

Minutes
Planning Commission
Town of Wallingford VT.
30 January 2024
7:00 PM
Town Hall (2nd Floor)
74 School St., Wallingford Vt. 05773

Members Present: Erika Berner (Chair), J. Burkett, K. Mullin

Members absent: T. Masuck, L. Thayer

Members of the Public: M. Delorme, D. Scranton, M. Duchesne, B. Duchesne, R. Barker, J. Biasuzzi, D. Blodgett, R. Carey, L. Underwood

Meeting was recorded by PEG-TC

I. Chair to call meeting to order

Chair called meeting to order at 7:09PM (19:07Hrs.)

II. Introduction to Planning Commission members

The Chair introduced the attending Planning Commission members.

III. Additions / Deletions Agenda items

No additions or deletions. J. Burkett made a motion to accept. K. Mullin seconded motion. Motion PASSED.

IV. Public Hearing: Proposed Zoning Regulations

The Chair explained the changes to the Regulations that were added / deleted/ changed. The draft has been reviewed by L. Salamon (RRPC), the Town Attorney and suggested public comments. Changes are in highlighted yellow. The definitions were compared with those in the West Rutland and Proctor regulations. When applicable, references to various Vermont Statute definitions were used.

Meeting was then opened to public comments:

D. Blodgett asked about the lack of zoning maps being attached or included in the electronic version as there is no way to tell where Zoning District boundaries lie or if they were changed. E. Berner explained that the lines have not been changed. She then discussed the problem with the maps, specifically that most of the references are to the historic district of Wallingford but that the addresses and street names used by those maps have been changed. Further the current maps using the Fire Districts do not necessarily match the Zoning boundaries. The Planning Commission is still working with the RRPC to get maps.

R. Carey explained he did not like the setbacks and buffers. He specifically discussed the 150-foot requirement for the ARR, explaining that the set back is too much when having to plow a driveway.

R. Carey went on to ask why non-agricultural fences had to have 4-foot set back. K. Mullin replied it was in order to maintain the fence. R. Carey discussed why a property owner should have to get written permission from a neighbor to build a fence. K. Mullin explained that fence access would be on the neighbor's property if the fence was on the property line. A short discussion followed with J. Biasuzzi explaining in his experience as Zoning Administrator for surrounding towns about fences and neighbors.

R. Barker explained that he was more familiar with Wallingford's original Zoning. He went on to discuss road frontage, and continued to demolition permits, questioning why permits were required to demolish a building. He said that after reviewing the Vermont Statutes he found that permits were required. He questioned the violation fee of \$50.00 per day until the situation was corrected. He went onto question setbacks, specifically the rights-of-way.

R. Barker also did not know that the Governor had already approved the proposal to ban paramilitary training facilities. were signed. He commended the Planning Commission for their work, also suggesting that a 1-foot distance from the property line might be better. K. Mullin clarified that anyone could demolish a building. The Zoning Regulations make it a requirement to obtain a permit. E. Berner also mentioned that a copy of permits go to the Lister as needed.

R. Carey discussed that it was frustrating to people for having to get more Permits, and the time involved processing one. Explaining that when he was on the Board of Adjustments and the cost of having to get permits, took a long time. E. Berner briefly explained that permits issued by the Zoning Administrator can take 15 days, and that a DRB approval can take up to 90 days.

Discussion followed from J. Biasuzzi, E. Berner, R. Carey concerning historical differences of Vermont, permit requirements, and changing demographics.

J. Biasuzzi, reiterated that this was the 3rd Public Hearing, and if there were not significant changes, the Commission could vote to move the document to the Select Board. E. Berner explained that it could happen. J. Biasuzzi asked about the Table of Uses, using an example of errors in the Table. He asked about ACT 47 (the Homeless Act). J. Biasuzzi also mentioned that the State Legislature was looking at enacting laws that could impact on the document. He also urged the document move forward and make changes in the future. E. Berner stated that the Commission could vote to delete the Table.

D. Scranton said that she asked for a paper copy at Town Hall and did not have one. E. Berner gave her an extra copy.

M. Delorme asked E. Berner to add other examples of things that have been addressed besides Tiny Houses. Discussion followed, concerning renewable energy, chickens, etc. M. Delorme asked about Air BnB (short-term rentals). E. Berner referenced that section in the document that addressed short-term rentals. E. Berner mentioned that she had applied for and went through the process for a "Private B&B" even though her property is in the

Neighborhood Commercial Zoning District. She also cautioned that the State Legislature was beginning to look at statutes governing short-term rentals.

R. Carey brought up the Table of Uses. E. Berner and K. Mullin replied that Table can be deleted from the document.

J. Biasuzzi asked about Section 415, concerning the Marijuana Dispensary - If the Town voted to approve having a Dispensary, why was it not in the proposal. E. Berner stated section 415 was copied in the draft document and the statement concerning marijuana dispensary could be removed in the draft. She noted that the town should have voted to repeal the current Regulations then voted for allowing a marijuana dispensary, adding that it cannot be within 500 feet of a school also that Wallingford does not have police. K. Mullin added that the Town does not profit at all from marijuana sales. J. Burkett stated one could take a bus to Rutland to purchase marijuana. M. Delorme clarified that the Town voted for a dispensary but not to repeal the current Zoning Regulations. Discussion followed

J. Biasuzzi discussed adding the words "Town Vendor License to section 421 Item 12.

R. Carey talked about the rumor that RVs could not be stored for more than 21 days. He stated that the Regulations were clear concerning storage vs living in an RV for 21 days.

K. Mullin motioned to adjourn the meeting (no action)

J. Burkett made a motion to close the Hearing. K. Mullin seconded. Motion PASSED.

E. Berner proposed adjourning the meeting. J. Biasuzzi asked about voting on deleting the Table of Uses and statement concerning marijuana. K. Mullin made a motion to delete the Table of Uses. E. Berner asked if that included deleting the statement concerning marijuana. K. Mullin agreed. J. Burkett seconded. Motion PASSED

V. Next meeting of the Planning Commission 13 February 2024

VI. Adjourn

J. Burkett made a motion to adjourn the meeting. K. Mullin seconded. Meeting was adjourned at 8:27 (20:27 hrs.).

Respectfully submitted by Erika J. Berner

