

**MINUTES****Planning Commission**

Town of Wallingford VT.

11 May 2022

7:00 PM

Wallingford VT. 05773

**Members Present:** Erika Berner (chair), Tony Masuck, Kevin Mullin, Lucy Thayer, and Jill Burkett (via phone)

**Members of the Public:**

Barbara Noyes-Pulling (RRPC), Laura Conti, Eric Briere, and PEGTV present to record meeting.

**I. Chair to call meeting to order**

The meeting was called to order by E. Berner at 7:00PM.

**II. Additions / Deletions Agenda items**

None. Kevin Mullin moved to accept the Agenda. T Masuck seconded. Motion PASSED

**III. Review and approval of minutes of April meeting**

L. Thayer suggested adding "PEGTV recording to minutes, and correction to various typographical errors and wording clarifications. T. Masuck motioned to accept the April minutes with changes. K. Mullin seconded. Motion PASSED.

**IV. Barbara Noyes-Pulling (Rutland Regional Planning Commission (RRPC))**

B. Noyes Pulling RRPC explained that a representative of the RRPC comes to a Planning Commission meeting to speak and review town plans about the halfway point of the town plan. She went on to review the Wallingford Town Plan's strengths and areas that may need updating. She reminded the Planning Commission that the Wallingford Town Plan expires June 2026.

She also reviewed what assistance the RRPC can give the Town in terms of, Flood Hazard mitigation planning, Enhanced Energy Planning, ARPA assistance, and Municipal planning grants, clean-up Lake Champlain (through the Clean water Service Provider program), etc.

In reviewing the current Town Plan, she said it is solid and contains all the required elements. However it relied on Census data that may now be out of date and suggested updating the data using data from the 2020 Census and updating Action items deadlines in the Town Plan.

B. Noyes Pulling then asked if there were any local items that the RRPC could help with. E. Berner mentioned that D. Neary from the RRPC met with Town

representatives to discussed sidewalk repairs and the bridge on the Creek Road (to get it on VTrans repair list.)

L. Thayer asked about Municipal Planning grant deadline. B. Noyes-Pulling replied the deadline was usually the end of September, and could be applied for almost any municipal planning project.

K. Mullin asked if the Commission could get a copy of what B. Noyce Pulling discussed. [NOTE Full report sent next day and attached to these minutes.]

K. Mullin asked about an application he and several neighbors submitted for a well and have not received any feedback on the application. B. Noyes Pulling replied she would check into it, and asked if it was community well. K. Mullin replied that the application was for one well for each neighbor.

#### **V. Zoning Administrator monthly report**

E. Berner reported the permit applications were increasing with six (6) approved just on the previous Monday (9 May). There were no new home permit applications,-all were for new sheds, porches, garages, etc..

She announced the Development Review Board was scheduled to meet on 25 May to review the permit application from the new owners of the I. B. Munson House for an Air BnB. The meeting had been warned and abutters notices had been mailed.

#### **VI. Energy Plan from Energy Committee**

B. Noyes Pulling stated that there may be new rules and standards by the State starting this summer and suggested waiting to approve the draft Energy Plan until the State has completed its updates and modeling (bar graphs, maps, new requirements protecting forests, etc. After the State has completed the new requirements, the Regional Planning Commissions will have to develop updates and revisions before it can advise the towns.

E. Berner asked if Wallingford Energy Committee has been notified, and should the Commission reject the Plan in current state. T. Masuck, discussed the length of time it took to develop the current draft and perhaps the Planning Commission should ask the Energy Committee if they want the Commission to accept or not. L. Thayer asked about the acceptance process. E. Berner reminded the Commission that any changes to the Energy Plan after acceptance by Australian ballot, would require another Australian Ballot to approve the new changes. L. Thayer asked if the RRPC would approve the draft plan if it were approved by the voters of Wallingford. B. Noyce-Pulling explained that the RRPC and State would not accept the Plan in current form. T. Masuck asked if acceptance could be tabled? B. Noyce-Pulling said she would work with Energy Committee with the new changes. T. Masuck motioned that the Planning Commission table acceptance of the Energy Plan until the State and the RRPC have completed their proposed changes. K. Mullin seconded. Motion PASSED.

E. Berner thanked B. Noyes Pulling coming to meeting and all her help.

**VII. Proposed Zoning Regulations***T. Musack: concerning Solar landscaping (on-going discussion)*

T. Musack reported that B. Noyce-Pulling had suggested several other town Zoning regulations concerning solar landscaping. According to his review, the suggested towns Zoning Regulations were not a lot of help as they referred to Zoning particular to those towns. K. Mullin remarked that he liked T. Masuck's proposed draft. L. Thayer suggested editing the draft. T. Masuck agreed. L. Thayer will edit the draft.

*E. Berner: Air BnB regulations in Vermont*

E. Berner handed out hardcopies of several handouts from the State concerning short-term rentals meals and lodging taxes, and permits to the Commission for their information. [Attached to minutes]

L. Conti discussed the Vermont Lodging Association as a possible additional resource. She will send the website URL to E. Berner. [Note: lodgingvt.com]

Further discussion followed. E. Berner asked if Commission wanted to expand section to reference Vermont Statutes. The Commission agreed. E. Berner will add links to Statutes.

*K. Mullin livestock*

K. Mullin handed out some definitions of various animals by classifications. [Attached to minutes] He discussed bunnies and Guinea Pigs fast breeding capabilities.

L. Thayer asked about dogs and cats. K. Mullin replied they are not considered livestock. K. Mullin tried to be specific as to what was considered livestock, after reviewing Vermont statutes. L. Thayer suggested that there be an actual box (outline on a map) which defined the "village proper." Discussion followed concerning the animal definitions, and livestock in non-agricultural Zoning districts. K. Mullin asked what district would come into play with livestock restrictions. K. Mullin will reword section.

E. Brierre asked about what other livestock would be allowed in the village proper. K. Mullin replied that most of the towns he reviewed used 12 chickens and no roosters. L. Thayer asked about getting a permit for goats (for example). K. Mullin suggested that a variance could be approved. Further discussion following as to what would be prohibited and what would be controlled.

L. Thayer asked about 'grandfathering' existing chickens, etc. when the Zoning draft was approved. Discussion followed how grandfathering might work in terms of any animal alive at the time of the Zoning approval, that number would be grandfathered, as the animals died if it would or would not be replaced.

E. Brierre asked how the Commission viewed it would handle the number of chickens, and deal with any manure problems. K. Mullin suggested that neighbors might complain about odors, and predators. Further discussion followed concerning how the section would be enforced. L. Conti commented about enforcement and grandfathering. T. Masuck commented that a new property owner would not be allowed to have the grandfathered number of animals that the previous the previous owner may have been allowed. E. Berner reminded the Commission that most of the lots in the village proper fairly are small: .25, .33, .50, going up to 2 acres, and explained the original language intent of the section. She also explained she has not received an official complaint about chickens running in backyards. However, people have stated their neighbor's chickens do go on their yard.

L. Thayer asked about the Nuisance Ordinance and wouldn't chickens fall under that Ordinance. Discussion followed. J. Burkett commented that she has 8 chickens and they can be a nuisance. E. Brierre, said they have experienced dead chicken carcasses, found chickens on their cars, and now have small flies. Stating that chickens really are a nuisance. Discussion followed. K. Mullin will redraft section. E. Berner read part of the Ordinance to the Commission. Discussion followed.

*Continuing review of received comments from November Public Hearing (on-going).*  
No discussion.

**VIII. Comments from Public:** None.

**IX. Schedule next Meeting date:** 08 June 2022

**X. Adjourn**

K. Mullin moved to adjourn. T. Masuck seconded. Motion PASSED. Meeting adjourned at 8.24PM

Respectfully submitted by Erika Berner



## ENHANCED CONSULTATION REPORT

Municipality: Wallingford		Date of Meeting: May 11, 2022
Attendance: Erika Berner, Jill Burkett, Tony Masuck, Kevin Mullin, Lucy Thayer (alternate), and RRPC staff Barbara Noyes Pulling		
I. LOCAL PLANNING NEEDS		
a. Presentation of the municipal plan assessment and associated recommendations	The Town Plan was adopted on June 4, 2018 and expires on June 4, 2026. The plan is solid and includes plans for three designated Village Centers.	
b. Discussion of training needs of the municipality	RRPC can assist the town with landowner assistance to apply for Village Center tax credits and other financial incentives. RRPC can help train on VTrans Transportation Alternatives (TA) award and provide Municipal Project Management (MPM) services to the town. Assistance can be provided with ARPA questions, Act 250 and Section 248 permitting, energy planning, and assistance with water quality projects through the new Otter Creek Clean Water Service Provider (with Addison County Regional Planning Commission).	
c. Review of new required elements: <ul style="list-style-type: none"><li>• Economic development element chapter</li><li>• Forest blocks and habitat connector requirement.</li></ul>	The plan has all new required elements.	
II. PLAN IMPLEMENTATION		
a. Discuss the municipality's local permitting process	The town has zoning and subdivision regulations and is a 10-acre town in the eyes of Act 250. There are FHA bylaws as well.	
b. Discuss the municipality's non-regulatory implementation priorities	The town's non-regulatory implementation priorities include Village Center designation for three regions of the town. The designation expires 7/1/2029.	

II. HOW CAN WE HELP?	
a. Overview of RPC programs and projects	RRPC assistance can be provided in the following areas: <ul style="list-style-type: none"> <li>• Village Center assistance</li> <li>• MPM services planning and construction projects</li> <li>• Enhanced energy planning</li> <li>• Implementation of water quality projects</li> <li>• Continued assistance with transportation projects</li> <li>• ARPA assistance</li> </ul>
b. RPC board representation	Erika Berner
c. Discussion of other local and regional issues and priorities	<p>Local priorities include:</p> <p>The repairs needed for the Creek Road bridge which could cut off a part of town if the bridge failed. The Town requests RRPC help to make sure it stays on VTrans' list for future funding.</p> <p>A joint water well application has apparently stalled with DEC. If RRPC assistance is needed, it will need more details to follow up on this.</p>

#### The Purpose, Objective and Outcome of this Review

One important product of this Enhanced Consultation process is a qualitative review of each municipal plan. The purpose of this effort is to analyze how well and to what extent the plan implements Vermont's statutory planning goals, with the objective of providing suggestions as to how the plan might better implement those statutory goals. The outcome of this process is the identification of the following:

1. What aspects of the town plan effectively implement Vermont statutory goals?
2. What aspects of the plan are weak when it comes to the implementation of those goals?
3. What opportunities exist to improve town implementation of the goals?

<b>Municipality: Wallingford</b>	<b>Date of Plan Adoption: 6/4/2018</b>
<b>Plan Context</b>	
<b>Major Findings</b>	
The following relates to the effectiveness with which the plan implements Vermont's statutory planning goals.	

**Strengths – What aspects of the town plan are most effective?**

- This is a solid plan in a user-friendly and readable format.
- Survey results from community dinner.
- Good initial forest block and habitat connector language
- Clear, concise, and achievable action items and timeframes.

**Weaknesses – What aspects of the town plan are least effective?**

- Data based in American Community Survey (ACS) estimates and could be inaccurate.

**Opportunities – What would make the town plan more effective?**

- Update the action items' deadlines.
- Re-examine the data in a couple of years to ensure accuracy.

**Notes:**