

**Town of Wallingford VT
Planning Commission (P.C.)
Meeting Minutes
10 November 2021**

The November meeting was a Public Hearing for comments concerning the proposed draft of the Wallingford Zoning Regulations. The meeting was held as a hybrid meeting with participants in-person and via Zoom. The Hearing was also recorded by PEG TV.

Members Participating:

Erika Berner (Chair), Tony Masuck, Bill Brooks and Jill Burkett (via Zoom)

Member absent: Kevin Mullin

Members of the Public

Sign-in sheet attached.

Via Zoom:

Kathy Allen, Sabra Shulman, Tammy Burdick, Thomas Wicker, J. Bagnall, John, (no last name listed) Ron (no last name listed). Note that there were several other participants, but they signed in with initials and did not identify themselves. .

Chair to call meeting to order:

Meeting was called to order by E. Berner at 7:00

Additions / Deletions Agenda items:

There were no additions or deletions of Agenda. One correction from October meeting to November meeting. Bill Brooks motioned to accept the Agenda, T. Masuck seconded. Motion Passed

Review and approval of minutes of October meeting:

E. Berner asked for a review of the October minutes, pointing out two errors that were already corrected. T. Masuck motioned to approve October minutes with corrections. J. Burkett seconded. Motioned PASSED with B. Brooks abstaining for not being at October meeting.

Public Hearing: Proposed Zoning Regulations:

E. Berner welcomed the public both in-person and online for coming to the meeting. The Members of the Planning Commission were introduced.

After being introduced, T. Masuck read a brief statement:

“The stated purpose of the zoning regulations is to promote the health, safety and welfare of the community.

I’d like to assure the community that this is what we’ve tried to accomplish. We are your neighbors, and as property owners ourselves, strongly believe in property rights. We also believe that owning property comes with certain responsibilities, to your neighbors and to

the community as a whole. These proposed regulations are our best efforts to promote a balance between the rights and the responsibilities.

We believe we have accomplished this balance in a public fashion with open meetings and published agendas and minutes; therefore words such as “sneaky,” “power grab,” and the like should have no place here. These are proposed regulations. The only power involved is that given to the Wallingford voters to approve or disapprove these proposed regulations.”

E. Berner explained why the PC had been working on the proposed draft – to bring it more up-to-date, address issues that the current Regulations do not, and make it easier to read by adding section numbers. She also explained that the PC had been addressing public comments as they have been received, that all draft changes have been put on-line and have been voted by the Planning Commission.

E. Berner explained the Hearing process especially to the participants on Zoom, by please muting until called on and to please identify themselves by name. She asked that one person speak at a time and everyone **mute** themselves.

E. Berner then asked John (no last name) to unmute himself. He was unable to do so.

E. Berner then asked K Allen to unmute. K. Allen asked if the PC was going to give a presentation before opening to the public. E. Berner replied that there were no plans to do so. K. Allen then commented that she had tried to join various monthly PC meetings but was unable to do so and that she thought the monthly Agendas were vague as to what exactly would be discussed pertaining to the Zoning Regulations.

K. Allen asked if the PC had been working with the Rutland Regional Planning Commission (RRPC) concerning the proposed regulations. E. Berner replied that she had sent copies to the RRPC for their input.

K. Allen commented that certain citations in the proposed Regulations needed to have the Vermont Statutes added, pointing out that the 2015 Regulations cited specific paragraphs as needed.

W. Kelly showed the PC pictures of a neighbor’s solar panel and asked is the regulation concerning screening would be retroactive? T. Masuck stated that the regulation was for commercial solar farms not private solar panels. W. Kelly asked about requiring screening and permits for solar panels. E. Berner explained that permits are not required for solar panels. W. Kelly asked if panels add value to the property and if so how would the Lister know about them, without a required building permit. E. Berner agreed but also reminded W. Kelly that the current regulations do not cover solar panels.

E. Berner called on John then on J. Bagnell to unmute. Neither unmuted.

E. Berner then asked L. Thayer to unmute. L. Thayer asked about approval process. E. Berner explained the process of public hearings and approvals before the Draft Regulations would go to the Wallingford voters

L. Thayer then asked if the PC had applied for planning grants and that the deadline was 15 November for the current round of applications.

B. Soule pointed out that the proposed standard for screen was very minimal and suggested two tree per 100 feet.

T. Burdick asked about swimming pools and setbacks if a property owner wanted to put one on the property. E. Berner explained that setbacks are from the property line. T. Burdick then asked about campers and did the proposed draft prohibit campers. E. Berner explained the intent of the section concerning campers, especially in terms of disposing of wastewater and solid materials. T. Burdick asked the difference between a tiny house and a shed. T. Burdick asked about screen-in porch and if allowed. B. Brooks suggested to call the Zoning Office on Monday.

Kurt Houghton asked about tiny houses and if they were permitted. B. Brooks replied there were no restrictions of a tiny house but that they have to meet setback requirements.

E. Berner called on T. Wicker to unmute. Then A. Pace to unmute. A. Pace asked about zoning maps. E. Berner replied they were located in the Town Clerk and Zoning Administrator Offices. A. Pace asked if the PC was rezoning any districts. E. Berner replied no, the PC was not doing any rezoning of districts.

B. Boucher asked why the PC used 21 days for RVs. B. Brooks replied that it was used in other surrounding towns and asked for suggestions. Discussion went on concerning campers being used as temporary structures on house construction sites.

P. Soule asked about solar panels and screening, referring to page 15 in the draft. T. Masuck replied that it was addressing commercial (solar farms). Discussion followed concerning the shading language used in the section. P. Soule also suggested that the reasoning for 21 days in the RV section would be better explained.

D. Scranton asked storing RVs on property lots where the owner cannot move the RV to the back or side yards due to lot size or other natural restrictions. After discussion B. Brooks responded that perhaps the PC needs to further clarify that section.

K. Houghton asked if there were any proposals to restrict small businesses starting in Wallingford. E. Berner replied that there were no changes from the current regulations. Discussion followed concerning an email received from a resident asking why marijuana dispensaries are banned in the current regulations and how to change that. E. Berner explained that it should be a town wide decision and the resident should address the Select Board on that issue.

K. Allen followed up on L. Thayer's comment concerning Planning Grants. B. Brooks reiterated that the PC was working with Ed Bove and thought that if Ed knew of a grant that he would

inform the PC. K. Allen then asked about a list of changes to the current Zoning. B. Brooks asked if K. Allen knew of any software that would keep track of the changes. K. Allen suggested checking with local attorney offices. K. Allen asked why the setbacks in the ARR district had been changed from 150 feet to 50 feet. T. Masuck explained that the setbacks had not been changed. What was changed was that if a property lot had access to municipal services, the minimum setbacks requirements were lowered. Lots without access to municipal services were increased to two acres minimums but those setbacks were not changed. K. Allen further asked if the PC used other towns as models for some of the changes. E. Berner explained that J. Biasuzzi being a Zoning Administrator for several surrounding towns had suggested many of the changes based on his experiences in those towns and Wallingford. B. Brooks added that the PC used his suggestions when the current Zoning Regulations did not address an issue

B. Brooks made a motion to close Public Hearing. Jill Burkett seconded. Motion PASSED.

- **Adjourn:**

Meeting was adjourned at 8:11.

Respectfully submitted by:



Erika J. Berner

WALLINGFORD VT
 Appropriate Municipal Panel (AMP))
 MEETING/ HEARING ATTENDANCE ROSTER

DATE: 10 NOV 21 AMP PP Public Hearing LOCATION: TOWN HALL Time: 19.00 HRS
Proposed Zoning Reg.

IN REGISTERING AS AN "INTERESTED PARTY", AN INDIVIDUAL IS BOUND BY THE FOLLOWING OATH:
 "I HEREBY SWEAR THAT THE EVIDENCE I GIVE IN THE CAUSE UNDER CONSIDERATION SHALL BE THE WHOLE
 TRUTH AND NOTHING BUT THE TRUTH, SO HELP ME GOD."

An "Interested Party" must BOTH sign the Attendance Roster AND give written or oral testimony during the Public Hearing, or they may forfeit their right to an appeal to the VT Environmental Court. Refer to the Hearing Agenda for additional information. PLEASE PRINT CLEARLY! If the Zoning Administrator cannot read your information; you may not receive a copy of any Decisions of the AMP, or any additional information. USE ADDITIONAL LINES, if necessary. The Hearing Minutes on this matter will be posted on the Town website and at Town Offices.

NAME	POSTAL +/-or EMAIL ADDRESS
<u>Bruce W. Dobbins</u>	<u>bruce.dobbins54@yahoo.com</u>
<u>Debbie Scranton</u>	<u>DebbieSnVT@aol.com</u>
<u>William SCRANTON</u>	<u>170 SCRANTON LANE</u>
<u>C Dunigan</u>	<u>PO Box 310 05773</u>
<u>L. Willis</u>	<u>P.O. Box 168 05773</u>
<u>WAYNE KELLY Wayne Kelly</u>	<u>PO Box 354 05773</u>
<u>Elizabeth Blaisdell</u>	<u>PO Box 12 05773</u>
<u>Ira Frederick</u>	<u>Po Box 12 05773</u>
<u>Maureen Duchesne</u>	<u>160 Pembroke R. 05773</u>
<u>BRUCE DUCHESNE</u>	<u>" " "</u>
<u>Barbara Boucher</u>	<u>PO Box 373 05773</u>
<u>Chris Nash</u>	
<u>Mark Noble</u>	<u>2162 US RT 75 05773</u>
<u>Kurt Houghton</u>	
<u>Nik Houghton</u>	
<u>Peg Soule</u>	<u>PO Box 169 05773</u>
<u>Bob Soule</u>	<u>" "</u>

