

Town of Wallingford VT  
PLANNING COMMISSION (PC) MEETING MINUTES  
March 13, 2017  
Town Offices, 75 School Street Wallingford Village

Members Present: Erika Berner (Chair), Jillian Burkett, Kevin Mullin, Jeffrey Biasuzzi (as Alternate Member and ZA)

Members Absent: Ralph Iovino

Also in Attendance: Refer to Roster, attached

Chairperson E. Berner called the Meeting to order at 7:13 pm. Due to equipment issues, the meeting may have not been electronically recorded in its entirety.

The Chair asked for a MOTION to approve the Minutes of February 13, 2017. J. Burkett Moved to approve the Minutes of 2/13/17 as written; K. Mullin seconded; all approved and Motion passed.

E. Berner suggested that, until the RRPC representative arrived, the Meeting Agenda be revised to receive any Open Input from those in attendance. There was no objection from PC members.

Joyce Barbieri opened the discussion on the issue of changing the South Wallingford Industrial District boundaries. E. Berner referred to previous discussions on this matter, that VT statute required a clear letter of request to the PC for a change of existing zoning, which has not been presented. Further, the Chair re-iterated that changing local regulations required a specific adoption process.

Karen Lemay stated she could not find an Act 250 Permit (for the South Wallingford quarry). J. Biasuzzi expressed his understanding that certain pre-Act 250 quarry operations were allowed to operate under "grandfathered" conditions and that early permit documentation was not readily available on the Act 250 website.

J. Biasuzzi further suggested that this conflict with Zoning District boundaries originated because the narrative description in the Zoning Regulations initially referred to the Industrial Districts only by Ownership (**example: "the lands of South Wallingford Limestone Co."**). As Quarry Companies added to their ownership over time, this new land area appeared to be blended into the Industrial Zoning District relative to this definition of the Industrial District. The Zoning language remained unchanged for almost four decades. However, it was discussed that the Zoning Maps that were first adopted in the original ordinance may have never been officially updated to keep up with the increases in the quarry operations ownership. PC Members stated to those in attendance that, after almost 40 years in controversy, the need & opportunity to resolve the long-standing controversy was given attention and proper notice.

There was discussion on the process that resulted in the 2015 adoption of the current Zoning Ordinance. J. Biasuzzi stated that there was attorney review of the adoption process at the time. Presently, the Select Board has declined to budget a ZA request for Legal or Survey expenses to establish the limits of the "grandfathered" quarry operations. Regardless, the present 2015 Ordinance appears to have been adopted per statute; has not been legally challenged; and has now replaced any prior regulation.

As the present Planning Commission is composed of new and fewer Members, the difficult task of meeting the Town Plan revision deadline with the present membership was also discussed. Without an approved Town Plan, it was noted that statute would prohibit any revision of Zoning regulations.

Michael McMahon volunteered to serve on the PC. The Commission Members recommended he submit his letter of interest to the Select Board.

Elysa Smigielski (Planner for the Rutland Regional Planning Commission; hereafter referenced as Elysa S. & RRPC) opened her portion of the Meeting Agenda by requesting a **Special PC Meeting Date for 7:00 Wednesday, May 17, 2017**, in order to organize details for **the Town Forum; to be held at the Rotary Building** (aka Red Schoolhouse). The **Forum is scheduled for the Rotary Building on MONDAY, JUNE 12, starting at 6:00 pm**. The RRPC will sponsor food and beverage; to be purchased or sponsored from local businesses. Service organizations, such as Scouts and other Community Interaction organizations are to be asked to assist in setup, food service, and clean-up activities.

The Town Forum is to be promoted in advance by two postcard mailings to Wallingford Property Owners of record. The first to "Save the Date" and the second to be an "Event Reminder". Town banners to announce the event; flyers & posters in area establishments, and Notice in the Wallingford News, Front Porch Forum, and local newspapers are to encourage town wide participation.

Kevin Mullin disclosed that his personal schedule would not let him participate in PC activities in July.

The next PC Meeting was discussed, and set for 6:30 pm Monday April 10, 2017; immediately the Development Review Board Meeting. The Town's Energy Conservation, Recreation; Conservation; & other Town Panels are to be invited to attend, and discuss participation in the June Town Forum.

E. Berner asked for a MOTION to close the Meeting. J. Burkett Moved to Adjourn the Meeting; K. Mullin seconded; all approved and the Meeting ended at 8:35 pm.

Submitted by Jeffrey Biasuzzi, as recorder  
Approved by PC on April 10, 2017