

Planning Commission  
Martin Memorial Hall  
5459 Rte 5 Ascutney, VT  
Planning Commission Meeting  
Monday, April, 25, 2022 6:00 PM

Planning Commission Members Present:

Paul Tillman  
Howard Beach  
Tyler Harwell, online  
Michael Todd, online (6:43 pm)

Planning Commission Members absent: Joseph Bublat

Attendees: Brandon Gulnick, Town Manager

1.) Call to Order made by Paul Tillman, Chair at 6:37 pm.

2.) Agenda Review

None

3.) Comments from the Chair and Land Use Administrator

Paul Tillman wanted to Planning Commission know that the map and zoning bylaw amendments were submitted to the Selectboard and the hearing has been warned for Monday, May 16, 2022.

Ryan Gumbart, Land Use Administration is not in attendance tonight due to his wife having their baby. Paul wanted to extend his congratulations.

4.) Comments from Citizens regarding items on agenda.

None

5.) Approval of Meeting Minutes – April 11, 2022 & April 14, 2022

Howard Beach made a motion to approve the minutes from 4-11-22.

Tyler Harwell – 2<sup>nd</sup>

Discussion – no further discussion

Vote – Unanimous

Tyler Harwell made a motion to approve the minutes from 4-14-22.

Howard Beach – 2<sup>nd</sup>

Discussion – no further discussion

Vote – Unanimous

6.) Town Plan – Energy section update

Tabled for next meeting May 9, 2022 where Jason Rasmussen will present his copy of the Town Energy Plan.

## 7.) Town Plan – Scenic Resources section update

		View Location		Contents of View		
View #	Old Town Plan description	Coordinates	Description	*Left bearing	*Right bearing	View
View of Mount Ascutney from:						
1	Route 131 near the Joe Stoughton house					
2	Weathersfield Center Road, north of the Town line	43.350115, 72.467910	Corner of West Camp Hill Road & Weathersfield Center Road.	N 26° E	N 6° W	Northerly. Butterfield Hill on left and Mount Ascutney on right.
3	Gravelin Road					
4	Route 5 in the Bow					
5	Thrasher Road					
View of the Black River and Black River Valley from:						
6	Reservoir Road, including view of Hawks Mountain	43° 21.242', 72° 29.729'	Along Reservoir Road, about 900' north of intersection with Butterfield Hill Road.	S 60° W	N 8° W	Westerly. Hawks Mountain in distance. Black River Valley below.
7	Upper Falls Road Covered Bridge, upstream and downstream					
8	Tropical Storm Irene pulloff on Route 106, south of Downers					
9	Stoughton Pond Dam, including view of Stoughton Pond	43° 22.546', -72° 29.957'	West side of dam along Reservoir Road, south of Stoughton Pond.	N 54° E	N 2° W	Northerly. Little Ascutney Mountain on left, Mount Ascutney on right, Stoughton Pond below.
View of Little Ascutney Mountain from:						
10	Route 106					
11	Ascutney Basin Road					
12	The height of land on Route 131 looking west					
Other scenic views:						
13	View from the Weathersfield Center Road, looking west, near the Hunter residence					
14	View from Skyline Drive at the height of the land, looking east					
15	View of the Center Church and grove					
16	View of and from Cascade Falls, Weathersfield Trail, Mt. Ascutney State Park					

\*Bearing with magnetic north

Ryan Gumbart, Land Use Administrator provided the Planning Commission with the current scenic locations and GPS coordinates that have currently been done. He will continue to add coordinates as he obtains them.

## 8.) Zoning Bylaws – Administrative Questions

1. Does a change in use of space within building require a zoning permit?

- Attic, basement, garage change to living space.
- Require application but no permit?
- Require letter of notification?
- Should PC define “Change of Use”?

Short answer is “Yes” “d” – the PC should define what requires a permit. What level of modification or change of use will trigger needing a zoning permit? We will investigate the state definitions and language for this. What would be the legal ramifications for issuing a permit or not lets say for a bedroom in the basement and someone gets hurt. How will state building codes fit into this scenario?

2. What is required for projects exempt from permitting (minor structures, agricultural buildings)?

- Require application but no permit?

- b. Require letter of notification?
- c. Minor structures language “Applicant must notify the Zoning Administrator in writing of the intent to build such structure(s) by providing such information as is required by the Zoning Administrator”
- d. Agricultural buildings language “notify the municipality of the intent to build a farm structure ... must contain a sketch of the proposed structure and include the setback distances from adjoining property owners and the street right-of-way.”

Answer – Minor structures looks fine; do we need more? Agricultural should have a better definition of what justifies agricultural. Look into the state definition and language for this.

### 3. Do I need proof of State permits?

Yes

Michael Todd wanted to know whose job it is to keep track of this? They should be recorded in the clerk’s office. Is a notification sent to the state of development in the Town?

### 4. How is the estimated value of construction calculated?

- a. Cost of labor and materials?

Answer – “Both”. We may want to break out “Labor” and “Materials” to separate line items. What is someone is building this themselves then there would be no labor cost. Do we want a cost for this to then just be fixed value based on square footage?

### 5. If there is a discrepancy in listed acreage what takes precedence?

- a. Deed, tax record, survey

Answer – This would be a civil issue and the responsibility would fall on the landowner to get it surveyed to prove the validity of any discrepancies.

### 6. How is selling cars on roadside regulated?

- a. 1 car, 5 cars, 50 cars
- b. Connected to maintenance garage business?

Answer – Registered or unregistered. Do we have a Town ordinance? They Planning Commission will look to see if there is a used car ordinance. We should look at the Frequency, could be a business, and number of cars. Can be a condition of a business permit. What is the State language for auto repair garages?

### 7. Old permit review checklist contained check boxes for

- a. Copies of State permits
- b. Are all parties on deed represented on application?
  - i. Check deed for development restrictions?

There will be further discussion on this topic.

## 9.) Highway Access Policy

## 10.) Zoning Permit Application – Amendment/Extension

## 11.) Discussion of Items for Future Agendas

12.) Any other business that can be legally discussed

None

13.) Adjourn

Howard Beach made a motion to adjourn at 8:05 pm

Michael Todd – 2<sup>nd</sup>

No discussion

Vote - unanimous

Next Planning Commission Meeting is scheduled for Monday, May, 9, 2022 at 6:30 pm at Martin Memorial Hall.

Respectfully,  
Chauncie Tillman  
Recording Secretary

**Planning Commission**

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Howard Beach, Vice - Chair

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Joseph Bublat, Clerk

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Tyler Harwell, Chairperson

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Paul Tillman, Chair

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Michael Todd, Chairperson