

Planning Commission Minutes
March 28, 2022

Present: Karen Sauther (Chair), Don Simonini, Doug Day, Pete Ludlow, Jennifer Hammond, Rick Swanson, Hanna Neill (ZA), Laura Bailey.

The Meeting was called to Order: 5:32pm

The minutes of March 14th, 2022 were approved with minor edits.

Announcements and Agenda Modifications

Welcoming Laura Bailey, she is interested in potentially being a member of the Planning Commission.

Liaison Reports

Don: MRV Planning District received a VOREC grant connecting mountain bike trails by the intersection of Route 100 and Route 17. This intersection will become a priority for VTrans. Fayston will not have direct involvement but is an adjoining member.

John Hammond (Sugarbush) came to last weeks MRVPD meeting, provided updates on Sugarbush dam repair, workforce housing building plans, a possible addition of another snow making pond and will provide a formalized report monthly so as to increase communication.

Karen: PUD updates submitted to Clare Rock at Central Vermont Regional Planning Commission for review, including the question about the density bonus condition keeping affordable housing and extending the 15 years out if we are able to or do we have to stick to state minimum. Karen also let her know that we will be seeking further guidance on tree clearing/high elevations.

Land Use Regulation (LUR) Edits: Tree Clearing and/or Landscaping Standards

- Landscaping standards referenced in current LURs allows DRB flexibility to require applicants to provide tree clearing/thinking information during the conditional use (CU) application process. Pete suggested that we need to have quantitative measures to leave out subjectivity. The PC agreed to research possible quantitative measures to establish criteria in order to minimize subjectivity and the impacts of tree clearing/thinking on stormwater and steep slope erosion, view shed, wildlife corridor and habitat preservation, foliage/canopy cover, and climate change.

- PC discussed what LUR section(s) would be appropriate for adding a landscaping plan requirement that addresses tree clearing/thinking (all general permits or conditional use only).

- Viewed Waterbury's Landscaping requirement and will do some more research to see how this could fit into our regulations.

-Forestry in zones were allowed, does not require a town permit. Forestry activities must meet state regulations at minimum, and comply with Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in VT by the Dept. of Forests, Parks and Recreation.

Further action required/questions to be answered:

-Is there a conflict between implementing landscaping standards and forestry? Can we make a distinction between logging and residential thinning/clearing?

-Jen will look into Adirondack regulations and MIT Study.

-Hanna will clarify Waterbury regs to see if conditional use or general standards.

-The PC will read what is currently in place in Acceptable Management Practice for Maintaining Water Quality on Logging Jobs in Vermont.

Act 164: Cannabis

In reference to the February 22nd Town Meeting Day Informational meeting presentation that Hanna gave on Cannabis and Guidance for Municipalities and results of Town Meeting Day opt in vote:

-Retail sales were approved in Fayston.

-All cannabis establishments must be regulated the same as any other business of the same use in Fayston through our current LURs.

-Can be home occupation/home industry, storage/warehouse. Aside from home occupations, other uses are CU and will require DRB approval.

-Home Industry will be restricting to retail. The Cannabis Control Board (CCB) has a lot of requirements that will limit areas to operate.

-The PC feels that the current LURs will accurately assess these applications.

-The PC decided that establishing a Local Cannabis Commission does not seem like a necessity at this time. There is minimal monetary value for the municipality to have Local Commission permits.

-We should include cannabis definitions in our LUR definition sections. Hanna will provide language to the PC for review.

Further action required/questions to be answer:

-Are cannabis retail/drive throughs allowed by the CCB?

-Can Cannabis establishments sell non-cannabis products?

- Should laboratories be added to list of uses in certain district? Jen to look up state requirements and advise.

Waste Screening

Don: Screening of trash and dumpsters and defining junk. This is a quality of life and rural nature of our town issue. Can we incorporate into general standards or as an ordinance? How it is implemented can make a difference to what properties it can be enforced on and when.

Don will provide summary of what other towns are doing. Hanna will provide ordinance from Essex for reference.

PC determined this topic will be tabled as a later discussion after we get through the current draft of LURs.

Other Business

-All PC members will take the next two weeks to go through the Draft/Current LURs and see if there is anything else that needs to be addressed before issuing a new draft for June.

-Hanna will send out red line edition that shows proposed changes.

-Don suggested we look through Warren's LURs to see if they are written in a way that would aid our own LURs, having Dan from the Warren Planning Commission come chat with us to tell us about their experience in hiring out third party contractor to write their LURs.

-PC agreed that having Clare Rock (CVRPC) at last meeting was helpful. Learned there are grants to get help with our LURs, consultation opportunities, free training opportunities for planners, and a Fayston town presentative vacancy on the CVRPC.

-Karen suggested moving forward that we continue to establish a clear plan for meetings and have action plans in place for the following meetings to make the most of our time.

Adjourn 7:32pm.