

Third Public Forum concerning revisions in Town Zoning By-Laws February 9th, 2016

Attending:

Members of the Planning Commission: Matt Tell, Staley McDermet, Patti Smith, Bennett Grout, Tim Segar, Edie Mas, Kate Buttolph

Public: Mary Sargent , Michelle Holzapfel, Forrest Holzapfel, Evan Wyse, Gail MacArthur, Francie Marbury, Jean Boardman, Andrea Horton, Russ Horton, Brian Whitehouse.

The Forum started at 5:05, preceding another meeting at 6:00 at the Elementary School on Fairpoint and DSL connections. Matt opened the meeting, and asked if there were comments on **Article I, General Provisions**. There being none, he turning the meeting over to Bennett, who reviewed **Article II, Administration and Enforcement** , focusing on new regulations concerning Energy Certificates. According to new regulations, as of March 1, 2015, all new construction in all towns has to have an Energy Certificate, filled out by the builder, licensed engineer, architect, or home energy organization. It was set up by law in 2011 but only came into effect in 2015. If a person is building him/herself, she/he has to file an affidavit in the town office when the property is sold, listing all the things that were not built following the energy standards. (These standards are based on the international code of energy efficiency standards, and will change if they change internationally).

This was new information to those present, so a fair amount of time was spent understanding the new regulations, which were not known to be in effect. Originally the PC thought that the Certificate was required only if the Town adopted zoning By-Laws that established a Certificate of Occupancy, something the PC is recommending in the new By -Laws. Various people agreed to follow-up on these new regulations.

A second item discussed in Article II concerned the Certificate of Occupancy. A concern was raised about compliance, and that it places a large burden on the Zoning Administrator, and indirectly the Town itself concerning liability if the ZA, thus the Town, says the construction has been built as per the specs, when it hasn't. Question raised how to verify setbacks without a survey? General feeling from listers and Town Clerk that boundaries are very hard to verify, and certifying them could carry huge ramifications for the Town. A question was asked about how much "wobble-room" of accuracy might be allowed. It was asked whether other towns had it. Apparently Dummerston had it, then removed it. The PC will follow up to find out more information about this issue.

The discussion then turned to **Article IV, General Regulations**. Edie reviewed Section 470, Renewable Energy Systems, as this has been extensively changed. As a way to summarize the proposed changes, she referred to the Use Table, Section 311, to go over the different types and sizes of Renewable systems. A question was raised why individual and small wind energy systems and small photovoltaic systems on a new structure were not allowed in the Village District. It was pointed out that some property is large enough to be able to install these systems within this district. The PC said it would consider these comments.

The public forum ended at 5:50. The PC met briefly afterwards in the MES library.

Respectfully submitted, Edie Mas