

**Thetford Planning Commission**  
**September 20, 2016 – WARNED HEARING ON PROPOSED TOWN PLAN UPDATE**  
**Second session. Approved Minutes**

Present: Kevin O'Hara (Chair), Jason Crance, Jamie Thaxton, Liz Ryan Cole, Michael Schunk, Dean Whitlock (Recording Clerk)

Absent: None

Guests: Mary Ellen Parkman (Zoning Administrator), Jessica Eaton (Selectboard liaison), Bill T. Huff, Clyde Cook, David Goodrich, Denise Adams, Fred Adams, Jay Clark, Mike Pomeroy, Wayne Parks, Stuart Rogers (Selectboard member)

Planning Commission chair Kevin O'Hara called the hearing to order at 7:03 p.m. He welcomed the attendees and thanked them for taking the time to come. Then he briefly described the goals of the meeting: to start at Chapter 6, where the first hearing session had ended, continue to the end of the draft Town Plan, and then take any new comments on earlier chapters or issues. All comments would be recorded in the Comments Resolution document, as before. Both the draft Town Plan and the Comments Resolution document were projected on the wall so attendees could follow more easily

Chapter VI, Flood Resilience – Kevin explained that this was a new chapter, required by new state law. Bill Huff referred to Policy 2 on Page 90, about abandoning roads that were susceptible to flooding. He is opposed to the Town abandoning such roads. There was a lengthy discussion of the wisdom of that action: it was not possible to identify which roads would flood during specific flooding events; once abandoned, the town would be unable to take the roads back; not maintaining Class IV roads properly, which is required by law but is not being done in Thetford, makes them more susceptible to flooding; properties on abandoned roads see their value reduced; the proper term is “discontinue.”

Mike Pomeroy referred to flood hazard maps for river corridors. He asked if a flood had not occurred in a 100-year zone in over 100 years, can development restrictions be lifted? He noted that flood-control dams were built on tributaries to the Connecticut River to protect against flooding. Can we request that the maps be changed? There was a brief discussion of what agency creates and maintains the maps. Mary Ellen Parkman commented that the 100-year designation is an average and estimate.

Bill Huff referred to Policy 7 on Page 90, about reducing impervious land cover. He wondered how that would be done; if parking lots would be removed, or did this mean not allowing more parking lots. Kevin O'Hara noted that the comment began with “Use all reasonable methods . . .” Mary Ellen Parkman said parking lots are removed when there are land use changes and that sometimes parking lots are reduced when owners put in strips of trees and other vegetation. When considering parking requirements, the Development Review Board (DRB) follows the rules of the Agency of Natural Resources (ANR). Kevin said the wording could be reviewed to be more clear.

Chapter VII – Energy. Wayne Parks referred to the section on Passive Heating and Lighting on page 96, which discusses “Good building and site design,” “appropriate placement,” and

“energy-saving building design that goes above the State Energy Code minimums.” (See also Recommendation 12 on page 104.) He asked what “appropriate placement” means. He was concerned that a landowner might not be able to position his house where it would shadow a neighbor’s solar panels. Mary Ellen noted that solar energy panels are currently exempt from zoning restrictions so the issue wouldn’t be discussed in the DRB hearings. There was a discussion of the fact that the laws regarding alternative energy production were in the process of being rewritten and new rules would be coming that would require a town-by-town discussion and updates to the Town Plan and Zoning Bylaw.

Bill Huff referred to Recommendation 10, regarding using energy standards better than the state codes when upgrading or building municipal building. He asked why that would be necessary? Michael explained that there were cost benefits to paying a little more on energy efficiency when remodeling or building, which would pay for themselves in a few years and then save money. Changing to wording to “should consider” would be appropriate here.

Bill Huff felt that the first page and a half of the chapter were inappropriate. Some of the facts given have proved to be incorrect, and the Town Plan should only include the state required information, not lots of material meant to be instructional. He also felt the use of the word “will” was inappropriate.

Mike Pomeroy referred to Recommendation 8 on page 104, regarding mixed use zoning and “daily services.” He said that would conflict with current zoning, which only allows commercial development in East Thetford. There was a brief discussion of how that restricted commercial development in town.

Bill Huff pointed out that there was a cross-reference from the Natural History chapter (page 85) to the Energy Chapter, but that the Energy Chapter never discussed the issue involved.

Mike Pomeroy referred to the methods of energy production discussed on page 92 and suggested that wind be added.

Chapter VIII – Transportation. Bill Huff referred to a comment on p. 110 that the park-and-ride lot was well located, noting that there had been recent discussions about finding a new location.

Bill Huff referred to Recommendation 2 on p. 111, which suggests the Town should add blacktopping on certain hills. He said that blacktopping is not considered appropriate anymore in many situations, and also noted that “blacktopping is not the correct term.” Kevin said that these recommendations had not been reviewed in quite a while. Bill also made comments about Recommendations 3 (sidewalks are costly), 4 (better to enforce existing speed limits than reduce them), and 6 (skeptical that Thetford was an appropriate location for Zip Cars). Liz Ryan Cole said there were several in South Royalton and were used frequently. There was a brief discussion of the definition of goals and how they differed from objectives or tasks.

Wayne Parks referred to Policy #2 on page 111, about maintaining Class IV roads to state standards and said that it was good. Kevin said this would be a good place to have a cross-reference to the Flood Resilience chapter.

Returning to the discussion about Zip Cars, Bill Huff suggested that the Town Plan shouldn’t refer to specific service providers in cases where the Town wouldn’t be providing the service directly, instead using the term for the service. Dean noted that the language is often more clear when the name of a service provider as an example. There was a brief discussion of the use of enabling language such as “the Town should encourage” or “should support”. Bill Huff noted that “should investigate” indicates that the Town is supposed to proactively seek that

service. Mary Ellen Parkman added that each Recommendation should indicate which Town organization would consider and/or implement the Recommendation.

Mike Pomeroy referred to Policy 3 on page 111, which refers to widening Class III roads. He said this conflicted with the Town's rural character, and he thought most of the Town's Class III roads didn't comply with the standards. Mary Ellen Parkman noted that the Town's tree ordinance says you can't cut trees greater than 3 inches in diameter in order to widen roads.

Mike Pomeroy referred to Recommendations 5 and 6 on page 112, which refer to the Stagecoach bus service provider, creating van routes, and Zip Cars. It was his opinion that if the need was there for such services, the providers would come on their own. He also said he felt that providing extra buses to take people out of Thetford to shop didn't support local businesses.

There was another brief discussion of enabling language: Does "support" mean the town should subsidize or pay for the service? Kevin noted that support doesn't necessarily mean financial support. The Town can provide other incentives that would make it easier for a business to start up in Town.

Chapter IX – Historical Resources. Bill Huff said that many of the pages in the chapter weren't necessary, again stating that the Town Plan should stick with what the state requires and no more.

Mike Pomeroy pointed out that the chapter and its policies and recommendations mostly described what the Thetford Historical Society (THS) is doing, but the THS is not an official Town organization. He noted that there is a Town Historian but that it has not been filled in a while. The chapter should say, "the Town should work with THS." He also wondered why there was no link from the Thetford Town Website to the THS web site.

Wayne Parks referred to Recommendation 2 on page 122, about the Town alerting landowners to historic resources on their properties so that those resources are not inadvertently destroyed. There was a discussion of what constituted a historical resource and if this recommendation meant the Town would prohibit the landowner from removing stone walls, cellar holes, and the like. Kevin and Liz both spoke to the question, saying that the intention was strictly one of providing information and education. Mary Ellen Parkman suggested that the text be reworded to be more specific, and that THS create a list of historical resources in Town that could be loaded into a GIS map so they could be referenced along with residences and other structures.

Wayne Parks referred to Recommendation 4 on page 122, which says the Town should develop incentives to encourage landowners to preserve historic resources. He wondered what types of incentives would be involved and what organization would provide the incentives. He thought the term "develop incentives" should be dropped, leaving simply "encourage."

Fred Adams referred to Recommendation 8 on page 122, which refers to using easements to allow access to historic parts of the community. He owns a historic property, which he is maintaining, but is concerned that easements would result in people coming onto his property at any time without asking permission first, which already happens to him even without an easement. He wondered if the Town could create an easement without the landowner's permission. After being assured that they couldn't, he wondered who would warn the landowner that providing such an easement could result in trespassers.

Bill Huff referred to Recommendation 10, which recommends exploring the possibility of adding three specific sites to the National Register of Historic Places. He asked if the Planning Commission had asked any of the landowners if they were at all interested in having that happen.

Kevin said they hadn't been contacted. That would be a step in the process of exploring the possibility. Dean noted that the list of three places had been provided by THS. There was a brief discussion of what being on the List of Historic Places entailed. Bill Huff said that, if he was one of the owners, he would be upset to see his house in the list in the Town Plan without any warning. Wayne Parks suggested eliminating the list and making the recommendation unspecified.

Chapter X – Scenic Resources. Wayne Parks referred to the section on Ridgeline Development Controls on page 126 and the corresponding Recommendation 7 on page 129. He asked how this would be achieved? What specific actions would be used to control ridgeline development. Mary Ellen Parkman said she would advise to first identify specific scenic features that the Town feels need to be protected and draft specific recommendations to protect them. She and Wayne Parks both said that these recommendations, as written, are too general and broad in scope. Wayne added that landowners should be contacted first.

Bill Huff said he was opposed to any kind of lighting ordinance (see Recommendation 2, page 129). Denise Adams said she agreed with him. Mary Ellen Parkman said that conditional use review already included lighting standards for businesses. There was a brief discussion of the lights on the Town's two covered bridges.

Mike Pomeroy referred to Recommendation 3 on page 129, which referred to "village feel". He said the term was too vague. Mary Ellen Parkman added that "business districts" isn't a term used in Thetford's zoning or subdivision rules; there are Village Residential zoning districts. She would strike the entire recommendation. Kevin pointed out that the recommendation was about avoiding strip development. There was a brief discussion of the term "strip development" and how it could be defined more clearly.

Wayne Parks referred to Recommendation 4 on page 129, asking what Thetford's "aesthetic heritage" was. This term too is too general.

Chapter XII – Relationship to the Region. (Chapter XI, Land Use, was discussed at the start of the 8/16 session.) Mary Ellen Parkman and Mike Pomeroy noted a couple of inconsistencies in the text.

There being no comments on the last chapter (XII – Implementation of the Plan), Kevin described the next steps the Planning Commission would take to discuss and decide on a response to all of the comments. This would begin at the next regular meeting, on October 4. The Comment Resolution document would be updated and posted on the Planning Commission page of the Town website soon after that meeting and would be updated after each following meeting until all of the comments has been resolved. Kevin then asked if there were any other comments.

Denise Adams referred to Vernal Pools (in Chapter V, Natural Resources), and said that the Town Plan should educate but not regulate. She and Fred Adams reported that they have a vernal pool on their property and that their licensed forester and a state official had said they should leave a 50-foot buffer around it, not an 850-foot radius.

Bill Huff expressed the same concern regarding the creation of corridors for large wildlife like bears. He said we have more bears than we've ever had so corridors didn't seem to be an issue for them. Putting aside the amount of land needed for corridors would restrict development too much.

Wayne Parks said that the Town Plan is not the place for educational material. He asked, what if all of the Town committees and organizations wanted as much as the Conservation Committee did? He said that organizations that want to educate the residents and landowners should provide their own educational materials, which the Town Plan can refer to rather than include. Bill Huff agreed, repeating that the Town Plan should only include what's required by the state.

Mike Pomeroy referred to Recommendation 2 on page 82, concerning driveway slope; it was in the last plan and it's still in this one. If the concern is emergency vehicle access, why is it addressed in Natural Resources? He repeated his statements about development on slopes in Europe.

Mary Ellen Parkman said there were too many recommendations. They should be geared toward the next 5 years. The big picture can be for 20 years, but the to-do list (i.e. the recommendations) should be for five years. They also need to be specific about what body is responsible for each one, and also assign priorities to them. She said these were part of new state planning guidelines that had been discussed and distributed at a workshop she attended.

There being no further comments, Kevin discussed the process of redrafting, re-hearing, and approval that would follow, including the Selectboard's role. Mike Pomeroy commented that he was concerned that, of the 5 members who were on the Selectboard, only 2 of them had attended the two hearing sessions.

Kevin O'Hara closed the hearing at 9:35 p.m. The guests departed, and the Planning Commission went into regular meeting session.

The minutes of the 9/6/2016 meeting were accepted as amended.

Jamie moved to recognize and thank Patricia Norton for all of her hard work, dedication, and constant good humor over her many years on the Planning Commission. The motion passed by acclamation.

Liz reported that she had sent a note to a potential member. Kevin asked everyone to keep an eye out for potential new members.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,  
Dean Whitlock, Recording Clerk, Thetford Planning Commission