

Planning Commission
Martin Memorial Hall
5459 Rte 5 Ascutney, VT
Planning Commission Meeting
DRAFT Monday, June 13, 2022 6:30 PM

Planning Commission Members Present:

Paul Tillman
Howard Beach
Michael Todd

Ryan Gumbart, Land Use Administrator

Planning Commission Members Not Present: Tyler Harwell, Joseph Bublath

Attendees: Bart Mair, Jeff Pelton, Scott Duffy

Online Attendees: Robert Sheryll, Todd Hindinger, David Fuller

- 1.) Call to Order made by Paul Tillman, Chair at 6:34 pm.
- 2.) Agenda Review
None
- 3.) Comments from the Chair and Land Use Administrator

Paul Tillman let the Planning Commission know that the Bylaw hearing was closed and the vote was tabled until the June 20, 2022 Selectboard.

Michael Todd let the Planning Commission know that after the hearing was closed, Susan Hindinger regarding addresses for which they could contact Board members. The hearing is closed and according to the Town's attorney the Board cannot take any testimony whatsoever, not even comments from anyone. If anyone sends any comments or emails, they will be ex parte communications and it cannot happen. If anyone on the Board receives anything they cannot read it.

- 4.) Comments from Citizens regarding items not on the agenda.

Bart Mair was in attendance and asked if Planning Board members could accept questions or comments. It was determined that Planning Board members that were not also Selectboard members could receive communications and/or questions, however they could not be shared with the Planning Commission members that were also on the Selectboard. It was also reiterated that at this point nothing could be changed as the hearing was closed.

5.) Approval of Meeting Minutes –May 9, 2022 and May 23, 2022

The revised minutes from May 9, 2022 were not in the packet so Paul Tillman asked that they be added to the next agenda and packet so that the Planning Commission members had time to review them.

Howard Beach made a motion to approve the minutes from 5-23-22

Michael Todd– 2nd

No discussion

Vote – unanimous

6.) Scott Duffy – PUD Sketch Plan Review

Scott Duffy submitted an application for sketch plan review Tax Map/Parcel Number 030117

This application is to build one single family structure on this Parcel on Weathersfield Parcel #030117. Parcel size is approximately 45 acres. There is currently one single family home on the parcel, as well as original barn structures connected to the existing home, now used in part for the family home-based wood working business.

The purpose of the second residential structure on this parcel is to facilitate retirement of the applicant and his spouse, providing residence for other family members or individuals on the property, in part to assist with property and personal care.

The new residence will be a single-family frame home, concrete foundation, 2 story, approximately 2,000 square feet, compatible with the surrounding neighborhood. Driveway access is from Ascutney Basin Road, using existing agricultural field access. New private water and septic systems will be installed. Structure will have 50 feet or more setback from all abutting parcels and public road.

This additional residence will be within the housing density intents of the Town Plan, presuming a planning housing density of at least 10 acres per home. Ownership of all current and proposed structures will be retained by the applicant as will maintenance of these structures and land.

We plan to start project Summer of 2022. Applicant has resided at this location for 35+ years and our family for nearly 100 years. We respectfully thank you for your consideration.

Included with the application was the site plan drawing.

Michael Todd asked Ryan Gumbart how this application qualified as a PUD as only one new structure was being added to the property.

Ryan Gumbart said it was because it had 2 primary uses on the same parcel.

Howard Beach said that he was under the impression to create a 2nd dwelling unit as of right, Ryan said you can have a secondary unit, however, it has to meet certain specs and this did not.

Ryan said it requires a PUD because in the use tables it says, only one principal use is allowed per parcel. Establishing multiple principle uses per parcel requires a PUD permit.

Ryan confirmed that this is the first step, the sketch plan review and the 2nd step would be the public hearing where people can make comments and asked if the Planning Commission could make changes. Michael Todd explained that typically with a subdivision they would go through the sketch plan and the check list which would originate with the applicant and the Land Use Administrator. Then it would come to the Planning Commission and usually would be accompanied by a mylar.

The Planning Commission would review the check list with the sketch plan and note anything that is needed. Then they would warn a hearing. They would provide a list of what is needed on the mylar to the applicant and they would then need to hire an engineer to create the mylar and everything gets put on the mylar. The Planning Commission opens the hearing, they review the mylar, continue the hearing if there is anything that needs to be changed or added or not.

Michael Todd noted that a PUD is a group of housing that is specifically set up as conditional use. He said there are some questions regarding a PUD that he would like to review and get answers on before setting a public hearing.

Paul Tillman asked Ryan to please find everything he could from the State as well as to have Ray Stapleton to go out to the site to make sure he has what he has as well as any maps and overlays and to continue this at the next meeting.

7.) Jeff Pelton – Waterway naming project presentation

Jeff Pelton from the Conservation Committee was in attendance to present a draft of the Waterway naming project. Paul Tillman clarified that there was nothing that was needed from the Planning Commission in order to proceed. Jeff confirmed that was correct. He provided historical maps, petitions for each water way, supporting documentation and pictures of these waterways for review by the Planning Commission.

Petitions to Name Waterways in Weathersfield, VT

Weathersfield Conservation Commission

May 31, 2022

INTRODUCTION

Purpose

These petitions to name major waterways in the town of Weathersfield, Vermont is a project undertaken by the Weathersfield Conservation Commission (WCC) for the purpose of standardizing waterway names, locations, and watershed areas at the local, state, and federal levels.

Scope

The focus of this project is on streams, but does include other water bodies such as wetlands, ponds, springs, waterfalls, and gorges. These are permitted by the U.S. Geological Survey, (USGS) Board on Geographic Names (BGN) which is the official repository of geographic place names in the United States.

Background

The WCC was asked by Marie Levesque-Caduto, Basin 10 Coordinator for the State of Vermont Department of Environmental Conservation (DEC) Springfield Office to compile Weathersfield waterway names for its water quality monitoring program. The Black River Action Team, a local environmental organization, also asked for stream name data, and ecologist, Elizabeth Thompson, author of the study "Biological Natural Areas of Weathersfield, Vermont" urged that the major wetlands be considered for this project. And not the least, inquiries have been made to use these waterways for dragonfly research, invasive species identification, and the study of the natural community, forested wetland. Standardizing names is intended to end any confusion about the names and locations of these geographic features. Related benefits accruing from this project are the facilitation of planning infrastructure projects, flood mitigation, emergency response, and aesthetic and recreation enjoyment, although naming in no way implies access across private lands without permission. Because the names largely derive from Weathersfield's early settlers and industries, the history of Weathersfield's settlement may be accessed.

Federal and State Rules for Naming Geographic Places

At the federal level the BGN Domestic Names Committee (DNC) prescribes how geographic features such as waterways may be named, and is the ultimate adjudicator of these petitions. Preliminary approval must be granted by Vermont Department of Libraries (VDL) which has statutory authority (10 V.S.A., Chapter 9, Paragraphs 151-154) over petitions for new or changes to Vermont place names. At the local level, approval is urged to be sought from town select boards and town and regional planning commissions.

Under the BGN prescriptions, names of living people may not be used and deceased people named must be deceased more than five years. Commemorative names may be used but only in special circumstances and carefully justified. Multiple names, duplicate names, and very long names must be avoided. Man-made and administrative structures may not be named.

A former name may be recorded as a Variant Name to preserve its historical context. Names in present-day local usage is emphasized. Recommended are names connected to historic persons, activities, folklore, natural history, and geographic places. Indigenous-American (Abenaki) names must be considered where present. The waterways to be named in this petition satisfy these requirements.

Methods

The process of assigning names took a number of forms: location of prospective waterways on topographic maps; review of names already existing at the federal level; examination of historic and current maps and atlases; review of the study of the wetland areas of Weathersfield; consultation with State and local agencies and boards, and outreach to Weathersfield residents. Because of the large number of small streams and wetlands in Weathersfield, at the outset it was decided to name only unnamed streams whose watershed areas were 200 acres and wetlands whose areas were 10 acres. Stream watershed areas were measured by using the USGS Stream Stats computer software, and wetland areas were measured by using tools of the online Vermont Agency of Natural Resources (ANR) Atlas.

By considering the project's criteria, studying contemporary topographic maps, other maps, studies, histories, and residents' accounts, 60 prospective waterways were found. Of these, 13 (22%) already had names in the BGN official database, the Geographic Names Information System (GNIS), and will not be petitioned in this project. The balance of 47 (78%) waterways did not have names in GNIS. The wee has assigned names to these waterways and they will be listed in this project.

Most historic maps yielded few waterway names: Whitelaw (1796) named 3; Walling (1860) and found in the Weathersfield Proctor Library named 4; and Beers (1869) named 3. The one historic map found that was of great benefit to this project was historian Ernest Warren Butterfield's 1940 map "Weathersfield Vermont." Butterfield named 30 waterways to which, fortuitous for this project's requirements, he gave names of historic settlers, functions, or geographic places. However, 7 of his are already named in GNIS. Not meeting the project requirements were 4. The WCC adopted the balance of his named waterways and they appear in the accompanying petitions. Twelve waterways that Butterfield did not name, but which met other requirements, including 3 named by VT DEC, were listed or assigned names by the WCC.

Another important contribution to this project was the work of ecologist Elizabeth Thompson, whose 1992 study, "Biological Natural Areas of Weathersfield, Vermont," described eighteen important wetlands. Wetlands are now increasingly recognized for their many values: flood water storage, plant and wildlife diversity, rare plant communities, water sources, recreation, and aesthetic qualities. Because listing all the wetlands in this study and all the wetlands in Weathersfield would have made the project too unwieldy, the WCC decided to include only 13 of those 10 acres. Two of Thompson's names did not meet the state and federal naming requirements and she failed to list 5 wetlands that met the WCC's size requirement. So, in these cases, the WEE assigned names.

Finally, we reached out to Weathersfield residents for their suggestions and comments in a

variety of ways. A table with a map and information was placed at the 2020 and 2022 annual public Town Meetings. Notices about the project were posted at two town post offices and two local stores. Articles were placed in local newspapers, in a letter-to-the-editor, and in the local Front Porch Forum. The Weathersfield Historical Society (WHS) became an invaluable partner by providing the historical context of most of the names, and the Society placed articles about this project in its member newsletter. Another significant partner, the Weathersfield Proctor Library (WPL), hosted a project display throughout the summer and early fall of 2020 and the spring of 2022. We made personal contacts with long-time Weathersfield residents from whom we garnered much history and lore about various waterways in town. To complete our outreach, we contacted ethnohistorian John Moody, co-founder of the Institute for Indigenous Traditions, who gave us the source of three Abenaki waterway names.

Summary

In the accompanying petitions are 46 proposed waterway names. Table 1 lists all proposed names and the latitude and longitude of their outlets for locating on a map. Table 2 lists all streams named, the sources of the names, where the names are referenced, and their watershed areas. Following these is a more in-depth description of each stream, including Variant Names. Table 3 lists all wetlands named with their sources, references, and areas. Following this table are more in-depth descriptions of each feature, including Variant Names. Table 4 lists the other waterways such as ponds, waterfalls, a spring, a gorge, and a gulf. Table 5 lists waterways already in GNIS to account for all the waterways studied. Appendix A is a map that shows these waterway locations.

Jeff stated that purpose was to standardize the waterway names to avoid confusing at the local level, the State level and at the Federal level.

8.) Town Plan – Energy Section

Paul Tillman had sent an email to Jason Rasmussen. The Planning Commission is still waiting to get together to work on this with Jason.

9.) Town Plan - General

The Planning Commission is going to start looking at other areas that they want to start focusing on.

10.) Bylaws – 2nd round updates

Ryan provided the Planning Commission with a list of other bylaws to review.

- Airport Uses
- PUD
- Flood Plains and Floodways
- Article 6: Administration and Enforcement
 - 6.2 Permit Requirements
 - 6.2.2 Exemptions
 - P
 - Q
 - 6.2.3 Limitations
 - B.1
 - C.1
 - C.2
 - C.2.A
 - C.2.B
 - 6.9.2 Allowable Waivers
 - A.4

11.) Discussion of Items for Future Agendas

- Town Energy Plan
- Bylaws
- PUDs

12.) Any other business that can be legally discussed

None

13.) Adjourn

Michael Todd made a motion to adjourn at 8:47 pm

Howard Beach – 2nd

No discussion

Vote - unanimous

Next Planning Commission Meeting is scheduled for Monday, June, 27, 2022 at 6:30 pm at Martin Memorial Hall.

Respectfully,
 Chauncie Tillman
 Recording Secretary

Planning Commission

Howard Beach, Vice - Chair

Joseph Bublat, Clerk

Tyler Harwell, Chairperson

Paul Tillman, Chair

Michael Todd, Chairperson

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