

**TOWN OF STAMFORD**  
**PLANNING COMMISSION MEETING**  
**July 15, 2019**  
**(UNAPPROVED)**

Present: Planning Commission: Aaron Malachuk, Chair, Stephen Bechtel, Daniel J. Potvin, Helen Fields, and Jenifer Hughs.

Sheila Lawrence, Steven Denault, Kurt Gamari, and David Saldo were not present.

Visitors: Nancy Bushika, Susan Bohl and James Stimpson.

Jim Sullivan, Bennington County Regional Commission.

Lori Shepard, Secretary.

Aaron Malachuk, Chair, called the meeting to order at 7:00 p.m. and opened with the pledge of allegiance.

#### HEARING OF VISITORS

None.

#### MINUTES

MOTION by Jenifer Hughs to accept the regular meeting minutes of June 3, 2019 as written. SECONDED by Helen Fields. All in favor. Motion APPROVED.

#### CLIMATE CHANGE SEMINAR

Dan Potvin and Jenifer Hughs attended a recent seminar on Climate Change which was hosted by the Bennington County Regional Commission. Dan Potvin liked their suggestion to buy local, but didn't like the government's approach of pushing change from the top down, for instance, carbon taxes. He doesn't believe in the science behind it. He said the government's solutions worry him. Scientists agree that five years of high intensity grazing could cap all CO<sub>2</sub> emissions since the advent of the Industrial Revolution, but the state doesn't promote that. Jenifer Hughs saw the sociology perspective and how climate change could affect housing. Stamford would benefit from being resilient and from homes being energy independent or using community solar. Efficiency Vermont is offering weatherization assistance to homes. Residents making under \$50,000.00/year could qualify. BROC also offers weatherization for free with no waiting list for Bennington County. Neighborhood Works has low interest loans for many home improvement projects. Helen Fields said she has 20 kids in Garden Camp who are learning how to grow their own food and many families in town have started gardens. She invited the Planning Commission members to see the garden.

#### DISCUSSION OF ZONING BY-LAWS

1. At the last meeting the board discussed multiple dwelling units on one property without subdividing. Jim Sullivan said section 7.9 of our By-laws already provides for this as long as you meet the overall density, setbacks and water and sewer regulations. If you ever want to sell the house, it would probably need to be subdivided through Act 250 and conform to the By-laws. Towns are beginning to implement wording in their By-laws to allow for different uses on the same property, such as a store with two apartments above it being recognized as one building with three separate uses. Sue Bohl cautioned against cluster housing explaining the difficulties she experienced in breaking off a lot for her son. She said water is the most important thing. She does not believe the soil would support cluster housing. She discussed the problems of planning the senior housing in town. When Lesure Road and Boulder Road were developed, it changed the water flow and she needed to dig for new water. Dan Potvin felt

the state's water and septic regulations would control how far apart clustered houses would have to be. Jim Sullivan encouraged new housing in the center of town, but recognized that is not realistic unless the town wants a municipal water and sewer system. He said the VT DEC has a program where small towns can obtain a loan for an engineering feasibility study for the implementation of municipal water and sewer. You don't have to pay the loan back unless you decide to build the system and grants are available to help with building costs. The Selectboard would have to initiate the project since the town would be incurring a loan, but could give the task to the Planning Commission to oversee the study if they wanted. Jim Sullivan said to plan ahead so if you needed to subdivide the clustered property in the future, you could be creative with your driveways and still meet the acreage and setbacks requirements, otherwise you will run into legal problems. Questions were raised such as how a child could obtain a loan if they are building on their parents' property and don't actually own the property. Jim Sullivan is willing to re-write the By-law section to make it more understandable. Jim Sullivan said with very good soil and drainage, 3/4 of an acre is about the minimum lot size.

2. Jim Stimpson asked about building a cabin off grid in the forest zone. Jim Sullivan said you would still need water and sewer for a full time residence and would need to meet zoning requirements. Jim Stimpson feels the seasonal three months maximum occupancy is impossible to enforce. Why does the town care if someone is staying more than three months. Jim Sullivan said someone living in a camp may not have an adequate wastewater system which could contaminate someone else's water. Jim Sullivan will look for some definitions of camps and houses. Jim Stimpson would like to be able to build a primary residence in the forest district. Our By-laws only allow seasonal use in the forest district. Jim Sullivan agreed that most towns have forest districts with similar restrictions. The state promotes the restrictions to prevent forest fragmentation and an increased strain on municipal and public services. The Zoning Board of Adjustment should not grant variances for a use that isn't already allowed in that district. Variances are more for setback allowances. If you find that people are coming to the ZBA for a lot of setback variances, it would make sense to change the setback amounts in your By-laws. He feels a small front yard setback promotes a sense of community where neighbors can greet neighbors. Jim Sullivan suggested being as generous and least restrictive as you can with setbacks. Someone in the rural zone can still choose to build their home farther back than the minimum setbacks. He suggested the town use waivers more often than variances since waivers have a lower threshold to meet. Jim Sullivan will provide some examples of waivers.

3. There are some sections in the By-laws that were added in during the 2009 revision and are not in conformance with state statute. Jim Sullivan will review the By-laws to fix these areas.

#### OLD BUSINESS

None.

#### NEW BUSINESS

1. Helen Fields advised that Luke McKay was at the last Selectboard meeting to discuss a rodeo that he is organizing in town. It will be on August 10 and 11, 2019 near the driving range. She would like the Planning Commission to discuss event planning and create a form to make sure issues such as parking control and public safety are not overlooked. She thought the Community Project Committee could tackle this project. Jim Stimpson suggested the Selectboard create a town ordinance for public events. Jim Sullivan suggested Woodford and Pownal may have model policies for the town to review since Prospect Mountain has concerts and events and Pownal has the racetrack. Steve Bechtel stated since the rodeo is on private property, there is not much town involvement. Jim Sullivan felt the town shouldn't worry about a single event, but if it becomes a venue for several events, we may want to have some fairly simple standards to account for parking and public safety. Helen Fields will contact Woodford and Pownal.

2. At the reorganizational meeting in March, the Planning Commission voted that repeatedly missing meetings would be grounds for a recommendation to the Selectboard for their removal. Helen Fields believes there are one or two members that have missed several meetings and should receive a letter. Aaron Malachuk said he was contacted by a member immediately after that meeting explaining their extenuating circumstances for missed meetings. The Planning Commission is making a lot of difficult decisions for the town and has had trouble making a quorum in the past. It is important that members are committed to their positions or they should consider resigning until they have the time to dedicate. Helen Fields requested that Aaron Malachuk send letters to any members who have missed three consecutive meetings.

MOTION by Helen Fields to adjourn. SECONDED by Aaron Malachuk. All in favor. Motion APPROVED. The meeting adjourned at 8:48 p.m.

The next meeting was scheduled for Monday, August 26, 2019 at 7 p.m.

Helen Fields,  
Planning Commission Clerk

HF/las