

Planning Commission Minutes  
April 11th, 2022

Present: Karen Sauther (Chair), Don Simonini, Pete Ludlow, Jennifer Hammond, Hanna Neill (ZA), Andy Phelan.

The Meeting was called to Order 5:32pm

The minutes of March 28<sup>th</sup>, 2022 were approved.

**Announcements and Agenda Modifications:**

ARPA Funds:

The Selectboard is currently evaluating ideas for the use of the remaining ARPA (America Rescue Plan Act) funds, their next meeting to discuss this is April 19<sup>th</sup>. They are welcoming ideas preferably in writing.

MRVTV is a great resource to keep up with municipal meetings in the Valley. Selectboard meetings can be viewed on their website. And minutes and agendas can be found on the Town Website.

CVRPC letter:

Municipal planning grants can be found on the Central Vermont Regional Planning Commission's (CVRPC) website; the PC should keep their eye on these if there is anything applicable to our needs. CRVPC is currently updating their regional plan. Clare Rock had mentioned that we should have someone to represent Fayston on the CRVPC. If anyone is interested, they should write a letter to the SB (does not need to be a PC member).

The PC suggested advertising this position on the town database.

The CVRPC is there to provide us assistance, much of which is free or a certain amount is allotted to us for yearly use. We need to utilize this assistance more. We should also be aware that they offer many different grants that come out at different times during the year. Some of which might be a great asset to Fayston.

The CVRPC offers multiple kinds of mapping; including forestry maps that may help with our tree clearing discussion.

State Statutory changes effecting municipalities:

The MRVPD (Mad River Valley Planning District) sends out any statutory changes as they happen to the Valley's Boards and Zoning Administrators so that we are aware. This information can be found through CVRPC (Central Vermont Regional Planning Commission) & VCLT (Vermont League of Cities and Towns).

**Liaison Reports:**

MRVPD Steering Committee's next meeting is April 21<sup>st</sup> at 7pm.

The Housing Coalition is requesting ARPA money from all three towns (Waitsfield, Warren, and Fayston) to fund a full-time staff member.

**LURs: Tree Clearing**

-Jen found some detailed guidelines for thinning and suggested "group thinning" as a good choice for Fayston if we wish to pursue it. The question remains how to apply this standard to

houses with personal residence on it. This approach would also be beneficial for wildlife and the health of the forest while respecting individuals' rights to have a view.

-Andy brought up that our Regulations need to be tied to government interests; water and erosion are both valid connecting topics.

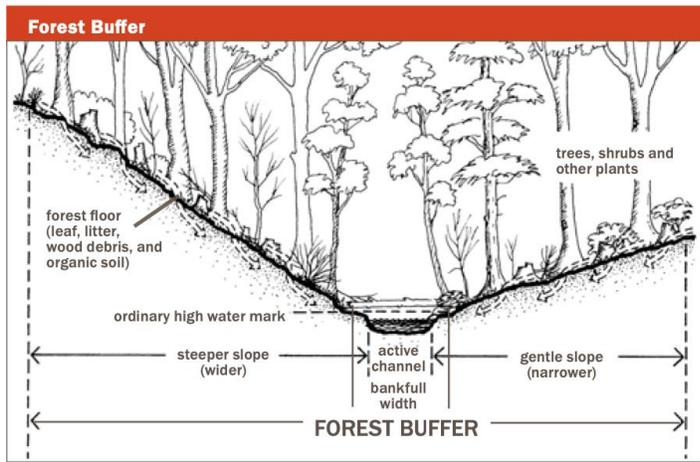
-Karen referenced the chart below on p.78 of the State's Water Quality on Logging Jobs AMP's (Acceptable Management Practices) showing different grades of slope and the required buffer areas. These are possible quantitative measures to include in our tree cutting/clearing landscaping regulations.

Percent Slope of Land Between Skid Trails, Truck Roads or Log Landings and Streams or Other Waters	Width from Top of Bank (Feet Along Surface of Ground Measured Perpendicular to the Stream or Other Waters)
0-10	50
11-20	70
21-30	90
31-40*	110

\*Add 20 feet for each additional 10 percent slope



Remember that the buffer distance is measured on each side of the stream. For example, if one side of the stream is 7% slope, the buffer distance on that side is 50 feet. If the other side is 15% slope, the buffer distance on that side is 70 feet. The total forest buffer width at location on the stream is 120 feet.



-Waterbury's paragraph about landscaping plans makes direct reference to trees and clearing.

The PC decided this provides some basic language as a starting point and we will investigate if & how to properly merge this with our regulations.

-PC discussed whether to list in conditional use Section 5.2(A) to require landscaping plans detailing tree removal for all applications or to leave the landscaping plan as an optional item in 5.2(A)(6) that the Development Review Board (DRB) may request. The commission decided to leave it as it is now, as an optional item.

-PC discussed need the for defining where tree clearing review standards would be applied, and when (outside building envelope, prior to and during development but not including logging that is already approved by the State and following VT's Water Quality on Logging Jobs AMPs, applicability to reduction of visual impact from scenic corridors).

-PC members discussed limited tree clearing entirely on slopes >25% grade, requiring adherence to State's Water Quality on Logging Jobs AMP's for any tree clearing impacting wetlands or vernal pools, and possibly creating elevation thresh holds for where tree clearing can be done.

-Hanna suggested adjusting Section 5.4 (B)(4) that details the Specific Review Standards under Landscaping/Screening Standards (#4) to provide the most direct adjustment. She will consult with the CVRPD (Clare Rock) to see how other town's have done this and will come back with an example of how to integrate this into our LURs. The PC agreed this is the most logical section to add tree clearing specifics, noting that there may be subsections that need to be added, depending on the level of detail required.

-PC decided to consult with the DRB for their insights on this topic as well as if there is anything else that they feel needs better defining to help them with applications. PC stressed that currently the DRB has the right to ask for more information such as a landscaping plan and a sight assessment.

-Karen will reach out to the County Forester to gather more information on this topic as well.

### **LUR Edits Progress Update:**

-PRD/PUDs are complete just waiting for review by Clare Rock (at CVRPC) as a courtesy review to make sure everything is statutorily and grammatically; we will have that back for May 9<sup>th</sup>.

-Review LUR draft for any other edits or any other adjustments that need to be made.

-Tree Clearing is important and if we are able to get this done before June we should try and if not, it can wait.

-Clarification to have LURs ready for June and THEN scheduling hearings for the public/SB, NOT having the hearings complete by June.

-Fix any cross references for PRD/PUDs once edits are approved.

-Look up the tracked changes for the ADUs as they are missing from this draft. Hanna will investigate if she has another version. Make sure state statute gets properly implemented and reviewed.

-Landscaping reference is in there twice in the conditional use section 5.2(6) both (f) and (h), this needs to be adjusted.

### **Cannabis Edits:**

-PC decided to consult with VLCT for if we need to have any of these definitions in our Land Use Regulations or not. Hanna will reach out.

### **Other Business:**

#### Electronic posting of meeting notice:

Hanna thinks that we are complying with these rules as notices are posted in both physical and electronic settings but will make sure. The Valley Reporter has been properly notified of when our meetings are. There was a Statutory update on this from January 2022, and we are properly following it.

Fayston Database use:

Suggestion is to send out an email once a month or quarterly to display when the meetings are and where the agendas and minutes can be found. The SB (Selectboard) has very strict rules for how this database can be used. PC decided that once a month is sufficient.

State energy planning:

Municipal energy plan we should check in with Brag Long at Efficiency Vermont after completion of the LUR edits.

**Next Meeting April 25<sup>th</sup> 5:30pm:**

-Revisit Fast Food Definition in LURs

-Amy from MRVPD would like to provide 5-minute update on Wellness Survey next meeting.

-Continue Tree Clearing- Hanna will draft inclusion of Waterbury verbiage that can be added to our LURs, check in with Clare Rock, and request feedback from DRB members.

Meeting adjourned at 7:32pm.