

**Town of Wallingford, VT**  
Planning Commission (P.C.) Meeting Minutes  
March 11, 2019  
Town Offices, 75 School St.  
Wallingford, VT. 05773

**Members Present:** Erika Berner (Chair), Kevin Mullin, Jill Burkett, Justin Jankus

**Member Absent:** Dan Alcorn

**Others Present:** J. Biasuzzi (serving as ZA & recorder),

The Meeting was called to order by E. Berner at 7:12 p.m. and audio was electronically recorded.

**Review of Agenda & Minutes**

E. Berner requested a Motion to accept the draft Meeting Agenda. K. Mullin so Moved to accept the Agenda. J. Burkett seconded the Motion, all approved and Motion passed.

E. Berner then requested a Motion to accept the draft of Meeting Minutes of February 11, 2019. J. Jankus moved to accept the Minutes. K. Mullin seconded, all approved, and Motion passed.

**Annual Organizational Matters:**

E. Berner requested Motions for PC Officers for the next 12 months. K. Mullin nominated E. Bernier be re-elected as Chair Person, and J. Jankus as Vice-Chair. Both accepted the nominations, at least to the end of their appointed terms as PC members. All approved, and Motion passed.

K. Mullen made a Motion that the regular meetings of the Planning Commission continue to be on the second Monday of each month, at 7:00 pm, at Town Offices (75 School St., Wallingford Village). J. Burkett seconded, all approved and Motion passed.

J. Biasuzzi suggested the PC establish specifics of "when and how" the Alternate PC Member may be a voting participant in PC decisions. After discussion, K. Mullin Moved to allow the Alternate PC Member to be a voting participant in a Meeting only when:

1. The Alternate is needed to compile a quorum for the (currently five member) Commission.
  2. When the Alternate is needed to break a tie vote of an even number of regular Members in attendance, *providing* the Alternate has been in meeting attendance when the subject matter of the vote has been discussed.
  3. The Minutes document when the Alternate is participating as a voting Member.
- J. Burkett seconded the Motion, all approved and Motion passed.

### **Updates to Zoning Regulations**

Kevin Mullin asked how to amend the official Zoning Map, to conform with the *Future Land Use Map* that is in the Town Plan. He is continuing efforts with S. Wallingford resident M. McMahon to identify specific residents in that village that are currently in the Industrial Zoning District, but have asked to be taken out of this Zone, as they have purchased their property from OMYA (and are no longer in the historically controversial Industrial Zone due to title vs. actual use). There was also a concern voiced by some of these residents about mineral right reservations that may still be in their title chain. J. Biasuzzi felt that Town Zoning was completely separate from the issue of Title (mineral rights) issues, and out of the jurisdiction of the PC. Following discussion, the PC's consensus recommended reaching out to Property Owners (not just legal residents) throughout the Township, and ask Property Owners for specific "feedback" as to how Industrial Zoning Districts may be updated to current and future Use patterns as follows:

1. Ask ownerships currently in Town Industrial Zones to identify specific properties that they would prefer to have changed to another Zone (and ask why).
2. J. Burkett recommended that the current Industrial Zone, as mapped between the VT Railroad tracks (on the east) and Waldo Lane (on the West), starting on the north at VT Rt. 140W and running south to Rt. 7 (below the Bridge) be amended to be in the Recreation Zone. Much of this area is already Town or Fire District owned, and is mapped as in the Special Flood Hazard Area or Wetlands, and is being used for recreation or agriculture.
3. J. Biasuzzi is to contact Pike Industries, and request their opinion on IF designating their upland acreage on Creek Road (west of the former quarry/ asphalt plant, and proposed Wallingford Solar LLC project location) would be better if re-designated as either Ag. Rural Residential or Recreation Zoned.

Requests for Property Owner input on the Industrial Zone issue would be sent out by Public Notices, Town website, the Wallingford News, Face Book and other social medias that may be available. The PC would also like to schedule a Public Information Gathering Meeting once input is received. The Select Board is to be updated as to progress in this effort at their 3/18/19 regular meeting; requesting their support.

The Members present had not reviewed the draft Definition list supplied by the Zoning Administrator, and further action on this was postponed until a future meeting. The ZA again requested that Members review these in advance of a PC Meeting; in order to save time at Meetings.

### **Public Input**

No members of the public were present

### **Other Business**

J. Biasuzzi updated members as to the status of an E-Court appeal to the Filskov Permit, to construct a commercial structure on the corner of VT Rt. 140 and Maranville Road. The Appellants requested another month in which to attempt to reach a settlement of issues out of court, which the Superior Court granted.

J. Biasuzzi submitted a 2/13/19 article from the VT Eagle newspaper, which was read to the members present. The article included opinions from L. Edmunds, stated in a Public Television interview, that the Wallingford PC was not "transparent" in its efforts to establish Planning and Zoning for the Town; and that it may be complicit with United Nations Agenda 21. Many Members present were unfamiliar with the U.N Agenda referenced; expressed their disagreement with the "transparency" statements; and tabled further discussion.

The final version of the Homer Stone Brook Berm Removal Project was discussed briefly, without any action requested.

### **Schedule for next Meeting and Adjournment:**

The next Meeting of the PC was set for 7:00 pm Monday, April 8, 2019, at Town Office, Wallingford Village.

E. Berner requested a Motion to close the Meeting. J. Burkett made a Motion to conclude the Meeting, K. Mullin seconded, all approved, and the Meeting adjourned at 8:35 pm.

Submitted by Jeffrey Biasuzzi

Approved: 