

Shaftsbury Planning Board  
Shaftsbury Town Hall  
Buck Hill Rd at 7:00 pm  
DRAFT Minutes for the Regular Meeting  
January 31, 2012

**Members Present:** Chris Williams (Chair), David Spurr (Vice Chair), Abigail Beck, Norm Gronning. and Bill Pennebaker

**Members Absent:** none

**Others Present:** Jennifer O. Viereck (Zoning Administrator), Sandra Mangsen (Recording Clerk), Mitchell R. Race, Joanne M. Race, Jay T. Palmer, Tom Huncharek, Sue Balutis, Zeke Wright, Kathleen Geneslaw, Robert Geneslaw, Jeri Schoof, Ron Schoof, Mike Foley, Mary Beth Maguire, Trevor Mance, Jeremy Herbet

1. Call to Order

The chairman called the meeting to order at 7:02 p.m.

2. Approval of minutes of December 13, 2011.

**Motion: David Spurr moved that the minutes be approved as corrected. Bill Pennebaker seconded. Carried 4-0-1, with Abigail Beck abstaining.**

The Chairman briefly reviewed the Planning Commission procedures with respect to submission of proposed bylaw revisions to the Select Board. He invited suggestions for improvement to procedures in the hope that submissions might be handled and approved more efficiently. Communication of proposed bylaw revisions prior to final approval by the Planning Commission or submission to the Select Board were among the changes suggested. Proposed bylaws could also be sent to the Select Board one at a time rather than bundled in a group, which tends to delay their approval.

3. Commercial composting facilities – Bill

The Chair asked for clarification with respect to the expiration date of the current moratorium on commercial composting. He was informed that the date is Mar 22, 2012.

Bill Pennebaker's latest draft of a commercial composting bylaw was distributed and discussed at length, item by item, with much input from the public. The items discussed included the following:

- the types of composting to be permitted, in particular the exclusion

of animal mortality and sewage sludge;

Bill noted that there are state restrictions on what animal remains can go into compost.

- the possibility of considering potential commercial composting sites in areas other than industrial districts, for example in currently unused gravel pits now zoned as rural residential;

Abigail noted the possibility of leaching into the groundwater as a potential problem with such sites, especially given that state regulations are not protective of groundwater. In this regard it was also noted that the Town Plan limits regional solid waste sites (of which commercial composting is one type) to industrial zones I and II, eliminating gravel pits from consideration given their zoning as rural residential.

- a concern that restrictions on composting might be made more severe than those on other operations in industrial zones, perhaps without good reason;

There was discussion of the usefulness (or lack thereof) of regulating the size of a composting operation by means of limiting the amount of material coming into the site in relation to the size of the lot. The question involves the degree to which any such regulation might be considered arbitrary, given that improved technology might allow a more intensive operation. Abigail will produce a diagram of how a 5000-yard commercial composting facility might look on a four-acre lot, considering all of the activities that would be required, which would serve as a visual aid.

- the question of setbacks in industrial zones and for commercial composting therein;

Here again the question is whether or not composting facilities require more restrictive regulation than do general industrial uses, and specifically other solid waste uses. There was discussion of the proposal that setbacks of 175 feet from a public roadway and 400 feet from a residential or roadside commercial lot line would be adequate. Jennifer Viereck noted that state regulation even for large scale composting facility is 100' from a public road and 300' from a residence. Some expressed concern that the DRB may reduce setbacks by as much as 25% under some conditions suggests that it is important to maintain the 400-foot setback from residential lot lines.

- possible need to consider setbacks from streams and bodies of

water;

It was noted that state regulations apply in those cases.

- concern about bio-aerosols and dust.

It was noted that appropriate screening (e.g., planting of evergreens) can reduce their impact.

The need for further study of state regulations bearing on this bylaw was recognized. It is important that definitions in the bylaw be consistent with those in state documents. Moreover, PC members are aware that since the state regulates performance standards, local bylaws cannot do so, although localities may regulate conditional use. In situations where both the state and the town have applicable regulations, the more restrictive would apply.

The chairman thanked those in attendance for their input. Another draft of the bylaw will be prepared for further consideration.

4. Historic District bylaw – Norm

Due to the lateness of the hour, items 4 and 5 on the Agenda were deferred until the next meeting.

5. Sign Ordinance sent back by Select Board.

6. Other business

Jennifer Viereck pointed out that the meeting schedules may need revision, since February dates disrupt the regular pattern of DRB and PC meetings in alternate weeks.

**Motion: At 9:16 p.m. Bill Pennebaker moved that the meeting move into Executive Session. David Spurr seconded. Carried 5-0-0.**

No business having been transacted in executive session, the meeting was adjourned at 9:33 p.m.

Respectfully submitted,

Sandra Mangsen  
Recording Clerk