

Westfield Planning Commission Meeting Minutes
May 16, 2018 – 5:30 p.m.
Westfield Town Offices, Vermont
38 School Street

Attendance:

Planning Commission: Dianne Laplante (secretary), Loren Petzoldt (vice chair), Pat Sagui (chair), Yvan LaPlume, Brian Dunn

Applicant: Michel Couture Jr., Kim Couture

1. **Call Meeting to Order:** 5:43
2. **Additions/Changes to the Agenda:** none
3. **Motion/Second to Approve Minutes from the April 30, 2018 Meeting:**
motion by Dianne 2nd by Ivan, motion passed
 - A. **Business from the Minutes:**
correction of next meeting in notes is May 21st.
4. **Continuance of Warned Public Hearing of April 16, 2018**
 - **Zoning Permit 02-2018 submitted by property owner Michel Couture, Jr.**
 - **Property Address: 492 North Hill Rd.**
 - **Parcel ID 06-001-20; 1 acre lot**
 - **Zoning District: Village**

A. Variance request for construction of a detached-residential garage falling within the two hundred foot protection area of the source of the Westfield water system as described in §320 of the Town of Westfield Zoning Bylaws.

- **Questions/comments from the Planning Commission:** Pat explains the appeals process
- **Questions/comments from the public:** Mike Couture, Jr. asks about the approval process and how drilling the well on the land next to theirs is considered an emergency. He goes on to say Nate Sicard from Ruggles Engineering in St. Johnsbury says that it should be questioned. The first well that went dry was pre-existing when the applicants bought the house. The 2nd well which is newer and farther from the house was drilled after they bought the home in 2002, but still within the 200' water source protection area.

Pat asked if the garage that was attached to the house when they purchased the home was a garage at the time. Reply was that it was a garage at the time and later converted to a finished living space and no longer a garage.

Terry Couture states they now are inconvenienced and burdened by the law. The old well was closer to the house than the new well. She questioned whether the well was drilled illegally by the Fire District, even though it was approved by the State of Vermont.

Ivan asks if the members of the water district have a say on the variance request. Pat replied no.

Pat offered to speak with the town attorney about the questions the Couture's had raised and, if legally possible, include a response to them in the Notice of Decision or to provide a response some other way.

End of Public meeting

5. Deliberative Session

Starts: 6:14 pm and ends: 6:50 pm with a motion from Dianne and seconded by Loren. Motion passed.

Motion by Dianne and seconded by Ivan to deny permit since, based on opinion from the town attorney the Planning Commission does not have the authority to grant the permit under Title 24 Chapter 117 Section 4469(a)(4). Motion passed.

6. Chair report on meeting with Select Board re Town Plan update

Pat updated us on her meeting with the Select Board. They authorized up to \$300.00 for a postcard mailing to all property owners inviting them to take the community assessment survey online, and to let them know where to find paper copies of the survey. She also explained the timeline to the selectboard to complete the plan by December 9: that the Planning Commission may not have the capacity to complete the task without hiring NVDA to help; and that we will know better how much work there is to do after we collect needed changes from town officials and get public input. The Selectboard asked Pat to report at monthly selectboard meetings until the Town Plan is completed.

Pat will send around the draft postcard and survey questions for review before our May 21 meeting.

7. Confirm Next Meeting Date

May 21st at 5:30 pm.

8. Other Business

no other business

9. Adjourn

Motion by Dianne and seconded by Brian to Adjourn