

**TOWN OF WESTMINSTER  
PLANNING COMMISSION MEETING  
OCTOBER 13, 2015**

Members Present: John Medeiros (Chair), Chris Vincent (Vice Chair), John Barnett (Clerk), Randy Major, Kathy Kingston (arrived at 7:14 pm)

Members Absent: Matt Conklin

Others Present: Russell Hodgkins (Town Manager / Planning & Zoning Administrator); Karen Astley (Recording Clerk)

**1. CALL TO ORDER:** John Medeiros called the meeting to order at 7:00 p.m.

**2. ADJUSTMENTS TO AGENDA:** NONE

**3. ACCEPTANCE OF MINUTES:** Typo in section 5 A); fourth paragraph down; third sentence reads will continue to update the current system for solid waste disposal “sot” should read “so that” the Town meets the requirement of Act 148.

Revise Item 7; Other Business; second paragraph; fourth sentence reads “FEMA does pay 25% of flood insurance. This sentence was amended to read “FEMA subsidizes a portion of the flood insurance”.

**John Barnett made a motion to accept the corrected minutes as indicated above. Chris Vincent seconded the motion. VOTE 4-0-0.**

**4. COMMUNICATIONS AND PUBLIC COMMENT:** No one was present from the public.

**5. UNFINISHED BUSINESS (Discussion / Action):**

**A): Town Plan Public Hearing #2:** As far as the second Public Hearing on October 6, 2015 there were no new developments that would warrant a change in the Town Plan. It was agreed that a third Public Hearing is not needed. There is no interest in having a third Public Hearing by residents or surrounding towns. There are no two conflicting facets that we change the zoning in any way. No demand for another hearing. No action required.

Russ Hodgkins mentioned that Tammy Kissell called the office and questioned “how many town roads have more than one zoning district associated with it?” According to the research there are approximately 106 town roads and twenty-nine roads have at least one or more zoning districts.

**B): Town Plan Version 6.2:** The newest version was handed to the Planning Commission with the changes as recommended from the 1<sup>st</sup> Public Hearing. Changes were made to as directed by the Planning Commission from the previous meeting:

Law Enforcement; Solid Waste and Recycling; Solid Waste and Recycling; Recreational, Historical and Cultural Resources.

**John Barnett made the motion to approve the Town Plan Version 6.2 for recommendation to the Select Board as written. John Medeiros seconded the motion and passed 5-0-0.**

**C): Zoning Bylaws:** John Medeiros passed out two correspondences dated June 19, 2013 showing the changes that were recommended and made. Westminster Bylaws (WZO) Revision Project Notes 10/15. John Medeiros would like John Barnett to clarify previous revisions as contracted by VLCT. Articles I, II and III were changed with the assistance of VLCT.

Russ Hodgkins stated there are areas that need to be clarified and rewritten. The DRB is rehearsed in the bylaws and will have input as well. Planned Unit Development and Subdivisions will need to be revised and may require more time to get through.

John Medeiros stated that Bill Jewell was to refer to the State Statue for the Overlay Sections. Overlays will need more enforcement ramifications.

According to legal counsel when reviewing the bylaws the Planning Commission and DRB need to have teeth throughout the bylaws. If a person violates permitting then there has to be a consequence. If there are conditions the applicant needs to be sure there are consequences if they do not meet the criteria. An example is a certified mylar being recorded with the Town Clerk when a subdivision is permitted.

**ZONING BYLAWS REVIEW ACTICLE I: ORDER OF AMENDMENTS;** Page ix; Reverse the chronological Order of Amendments.

**Randy Major made a motion to reverse the order of amendments. Kathy Kingston seconded the motion and passed 5-0-0.**

Article I Section 112; Capitalize first word of each line.

The word “bylaw” should read “bylaws”. Need to be careful with respect to the word “regulation” to “bylaws”.

Section 113: Regulations to Bylaws.

Section 114: Regulations change to Bylaws.

Section 115: Change this to these; Bylaw to Bylaws; regulations to bylaws.

**6. NEW BUSINESS (Discussion / Action):**

**A): Act 250 Business, If Any:** No new business.

**B): PSB Business, If Any:** Sovern Inc. The Petition of Sovern, Inc. is defective and the Public Service Board has dismissed the petition as it does not meet the requirements. Sovern has to refile the petition under Section 248 and Board Rule 5.400 because of the size (2.2 MW) of the solar array project. This will delay the project until Spring which is going into the business park.

Letter was sent to State Senator and Representatives regarding the Public Service granting permits for solar array projects in the business park.

**7. OTHER BUSINESS:** Chris Vincent asked Russ Hodgkins about the FEMA buyout and if we had further information how this process would work. Russ explained that the property owner would get a percentage of the overall FEMA grant and the rest would be used to clean up the site. This includes razing the building, filling in the foundation and making sure it is safe for a green space use.

The Planning Commission discussed whether or not a letter should be written and sent to Tammy Kissell. At this time the Planning Commission has elected not to send one. Russ explained the minimum of road frontage is 250 feet. The smallest piece of property you can have is 3.7 acres based on our Zoning Bylaws. Tammy Kissell has options with regard to her property through Zoning. There is nothing preventing her from giving her kids land.

Agenda for next meeting will be to focus on Article II of the Zoning Bylaws.

**8. DATE OF NEXT REGULAR MEETING:** November 9, 2015 at 6:30 P.M.

**9. ADJOURNMENT: John Barnett made a motion to adjourn the meeting at 8:10 pm. The motion was seconded by Randy Major and accepted with a 5-0-0 vote.**

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Signature of Clerk

\_\_\_\_\_  
Date

Prepared by: Karen Astley, Recording Clerk