



Westfield VT Planning Commission <westfieldplanning@gmail.com>

Proposed bylaw change

1 message

Tanner Parenteau <tanner.parenteau@gmail.com>
To: westfieldplanning@gmail.com

Tue, Dec 5, 2023 at 5:45 PM

Good evening,

My name is Tanner Parenteau, I have a few questions in regards to the change. What would the change mean for peoples land values that they have invested in? Is this change being forced or is it up to each land owner? Myself and Robert Quattrocelli both own parcels on 242 next to each other, who should our attorney be in contact with to dismiss this proposal?

Regards

Tanner



Westfield VT Planning Commission <westfieldplanning@gmail.com>

Fwd: Proposed Zoning Changes and Questions Related to Them

1 message

TOWN WESTFIELD <townofwestfield@comcast.net>
 To: "westfieldplanning@gmail.com" <westfieldplanning@gmail.com>

Mon, Dec 11, 2023 at 11:42 AM

This was sent to the town email so I'm forwarding on to the PC.
 Thanks,
 LaDonna

Town of Westfield
 38 School Street
 Westfield, VT 05874
 Phone: 802-744-2484 Fax: 802-744-6224
 Email: townofwestfield@comcast.net

Hours: Monday-Thursday 8 am to 4 pm
 Visit our website: www.westfield.vt.gov and 'Like Us' on Facebook at Town of Westfield, Vermont.

Disclaimer: Please be advised that your email communication to the Town may be considered a public record and may be subject to disclosure under the Vermont Open Public Records Act.

----- Original Message -----

From: Kurtis Johnson <kurtjohnson2009@gmail.com>
 To: townofwestfield@comcast.net
 Date: 12/10/2023 3:49 PM EST
 Subject: Proposed Zoning Changes and Questions Related to Them

To The Zoning Board and Board of Selectmen:

I am writing as a concerned taxpayer in the town of Westfield as to the proposed changes to the zoning bylaws. First off I have been contacted by other taxpayers stating that they received a letter regarding the changes. Was such a letter sent out and if so why not to all taxpayers? I say this only because 80% of land in Westfield is controlled by 4 to 6 landowners and if they weren't notified I find that fundamentally flawed.

Nobody ever wants a higher tax rate or bill year to year, the state education board has just stated property taxes will need to increase 18% statewide to budget the education system. That being said, has the town pre-planned for the decrease in grand list value as a result of the zoning regulations on property over 1600 feet in elevation? I ask this question because myself being a landowner with all of my property being above 1600 feet as i'm sure most other landowners will be grieving our assessed values considering that our land will not hold the same value due to these proposed changes. And furthermore has a new land schedule been drafted to account for the devaluation of all property above 1600 feet? With the towns stated CLA at a current 88% and its COD at 18% only 3 years after a town wide reappraisal Covid or not, I would be making it the top priority to fix this problem versus trying to back door zoning changes with a lack of notice and input from taxpayers.

I would like to know the process that would allow these changes to be voted on australian ballot at town meeting as a line item.

My biggest concern is why at a town level are we so concerned with conserving land and forest when the state of vermont has already agreed and stated that Vermont will be 30% conserved land by 2030 and the first state in the country to enter into agreement to have 50% of land conserved by 2050. If the state is already working on this at their level why does the town feel the need to make changes in haste.

Another point i would like to make is if i wanted to sell my development rights to the nature conservatory or Vt land trust for example being the Bunting Family, with these new changes the zoning board is taking value (I.E) MONEY away from the landowner. I am not against this whole proposal as a whole, however I am very concerned for how parts will impact recreation and sportsmen. This would impact how they likely could use their land for hunting and building a camp.

Look forward to your feedback on these concerns.

Respectfully,

Kurtis Johnson



Westfield VT Planning Commission <westfieldplanning@gmail.com>

Attn: Planning Commission - Bylaw Revision Resident Concerns

1 message

Billy Bertrand <wbertrand26@gmail.com>

Mon, Dec 18, 2023 at 7:59 PM

To: westfieldplanning@gmail.com

To whom it may concern,

We are reaching out as residents of Westfield who are concerned about the impacts that the proposed zoning Bylaw revisions will have on our property. We are first time home buyers, and purchased our property at 74 Park Drive in Alpine Haven in May of 2022. The major draw that led us to purchasing this property was the proximity to the state forest and the mountains. Having protected land behind our property is something that we care about, and we are generally passionate about conservation efforts. We are very happy we landed in the Westfield community and we are hoping to stay for many years to come.

Our property would be significantly impacted by the bylaw amendment since a large amount of our property is above 1600' elevation. One of the main concerns we have with this is the limitations we would have to add a garage, a well, or an addition to our current structure. Our home and several others in Alpine Haven have historically been used as secondary residences. This presents challenges with updating our homes to better suit our needs as full time residents. As a young couple that is hoping to start a family in the future, we purchased our property with the expectation that there would not be any limitations related to an addition or a new garage. Another concern we have is if our yard is labeled as conservation land, that would significantly impact the value of our property that we saved for many years to afford.

We sincerely hope you will take this into account when determining if the revisions will be passed. Potentially allowing existing properties within the 1600' elevation zone to be grandfathered in may also be an option worth exploring.

Thank you for taking the time to read this and allow us to share our perspective on the matter.

Sincerely,

Billy & Jocelyn Bertrand
74 Park Dr
Westfield, VT 05874

12/17/23

 **Billy & Jocelyn Bertrand - Bylaw Revision Concerns.pdf**
32K

Please distribute, publish, post, and respond freely.

Town of Westfield Zoning Board,

In summary of December 5th meeting for reviewing the proposed bylaws; the following concerns needs to be addressed:

The creation of the newly proposed "Conservation District" for all properties above 1600ft in elevation with its restricted development rights is unfair to current property owners within these elevations. This un-intentionality devalues property owners above 1600ft and shifts valuation to those below 1600ft.

The Town of Westfield needs to first determine what "Conversation" means in relation to the Town's Plan as currently 66% (17,104 acres) of Westfield's land mass is currently enrolled in some form of Current Use or State Forest based off the States ANR Atlas. Are we trying to create a wildlife refuge or prevent further sub-division?

Of the total 25,728 acreage in Westfield, 53% roughly 13,000 acres is owned by the State of Vermont and by 3x other Timber management owners all of which are enrolled in Current Use. This alone has enabled a massive preservation and consolidation of parcels that has allowed for a very large wildlife corridor to be established. The Town should continue pursuing conservation easements with them, not restricting other current landowners. Does the opinion of 37 respondents from the Town Plan survey that expressed "preserving connected forest areas for wildlife travel and habitat" outweigh the roughly 30 landowners excluding Alpine Haven development that own these properties and their loses?

Promoting forest resiliency has nothing to do with building restrictions , homesteading, or pond building as proposed in the new conversation district. Resiliency of the forest is related to past and current forestry management practices. Please read recent article from UNH & Department of Natural Resources "Evaluating Degradation in North America temperate Forest" on this subject. Westfield should be more concerned about its current timber land condition being overtaken by beech bark diseased thickets from current silviculture practices then development restrictions. What about protecting Hemlock & softwood deer wintering grounds, not just arbitrarily passing 1600ft elevation restrictions?

To restrict current landowners over 1600 ft elevation from building ponds, to limiting structures size to 900sq ft with height restrictions, to preventing homesteading & primary dwellings is wrong. Especially if these properties already have road infrastructure to them and the parcels have already been subdivided. Preventing a current landowner from adding a 20ft addition isn't preventing forest fragmentation or hurting the surrounding forest resiliency, its restricting potential taxation.

As in our family 120acre camp that we have paid fair market taxation for the past 30 years. This property has been farmed in past generations, homesteaded, and has existing road infrastructure in place. These existing non-conformities are already in place and should not be restricted.

The new proposed by-law subdivisions are actually too generous and needs to be stricter with greater lot sizing, frequency of subdivisions, setbacks from waterways, etc. rather than restricting structures on current & future taxation potential.

The Town of Westfield needs to at a minimum create a new land schedule for properties above 1600ft and also assess how much of the Town's Grand list is affected by the roughly xx acres above 1600ft that would have restricted development. Otherwise this will lead to potential grievances, BCA hearings as well as legal challenges. Are the residents of Westfield below 1600ft elevation willing to accept higher taxes to accommodate for the loss of Town's Grand list for properties within the "Conservation District"?

This still doesn't compensate current landowners for valuation loss, as well as potential losses to sell their development rights with conservation easements. The potential value of these easements would be worth less if the Town's new conservation bylaws are enacted.

If the Town of Westfield is really concerned about the State's new Community Resilience & Biodiversity Protection Act H.126 we should wait for the Agency of Natural Resources for guidance as currently this bill is extremely vague for enactment with no mention to protecting private property owners or rights. The Town's initiative falls directly on the backs of current property owners within the newly proposed conservation district to burden. This opens the door for further bylaw restrictions down the road and will only continue to deteriorate property valuation above 1600ft.

We really need to ask ourselves how much of Westfield do we need restricted or in current use as we are already at 66%. Are surrounding towns going to make the same sacrifice?

Respectfully,

Bruce Johnson

Resident of Westfield, VT



Westfield VT Planning Commission <westfieldplanning@gmail.com>

Comments on proposed Westfield zoning laws

1 message

Zoran Zvonar <zoran.zvonar@alpinehaven.org>

Sun, Dec 24, 2023 at 10:31 PM

To: westfieldplanning@gmail.com, Zoran Zvonar <zoran.zvonar@alpinehaven.org>

To Westfield Planning Commission

In response to proposed Zoning Bylaws please consider following comments.

Some of the properties in Alpine Haven are located in this proposed Conservation district which included land above 1600ft elevation. Alpine Haven has an already mature and solid infrastructure of water, roads, electricity and also 80+ homes.

Currently the proposed bylaw, as it is written, negatively impacts all property owners and their land values, not only at the 1600ft elevation level where it ultimately restricts the landowners ability to build garages, ponds, second dwellings, renovate or develop any land in excess of the current footprint but there are additional and proposed measures which will restrict access to our much needed resources. One of the important resources impacted are the water wells which we require for continued water supply. Some of these wells will be rezoned into restricted areas. As you can see this will have a substantial negative impact on Alpine Haven water supply, our operating costs and would likely have a negative effect on our efforts for ongoing system improvements.

Please note that renovation additions to current dwellings and new builds on our mature infrastructure would likely not have any measurable negative impact on the future conservation plans. **Having that in mind you may consider excluding Alpine Haven, including land owned by Water Coop and Alpine Haven Property Association members, from the proposed conservation district. You may take a moment and study the Montgomery zoning map which considers Alpine Haven under the same zone as the villages.**

Thank you for your time and consideration.

Sincerely,

Zoran Zvonar
146 Birch Road
Alpine Haven

To: WESTFIELD PLANNING COMMISSION
CC: AHA WATER COOP BOD, AHPOA BOD
From: Jeff Usheroff (Board of Directors member of both AHPOA and COOP).
Subject: **PROPOSED ZONING CHANGES ABOVE 1,600 FT ELEVATION**
Date: Friday, December 29, 2023

I have read and support the message sent recently by Zoran Zvonar, my neighbor and fellow board member.

BACKGROUND

I have been a property owner in Alpine Haven since approx. 1978.

I have served on both the AHPOA (Alpine Haven Property Owners Association) and the COOP (AHA Water Cooperative) Boards of Directors since approx. 2000.

In the last 12 years, when the organizations have had several legal issues, I have focused my efforts on the committee called the Legal Team. I serve as a volunteer to the community, as do all board members. The legal issues have been demanding on the time of the Legal Team.

LAND USAGE AND FINANCIAL IMPLICATIONS FOR AHPOA AND THE COOP

As the legal issues have recently been mostly resolved, with the board's approval, I recently focused my attention to the lots of undeveloped land owned by the organizations. There are five lots owned by the COOP and one lot owned by AHPOA. These lots should be put on the market as the organizations, in particular the COOP, need an increase in working capital to fund operations and repairs.

Four of these lots are above 1,600 ft. elevation. And two are below 1,600 ft.

LOT MARKETING PLANS

I recommended a St. Albans waste water septic designer who was engaged by the COOP to evaluate each lot individually, with respect to meeting the requirements to have a building site, which will not contravene the wetlands regulations and not exceed the maximum slope requirements. This written report is due in the mid-January 2024.

The purpose of marketing these undeveloped lots is to increase the number of water system members, where feasible (likely four of the six lots), to ease financial pressures on the COOP. As you may be aware, when the 16 units AHH Holdings Condo building burned to the ground, the COOP lost 16 contributing members (out of about 94 members at that time, if my memory is correct).

IMPACT OF SALE OF LOTS AS A BUILDING SITE

The sale of the lots as building sites will help the immediate working capital requirements and provide a small, but important increase in the water system membership.

It is my belief that although the community likely supports a conservation effort, the negative impact of applying the proposed new zoning regulations, as proposed, will have a major adverse effect on the Alpine Haven Community. It will severely restrict any potential development plans.

I hope that you will take this into consideration when finalizing the zoning regulations. Thanks for your attention to this matter.

Gerard & Rosemary Croizet

1342 VT Rte. 100
Westfield, VT 05874
(802) 744-2406

The Westfield Planning Commission
Westfield Town Office
38 School Street
Westfield, VT 05874

January 2, 2024

Dear Planning Commission,

First, I would like to thank you for all the hard work that you have accomplished in putting together such a plan as the one now before us. It represents innumerable hours and dedication on your part. Westfield is lucky to have such a dedicated, intelligent group.

Not having been able to attend the informational meeting, we would like to state our support for adoption of this plan for Westfield with this letter.

Of particular interest to us are the sections that strive to limit development at high levels and connect wildlife corridors (complimenting Montgomery's plan), thus caring for water sheds and wildlife. As survivors of the devastating flood in 1997 which was exacerbated by the large clear cutting on Ball Ground Road, we are especially pleased to see this articulated.

Also, the portion that recognizes North Hill Road as scenic and culturally important is heartening. In years to come, this will be a true legacy that we will have given our children and others to enjoy, value and protect.

Doubtless, some dwellings may have to be grandfathered in as a compromise, but we urge the Select Board to adopt this plan.

Thank you.

Sincerely,



Gerard & Rosemary Croizet





Westfield VT Planning Commission <westfieldplanning@gmail.com>

Proposed restrictions above 1600 elevation

Bill Hayman <billhayman133@gmail.com>

Thu, Jan 4, 2024 at 6:19 PM

To: westfieldplanning@gmail.com, townofwestfield@comcast.net

Dear Westfield Board Members,

As Alpine Haven Association community members, within the township of Westfield, we support exemption from the proposed 1600 elevation restrictions for our community.

This is our reasoning:

1. We are a self-contained community, with long-established boundaries, individual lots with over 80 homes, self-maintained roads and other services.
2. Alpine Haven Community is located within township of Montgomery as well as township of Westfield.
 - a. Township of Montgomery places no such restrictions on Alpine Haven residents within Montgomery's boundaries.
 - b. Dissimilar by-laws within our Alpine Haven Community could create adverse effects.
3. Alpine Haven Community residents pay taxes to their township but receive zero services from those townships.
4. Alpine Haven is physically separated from Westfield.
5. We believe the existing Vermont State by-laws will adequately protect the environment within our community.
6. Future development within Alpine Haven boundaries would be subject to the current building codes, protecting the environment.
7. Our property values will decrease with new restrictions.

Respectfully,

William and Chrystal Hayman
[143 Enzian Drive](#)
[Westfield, VT](#)

315-322-3444



Westfield VT Planning Commission <westfieldplanning@gmail.com>

Proposed Zoning Bylaw

1 message

Timothy Westerman <timothy.westerman@gmail.com>
To: "westfieldplanning@gmail.com" <westfieldplanning@gmail.com>

Fri, Jan 5, 2024 at 11:52 AM

Good Morning,

I recently purchased a home in Westfield and would like to comment on the proposed changes to the zoning bylaw. Our home is located in Alpine Haven and, based on what I can gather from the internet, sits at approximately 1550ft in elevation. We live at the home as much as possible, but we also supplement the costs by renting it on a short term basis.

I have been reviewing the meeting minutes and I would like to echo some of the concerns raised by the community, and raise some personal concerns as well.

We chose to purchase a home in Alpine Haven because we fell in love with the area years ago. One of the factors that drove us to this particular property was that it was located in Westfield as opposed to Montgomery. Montgomery, on its face, is a wonderful location. However, I watched several meetings from various Montgomery town entities and I was taken back by the drive of certain elected and/or appointed participants to openly criticize citizens' concerns regarding personal property rights. All too often in town level government one or two zealous individuals can have a significant impact on the property rights of many. I see it as a product of regulations and bylaws that allow excessive oversight by the town. In addition, many individuals come to small towns to get away from excessive government interference.

Westfield appealed to us, over Montgomery, because Westfield did not appear to have any desire to interfere with individuals' property rights. However, the proposed bylaws changed that perception. It's concerning to see that the town is attempting to severely restrict property rights at an elevation above 1600ft. We can appreciate the goal, but it comes at an extreme cost, and completely disregards the individual property owners' interests. As proposed, the town would essentially be taking the land above 1600ft and still require the owners to pay taxes on it; it's akin to taking land by eminent domain without any consideration.

There are better ways to accomplish the goals of the town. Massachusetts has a program where, if the landowner agrees not to build on the land (with exceptions for housing for family), the town substantially reduces their tax liability. If the landowner sells the land, the town has the right of first refusal. This is an example of an equitable method of land conservation. I am sure I could find more examples of this with some research, but the point is, there are means to accomplish the goal that are much more fair than unilaterally restricting land owners' rights.

My next concern is that the proposed bylaws provide for excessive oversight by the town. I, along with many others, are driven to small town life because we do not care for government intrusion into our everyday affairs. Certainly, rules and regulations are an integral part of any community, but the proposed bylaws give the town oversight in nearly every scenario that a property could be used for. This opens up the opportunity for a zealous individual to severely undercut the property rights of many. This is what I was seeing in Montgomery during our property search. Unfortunately, there is little oversight in town politics and by the time the will of a few is made just, the damage is already done. Let the people of the town enjoy their land, unencumbered by excessive regulations.

My last comment is more of a personal concern. The concept of short term rental seems to ignite passions on several levels. We can appreciate the arguments on either end of the spectrum, but we chose to purchase our home in Alpine Haven because 1) short term rentals were accepted in the community, and 2) the town appeared to welcome short term rentals in this area. Any changes to our ability to rent our home will have a severe impact on whether we can remain in the area, and I assume we are not alone. We would ask the town to please consider those who rely on rental income when deciding on how to regulate short term rentals.

Thank you for your time.

Regards,
Tim



Westfield VT Planning Commission <westfieldplanning@gmail.com>

Westfield Zoning comments on behalf of Alpine Haven

1 message

Benjamin Mulkerin <benjamin.mulkerin@alpinehaven.org>
To: townofwestfield@comcast.net, westfieldplanning@gmail.com
Cc: Alpine Haven Board <board@alpinehaven.org>

Fri, Jan 5, 2024 at 5:46 PM

Dear Westfield Planning Commission and all concerned,

>

> The Board of Alpine Haven is writing on behalf of ourselves and the Property Owners represented by our organization. It is our understanding Alpine Haven and all property owners represented continue to be included in the "recreation residential" zone and not affected by proposed zoning changes; specifically definition of the conservation zone as all lands above 1600' elevation. We would like to state that the Board would find proposed changes unacceptable should the Town of Westfield apply the proposed conservation zone definition to the areas represented as Alpine Haven.

>

> We offer the following descriptions and opinions to further support continued recognition of all areas within Alpine Haven to remain zoned as "recreational residential" at this time and into the foreseeable future;

>

> 1. Alpine Haven is served by a Board of Directors (BOD) representing the members of AHPOA (Alpine Haven Property Owners Association).

> 2. An independent Board of Directors serves the AHAWC (Alpine Haven Association

> Water Coop), which provides water to most property-owners.

> 3. Alpine Haven straddles both Montgomery and Westfield which, under current zoning, are consistent in character and zone type.

> - Alpine Haven is currently served by one private road system shared by the property-owners covering the entire community via three access points in both Westfield and Montgomery along Rte 242.

> 4. Alpine Haven consists of mature and solid infrastructure of water, roads, electricity, servicing multiple dwellings (80+ dwellings)

> 5. Given current regional housing issues, the commission may recognize Alpine Haven as an opportunity to preserve existing and potentially add housing units. Renovations, additions to current dwellings, and new builds utilizing the infrastructure of Alpine Haven would not have measurable negative impact on the future conservation plans and goals.

> 6. There is undeveloped land, above 1,600 ft., owned by the Coop acquired

> expressly to support the public water system.

> 7. There is undeveloped land owned by members of AHPOA above 1,600 ft.

>

> - Request that parcels owned by AHPOA, the Water COOP, and AH associated owners be excluded from current and future proposed zoning changes given these facts.

>

> Respectfully;

> AHBOD on behalf of the Alpine Haven Community



Westfield VT Planning Commission <westfieldplanning@gmail.com>

parking regulations on 242

1 message

Zoran Zvonar <zoranzvonar@msn.com>

Fri, Jan 5, 2024 at 6:29 PM

To: "westfieldplanning@gmail.com" <westfieldplanning@gmail.com>, Zoran Zvonar <zoranzvonar@msn.com>

Re: Parking regulations at 242 across from Big Jay access

With the increased interest in backcountry sports there is more traffic on 242 between Montgomery Center and 242 pass. Popular sport is parking spot on 242 that is across from Big Jay backcountry access in Westfield town zone. During last year there were multiple occasions where the parking lot capacity was greatly exceeded by over 30 cars parked on the side of 242. In a longer run this presents potential traffic danger and prevents snow plow activity.

The new zoning plan may consider certain regulations and the signage at the lot. That will also help State Police in their role of regulating parking restrictions on the 242 when cars are blocking portion of the road.

Thank you for your time and consideration.

Sincerely

Zoran Zvonar
146 Birch Road