

TOWN OF STAMFORD
PLANNING COMMISSION MEETING
June 3, 2019
(UNAPPROVED)

Present: Planning Commission: Steven Denault, Helen Fields, Kurt Gamari, Jenifer Hughs, Sheila Lawrence, Aaron Malachuk, and Daniel J. Potvin.
Stephen Bechtel and David Saldo were not present.
Visitors: Nancy Bushika, David Tatro and James Stimpson.
Lori Shepard, Secretary.

Aaron Malachuk, Planning Commission Chair, called the meeting to order at 7:05 p.m. and opened with the pledge of allegiance.

HEARING OF VISITORS

None.

MINUTES

MOTION by Helen Fields to accept the regular meeting minutes of April 15, 2019 as written. SECONDED by Aaron Malachuk. All in favor. Motion APPROVED.

DISCUSSION OF ZONING BY-LAWS

Dave Tatro was invited to the meeting for his input on several different topics.

1. Jim Stimpson stated the board was discussing at their last meeting the classification of roads and the thought to upgrade Class 4 roads to Class 3 so that camps on Class 4 roads could become permanent homes. Can a driveway connect to a Class 4 road that the town does not plow in the winter? Dave Tatro responded that the town's highway ordinance procedure requires a resident to obtain permission from the Selectboard and would have to obtain either a \$1 million bond or \$1 million liability insurance policy to cover any damage which is caused to the road.
2. Jim Stimpson also asked how a resident could obtain power on a Class 4 road. Dave Tatro advised that they need to contact Green Mountain Power. Their engineer will submit a plan for Selectboard approval if they need to set a pole.
3. Jim Stimpson would like a change made to the Zoning By-laws to acknowledge that the right-of-way on East Road is 4 rods (60 feet) which is wider than our other town roads. Dave Tatro stated that the set back should be measured from the center of the road, out 30 feet in each direction.
4. The Planning Commission also asked Dave Tatro about the collapsed river bank near the tennis courts. He asked Joshua Carvajal, the River Engineer at the Agency of Natural Resources, to view the area. Mr. Carvajal suggested planting a second row of trees behind the area and letting it grow to brush so there is a new growth of trees and roots for erosion control. He did not recommend rip rapping the bank or any other intervention since this often makes the other banks without rock become more vulnerable. Mr. Carvajal was supposed to follow up the visit with something in writing. Helen Fields asked if Chinese Chestnut trees would be acceptable since the Seed Savers Group has several Chinese Chestnut trees already started. Helen Fields wouldn't mind planting the trees to protect the tennis courts.
5. Jim Stimpson would like to add a clause in the By-laws to address the need to have a right-of-way/driveway permit to work in the town's right-of-way issued before he issues a building permit.

6. Jenifer Hughs stated that it has come to her attention that a resident in town has been cutting a large amount of trees on his property, has an enormous pond and trucks are going in and out as if the resident is moving a large amount of top soil or gravel. This resident used to have an Act 250 permit but the conditions may be completed at this point. The neighbors are very upset about the activity. She asked what could be done about it. Dan Potvin stated you could cut whatever trees you want on your own property and having a gravel bank on your property for your own use does not require any permits. Selling gravel commercially would fall under Act 250. The state enforces Act 250 laws very strictly.
7. Aaron Malachuk asked who to contact concerning two dead trees on his property. They are not near power lines. Dave Tatro advised him to contact Bruce Richardson, the town's tree warden. If Bruce Richardson feels the trees pose a safety threat, he can require that the town cut them. Otherwise, even if the trees are in the town's right-of-way, they are on his property and would be his responsibility.
8. The board reviewed the setbacks in the rural and forest zones which are greater than in the residential area and decided to make them the same as the residential. The setback for a two family dwelling in the residential areas was reduced to 150 feet, to be the same as a single family home in the residential. Dan Potvin discussed clustering houses on properties to maximize available farmland. Road frontage requirements create long, narrow lots which often do not allow a property owner to utilize farmland. He would like to be able to build four or five houses on his property, for each of his children and cluster them together at the slope of the hill to maintain the flat land for farming and pasture. This allows property owners to use the land the way it naturally works best, instead of being concerned with road frontage. Jim Stimpson agreed and stated that 67% of all successful farms are family owned and operated. The board discussed the pros and cons of cluster building. Dave Tatro didn't know if the state would allow you to build more than one house on a lot without subdividing. What happens down the road when one of the children wants to sell their house? Jenifer Hughs suggested creating separate lots through the Act 250 process to avoid complications later. Jim Stimpson suggested instead of using road frontage to separate lots, that as long as each house has the equivalent amount of acreage, for example, with a minimum two acre building requirement, you would need at least ten acres to cluster five houses on a lot. Helen Fields noted an article on cluster building in the Burlington Free Press stating that in the early stages of Act 250, the state mapped out by county, areas where development was desired and prohibited. She wanted to see the maps before moving forward. She suggested having someone come and talk to the board. Jenifer Hughs would like to move forward and feels the board is in a position to make decisions they feel are best for future development without having someone come to tell us what to do. Jim Stimpson would like the board to reduce the minimum acreage requirement in the forest zone from 5 acres to 2 acres and eliminate the frontage requirement in the rural and forest zones. He feels it would be good for the town by increasing taxes without increasing services and would be good for families. Kurt Gamari felt the road frontage and minimum acreage requirements were probably put in place to reduce development. Although Kurt Gamari supports the idea, he was concerned that opening up too much development could change the rural landscape that makes Stamford a desirable place to live. Discussion was put on hold until more information is obtained.
9. The board reviewed section 6.2 which requires all roads to be constructed to town standards. This requirement does not apply to driveways.

OLD BUSINESS

Jim Stimpson advised that the Selectboard's public hearing to accept the revised town plan which includes the new Chapter 10 energy standards is set for this Thursday, June 6, 2019 at 5:30 p.m. He suggested the Planning Commission members attend the meeting. He also plans to recommend that the Selectboard approve the revised town plan with the map of preferred sites as is. If a property owner is interested in implementing a commercial solar field in an area not already designated as preferable, they would need to obtain letters from the Planning Commission, Selectboard and the Bennington

County Regional Commission. This would give the Selectboard an opportunity, not so much to prohibit the project, but to stipulate rules such as a privacy hedge if it can be seen from the road.

NEW BUSINESS

None.

MOTION by Dan Potvin to adjourn. SECONDED by Kurt Gamari. All in favor. Motion APPROVED. The meeting adjourned at 9:02 p.m.

The next meeting was scheduled for July 15, 2019 at 7 p.m.

Helen Fields,
Planning Commission Clerk

HF/las