

Town of Fayston, Vermont

Planning Commission Minutes

Monday, May 23rd, 2022

Attendees: Karen Sauther (chair), Rick Swanson, Jennifer Hammond, Rebecca Baruzzi (member of public), Doug Day (vice chair), Don Simonini. Pete Ludlow

1. Call to order at 5:36pm.
2. Announcements & Agenda Modifications
 - a. Introduction of Rebecca Baruzzi
 - i. Rebecca is interested in joining planning commission.
 - ii. Rebecca has worked for the Community Fund for the last 4 years; in her time with the Community Fund she's seen firsthand the housing issues within the Valley. She would like to be part of the conversation and potential for multitown solutions for affordable housing.
 - b. Agenda Modifications
 - i. Discussion regarding number of Planning Commission members
 - ii. *Motion to approve the agenda modification to discuss the number of Planning Commission members by Rick, seconded by Doug.*
 - c. Upcoming Events:
 - i. Interview upcoming for vacant Zoning Administrator position. Valerie McCord will be interviewed on Thursday, May 26, at 6pm in person at the Fayston Town Hall.
 1. Interview will be held, then go into executive session (not open to the public) for discussion, then reconvene in public session.
 2. Resume has been emailed to the Planning Commission along with HR documentation and recommendation letter.
 3. Reference checked from Norwich University with feedback on skills.
 4. Training process: Hanna may be available for some training, but her availability may be restricted. JB Weir may be able to assist along with Shane Mullen from the DRB. There are also resources available through the State.
 - ii. Central Vermont Regional Planning Commission is hosting an Introduction to Land Use Planning that will be conducted via Zoom.
 1. Will take place Thursday night and Friday at noon. Karen intends to attend on Friday.
 2. Jenn reached out to see if the session was being recording due to interview conflict on Thursday night and normal workday on Friday.
 - iii. Selectboard Meeting Tuesday, May 24.
3. Approval of 5/9 minutes
 - a. No suggested edits or amendments to May 9 minutes.
 - b. *Motion to approve meeting minutes from May 9 by Doug, seconded by Rick. All in favor, none opposed, motion carries.*
4. Liaison reports
 - a. Don: The Planning District has placed housing at the top of the "list." It's now on the agenda for the next Planning District meeting. The goal is have a package (report on why we are where we are in terms of housing in the Valley) ready for presentation in September.

- i. Further discussion around Planning District and Housing Coalition organizations and origins.
 - ii. Waitsfield is conducting a feasibility study for its wastewater system, which feeds into housing availability.
 - iii. In the next Planning District meeting Jared (Fayston Selectboard chair) and Don will be presenting on behalf of the Town.
5. LUR edits
- a. Tree Cutting Standards
 - i. Review feedback from Jamey Fidel (VTNRC)
 - 1. Limited feedback provided due to closing of legislative session.
 - 2. Recommendation to take a broader approach in the LUR due to Town Plan having references to Act 171 language that speaks wildlife corridors and natural resource conservation.
 - 3. Additional feedback to be provided at a future date.
 - 4. Discussion around how these standards interface with the DRB. The LUR must provide specificity in order to provide conditions on any approval.
 - ii. Review feedback from follow ups with Clare Rock (CVRPC) if available
 - 1. No feedback yet; Clare will provide some definitions that she finds in her research.
 - iii. Continued review of draft language
 - 1. Jenn: I think we're doing a good job plugging some holes and answering some of the Town residents' concerns. I'm inclined to go simple rather than restructuring the whole thing as this seems daunting. I think we're headed down a good road.
 - 2. Draft of proposed language shared on Zoom screen.
 - a. Added clearcutting per recommendation of Clare. Need "shall" from a linguistic standpoint.
 - b. This is language for conditional use where applied for. Clare recommended this be added for subdivisions as subdivisions are not always conditional use.
 - c. Pete: if someone has a heavily wooded lot of 5 acres and doesn't have steep slopes, wetlands, and meets setback requirements. Should we have a review of tree cutting and what are they going to do with the trees? I think we need a proposal from the applicant on what they plan to do with the tree harvesting? Do we want to set a requirement for no more than 5% of the building envelope? Should something trigger a review of the tree cutting? Jenn: So we put this in everywhere? Pete: I think we need a statement on every building plan on how many additional trees beyond the building envelope you plan to take down and at what rate.
 - i. Karen: We did come to this as to provide something to support the DRB in decision making, that was our original goal. But what you're suggesting changes the goal. Pete: Yes, it does.
 - ii. Additional discussion around what would be needed, how it would be enforced with the zoning administrator, and what would be required by the applicants.
 - iii. Don is opposed for several reasons. Karen also states that this may conflict with forestry regulations.
 - iv. Further discussion around clearing standards and DRB requirements.

- v. Don: Can we wait for feedback from Jamey or Clare? Will we be redoing work and we've been swimming around this the past few meetings. We seem to be waiting for some others.
 - vi. Commission members agree to table discussion.
 - b. Discuss definitions
 - i. View shed
 - ii. View corridor
 - iii. Clearcutting
 - iv. Tree Thinning
 - v. PRD to reference PUD
 - 1. Do we eliminate PUDs and just have a PRD definition? And what is that definition for PRD?
 - 2. Rick suggests not removing but adding "refer to" and spend the time between now and the next meeting writing that.
 - 3. Jenn differs in opinion: for document cleanliness we remove it. If we combine the definitions somehow and add a note stating, "formerly PRD," does it clean things up a bit? Rick: My suggestion was intermediary to get this through, but so that what you state is completed for the next full revision.
 - 4. Who can work on the PUD definition? Jenn will give it a shot.
 - vi. Discussion around where in subdivision standards that clearcutting/tree thinning standards would go. Looking at Article 6 sections 6.2 and 6.3. Perhaps it belongs under landscaping and screening in section 6. Karen to draft in section 6.2.f.
 - c. Discuss next steps for LURs
 - i. Finish reviewing feedback from external resources
 - ii. Finish voting on draft language for tree cutting and definitions
 - iii. Submit draft to attorney to review edits made. Attorney or contract through VLTC to be determined.
 - iv. Create compilation list of edits made since last revision
 - v. Set dates for public hearing and warning
 - vi. Between now and next meeting, June 15, I will target getting feedback from Clare and Jamey and will forward to the members. We should be able to finalize the language based on the feedback at the next meeting.
 - vii. Also between now and next meeting, Karen will compile edits since last revision and will send to all.
- 6. Other business
 - a. Don proposes that we table increasing the membership until September due to all the work that has gone into the work on the LUR.
 - i. The Selectboard is responsible for appointing Planning Commission members. There are currently 7 seats with 2 open. 6 would be awkward due as that could create a tie in votes. We have 2 people that are interested in joining. We would have to recommend to the Selectboard to not appoint people. Don has discussed this with Jared.
 - ii. Pete: The void does confound the meetings with reaching unanimity and reaching a decision. It also creates an ambiguity as people have been soliciting for people to apply and then we withdraw it. We would be compromising our operation as many times we could have a tie or not have quorum at all. I don't think this is something we should initiate; we'd hold at 5 and then ramp up to 7. Seems ingenuous.
 - iii. Jenn: I don't think we should change directions.

- iv. Rick: I agree and that we recommend the Selectboard to have the new members start on August 1. This is a huge process and it takes time for members to come up to speed. I would suggest it continues on the process, but recommend the Commission onboard members differently.
 - v. Doug: We'd have to bring on 2 at the same time so that we don't have the even number.
 - b. ARPA funds discussion for next meeting.
 - c. Karen reached out to Brad Long, Fayston Energy Coordinator, to discuss recent bill that was passed to support municipalities.
 - d. Fayston Conservation Commission is meeting this week for ARPA requests that perhaps the Planning Commission would piggyback on for some shared data collection on wildlife corridors and items like that.
7. *Motion to adjourn by Don, seconded by Pete. Meeting adjourned.*