

**Selectboard Minutes
Town Plan Hearing
Tuesday, May 13, 2014**

Members Present: Ken Harrington, Tim Scoggins, Mitch Race, Art Whitman, Tony Krulikowski, Margy Becker

Members Absent: None

Others Present: Brian Lent, Jay Palmer, Bob Perry, Jim Henderson (BCRC), Chris Williams, Norm Gronning, Bill Pennebaker, Alice Miller, Joanne Race, Jim Carter, John Tiffany, Phylis Porio, Gary Burgess, Dennis McCarthy, Chris Heins (Surveyor), Bob Dogget

Call to Order:

The Chair called the special Selectboard meeting to order at 7:00PM.

Announcements:

There were no public announcements.

Public Comments:

There were no public comments.

Conflict of Interest Statement:

There was no conflict of interest stated.

Public Hearing on Proposed Town Plan

Tim Scoggins opened the public hearing on the Town Plan at 7:00PM. He announced the Selectboard will hold two (2) public hearings. He opened the floor for public comments.

Page 58. Bill Pennebaker announced correction needed. Delete last sentence "DRB must review ..." regarding demolition of historic structures.

Pages 52-53. Gary Burgess stated commercial zones all line **up**—that implies strip development.

Chris Williams states that the roadside commercial zone runs up Route 7A. Yes, this equates to strip development. Still, it makes sense to have commercial along 7A. A contradiction.

Gary Burgess stated concern regarding the listing of historic properties, suggesting that doing so limits the ability to do what you want with your property. The vagueness of “historic settlement patterns” language worries him.

Jim Carter: The Plan is the "constitution of the Town— it is a regulatory document.”

Tim Scoggins stated disagreement; Mitch Race stated disagreement. Discussions followed regarding the actual weight of Town Plan in Act 250 hearings.

Bob Dogget— Asked about what is meant by listing a “historic property”. He referred to a concern that “vigilantes” would show up on his doorstep to tell you what you can or cannot do with your property. He later said the Town should consider adoption of Historic District.

Page 63—Phylis Porio—Development should be enclosed, ie—distinctive finishes. Phylis Porio commented on third paragraph relating to Department of Interior Standards.

Tim Scoggins asked whether the Selectboard delete this section?

Chris Williams explains the Department of Interior standards are "gold standards" and a benchmark for historic preservation across the country (Federal Tax Credit Program).

Gary Burgess-the standard of living in Town has gone down.

Jay Palmer addressed the process for bylaw adoption.

Tim Scoggins states the intent is to encourage preservation of historic structures without burdening the homeowner.

Tony Krulikowski asked the public what historic language would be acceptable?

Jim Carter cites reference to Department of Interior Standards.

Phylis Porio states we are not empowering Planning Commission with ability to formulate bylaws that will make us uncomfortable.

John Tiffany states People are tired of overregulation. He commented further on **Page 32:** Shoreline Buffer strips, stating he objected to statements there. He mentioned baseline standards for timber harvest. John Tiffany stated each town should be discouraged from adopting its own standards. There are state standards for logging Best Management Practices.

John Tiffany referred to 1987 BMPs (Vermont's) , noting these are the Current Use BMPs, summarized in "Timber Harvesting in VT".

Chris Williams agreed to cite John Tiffany's Vermont BMPs and delete New Hampshire BMPs.

Phylis Porio: Thanks, PC members. Yet there are references to keeping businesses small. She stated she takes exception to references to “small businesses only”. This discourages economic development. The Plan does not look at improving the tax base.

Mitch Race: What would you say? Strike "small" business.

Brian Lent echoes Phylis Porio's comments.

Mitch Race asks for Gary's "vision"?

Phylis Porio stated there are very little "light industrial" zones for home occupations to grow. We want low impact businesses of 30 to 200-plus employees.

Brian Lent: What about other gravel pits coming up? He encouraged the Town Plan to be “forward looking”.

Jim Carter spoke about tax impacts of multi-family housing. A 2-bedroom unit may cost you \$20K/year; a 3-bedroom unit may cost you \$30K/year. The opposite is to bring in business which is self-sustaining. Affordable housing is a good objective. But, there is an "aura" of anti-business in the Plan.

Bill Pennebaker said he does not intend the Town Plan to be anti-business. Asks for references which are anti- business. Where could a light industrial zone go? What to do? Peckham owns most land.

Gary Burgess and Bill Pennebaker discussed Shaftsbury's two (2) votes against hooking up to Bennington/North Bennington sewer.

Alice Miller informed the Selectboard one good result of the legislative session is that more money will go into roads and bridges.

Tim Scoggins says he thinks he has heard people asking for the Plan to focus on economic development, not just environmental protection and historic preservation.

Brian Lent states depletion of gravel pits is on the horizon. Redevelopment of those properties is on the horizon. He refers to S&G resources page 39 proposed "In 2007 ..." Language in current plan is good language. He asked reference to the Gravel Pit Study be removed. Brian Lent agrees with reuse of property.

John Tiffany asks to remove references on 8.2.3 page 70 regarding “minimal investment in roads which serve mountainous areas.”

Phylis Porio asks to take out reference to “maintaining crew of (5) five.” She suggested removal of language regarding paving (8.1 paragraph 2). She the referred to language on

“equipment replacement”, noting some people object to language.

Chris Heins spoke on behalf of the Norsemen Shooters Club in Granger Hollow. He commented regarding the 2001 zone change to Forest and Recreation from RR40 elevation 1400-foot line. In Granger Hollow the line was dropped to 1100 feet in certain areas. 400 acres and 9 shareholders comprise the Norsemen Shooters Club. These landowners want to be able to build camps and second homes with septic. But no septic is allowed in forest recreation zones.

Chris Heins said he did a “build out analysis”. Recently the Planning Commission voted to create an RR200 zone up to 1400 feet and not 1600. He asked voters at the hearing to support the zoning change at the November election, if it is scheduled for a vote.

Phylis Porio made comments regarding solid waste and compost facilities, requesting that the term add "commercial" facilities be added. (**Page 80, 9.7.3**)

Art Whitman commented regarding the location of the new garage (**Page 80, 9.7.7**), stating the Plan should not limit the location. He stated concern about the Plan’s reference to revitalization of Cole Hall, saying he does not want a lot of money spent to revitalize Cole Hall.

Phylis Porio commented on the Education Section, wondering if the Plan was making contradictory statements. She noted the Town should strive for a balance of students who are “tuitioned in” and costs. She said 30 kids from District 1 would not be a problem.

Phylis Porio called attention to **Page 83 - Parks**. Howard Park has vandalism and maintenance issues. Should a maintenance plan for parks be added to the Plan? Tim Scoggins says to keep out of Town Plan.

The Chair closed the public hearing.

Mitch Race made the motion to schedule the second Town Plan hearing on Tuesday, June 10th at 7PM. This public hearing time would coincide with the first Planning Commission meeting in June. **Ken Harrington seconds. The motion carried 5-0-0.**

Motion by Ken Harrington to adjourn at 8:55PM. Mitch Race seconded. The motion carried 5-0-0.

Submitted by
Margy Becker