

TOWN OF STAMFORD
PLANNING COMMISSION MEETING
April 3, 2023
(UNAPPROVED)

Planning Commission: Aaron Malachuk, Chair, Carolyn Brooks, Kurt Gamari, Sheila Lawrence, Debra Burchard, Daniel Potvin, Maura Hawkins (by phone) Jenifer Hughs and David Saldo.

Visitors: Alysa Larkin, Debra Righi, James Righi, Diane Saldo, Stephanie Shelburne, and Pamela Tworig.

James Stimpson, Temporary Zoning Administrator.

Lori Shepard, Secretary.

Aaron Malachuk called the meeting to order at 6:00 p.m. and opened with the Pledge of Allegiance. The order of the meeting was changed to move the executive session to the end.

CONDITIONAL USE AND OTHER PERMITS

Jim Stimpson came before the board to introduce Stephanie Shelburne and Alysa Larkin who are living at the house located at 751 Main Road and have filed three permits with the town. Jim Stimpson would like to clear the controversy he feels is going around town with their intentions for the property. He explained that the first permit is for a couple greenhouses and a chicken coop and is a notification of agricultural buildings. The second permit application is for an accessory dwelling on the property which he intends to approve. The third application is for a conditional use permit and Jim Stimpson does not feel it is necessary. Stephanie Shelburne will be running a therapeutic farm where people with trauma can come for therapy. He explained that this business will not be changing the aesthetics of the property. She has a private practice which she will be running out of the home. Dave Saldo asked if her business falls under the cottage industry business and it doesn't seem as it would. Deb Burchard asked whether this would make her exempt from paying property tax. Stephanie Shelburne explained that she is a 501 (c)(3) business and although she could be tax exempt, they have chosen to continue to pay the property taxes because they recognize the budgetary needs of the town. Kurt Gamari asked what her vision is for the property going forward. She understands that the home is a statement house in town and wants to maintain that. She wants to be community-centric and wants community members to feel they can come and walk in the gardens and visit. The foundation from California will be relocating its headquarters to Stamford. The Klondike Road property will remain in conservation and they will continue to hay the fields. She does not intend to have vendors in the barn like she had when they first moved in. Aaron Malachuk stated that it does not sound like a conditional use permit is necessary. Kurt Gamari felt these types of things should be allowed to happen in town. Other board members agreed that a conditional use permit was not necessary. The treasurer will be directed to refund the Conditional Use permit application fee to Stephanie Shelburne.

MINUTES

MOTION by Carolyn Brooks to accept the regular meeting minutes of March 13, 2023 as written.

SECONDED by Aaron Malachuk. All in favor. Motion APPROVED.

ZONING BY-LAW REVISION

1. The board reviewed the definition of a dwelling which was previously provided by Dave Saldo. They decided to accept his proposal: "Dwelling: A single structure defined for human habitation that has separate independent areas for sanitary, cooking, and sleeping."
2. They discussed whether the newly added campground definition should address sanitation but decided state law will govern the sanitary needs of a campground.
3. Kurt Gamari wanted to address the conflict created by the new driveway definition. They had agreed at the last meeting that a driveway could serve "... up to three parcels...", but he noted that section 7.2.1 provides for "... access to one or two lots..." Aaron Malachuk agreed that both provisions should match. They also discussed the driveway setback distance. Dan Potvin felt these regulations would make it harder for people to do what they wanted on their property. Kurt Gamari noted that the town has always had a definition for right-of-way in the Bylaws but not a definition for driveway. Dave Saldo will review state laws and other resources on driveways for the next meeting.
4. Carolyn Brooks asked if the board could begin to finalize definitions that have already been decided on so they don't keep re-discussing the same things.

ZONING ADMINISTRATOR INTERVIEWS

MOTION by Aaron Malachuk to enter executive session to conduct Zoning Administrator interviews. SECONDED by Dave Saldo. All in favor. Motion APPROVED. The Planning Commission entered executive session at 7:05 p.m. Deb Burchard recused herself and did not participate in the executive session. Jim Stimpson and Deb Burchard were each invited to participate individually. MOTION by Dave Saldo to exit executive session. SECONDED by Dan Potvin. All in favor. Motion APPROVED. The board exited executive session at 8:25 p.m.

MOTION by Aaron Malachuk to take a roll call vote for the recommendation of the Zoning Administrator. SECONDED by Dan Potvin. All in favor. Motion APPROVED. Six members voted to recommend Debra Burchard for the Zoning Administrator appointment: Aaron Malachuk, Maura Hawkins, Carolyn Brooks, Sheila Lawrence, David Saldo, and Daniel Potvin. Debra Burchard recused herself. Kurt Gamari and Jenifer Hughs did not vote as the board was informed at the last meeting by Janet Hurley of the Bennington County Regional Commission that they were non-voting members due to each of their positions as Selectboard member and Energy Coordinator, respectively.

Aaron Malachuk will attend the next Selectboard meeting to convey the Planning Commission's recommendation of Debra Burchard for Zoning Administrator.

MOTION by Dan Potvin to adjourn. SECONDED by Dave Saldo. All in favor. Motion APPROVED. The meeting adjourned at 8:35 p.m.

The next Planning Commission meeting will be Monday, May 8, 2023 at 6 p.m.

Carolyn Brooks
Planning Commission Clerk

CB/las