

Draft Minutes
Planning Commission Public Hearing on Proposed Zoning Regulations
August 29th, 2017

Attendance:

Planning Commission: Matt Tell, Staley McDermet, Edie Mas, Patti Smith
Conservation Commission: Ashley Bies
Zoning Administrator: Mary Sargent

Public Attendance: Donald Sherefkin; Rich Holmes; Jean Boardman; Philip Joheensson; Joan Carey;
Carol Ann Johnson

Comments and Questions

Hearing began at 6:10.

After a brief introduction by Matt, Staley outlined the changes since the last public hearing, showing the list of changes on the overhead projector. Most of the changes were related to eliminating the Wildlife Crossing Overlay, and a change in Section 355, Consultation with an Environmental Consultant. Edie also updated the group about the Flood and Fluvial Hazard Overlay District, reading an email just received from John Booker-Campbell from the State's Agency of Natural Resources. This email said: "The regulations currently meet all the requirements for NFIP compliance and are sufficient to receive the highest ERAF reimbursement rate if all other criteria are met. " So no changes have been made to this section of the ByLaws.

Then the floor was opened to comments and questions.

Ashley asked, if the owner requests an environmental consultation from Fish and Wildlife, and they don't review it within 21 days, does that mean there is no environmental review? He suggested adding to ByLaws that if they don't review it within the timeline, that the owner must ask the Conservation Commission for a review. Jean reminded him, and group, that DRB is being asked to make a review and decision based on the recommendations – these are not law, only advisory to the DRB. She went on to ask what information does the Conservation Commission have that looks at wildlife patterns over the past 20 years? Staley answered that they may not have it per se, but know where to go to get this information.

There was a comment that wildlife habitats can be very fluid, for example if an owner leaves a birdfeeder up, bear could get habituated to going to that house. Someone expressed that they hoped the CC would have information that they would be able to give the DRB that could inform their decision. In answer to the question why isn't following the recommendations required, Jean reminded the group that the CC comments are only advisory- can't be required. Rich asked to be walked through the application process, which Staley proceeded to do.

Q-Would it require a site visit? Ans, yes, the consultation would need to make one.

Q-And if it's in January? Ans: They have to be able to see the ground.

Q -Why were the wildlife crossings taken out? Ans: Based on comments and questions at Public Hearings, they were considered too controversial. The intention is to make the process a more voluntary and educational one, which was the original intent. Ashley commented that the Conservation Commission was not consulted about removing the crossings; after the decision PC members came to a CC meeting to discuss and answer questions. He said there is a lot of room in between having them as presented, and taking them out – for example, there could have been fewer crossings, or looking at a different approach, such as showing that there is a major wildlife artery running North/South through Marlboro. Perhaps it would be good to consider 3 – 8 crossings, instead of the 22 originally suggested.

He also added that he thought the decision had been made with very few people commenting at the hearings.

Ans: both Staley and Edie commented that there were many zoning changes that were being suggested in the new draft ByLaws, and that it was important for the town to have these approved. The wildlife crossings can be taken up in the future.

Q: What is the approval process? Ans: After hearings, PC sends document to Select Board, who reviews and has its own public hearing(s). When all has been changed/commented on, it is sent to the voters to approve or not.

Q: Carol Ann asked about clarification on the flood and fluvial overlay district. Ans: This was outlined and shown on the relevant map.

After determining that there were no further questions, Hearing was ended at 7:20.

Respectfully submitted, Edie Mas

Meeting ended at 7:00 pm

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