

Planning Commission
Town of Wallingford VT.
09 March
7:00 PM
Wallingford VT. 05773

Members Present: Erika Berner (Chair), Tony Masuck, Kevin Mullin and Jill Burkett (via phone)

Member(s) absent: Bill Brooks

Member(s) of the Public: None

- I. **Chair to call meeting to order:** Meeting called to order at 7:00PM
- II. **Additions / Deletions Agenda items:** K. Mullin made a motion to approve the Agenda. J. Burkett seconded. Motion passed.
- III. **Review and approval of minutes of January meeting. (February 2022 meeting not held):** K. Mullin made a motion to approve the Agenda. T. Masuck seconded. Motion passed.
- IV. **Reorganization per 2018 Rules of Reorganization:**
Chair: J. Burkett made a motion to elect E. Berner as Chair. K. Mullin seconded. Motioned APPROVED.

Vice-Chair: K. Mullin made a motion to elect T. Masuck as Vice-Chair. J. Burkett seconded. Motion APPROVED>

Set day and time of monthly meeting: I was agreed by all that the Commission would continue to meet on the 2nd Wednesday of the month.
- V. **Voter approval of Cannabis ballot – Zoning Regulations (current and proposed):**
E. Berner briefed the Commission concerning the voter approval of a Cannabis Dispensary in Wallingford, pointing out that the language on the ballot did not amend the current Zoning Regulations that specifically prohibit a cannabis dispensary in Wallingford. The ballot approved Wallingford to opt-in to the Vermont program for having a dispensary

E. Berner went on to explain that the voters would have to approve language to amend the current Regulations, then approve the language for the amendment (Section IV Municipal Authority and Cannabis Establishments)

Discussion followed as to exactly what the proposed amendment should state. Suggestion: “The voter of the Town of Wallingford approve amending the current Zoning Regulation (2015) to allow cannabis dispensaries.” Further discussion followed concerning the exact

wording of the amendment. E. Berner will speak with the Rutland Regional Planning Commission for suggestions.

K. Mullin discussed the statements in the Vermont State Guidance for Municipalities (January 2022) that unless the country of Rutland increases its sale tax, the Town of Wallingford will receive no tax money from any cannabis sales.

K. Mullin went on to say that according to the Guidance, the Town of Wallingford cannot levy any special tax on cannabis sales, unless all local businesses are levied the same tax. (Section V Taxes and Fees).

E. Berner agreed to address the Select Board on 21 March concerning this issue.

VI. Received draft of the Energy Plan from Energy Committee (tabled from January:

T. Masuck discussed the language of screening solar projects, noting that all he could find addressed screening over a certain minimum acreage. He will draft proposed language for the April meeting after reaching out the Barbara Noyce-Pulling of the RRPC to see if surrounding communities have language or if there is suggested language to use.

The Planning Commission agreed to accept the draft Energy Plan. E. Berner will contact the Chair of the Energy Committee to propose warned public hearing dates. E. Berner will also inform the Select Board of the acceptance of the Energy Plan.

VII. Proposed Zoning Regulations:

E. Berner: Air BnB in Vermont:

E. Berner discussed what she was able to research concerning Air BnBs in the Vermont Statutes. - Vermont seems to be moving toward classifying Air BnBs as short-term rentals, meaning they would have to be inspected by Fire Marshals, and Vermont Health Certificates would have to be obtained. E. Berner stated she had printed out the Statutes but did not have them with her at the meeting. She will bring the printouts to the next meeting for further discussion.

K. Mullin: Livestock proposal:

K. Mullin discussed the handout from January and agreed to draft a proposal for livestock in the Village.

E. Berner discussed with the Commission the term “village” as it applies to Wallingford, handing out printouts (pages 422, 423, 426, 427, 428, 429,430, 431, 432) from The Historic Architecture of Rutland County as it applies to Wallingford. Pages 422, 426, 431 and 432 all clearly show the historical districts of the Village of Walling (426), Historic District of East Wallingford (431), and Historical District of South Wallingford (432). Discussion followed.

Recreational Vehicles: E. Berner discussed RVs being used for permanent residences, and what Waterbury, VT stated in their General Regulations. The use of RVs during permanent

residence construction was discussed, additionally the use of RVs as summer residences, and other long-term living uses were discussed.

J. Burkett mentioned RV hook-ups to existing septic systems. E. Berner added that an outside hook-up would probably be considered an extra bathroom and could exceed the number of bathrooms permitted on an individual Vermont Wastewater permit, which would then be a violation of State statutes. The possibility of a Permit for extended periods of time was discussed, to include a permit fee and provision for wastewater disposal. E. Berner agreed to draft a proposal for the April meeting.

VIII. Comments from public: None

IX. Schedule next meeting: 13 April 2022

X. Adjourn: K. Mullin made a motion to adjourn the meeting. T. Masuck seconded. Motioned as Approved. Meeting was adjourned t 20:30 hrs. (8:30 PM)

Respectfully submitted by Erika J. Berner