

**FINAL MINUTES**

**APPROVED ON JUNE 3, 2024**

**Dan Pipes moved to approve 5/10/24 minutes as drafted.**

**Don Wells seconded.**

**Board unanimously agreed and Melissa Manson signed 5/10/24 minutes and submitted to clerk to publish.**

**TOWN OF FAIRFIELD  
PLANNING COMMISSION AND ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
FRIDAY, MAY 10, 2024, 7:00 PM**

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

**Members Not Present:** Peter Burns

**Minute Taker:** Steven True & Vanessa Kittell

**Town Staff Present:** Steven True, Zoning Administrator

**Applicants Present:** Jeff Corey & Linda Corey

**Public Present:** Lynda Ulrich, Chuck Verderber, Emily Biron (via Zoom), Greta Brunswick (NWRPC), Isaac Jiwatram, Dawn Menard, Albert Menard, Cathy Branon, Torrey Crossman, Brian Dubie, John Williams, David Button, Linda Button, Sorel Chaput, Sarah Toof.

- 1. Special Meeting, Called to Order, 7:18 p.m.**
- 2. Adoption of Agenda as noticed.** No adjustments.
- 3. Public Comment:**

Lynda Ulrich requested permission for the public to ask questions or comment at the time each agenda item was heard. Board agreed.
- 4. PUBLIC HEARING:** Application: #24-011, a Boundary Adjustment submitted by Cory Minor (Applicant) for Parcel(s) # S1S-1973 & S1S-2128 (John A. & Morgan E. Williams); 1973 South Road, Agricultural District (AG-10)
  - a. In lieu of the Chair's presence, [Chair was late], Zoning Administrator Steven True opened the hearing. Hearing was properly noticed.
  - b. Steven True requested disclosure of conflict of interest and *ex parte* communications from Board Members. The board found none.
  - c. Steven True explained the definition and role of an "interested person" in public hearings and decisions issued, pursuant to 24 V.S.A. § 4465(b) and 24 V.S.A. § 4471(a).
  - d. Steven True introduced the Applicant's application as complete and in compliance with Town Land Use Regulations, §7.3 B and Table 7.1, and in compliance with

Town Land Use Regulations, §7.3, having met with applicants Jeff Corey & Linda Corey prior to the hearing and for a pre-hearing meeting.

- e. Applicant Jeff Corey testified that his application to the Board requested a permit for a boundary line adjustment and that there was no proposed land development.
- f. Steven True said the petition and application materials satisfied lot size and frontage size requirements pursuant to Table 7.1 and conservation and design criteria at Rule 7.1.
- g. Steven True asked if anyone from the public wished to be heard. No comments were offered;
- h. Ben Williams commented that grantees, John and Morgan Williams, consented to proposed boundary line adjustment;
- i. **Dan Pipes moved to approve the petition for boundary line adjustment, seconded by Aaron Forbes. All in favor. Motion carried.**

**5. Board Election:**

- a. Melissa Manson asked the Board if any Board member was interested in serving as Clerk of the Board.
- b. Discussion commenced regarding who should hold the position of Chair. Vanessa Kittell shared her interest in serving as Chair if Melissa Manson was not interested in continuing. Demetrius Bolduc and Aaron Forbes spoke about their support for Melissa Manson to continue as Chair.
- c. Public Comment received from Lynda Ulrich, who shared appreciations and concerns about selecting a chair focused on process and encouraged the Board to consider selecting a new Chairperson.
- d. Melissa Manson said she was interested in continuing as Chair.
- e. Vanessa Kittell suggested that Peter Burns serve as Vice-Chair, barring his declining to serve.
  - a. Election of officers:
  - b. By consensus, the Board elected Melissa Manson as the Chair, Peter Burns as Vice-Chair, and Vanessa Kittell as Clerk

**6. Review and Proposal to Adopt Rule 1, Rules of Procedure and Conflict of Interest Policy 1:**

- a. Prior to the meeting, Steven True provided proposed Rules of Procedure and COI policy.
- b. Board discussed the proposal. Vanessa Kittell requested revision at Section VI. H. of proposed 10-minute time limit on public comment and recommended adoption of a policy allowing greater discretion to any limitation on time commensurate with context. The Board agreed to amend proposed Rules to reflect this change
- c. Steven True offered to add page numbers to the proposed Rules.
- d. A **MOTION** by Melissa Manson to formally adopt the proposed amended Rules of Procedure and Conflict of Interest Policy I, seconded by Demetrius Bolduc. All in favor. Motion Carries

**7. Northwest Regional Planning Commission (NWRPC) Proposed Bylaw Project Presentation:**

- a. Greta Brunswick of NWRPC presented NWRPC's proposed contract to lead a facilitated 10-meeting process to review and revise Fairfield's Town Land Use Regulations. Greta Brunswick said a specific focus of the project would be to pull out language regarding the Town's agricultural policy for more intensive review.
- b. Vanessa Kittell asked what mechanisms in NWRPC's process would ensure that public comment was heard and considered in any regulatory adjustments. Greta Brunswick talked about how the mechanism of clear and well-worn agendas can maximize public participation.
- c. Melissa Manson suggested the Board accept NWRPC's proposal to recommend it to the Selectboard at their 5/13/24 meeting.
- d. Public comment received by Torey Crossman, who talked about information previously shared with the board from private citizen efforts in 2023. He said their process had included a survey, discussions and feedback about Land use and regulatory reform. Melissa Manson stated that the Board may use that information but also undertake more public outreach.
- e. Public comment received by Lynda Ulrich, who urged public input and encouraged the Board to consider using a public survey for clarity and encourage fair participation. She agreed to send survey suggestions to the Board.
- f. Melissa Manson clarified that there was no formal subcommittee for this project. Greta Brunswick noted that any advisory committee on this effort would be subject to open meeting law.

#### **8. Zoning Administrators Report:**

- a. Steven True reported that on 4/19/24, three Board members and ZA met to discuss Board procedures and Rules.
- b. Public comment received by Torey Crossman, who asked if the Board would consider making upgrades to what it posted on-line. Melissa Manson said that the Board is improving on this and Steven True confirmed that the bulletin board outside the Town Administrator Cathy Ainsworth's office is where Zoning information is posted.
- c. Steven True provided an update, since the 4/1/24 Board meeting, on the complaint of possible violation of the conditional permit issued to 525 Swamp Road. He contacted the Applicant and, following further discussion with the Applicant, he did not find a violation. Steven True also stated that he is working with the applicant to obtain complete application for final plat review.

#### **9. Review and Approve Meeting Minutes of 4/1/24 Meeting:**

- a. Vanessa Kittell requested revision of item 5 (b)(i), Zoning Administrator Report regarding ongoing matters, to reflect discussion of a possible violation of conditional permit at 525 Swamp Road, and that this possible violation as discussed at the 4/1/24 meeting was subject to the duties and actions to investigate a possible violation set forth in the Board's bylaws at 2.11.
- b. Vanessa Kittell requested revision of item 7 to include Don Wells statement emphasizing the urgency for the Board in undertaking the Bylaw review project.
- c. The Board accepted these amendments and approved the amended minutes.

**10. Confirmation of Next Meeting and Events of Interest:**

- a. The next regular monthly meeting is on Monday, **June 3rd at 7:00 P.M.**
- b. On May 30, 2024, Steven True will attend a VLCT continuing educational event on drafting Development Review Board and Zoning decisions.

**11. MOTION:** to adjourn is made by Dan Pipes and seconded by Don Wells at 9:15 P.M.