

TOWN OF STAMFORD
PLANNING COMMISSION MEETING
August 29, 2022
(UNAPPROVED)

Planning Commission: Debra Burchard, Chair, Carolyn Brooks, Kurt Gamari, Maura Hawkins, Jenifer Hughs and Sheila Lawrence.

Aaron Malachuk, Daniel Potvin and David Saldo were not present.

Visitors: Marta Miller, Beth Phelps, Debra Righi, James Righi, and Pamela Tworig.

Ryan Rush-Booth, Zoning Administrator.

Lori Shepard, Secretary.

Deb Burchard called the meeting to order at 6:00 p.m. and opened with the Pledge of Allegiance.

HEARING OF VISITORS

None.

MINUTES

MOTION by Deb Burchard to accept the regular meeting minutes of May 2, 2022 as written. SECONDED by Carolyn Brooks. All in favor. Motion APPROVED.

The board deferred accepting the minutes of August 1, 2022 until the next meeting since not everyone in attendance was at the last meeting.

BYLAW MODERNIZATION GRANT

Deb Burchard stated that the village center designation was approved and although the final boundaries were smaller, the state did agree to include Bilmont's Country Store. She provided a copy of the letter and map which was recently submitted to the Selectboard.

Kurt Gamari said the Commission needs to define the village district in the Zoning By-laws. He offered the following definition which was taken from Jim Sullivan's notes: The Village District includes areas appropriate for relatively high or moderate density and mixed use development. Residential, commercial, public and other compatible development may be located in these areas in a manner that supports a traditional town center pattern of appropriately scaled buildings facing well-defined and active streets, and other public spaces that support safe and convenient pedestrian activity. Effective site planning in the village area will promote expanded opportunities for housing and economic development, while enhancing an aesthetically pleasing and socially active community center.

DISCUSSION OF THE ZONING BY-LAWS

Jen Hughs asked if something should be added to the By-laws to control development more than just the spacing necessitated by private septic systems.

Kurt Gamari noted that the Zoning By-laws need to be revisited. He has reviewed them and created a list of several suggestions and concerns. He said the Commission should define Change of Use.

Pam Tworig said so many people feel the By-law changes were made during Covid and they didn't have a chance to participate. Kurt Gamari disagreed. He said Covid hit Stamford in March 2020. The Planning Commission finalized the By-laws in October 2020. It was a two year process and no one came to the meetings in the two years before.

Kurt Gamari said the forest district development and planned unit development were the two substantial changes that were made. The rest of the By-laws have been remarkably similar since 1970.

Pam Tworig feels there is a migration of people leaving the cities and coming across country to settle in Stamford and the Berkshires. She feels the By-laws need to prepare for that. She also stated that most people move to Stamford, or stay here, because they like it the way it is and don't want it to change.

Deb Burchard said our roads are the key. They can only handle a certain amount of traffic and several of our roads are pretty much already at their max. Allowing more growth that increases traffic to unsustainable levels is not good.

Kurt Gamari felt section 7.2 concerning land development needs to be addressed. It is way too lenient and puts too much burden on the Zoning Administrator.

Jen Hughs said the freedom here is amazing and it's what we love about Vermont, but we also need checks and balances. She felt the board should decide whether they want to encourage growth or squash it. If there is no benefit to growth then maybe the board should button up the By-laws.

Kurt Gamari noted that the next phase of the village district modernization grant will be difficult for many people.

Carolyn Brooks noted that development is inevitable. People are coming, but the town has no current source of revenue growth. She asked if it was the Planning Commission's job to find revenue sources for the town. Pam Tworig feels people are really strapped and questioned how the town could increase tax revenue without increasing services. Kurt Gamari stated that we need a bunch of trophy houses. They will pay a lot of money in taxes, they're only here a few months per year and don't need any services. Pam Tworig agreed that trophy homes would be ideal. She feels the board should determine what the opposite of that is, and tailor the regulations to prevent that type of development.

Kurt Gamari said the school should consider tuitioning children in. Readsboro is sending their 7th and 8th graders to Drury. Stamford and Readsboro schools should be talking about this or about combining.

Carolyn Brooks suggested that the town should increase its application fees significantly to bring additional money into the town.

Kurt Gamari suggested reviewing the definition of a single family home in contrast to a camp or seasonal home.

Kurt Gamari noted that the following sentence under section 6.2 from the 2015 By-laws was removed in the new By-laws and should be reconsidered: No lot shall be approved for development requiring water supply and wastewater disposal until a permit is issued by the state. He's not sure why it was removed.

Deb Burchard noted that this is a big undertaking and the board needs to have the commitment of its members and they may need to meet more than once a month to tackle this. Kurt Gamari said there will be contentious opinions and he would prefer to work through them during the process instead of at the end when they have put in a lot of work.

Maura Hawkins feels the By-laws are a living document, not static. Kurt felt the town has been static. He feels the standards in each district should be reviewed. For instance how much space a building can occupy on the lot. He would like to change the right-of-way section. The By-laws should not allow a

right-of-way to be built off a right-of-way, off another right-of-way, etc. He also suggested the board consider a setback of ten feet or something for driveway construction. He feels the standards should be revised to only allow a right-of-way off a public way, not a private road.

Kurt Gamari said the board should decide whether they want to allow people to lease their property to another for business use.

He would like to see the Zoning Administrator attend Planning Commission meetings quarterly and give a report of all building permits issued during the quarter. Sheila Lawrence felt the Zoning Board of Adjustment should receive a copy of the report also.

Kurt Gamari said the title of section 4.1 "Permitted Uses" sounds like a list of allowed uses. It should read "Uses Allowed with a Permit".

Kurt Gamari suggested changes to the forest district. He would like to break the forest district into different parts. 50% of the forest is owned by the National Forest but the other 50% is privately owned. He provided a hand-drawn map of the forest district and how it could be sectioned out into three separate areas of forest. He said you have always needed five acres in the forest zone, that hasn't changed. But the new change is that the Zoning Administrator now has the right to approve buildings in the forest zone. It is now a one-person decision instead of a board decision.

Pam Tworig had several concerns to bring before the board also. She said there is a section in the By-laws that directly contradicts the language in another section.

Pam Tworig said Section 9.1 instructs the Zoning Administrator to enforce the provisions literally, yet it seems like many sections are wishy-washy and are up to interpretation. Deb Burchard noted that was previously discussed and the By-laws should be enforced literally. If the Zoning Administrator cannot allow the application, it should be denied or referred to the Zoning Board of Adjustment.

Ryan Rush-Booth explained that he has had to figure a lot of this out as he went and has been learning on the job. There are sections that are confusing and vague. One section under conditional use requires a site plan, but a different section under current use does not require a site plan. It seems like having a sign or not having a sign makes a difference in allowing a home business. If he is able to check all the boxes and it seems everything is in order, then he approves the permit. He feels the By-laws need a better definition for a seasonal dwelling and camp, with specifics for whether a septic system and running water is required. Kurt Gamari noted that camps and seasonal dwellings without a full septic and water system are not allowed in the residential district.

Pam Tworig feels the board should differentiate between mobile homes, campers, tiny homes, both on wheels and off wheels, and travel trailers. She also asked about utilities. Can someone live off-grid in a non-traditional home? It was noted that structures with wheels have limited enforceability.

Pam Tworig feels noise pollution was discussed but was not included in the last By-law revision. She feels people prize the quiet, peaceful living in this town. The board acknowledged that enforceability would be an issue.

Pam Tworig would like clarification on businesses and when a Change of Use should be filed. She feels abutters should be notified. She also believes the Planned Unit Development should be completely removed.

Pam Tworig is opposed to a property owner being able to install a driveway along the property line and feels there should be a setback. Kurt Gamari stated that it is an old farming practice to put the driveway along the side in order to utilize the rest of the land more efficiently.

Pam Tworig also brought up light pollution. Kurt Gamari noted that the Selectboard already reviewed and eliminated a lot of the streetlights in town.

Jim Righi submitted a written letter with his changes and concerns for the Planning Commission to address, but he did not want to read it aloud. He summarized a few points, that he would like a copy of the Zoning By-laws given out whenever a building permit application or notice is submitted. He feels there should be a review after six months to ensure the building is in compliance with the permit. He feels there should be a penalty for non-compliance. He believes the light pollution from streetlights should be addressed. He would also like to see setbacks for private roads.

Sheila Lawrence felt the Zoning Board of Adjustment should have a meeting so they can meet Ryan Rush-Booth, the Zoning Administrator.

The next Planning Commission meeting will be Monday, September 19, 2022 at 6 p.m.

MOTION by Jen Hughs to adjourn. SECONDED by Kurt Gamari. All in favor. Motion APPROVED. The meeting adjourned at 8:25 p.m.

Debra Burchard
Planning Commission Chair

DB/las