

**Thetford Planning Commission**  
**July 19, 2011 – APPROVED Minutes**

Present: Kevin O'Hara, Patrick Kearney, Liora Alschuler, Michael Schunk, Terry Longo, Dean Whitlock (Recording Clerk)

Absent: Rick Howard

Guests: Tara Bamford (7:20 - 8:21), Donn Downey (7:20 - 7:50)

(Numbers below refer to agenda items)

1. Meeting called to order by Kevin O'Hara at 7:20 PM

2. Public Comment: None.

3. Review of the Minutes of July 5 (7:20)

Liora made many corrections to her report on the District Uses Working Group. Dean will create a new draft to circulate and approve at the next meeting.

4. Selectboard Report (7:37)

Donn Downey reported that the liaison policy he described several meetings ago has been adopted as is by the selectboard. He remains the official selectboard liaison to the Planning Commission. Kevin O'Hara agreed to remain the liaison from the commission. Frequency of attendance: Kevin will give Donn notice whenever there is an agenda item for which Donn's presence would be helpful. He also said that, given the issues that arose during the former Planning Commission proceedings, he hoped that Donn would drop in fairly regularly, if only to check in. There will always be an agenda item for his presence. Kevin will attend selectboard meetings quarterly at least, but also whenever invited (e.g., he has been invited to the next selectboard meeting).

Terry, following up on comments made several meetings ago, asked Donn if there was a Thetford lighting ordinance. Donn replied that he did not know of one and that the topic wasn't being discussed at this time. He said he would verify there wasn't an old lighting ordinance he didn't know about.

Kevin asked Donn about the status of the draft zoning bylaw. Donn referred to the District Uses workgroup meeting. Liora clarified what issues had been discussed; in particular the two items that were still active and needed further discussion in the Planning Commission: whether the town could revoke an existing conditional use permit, and what maximum slope should be allowed on driveways. Sally Hull has provided information regarding permit revocation, which needs to be passed along to the selectboard. The Planning Commission still needs to discuss the driveway slope issue in more detail, but must wait until Rick Howard and Stuart Blood can be available. Kevin O'Hara will try to schedule that as soon as possible. Donn said he would pass along this information to the selectboard.

Donn left the meeting at 7:50.

5. Tara Bamford (Thetford's TRORC liaison)

The members of the commission introduced themselves to Tara. She has been a professional planner for many years, currently working with 51 towns. She has worked with Thetford's Town Plan in the past. She is currently on the board of the Two Rivers Ottawaquechee Regional Commission (TRORC). Kevin invited her to the meeting to discuss her position as the town's representative to TRORC and decide how best to work together. Tara said she felt it was important to be able to put faces to names and also wanted to see what questions the commission members might have.

Kevin brought up his concerns about the conflicts between the town plan and the regional plan, some of which were missed by TRORC when they reviewed the draft zoning bylaw (which is a reflection of the current town plan). For example, The the mapped boundaries of the Post Mills Village district extend farther along Route 113 on the town plan map. Sally Hull has indicated that it should be made smaller in order to meet the strictures of the regional plan. some on the planning commission suggested that there would probably be opposition to that from townspeople. Tara asked if we wanted to change the town plan to match the regional plan or the other way around. Kevin replied we would rather see a change to the regional plan. Tara agreed that she felt the process should be bottom-up, with the regional plan reflecting the goals and priorities of the region's towns. She felt the current regional plan was overly detailed and prescriptive, more like a zoning bylaw. Terry asked to what extent the regional plan reflected state requirements and how much has it been expanded by the regional commission? In other words, are the constraints in the regional plan due to requirements of state law or objectives of the regional commission. Tara replied that she would have to ask that of TRORC? Liora agreed with Tara's sentiments and said it was nice to have a representative to the regional commission come to the planning commission and ask how we would like to be represented. Liora briefly reviewed her experience in going to TRORC meetings to provide input, which resulted in no responses from TRORC explaining what they had done about her comments.

There was a brief discussion of how Tara could access the PC listserve archives. Tara suggested that public access is being blocked. Kevin will look into it.

Tara said the next step in working on the new town plan, according to TRORCs guidelines, are the Energy and Economic Development items, which have been very altered by recent changes to the state requirements. She asked if Sally had gone over the checklist of various requirements; Sally has. Tara also asked about the Act 250 permitting process, which as created some conflicts with the zoning process in some towns. She was surprised to learn that, in Thetford, the Planning Commission did not represent the town in the Act 250 process. Kevin said he thought that task fell to the Development Review Board (DRB). Tara replied that, typically, the Planning Commission and selectboard are involved too, because they look at different aspects. Kevin said that the commission had been kept informed but, after reviewing the one notice they had received, they had felt there was no need to comment one way or another. In Thetford, the Planning Commission was legislative, while the DRB was judicial, to interpret the current plan and zoning bylaw. Kevin reiterated that the regional plan may be a tough fit for Thetford and said he felt Tara was just the resource the Planning Commission needed.

There was more discussion about the best way for Tara to keep in touch with the commission. She is not interested in being on the listserve; she would rather receive timely updates about key items from Kevin and would also use the archive when the public access was working. Tara will forward the TRORC minutes to the commission and will get on the agenda regularly, perhaps quarterly. She will check her calendar for an available date about a quarter-year out.

Michael asked if it would be helpful to get a second opinion about the Post Mills boundaries; that it would be good for us to understand in more depth why they are pushing us to change them so we can argue better for keeping them as they are. Liora asked if there were situations where Tara might step in to mediate between the commission and Sally. Tara said no, here focus would be on policy issues and representing Thetford at TRORC meetings. She can bring policy issues to the TRORC board and see how other towns feel about the same issues. Kevin said he felt he and other members needed to read the regional plan more closely and also get a sense of how the other towns feel about it.

Tara closed by saying that she was happy to be Thetford's representative to TRORC but wanted to be clear that she was going to focus on that task and not become a de facto Planning Commission member.

Tara left the meeting at 8:21.

#### 6. Town Plan Rewrite (8:21)

a. Working Group Reports: Future Land Use - Liora reported that she, Rick, and Michael had met for two hours to discuss how to fit the current town plan districts into the land use areas that Sally had described at the last meeting, but that they had run into a number of conceptual roadblocks. They decided to ask Sally for some examples from neighboring towns. Michael reported that he had read through the Norwich plan's land-use sections and found them to be very rational and simple. He felt that, if all the workgroup members read them before the next meeting it would make the process much easier. Liora said it was important to determine first how much change we wanted to see to Thetford's current districts. The idea of overlays had not been well received in the past, except for the Thetford Hill Historical District. "Overlay" had become a bad word. There were many discussions during the drafting of the bylaw about differentiating among different areas within the Rural Residential district (RR) and some vocal proponents, but not much call for changes in the villages. Is Community Business still different enough from Village Residential or should they be the same?

Michael said that Norwich went through the process to determine what a full build-out of the town would look like (that is, if every possible building lot under current plan and zoning had been developed). They were able to put numbers to the full build-out so townspeople could get a sense of how the town would change. He thought that would be a good thing for the people of Thetford to see. Norwich also hired professionals to incorporate the latest census data into the plan. He thought that would be good as well, since the newest census data is now available. He asked if there was money in the budget for it. Kevin replied that there wasn't. Michael said that, in any case, this would be a good example to discuss at the next meeting. Dean said that the census data is all available online and can be extracted fairly easily. It can be loaded into spreadsheets for analysis, using the Norwich report as a guide. There was a discussion of the

need for good analysis, checking the validity of data for small towns like Thetford, and for measuring trends.

Liora said another concern of hers for the workgroup was how to determine which questions to pose to the townspeople. Michael reported that Norwich had developed a town survey and collected 500 responses, giving them a lot of input before they started drafting any new language.

a.2: Reclassifying objectives etc. Kevin and Patrick had been able to have one brief meeting. Kevin handed out a sheet extracted from page 14 of the current plan, with the table of "Goals, Objectives and Recommended Policies." He had relabeled this to "Objectives, Policies and Programs" as specified by the new requirements and had begun the process of reviewing the table to determine which goals were objectives, which were policies, and so on, and to mark where there were questions and possible new categories. He expects to wind up with fewer policies and more programs. Liora asked if it was possible to establish heuristics and guidelines; for example, if an item is actionable by a town body it is a program. Terry said he thought it could be worked out by discussing each in terms of examples. He thought that working through a few would quickly lead to a set of rules. Terry will join this workgroup and will go over the table and send his comments before the next workgroup meeting, on Sunday.

There was a discussion of tracking revisions: how and how much history would be needed so that townspeople could see what has changed. Sally will be doing a lot of the document updates and change tracking as part of her assigned duties.

Terry raised concerns regarding the highlighted copy of the current town plan that Sally had supplied to all the members. He felt that a vision of the future town is missing, and he wondered if the commission should try develop that vision before trying to fit the current plan to the new requirements. He felt the objectives would develop from the vision. There was a discussion of various processes that could be used: survey, vision statement, heuristics, built-out illustrations based on different types of development. Kevin said that a vision developed by the people of the town would justify the town plan. Terry suggested there be a workgroup to develop the best process for defining a future town vision. The process will be discussed one more time at the next meeting and then handed over to a workgroup to refine.

#### 7. Proposed language on driveway slope maximum (8:59)

Kevin reiterated that Stuart Blood has asked to be involved in this discussion. Kevin suggested that Rick Howard might also want to be involved, along with other former members of the planning commission. Liora reported that Stuart had some documents on the topic that she felt all the members should review prior to the discussion. She suggested asking him to send them to the members and also inviting him and Wayne Parks to the next meeting. Kevin will check with them about availability.

#### 6 Town Plan Rewrite redux

c. Readopting the current town plan: Sally Hull emailed a set of steps that need to be followed. It is rather involved, and before any warnings or reports go out to the required parties, Kevin plans to work with Sally to develop a very clear cover letter explaining that this is a

simple readoption with minimal changes in order to gain time to work more carefully on the rewrite. The cover letter can also be used to notify the townspeople.

#### 8. Old Business (9:04)

Followup with Matt Fiskin: Liora reported that Matt's concerns centered on inconsistencies between the Thetford Communications Bylaw, the state law, and the draft zoning bylaw, specifically with regard to the height of communications towers. His concern is not on the actual height allowed but on the fact that the Thetford regulations relieve the homeowner of certain reporting requirements having to do with strength of signal, activity levels, etc. The state law requires reporting for any tower over 12 feet in height; the town regulations do not. Matt believes they should. Liora will read the regulations to understand the details of the inconsistencies, and that Matt be invited to come to a meeting to discuss how to resolve the issue. This would include research into how to change the regulations as expeditiously as possible. There was a brief discussion on the steps that might be required to amend the communications bylaw and/or the draft zoning bylaw. Kevin will contact Matt about his availability to attend the next meeting.

#### 9. New Business (9:15)

Michael referred to an email that had been sent by Liz Ryan Cole on July 12. In it, she had expressed concerns that the new draft bylaw did not allow co-housing development. Kevin said that he had discussed the issue with her via email and phone. Liora said that it had been discussed thoroughly during the drafting of the bylaw and that if it needed more discussion, it should be addressed in the town plan. Kevin said that Liz was also concerned about avoiding separate houses on the same lot size throughout the town, and also avoiding unintended consequences of the sort that could inadvertently block such development variations as co-housing. He had assured her that he was unaware of anything in the draft bylaw that precluded co-housing.

The meeting was adjourned at 9:17 PM.

Respectfully submitted,  
Dean Whitlock, Clerk, Thetford Planning Commission