

Approved Planning Commission Minutes March 21, 2023

Tim Segar called the meeting to order at 5:10

Present

Tim Segar, Staley McDermet, Edie Mas (via Zoom), Brian Potter (via Zoom), Matt Tell, Donald Sherefkin, Will Shakespeare, Patti Smith, Mary Sargent, Zoning Administrator

Excused: Jennifer Girouard,

Guest: Ryan Williams, Lindy Corman (via Zoom)

Minutes

The minutes of Feb 14^h were approved, unanimously.

Matt reminded us of the need to adjourn the meeting in order convene the Annual Meeting.

Annual Meeting

We are losing two important and long-serving members of our committee, Matt Tell and Staley McDermet. (Staley's work on the commission went well beyond the Vice-Chair description.)

Staley is currently serving as Vice-Chair. Will volunteered to take on this role.

Tim will continue as Chair

Jennifer will continue as Secretary, pending her willing confirmation.

Edie requested that her appointment by the Select Board be one year rather than three.

The Commission re-establishes that we will continue to follow procedures informed by Robert's Rules of Order.

The vote to approve was unanimous

Annual Meeting adjourned.

Return to the Meeting

Communications

1. Tim attended the SB meeting to further discuss action steps. Nick proposed to the SB that an ad hoc committee be assembled, consisting of a member from the Energy group, the Conservation Committee, the Planning Commission, the Select Board and the Town Administrator. (Tim volunteered to represent the Planning Commission).
As Nick has been looking at grant opportunities, he has seen that many are focusing on Energy. There is a small grant of 4,000 dollars, to be used for planning and pricing of larger projects (with grants valued up to 1.5M). This money has a long timeline.
This ad hoc group will meet in early April. They would present their ideas to the Town (SB) for approval.

One suggestion, as an example: Encouraging homeowners and businesses to engage in energy audits, (Efficiency Vermont) followed up by energy retrofits.

We are all encouraged to submit our ideas regarding viable energy projects.
We welcome ideas from anyone in the town.
2. 2023 State Hazard Mitigation Plan Update

Vermont Emergency Management (VEM) is updating their plan. We need to identify natural disaster risks and vulnerabilities, and then develop long-term strategies for mitigation.

3. Edie reports that the Meeting House is interested in creating an emergency warming center. This would necessitate a back-up power supply. *Edie said this might be considered for an emergency energy grant, and mentioned she would be attending the zoom ad hoc meeting March 30 on the topic and would share information.*

Discussion on proposed Zoning Amendments

Proposed Amendment #1 **Section 416 - Off-Road Vehicular Ways** *(This is a new section.)*

Off-road vehicular ways are subject to all setbacks of the Zoning District in which they are to be located, except to a front yard setback where such off-road vehicular way connects to a public road. A public "Road" or "Street" or "Highway" (see definitions) is not considered an off-road vehicular way."

In the instance of an off-road vehicular way crossing a property line, if the property owners on each side of the property line (at each crossing) agree to the establishment of an off-road vehicular way, the off-road vehicular way is not subject to Side Yard or Rear Yard Setbacks at that crossing.

No existing off-road vehicular way shall be changed to another type of off-road vehicular way without complying with this Section 416."

Explanation:

This new Section will require that new off-road vehicular ways (ways used by a mechanically-powered vehicle) respect the setbacks of the zoning district in which they are to be located.

We discussed the possibility of exempting easements.

Voting on the amendment. 5 in favor. 1 nay.

Proposed Amendment #2:

Article III – Establishment of Zoning Districts and Zoning Map

Wildlife Habitat Overlay District (Red italics are changes from existing Regulations)

In Section 352, Use Regulations and Development Subject to Review, add "driveway;" to paragraph number 2.

Explanation:

This clarifies that driveways are subject to the Wildlife Habitat Overlay District.

If approved, paragraph number 2 will read:

2. Within the Wildlife Habitat Overlay District, the following development activities shall require a Conditional Use Permit, including Environmental Consultant review (Section 355): the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure; *driveway*; any mining, excavation, or land fill; and any change in the use of any building or other structure, with the exception of those listed under "Exemptions" (Section 353).

Unanimous approval.

Proposed Amendment #3:

Article VII – Definitions

Add the following new definition: *(This is a new definition.)*

“Off-Road Vehicular Way: Any permanent or temporary way or road on public or private land that may be used by a mechanically powered vehicle. Off-road vehicular ways include but are not limited to driveways, private roads, access roads, logging roads, snowmobile trails, and all-terrain vehicular (ATV) trails. Horse trails, hiking trails, ski trails, bicycle trails, and similar trails are not considered off-road vehicular ways.”

Unanimous approval.

Proposed Amendment #4:

Section 353 - Wildlife Habitat Overlay District Exemptions:

Delete Exemption #6, Primitive camps.

Explanation:

If approved, primitive camps will no longer be exempt from the provisions of the Wildlife Habitat Overlay District.

Unanimous approval

Proposed Amendment #5:

Article VII - DEFINITIONS:

In the definition of **Structure**, delete “A parking space is considered a structure.”

Explanation:

If approved, the definition of structure will read as follows”

“**Structure:** Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. ~~—A parking space is considered a structure.~~”

Unanimous approval

Proposed Amendment #6:

At a previous PC meeting, it was suggested to change the wording in Section 372.4.a to “Environmental Consultant wording”.

I’m afraid I didn’t understand or recollect this suggestion correctly, and I can’t figure out what was intended. Therefore, both sections are included below, and if anyone can clarify, I’ll write a proposed amendment.

Section 372 - Surface Water Buffer Overlay Standards:

4. Review and Comment by the Marlboro Conservation Commission.
 - a. ~~The Marlboro Conservation Commission.~~ An environmental consultant shall in a timely manner review applications made pursuant to sections (372) and (373) above and provide specific comments to the Development Review Board, as appropriate, as to the proposed project’s compliance with the general purposes and standards enumerated in sections (370 and 372) above.

Tabled for further discussion.

Next meeting will be April 11 at 5 pm.

Tim Segar adjourned the Meeting at 6:52

A delicious cake prepared by Tim was served to celebrate the many years of service by Matt and Staley.

Respectfully submitted,
Donald Sherefkin

Town of Marlboro
Marlboro, Vermont 05344

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