

**TOWN OF WESTMINSTER  
PLANNING COMMISSION MEETING  
May 11, 2015**

Members Present: John Medeiros (Chair), Chris Vincent, Vice Chair, John Barnett (Clerk), Matt Conklin, Randy Major, Kathy Kingston

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 7:10 p.m.

**2. ADJUSTMENTS TO AGENDA:** NONE

**3. ACCEPTANCE OF MINUTES:** One revision to minutes from April 13, 2015.

Page 1; Number 2; The comment Chris Vincent will be facilitating “the meetings”. John Medeiros stated that Chris Vincent was to facilitate just the April 13, 2015 not “all the meetings”.

**Chris Vincent made a motion to accept the minutes as amended. Kathy Kingston seconded the motion. VOTE 6-0-0.**

**4. COMMUNICATIONS AND PUBLIC COMMENT:** No public present for communication or comment.

John Medeiros mentioned the permit was approved for the State Police and there is nothing for the Planning Commission to act on. State Police to break ground on Wednesday May 13, 2015.

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

**5 (a):** Expecting suggestions and comments from town counsel, Select board, Town Manager, DRB, Windham Regional Commission. John Medeiros mentioned that the maps were not quite right and more needs to be done on the elements on flood resilience. Russ stated John Bennett is extremely busy and Chris Campany is now reviewing our Town Plan. He has done some but not all of it. Chris will lead us in the right direction regarding flood resilience. Jeff Nugent is doing the maps on transportation and natural resources. Jeff will contact John Medeiros with what the town would like on the maps. It is the commissions understanding that WRC needs information from us not the other way around. Roads are updated each year and WRC has this information already. Ancient Roads and legal trails decisions were due January 2015. The maps would show these trails. Natural resources data is on the state website. Jeff never responded to Kathy’s email but it sounds like Jeff is going through Russ. The town can go out on the ground and determine wetlands and endangered species.

Russ have you passed on the new legal trail on the Saxtons River to WRC per Randy Major?

Status of Town Plan review by groups: Legal Counsel half way through; Select Board still reviewing; DRB hasn’t met; Town Manager facilitator of the formal comments and the Commission has Town Managers comments as he has been working with the Commission to update Town Plan.

**ACTION:** How much detail does the town want on the maps? WRC needs guidance from the town. John Medeiros to call Jeff Nugent to see if he needs certain information for the Natural Resources Map.

Kathy Kingston, John Medeiros and Jeff Nugent to meet regarding the maps. Kathy has done a lot of work on the Natural Resources element. The maps should follow the town plan. If the town plan is addressing wetlands than we should parallel this data with the maps. John and Kathy to look at Natural Resources element prior to calling WRC and will make decisions on what they want on the map.

Russ to facilitate the transportation map so that it goes the way he needs it to. Anything in the Bylaws that is pertinent relative to the Natural Resources? Russ stated he didn't think so. All agreed there wouldn't be anything in the Bylaws.

Chris Campany to call John Medeiros and advise him on what is needed for this element. What is in the Hazard Mitigation plan may assist the Commission with the flood resilience will help answer the questions for flood resilience. Chris will give us the format that was developed two years ago and we come up with the data. Kathy looked on the state website and could not find the information. WRC helping eight towns with Town Plans.

John Medeiros will make a draft and bring to the meeting once he gets the format from WRC. Russ and John Medeiros will take on responsibility.

**5(b): Draft Report for Submission:** Statutes for municipal planning Title 24; Section 4441 Preparation of Bylaws and Regulatory Appeal statutes are online. Preparation of a summary report of changes related to the Town Plan. We reviewed this summary at a previous meeting. John Medeiros did a nine page draft. Is there a format? Per John Barnett we approved this already several meetings ago. Russ stated draft reports are standing until Town Plan is approved. Summary/Narrative reports will be useful during the hearings. Deadlines are being met and progress is moving forward on the Town Plan.

Land Use combining the Commercial/Industrial zones John Medeiros has a two page summary/narrative on this section as well. This is a standing report for now.

**Chris Vincent made a motion to approve Draft 6 as amended. John Medeiros seconded the motion. Approved by 6-0-0 vote.**

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

**a). Act 250 Business, If Any:** Kurn Hattin solar project is moving forward per Russ. They have their preliminary reports back from Agency of Natural Resources and the deeryard can be moved a short distance into the forest. The parcel is 12.9 acres and the solar array project will be 500 kilowatt system encumbering 5 acres. Act 250 granted approval. Road is going around which will push the deeryard to the east a bit further. Solar project is on the ridge. There are wetlands that the project will go around. The road will go around the wetlands which will push the natural habitat further into the woods. Conversation ensued about who and how qualified the Act 250 Board is to make decisions on these types of projects.

According to Russ, people are up in arms about not having screening for these projects. Kathy asked who enforces these projects to make sure the projects meet the plans as submitted. Russ stated that we don't have any say on this as the permit did not go through the town. The PSB does not review the final project or enforce non-compliance.

**b). PSB Business, If Any:** None

**c). PC Plan of Action for 2015-2019:** John wanted this on the agenda to get a sense of what will we do after the Town Plan is complete. Per Russ the next large charge is the Zoning Bylaws. We are under a deadline as the current Bylaws are interim bylaws for two years. Ordinances will need some work as well. At a future meeting long term projects and tasks can be prioritized. Hearings for the Town Plan we have said long term projects will require committees such as Protected Wildlife Corridors, Sidewalks etc. Bike lane is four foot wide but with no bike symbols. Create forums and subcommittees.

## **7. OTHER BUSINESS:**

John Medeiros and John Barnett requested to be signed up for the Zoning Forum on June 10<sup>th</sup> in Lake Morey. John Barnett mentioned carpooling. Russ will warn the meeting if there is a majority of the group riding together.

Chris Vincent inquired about the sandwich boards relative to the Assessment Grievances June 2, 2015. This is a Lister's announcement and does not involve the Planning Commission. Russ spent some time explaining if you received a letter showing an increase or decrease in assessment value it was warranted by some sort of change.

Existing Current Land Use map is not current. Randy Major mentioned that the map is way of date (2002). Who updates this map? The Lister knows what all the current land uses are as it is downloaded from the state. Planning Commission has parcels and zones but not current land use maps. Kathy took her property as an example that reads open space undeveloped. According to Kathy this map is misleading. Current Use is a different tax rate. This is a Jeff Nugent question. John Medeiros will contact WRC on the Current Land Use Map. Where is the source of information we need for the Current Land Use Map?

Chris Vincent passed out a handout of DRB List of Items for Planning Commission as of 7.12.2010 that should be considered when revising ordinances and bylaws. Russ stated that the DRB are very interested in working with the Planning Commission. Chris reiterated that if the DRB has anything for the Planning Commission as well there should be communication between the groups. John Medeiros stated perhaps a meeting with the DRB would be a good idea. Planning Commission to take another look at handout and consider concerns and/or see if they have been addressed already.

Kathy Kingston wants to be reminded about the steps for a public hearing in July 2015, what is the process. Discussion and clarification of the process for Town Plan approval: all parties will review Town Plan; send comments back to PC; make changes or consider changes; PC will be required to have a 30 day notice of hearing. Another meeting; print another draft. John mentioned the hearing may not happen until September 2015. The Town Plan has to be reviewed by the Select Board, legal counsel and Windham Regional Commission and presented through three Public Hearings to the residents for further comment. The Select Board should get the comments as they override the PC per Randy Major. First phase everyone's comments go to PC and they decide; Select Board has the final say as well as legal counsel.

PC has two public hearings after review from all parties and comments have been made, if necessary, by the Planning Commission, the Select Board and WRC will review the final Town Plan draft and then the public hearings can be set.

Outdoor Furnace discussion, as Health Officer the town has had two outdoor furnace complaints enforce the regulations set by the state.

John Medeiros stated there should be in the Zoning Bylaw somewhere that spells out the possible reasons the denial of a permit. Russ stated there is a section with five to eight reasons for denial of a permit which is enforced by the Zoning Administrator.

**8. DATE OF NEXT REGULAR MEETING:** June 8, 2015 at 7:00 PM

**9. ADJOURNMENT: John Barnett moved to adjourn meeting at 8:24 pm. The motion was seconded by Randy Major and approved by a 6-0-0 vote.**

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Signature of Clerk

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Date

Prepared by: Karen M. Astley, Recording Secretary

(Note: These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the July 13, 2015, Planning Commission meeting).