

FINAL 6/3/24 MINUTES

APPROVED ON JULY 3, 2024

On 7/3/24, Don Wells move to approve the 6/3/24 minutes as drafted and Melissa Manson approved. Board unanimously approved and on 7/3/24, Melissa Manson signed the 6/3/24 minutes as drafted and submitted them to the clerk for publication.

TOWN OF FAIRFIELD PLANNING COMMISSION AND ZONING BOARD OF ADJUSTMENT MEETING MINUTES

Monday, June 3, 2024, 7:00 PM

Members Present: Aaron Forbes, Demetrius Bolduc, Dan Pipes, Melissa Manson (Chair), Don Wells, Vanessa Kittell, Peter Burns

Minute Taker: Vanessa Kittell

Town Staff Present: Steven True, Zoning Administrator

Applicants Present: Bridget Rivet

Public Present: Lynda Ulrich, Chuck Verderber, Liesl Verderber, Emily Biron, Paul Biron (via Zoom), Emily Klofft, (NWRPC), Greta Brunswick (NWRPC)(via Zoom), Isaac Jiwatram, Dawn Menard, Albert Menard, Rusty Branon, Cathy Branon, Torrey Crossman, (Zoom)

1. Special Meeting, Called to Order, 7:03 p.m.

2. Adjustments to Agenda:

- a. Vanessa Kittell requested that Steve True, Zoning Administrator, draft future agendas with better descriptions and indication of the anticipated time devoted to each Agenda item to enable Board members to prepare for meetings and for public to receive accurate warning.
- b. Vanessa Kittell proposed Agenda item #8 be amended to reflect Review and approval of Meeting Minutes for May 10, 2024, meeting.
- c. Demetrius Bolduc moved to adopt Agenda as Amended. Dan Pipes seconded. All in favor. **Motion to adopt Agenda as amended carried.**

3. Public Comment:

- a. Linda Ulrich requested information on whether the Board passed a Conflict of Interest policy. Steve True confirmed that Board adopted of the Vermont Land

Use Model, Rule 1 Procedures and Conflict of Interest at the Board's May 10, 2024, meeting.

- 4. PUBLIC HEARING:** Application: #24-013, a two (2) lot subdivision submitted by Bridget Rivet (Applicant) at 329 Pelkey Road; Parcel(s) ID#061-0329000; Agricultural District
- a. Steve True described petitioner's application and stated that he determined that the application was complete.
 - b. Steve True stated that the facts show that hearing was appropriately warned and notification to adjacent landowners had occurred by cert. mail in compliance with Town Land Use Regulations, §2.4.
 - c. Steve True stated that the information submitted by petitioner satisfied the following:
 - i. That proposed subdivision lots had frontage and lot size in compliance with requirements as set forth at Table 4.1 of Town Land Use Regulations § 7.9;
 - ii. That proposed subdivision lots contained lot corner markers in compliance with Town Land Use Regulations, §7.9(E); and
 - iii. That proposed subdivision petition conformed to all subdivision review standards set forth under the Town Land Use Regulations, §7.9, Subdivision Review Standards.
 - d. Demetrius Bolduc moved to approve the petition as proposed. Peter Burns seconded. All in favor. **Motion carried approving petition.**

5. NWRPC Discussion

- a. Emily Klofft of NWRPC presented a comparison of the current Fairfield Town Plan with the bylaws set forth in the current Fairfield Land Use & Development Regulations . Emily Klofft stated that the aim was to organize and guide discussion regarding effectiveness of the Regulations in implementing the goals and policies of the Town Plan. Emily Klofft organized this audit of the standards into six areas:
 - Density and Dimension Standards in Rural Areas (Outside in PUD's);
 - Planned Unit Developments (PUD's);
 - Protection of Open Space/Agricultural Soils;
 - Source Water Protection (water use, hydrological and septic);
 - Protection of Scenic Resources; and
 - Environmental protection standards.

- b. Emily Kloffft stated that NWRP will set up an “dashboard” available on-line by middle of June, containing the documents that NWRPC intends to use in connection with guiding the discussion.
- c. Vanessa Kittell stated that to receive public input on this analysis and areas of improvement Board must provide greater notice to public than a single business day as occurred in publication of Agenda for June 3, 2024, meeting.
- d. Peter Burns, Demitrus Bulduc and Vanessa Kittell requested of NWRPC and NWRPC’s Greta Brunswick agreed to provide Town specific information in advance of the first regulatory review meeting including:
 - Showing of differing districts containing agriculture, aggregated by parcel;
 - Showing of amount of conserved land both via Vermont Land Trust designation and via managed land whether protected under current use or State or Federal protection, aggregated by parcel;
 - Showing of areas in flood plains; and
 - Showing of all areas containing 25% slope.
- e. Board agreed to designate initial Special Meeting to initiate regulatory review discussion to occur at 7:00 p.m. on July 15, 2024. Melissa Manson, Chair, stated that she anticipated that NWRPC would lead the public discussion and, as Chair, she would manage the meeting. Aaron Forbes requested that the draft notice of the 7/15/24 public meeting be circulated to the Board prior to publication and requested that the notice contain clearly written notice of the intent of the public meeting be to review present regulations for consideration of possible amendment of bylaws in contradiction with Town Plan .
- f. Chuck Verderber encouraged the Board to lead the discussion on the basis that the Board was comprised of community members vested in the outcome of any regulatory amendment activity.

6. New Business:

Vanessa Kittell requested that the Board continue its Process and Procedures Working Group meetings and engage in a discussion about the interplay between State septic and ground water requirements with Town’s regulatory duty to protection of source waters.

7. Zoning Administrator Report

- a. Steve True reported on ongoing and upcoming matters regarding the 837 Church Rd. petition .

- i. Steve True stated that he anticipated the 837 Church Rd. petition would be complete and ready for a Final Plat hearing for the July 1, 2024, meeting. Steve True stated that a complete copy of this petition will be available both digitally and in Clerk's upon completion.
 - ii. Melissa Manson announced that Board received the hydrologic study that Board requested of Hydrology and Environmental Management Firm, Waite and Heindel, regarding the 837 Church Rd. proposed project. Chair provided copy to each Board member and stated that a copy of the study was available to public.
 - iii. Steve True acknowledged that the Board received Albert Menard's written communication of May 25, 2024, setting forth concerns regarding the hydrological and septic elements of the proposed 837 Church Road project impacting his property. Steve True acknowledged that Board received and stated that Mr. Menard may consider testifying at Final Hearing concerning the 837 Church Road petition.
 - iv. Steve True acknowledged that the Board received a written communication from Torrey Crossman and Lynda Ulrich on May 14, and May 16, 2024, regarding the status of the appeal of the conditional permit.
 - v. Steve True stated that the Board will permit experts to testify at hearing for Final Plat review of 837 Church Road project.
- b. Steve True reported that regarding the Board's regulatory review project:
 - i. He received a copy of the 2023 town Survey conducted by Torrey Crossman; and
 - ii. Steve True reported that the newly enacted "Home Act," 24 V.S.A. § 4414 et seq. may require adjustment to regulation to duplex just like a single home unit.
- c. Steve True reported that he anticipates scheduling a June Process & Procedures working group meeting for the Board and anticipates that the agenda will cover the standards and procedures for sketch plan review.

8. Meeting Minutes of May 10, 2024

- a. Demitrius Bolduc moved to approve meeting minutes and opened discussion regarding Emily Biron's request for confirmation of the 180-day allowance to submit petition for Final Plat occurred at April 1, 2024 meeting. Steve True agreed to add this notation to the April 1, 2024 meeting minutes.
- b. Dan Pipes moved to adopt Meeting Minutes. Don Wells seconded. All in favor.
Motion carried approving minutes.

c. Chair signed meeting minutes and submitted to clerk for publication to public.

9. Confirmation of next meeting

Chair confirmed that the next regular monthly meeting is on **Monday, July 1, 2024 at 7:00 PM.**

Steve True reiterated that the Board would hold a **Special Meeting on Monday, July 15, 2024**, to take public comment in connection the regulatory review project. Notice of the agenda of Special Meeting will be forthcoming.

10. Motion to adjourn made by Dan Pipes, seconded by Don Wells, and meeting adjourned at 8:58.