

**TOWN OF WESTMINSTER  
SELECT BOARD PUBLIC HEARING  
OCTOBER 6, 2015**

Members Present Select Board: Sheldon Beebe (Chair), Toby Young

Members Not Present Select Board: Paul Banik (Vice Chair), Peter Barrett, Craig Allen

Members Present Planning Commission: John Medeiros (Chair), Chris Vincent (Vice Chair),  
John Barnett (Clerk), Kathy Kingston,

Absent Planning Commission: Matt Conklin, Randy Major

Others Present: Russell Hodgkins (Town Manager / Planning & Zoning Administrator), Karen  
Astley (Recording Clerk); approximately 20 +/- residents.

- 1. CALL TO ORDER:** Sheldon Beebe called the Public Hearing to order at 6:30 p.m.  
John Medeiros called the Planning Commission to order at 6:32 p.m.

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

Sheldon Beebe summarized the purpose of the second public hearing. He also stated this was the second of two public hearings. If the two boards determine more hearings would be needed they will be scheduled. Sheldon Beebe gave the floor to John Medeiros, Chairman of the Planning Commission.

John Medeiros emphasized to the audience that the Town Plan is a guideline and is for the town's sole purpose to have for guidance. Towns are required by state statute to update, revise or readopt a Town Plan every five years. Based on changes that are mandated by the State of Vermont some changes are evitable and are added, revised or deleted from a Town Plan. John explained the Town Plan initiative with specific areas that needed revising because of conflicting language and to make the Town Plan clearer and understandable in layman's terms.

John Medeiros stated in 2013 the State passed regulations on economic development and in 2014 after Tropical Storm Irene Flood Resilience was to be incorporated into municipalities Town Plans. Also as part of the Town Plan major changes were made to the energy element and waste management. Windham Regional Commission also reviews Town Plans to be sure the state mandates are recognized in the plan. If not they can disapprove it and the town will have to revise it some more. John Medeiros opened the hearing to the public at this time.

The major topics of discussion:

**A): COMMERCIAL DISTRICT ZONING**

This public hearing began with Christian Blake making the comments to the fact that the Town Plan was a joke and the town was anti-commercial growth. Christian Blake also mentioned that he has had two engineers tell him that his land can be developed and that it meets all requirements for development. It would also add to the tax base. His question was "How do we support a town with out-of-state home owners?"

John Medeiros responded that the Route 5 corridor, Route 91 Access ramp and the Industrial Park are all areas for potential commercial use. He also added without water chances of bringing commercial business to this town are highly unlikely. Suppling water services to potential and existing businesses will require a feasibility study. An application is ready to be submitted for the cost of the feasibility to determine

whether or not this is a viable solution for the town. Once the feasibility study is conducted the town will know better where the water should be located and then the Planning Commission would consider rezoning districts (Commercial & Industrial). The Select Board would also need to be on board with this study. The “moment of truth” as John Medeiros stated “is whether or not the town wants growth?”

Toby Young chimed in by clarifying a statement she made at the last hearing stating she is not against economic development. Economic development doesn’t necessarily reduce your overall tax base. She continued to say that the highest developed areas have high tax rates. She is not against development; one has to examine what we are doing.

Cindi Fine and Fran Renaud asked whether there is any interest in or out of town to bring in commercial/industrial? Is it worth spending money and time to have a feasibility study conducted? Would the residents vote to have a feasibility study conducted or is this a Select Board decision?

Russ commented that there are approximately a dozen businesses that have asked about infrastructure. He added that the existing businesses in town are interested in a waterline. Having a waterline could spur economic growth and bring commercial/industrial business into Westminster.

Another question raised was “how can you put a waterline in the floodplain if you can’t build in the floodplain? Russ answered that you can build in the floodplain but not in a floodway.

John Medeiros reiterated that conducting a feasibility study for a waterline, could ultimately support the Town Plan goals and objectives. Installing a waterline would correct deficiencies in town, create economic growth, support a growth center, and create employment opportunities. The users would pay a fee to hook onto and use the water.

**B:) Two Acre Lots Changing to Five Acre Lots:** Tammy Kissell addressed the Planning Commission with the question “What is the Planning Commission’s stand on rezoning Pine Banks Road?” Has it made a difference by rezoning from two acre lots to five acre lots?

Tammy Kissell had done some research and in her opinion, she stated that the motivation of zoning five acre lots is economic segregation, it is unconstitutional, “snob” zoning and it is not tangible for younger families. She also stated this is borderline spot zoning. According to state zoning two acre lots is greater and healthier for communities. Two acre lots can support water and sewer. There is no real difference in traffic flow.

Tammy Kissell repeated a question that she asked in the 1<sup>st</sup> Public Hearing “why is the town not encouraging young families to come to Westminster?”

Sheldon Beebe at this point asked Tammy Kissell to give the Planning Commission some direction or some idea what she wanted to change.

Tammy simply replied “there are too many boards telling the people what they can do with their own property.” She wants control of her property so she can do as she pleases with it. She wants Pine Banks Road rezoned back to the original zoning of two acre parcels as they were prior to changing the zoning in 2007.

Christian Blake also added that the boards were seizing property rights from owners through zoning and they cannot do that. The people have no more individuality. Christian wants restoration of property rights and what Vermont needs is simplicity.

Leonard Farrar asked “Why did the town switch from two acres to five acres?”

John Medeiros responded to Mr. Farrar “at that time that is what people wanted. Five acres parcels on one side and two acres on the other. Five acre lots are dominant. If people want a house, septic system, well, leach field and any accessory structures they are taking a risk on two acre lots with not having enough acreage to build on”.

Janice Wojick questioned why the board can’t honor Mrs. Kissell’s request?

John Medeiros commented that there is a historical pattern separated by rural country side and has to be consistent. There are several reasons why we won’t at this time. One it is not to the best interest as there is not enough evidence to warrant this change. John Medeiros also let the public know that if the people truly wanted to change the zoning in the Town of Westminster there would have to be at least 500 people at the meeting instead of twenty.

Kathy Kingston backed John Medeiros by saying there is no evidence that the majority of the public want to switch Pine Banks Road at this time. There are also environment impacts such as endangered plant species and wildlife habitats.

**C): Housing:** John Medeiros 3% of the cost. Homes are going for 100,000 – 200,000 dollars. You have to show you are not unique to your situation. It is a fact that population is decreasing.

**D): State Regulations:**

Jeremy Mager asked whether the Planning Commission blindly follows the State of Vermont guidelines?

John Medeiros reminded people that the Town Plan is just a guideline. It is a resource for future planning and by no means is it set in stone. There are certain elements that have to appear in the Town Plan in order for it to be approved by the Regional Commission. At this time the Planning Commission has met the criteria by implementing the elements.

**3. ADJOURNMENT: Chris Vincent moved to adjourn the Planning Commission Board meeting at 8:00 pm. The motion was seconded by John Barnett and accepted by a 4-0-0 vote.**

**Select Board did not have a quorum to make a motion to adjourn.**

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Signature of Clerk

\_\_\_\_\_  
Date

Prepared by: Karen Astley, Recording Clerk