting:

John Sabotka moved to approve the minutes, Gary seconded, all approved.

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

Jonas Rosenthal gave his report. He ran down a list of recent permits issued. There was an issue of one of the permits being for an agricultural building and Jonas had to look into whether the applicant was actually a farmer. There was some conversation about Act 250 regarding a permit for the gravel pit in the past, which the DRB will be addressing. Jessica noted that the take away is that anytime something is done not strictly by the book it comes back to haunt the town.

Item 5. Rutland Regional Commission Report- John Sabotka:

John had no report.

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

The Chairman's report: Jessica spoke about how the Selectboard was planning to seek someone to fill Tom Collard's position (perhaps more members if good candidates existed). Jessica will officially be on the Otter Creek Communication Union district. John Sabotka would like to be voted in officially as liaison to Rutland Regional Planning commission and transportation. Jessica asked for alternates for both of these positions. There were no takers at this meeting.

Conditional uses in Industrial and Commercial zones: Jonas explained that the language in the handout he passed around was a combination of other towns' by-laws that had engaged on the same topic. It was a catch-all paragraph that allows the DRB some latitude. Jonas didn't feel that the zoning administrator should be in the position of deciding certain issues; that the DRB would be better suited to decide. Frank offered that the DRB could also have a design review board that would help the DRB (Development Review Board) make decisions. Jonas thought that such a board would be restrictive. Jessica thought it was a valid conversation for another time, but detracted from the situation at hand. Wayne Clarke offered that the town plan is the guiding document for the town and therefore should guide the DRB, however if things are not laid out specifically then townspeople could complain of favoritism. Gary noted that the town by-laws already have discrepancies that permit favoritism. Frank said that the DRB is the town's court for zoning. He said that it would be impossible to specifically identify all situations that have yet to happen. Jessica liked the language in the hand out of Jonas', she thought that it allowed the flexibility for unforeseen events in the future and put the emphasis back on the overall town plan. John said that the food processing facility being discussed in the ARR district (Agricultural Residential) was in a residential area. Jonas said that according to the by-laws for that district, if it is an agricultural processing plant it is a conditional use. Jessica said that the goal for the evening was not sorting out conditional uses in the ARR district but in the Industrial and Commercial districts. The flexible language Jonas offered would apply to all districts.

Gary said that he would contact John Wiess to help us with tightening up the language. Frank made a motion to have the language that Jonas offered be part of our current by-law draft. Gary seconded and all agreed.

Jessica moved on to wedding venues based upon a letter sent to the commission from the Webbs, a group wanting to have a wedding/event venue on a property located off of rt 133. Jonas said that there was nothing in the bylaws about wedding venues. Jessica clarified that the PPC can only create future bylaws that may include event/wedding venues. Harley asked if the

Planning Commission gets down to the granular level of permits. Jessica said that was the case. Topics can be broad to encompass multiple similar situations. Jonas warned that if “events” is too broad then car racing or some similar event could be considered allowed. The Webb’s plot of land was 14 acres. Gary and other members indicated that more than 10 acres involves the state and Act 250. Jonas pointed out that on the zoning permit application it is clearly stated that other permits from the state may be necessary and has information about who to contact regarding such permits. Rik Sassa said that a kind of form based zoning would help the DRB to make decisions without having a cumbersome amount of language attempting to cover all future possibilities. If the DRB had criteria like sound impact, traffic impact, etc. it would help the DRB make decisions. Jonas thought that if the board was agreeable to the concept of a business that might bring economic vitality to the town, like the Webb’s, he would look at other towns to see how they addressed similar event venues. Gary made a motion to fine tune the current set of amendments and then address another set. Jessica reminded the group that sometime in 2022 the by-laws will be updated.

Item 7. Public Comments:

No public comments

Item 8. Old Business:

Talk of old business was postponed due to time constraints

Item 9. New Business:

As the town Energy coordinator, Frank spoke about renewable energy that has to be replaced with fossil fuel when the sun goes down or wind stops. He described how the fuel companies monopolized the solar installations in the state so that they get paid when the sun shines and when it doesn’t.

Jessica spoke about a grant (BOREC) involving the rail trail and the building adjacent to it in West Pawlet center. Several people in the town are working on that grant as well as the historical society in Pawlet is in support of it. The grant will be in combination with Rupert. John made a motion to support the BOREC grant, Gary seconded, all agreed.

Jessica spoke about the municipal planning grant. The grant would be for figuring out what to do with the lot that Dutchies’ store was located on. It would focus on that parcel but also address issues of the larger village center of West Pawlet. The plan would not involve the road, but would have more to do with the housing and commerce of West Pawlet center. Frank made a motion for the PPC to support the direction of the grant effort. Gary seconded the motion, all agreed.

A third grant would have money for working on the by-laws. Jessica did not have all the details on it yet, but thought if affordable housing and economic development were included in the

grant proposal it might have a good chance of succeeding. Frank made a motion that the PPC move forward with this grant, John seconded, all agreed.

Regarding the funds that the town got for Covid relief: The town survey put out to help the Selectboard decide how the funds should be allocated indicated that the top choice was to direct them toward digitizing zoning records and town records in general. The Selectboard will decide on the exact distribution of the funds.

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 moved to adjourn the meeting, John seconded the motion, all agreed. Meeting adjourned at 9:04pm.

Respectfully submitted by Rik Sassa, Secretary/clerk