

Thetford Planning Commission
December 4, 2012 – APPROVED Minutes

Present: Kevin O'Hara, Patrick Kearney, Michael Schunk, Liz Ryan Cole, Liora Alschuler, Patricia Norton, Dean Whitlock (Recording Clerk)

Absent: None

Guests: Roberta Howard, Melissa Malloy, Wayne Parks (all: 7:15-8:57), Li Shen (7:50-8:57)

(Numbers below refer to agenda items.)

1. Kevin called the meeting to order at 7:15 p.m.

2. Public Comment: None

3. Review of the Minutes of 11/20/12

The minutes were accepted as amended.

4. Selectboard report: None

5. Town Plan (7:34)

The guests had all come to discuss the Natural Resources chapter, so Kevin switched the order on the agenda in order to take up that item first.

b. Natural Resources - Review (Patricia): Patricia had emailed the latest draft (version 5.21) on December 1, along with some questions she wanted to discuss at this meeting. (Dean had sent the wrong version (4) to Roberta and Melissa, but they were able to follow along.) Kevin gave a summary of where the revision of the chapter was in the drafting process, pointing out that this was not a final draft and that comments from the guests were very welcome. Patricia reviewed the sources of the changes that had been made, and noted that she still did not have the notes from the two village open houses in East Thetford and North Thetford. She then brought up the questions she wished to discuss, which related to stream and wetland buffers, slope restrictions, and overlays. She noted that Vermont's natural resources agencies and the Two Rivers Ottauquechee Regional Planning Commission (TRORC) were very concerned about buffers and slopes, and that TRORC had strongly recommended using overlays to protect large tracts of forest and agricultural land, as well as aquifers, using clustered housing to preserve open space. She also noted that the new section on mineral resources had been taken from the Norwich Town Plan, and that TRORC and the state agencies also strongly recommended having one like it. She pointed out that the chapter was arranged by type of resource; the commissioners agreed that it was a helpful arrangement.

Li Shen joined the meeting.

Melissa requested that the guests be sent new drafts, along with notification of meetings when the drafts would be discussed. Kevin said the agenda was always posted on the listserv and that he or Dean could send copies.

The first topic to be discussed was stream and wetland buffers. They are strongly recommended as a way to preserve water quality. New state regulations provide for state funding to help establish buffers in towns that specify using them in their town plans. Roberta asked how a buffer was defined. Patricia noted that the current draft did not specify the use of buffers and they are not in the current zoning bylaws. If the plan recommended their use, the zoning bylaw would specify the details, such as width and what could and couldn't be done within a buffer. Generally, a buffer is supposed to be left completely untouched. A setback is not the same; it forbids building any structures within its width, but vegetation can be cut and animals are allowed to graze within the setback. The commission is not sure if Thetford townspeople want to have buffers, but they should be considered due to the desire to preserve water quality and the position of the state and TRORC that this is the best way to do it. Wayne cautioned the commission to be careful what goes into the Town Plan, since the Zoning Bylaw and Subdivision Regulations must be in agreement. Wayne stressed that the commission must balance the needs of protecting resources with the needs of the owners to access their own property.

Roberta said that they have a lot of land on the Connecticut River that is eroding continually. In some places they have lost many feet of land along the shoreline. In such a case, do they have to move the buffer? The answer was yes, the buffer width must be maintained. Roberta noted that they also had to meet state and federal restrictions on shorelines, so town restrictions would seem to be repetitious.

Liora asked about aquifer protection areas (APAs). They are delineated on some town maps but are not protected in any way. Li said that there are state restrictions that apply to those areas. She knew, for example, that there could be no use of pesticides within the Post Mills APA (where the water supply is for residences bordering the landfill site). She suggested adding a cross reference to the state regulations. There are no restrictions applied by any Thetford regulations. Kevin said he would check to see if the same state restrictions applied on the Thetford Hill APA.

Regarding slopes, Wayne said he had met with the fire chief with the new driveway slope standards were being discussed during the drafting of the current Zoning Bylaw. The chief's main concern was not slope. He was worried about width, passing areas, curves, and overhanging branches. Kevin noted that the chief did recommend a lesser slope than was eventually specified in the driveway standards.

Wayne made some specific suggestions about language changes, which Patricia noted for incorporation into the next revision.

Melissa left the meeting (7:23).

There was a brief discussion of soil types and differences between state and national soil grading systems. There will be town-wide soil maps available with the new town plan. Wayne noted a place where off-road vehicles were mentioned and asked that the wording be adjusted so that it didn't imply a ban on such vehicles. Li assured him that this one mention of off-road vehicles was just a description of the current state of their use in the town; they weren't mentioned in any other part of the chapter.

Wayne raised a point about the use of the term “voters,” which led to a search for the best word to describe the people who would not only vote on but also be affected by the new Town Plan when it was finally adopted. There was a consensus that “people of the town” and “townspeople” were better terms. Liora raised a similar concern over the phrase “increasing the budget for.” She suggested the more general term “support,” which can take many forms other than money; also that funding will not necessarily come directly from the town budget. She recommended the more general “ensure adequate financial support for.”

Melissa rejoined the meeting (8:37).

Wayne objected to a recommendation about the town “purchasing property” in order to conserve it. He cautioned the commission to be careful about recommendations that would remove property from the tax rolls, as that would increase everyone’s taxes. Roberta suggested rewording to “consider purchasing,” and to be clear that it was not a taking by eminent domain by adding something along the lines of, “if the property owner is willing” or “in collaboration with the landowner.”

There was a brief discussion of the existing designated or identified natural areas, and which term applied to which area.

Returning to the topic of buffers and setbacks, there was a general agreement that it needed more discussion with the townspeople, perhaps in an open house, with a presentation by a state expert who could explain their position. Wayne warned against using the Zoning Bylaw to educate people: set the standards but leave out the details of the sources.

There was a discussion of Recommendation 3 under water resources, which concerned failed septic systems and Recommendation 8, which concerned road runoff and how to enforce the current regulations.

At the end of the discussion, Kevin repeated that the chapter would be discussed again, and that the date would be in an upcoming agenda posted on the town listserv. Wayne reminded the commissioners about the reaction of the townspeople to the proposed 2004 Town Plan, which had been almost entirely composed of language and recommendations provided by TRORC. It was vigorously opposed and was not adopted. He said the commission has to be able to sell the final draft of this new town plan to the town.

The guests left the meeting (8:57).

a. Utilities Chapter - 3rd Read (Kevin): Kevin reported that there will be one more iteration of this revision of the chapter. He plans to remove all the tracked comments that have already been incorporated so the draft will be easier to read. The commissioners agreed that would be helpful.

Liora started a brief discussion about the current status of the Town Hall, particularly the statement about expanding the space for the Police Department. Kevin said it was discussed in more detail in the section on Services, and he will simply cross reference to that.

Patrick asked about the list of equipment given in the paragraph on the Town Garage. The sense of the meeting that, instead of listing all of the equipment, which changes regularly, it would be better to list the value and describe how it was insured in case of loss. Patrick will research the insurance question, and Kevin will cross-ref to the annual Town Report for a current list of equipment.

Other items discussed included the status of stored materials used for roadwork; the recycling center relocation plans; and setting up a town facility to deal with septage/sewage. Patricia will send Kevin proposed language for the septage/sewage section.

Due to the late hour, Kevin cut the discussion short so there would be time to discuss Scenic Resources as well. He quickly reviewed the status of the rest of the chapter and the parts that still need to be discussed at a future meeting. There was also a brief discussion of how best to format the goals, policies, and recommendations section.

c. Scenic Resources - Characterize (Patrick): Patrick referred to the first draft version that he sent by email on 11/25. He reported that there is no inventory of scenic roads in town. The Conservation Commission told him that they hadn't worked on it since the last century. He will approach the Historical Society to see if they would like to take on the inventory project. The sense of the meeting was that there needed to be time on the agenda to discuss what impact the designation of scenic roads and features would have on the town.

Under Design Considerations, the current plan refers to a state document, "Vermont's Scenic Landscapes: a Guide for Growth and Protection," but it is not available at the Town Hall. The Zoning Administrator has said she would buy one if the commission thought it would be useful. Patrick will look into availability and cost.

There was a brief discussion of ridge line development, wind and solar farms, and the difficulty of defining "excessive visual development," the term used in the 2007 Town Plan. There was also a discussion of lighting and the lack of town lighting standards. Lighting is also discussed under Natural Resources and is a zoning issue. The section should be in one chapter or the other, with an appropriate cross-reference, but not in both. That will be addressed in the next revision. Liora suggested that the chapter needed better photos.

6. Old Business (9:15)

a. Donn Downey sent the following email regarding road standards: "In regards to the road discussion, the town has adopted the state road standards. I don't think it means much in the regular activities of the DPW or town business- I believe it ensures that if new roads are built by the town they must conform to these standards, but it's not as though we are building many roads these days. It is more of a pro-forma thing to ensure that we maximize available state highway funds, grant opportunities, etc."

b. Kevin went over the timeline for upcoming agendas.

c. Dean reported that he has notified Roger Daum about the possibility of holding an afternoon meeting and an evening meeting in Post Mills on or around 1/29/13 to attract as many residents as possible to discuss changing the village boundaries, as suggested by TRORC.

7. New Business - None

The meeting was adjourned at 9:58 p.m.

Respectfully submitted,
Dean Whitlock, Clerk, Thetford Planning Commission