

Westfield Planning Commission
Meeting Minutes
November 14, 2022, 6:00 PM
Westfield Community Center, 59 North Hill Rd., Westfield, VT

Present: Brian Dunn, Kitty Edwards, Ellen Fox, Loren Petzoldt, Pat Sagui
Members of the public: Will Young, Zoning Administrator (ZA)

1. Call Meeting to Order

Pat called the meeting to order at 6:03 pm

2. Additions/Changes to the Agenda

Added discussion of input from Alison Lowe at Northern Vermont Development Association regarding the Outdoor Storage Ordinance and Bylaw performance standards draft language.

3. Approve Minutes

A. Approve October 24, 2022 minutes

Loren made a motion to approve the minutes, Brian 2nd and the minutes were approved.

– Business from Minutes

Pat has found some examples of noise level regulation for consideration as part of the performance standards. She will go over the example under Item 6 of the Agenda when we discuss performance standards.

4. ZA Discussion of pond excavation in Bylaw old/new

Will Young, the Zoning Administrator brought up a concern by Eric Kennison that an enlarged pond on Buck Hill Road has a berm constructed within the setback of the road. The concern is that if the berm were to fail, the road would be flooded, creating a wash out condition, especially on the hill. There is no permit for the pond, and so the PC and ZA do not know if there is water level regulation, or an overflow to direct water away from the road and ditch.

The Planning Commission (PC) discussed that ponds are not specifically regulated by name in the Zoning Bylaw. The excavation required to complete the pond construction is regulated in the Zoning Bylaw and requires a permit. In addition, if the area was a wetland, then a state wetlands permit is required.

The PC members expressed concern about the ditch lining and stabilization performed as part of the Better Back Roads program in that area to prevent erosion into Taft Brook which feeds into the Missisquoi. If the pond retention were to fail, this work could be compromised.

Pat will inquire with the Better Back Roads program for any insight or experience they have with this kind of situation. Ellen will inquire with the Wetlands Program about jurisdiction in this specific instance. Will, the ZA, will check in with the landowner to learn more and look at the setback area to determine if there is a violation, and if there is, to evaluate a possible remedy.

Meeting minutes November 14, 2022 Regular Meeting

5. Report out from Ellen/Pat 11/1 meeting with Selectboard (see notes below)

Pat reported that the work meeting with the Selectboard was effective, and we were able to provide an overview of the structural format changes proposed as revisions to the Zoning Bylaw. Also, at the Selectboard work meeting we were also able to cover specific content changes up through Zoning Districts and Table of Uses. There was discussion of the proposed conservation district. When going over the uses, Ellen mentioned the need to define and discriminate among the uses of camp, campsite, and campground.

The PC members discussed the definition of a camp, particularly with the perspective that a camp is proposed as a permitted use in the conservation district. It was agreed that the proposed definition in the revised bylaw will be that a camp is up to 900 square feet. Ellen will report back to the group regarding any state definition for a camp. A camp site is land on which may be located trailers, tents, or other shelters for temporary and seasonal accommodations; more than 3 on a parcel is considered a campground and regulated as such. A campground is defined by the State of Vermont and Ellen will use that definition in the draft of proposed revisions.

Also, Pat shared notes about the work meeting with the Selectboard including:

- On farm accessory business – state statute
- Avoiding defining statute that can change
- decide about DRB Y # (3?), staggered terms Y,
- Permit expiration
- attestation of mailing – ck with Sara
- MAPA – Has town done this
- keep track of time ZA – maybe adjust fee or make it hourly
- Waiver provision - delete
- Judicial Bureau action – do we need this or does town already have authority ck with Sara
- mutli layer map includes well head protection areas – troy well near town line
- Retail Sales – no P keep as Conditional Use in all districts where applicable

6. Zoning Bylaw revisions:

- Performance Standards

Ellen provided a draft of performance standards and explained that many have undefined, and unmeasurable terms such as “nuisance, threat, impair” etc and may be difficult to enforce. PC members will consider the performance regulations and have feedback at the next meeting.

- Sound, acceptable decibel level at property line constant, variable, intermittent, commercial

Pat provided example language for noise level regulation from the Sutton Development Bylaw. Some of the language had technical specifications such as “fast, A-weighted decibels” which the PC members did not understand. Pat will follow up with Alison about the technical terms in the example regulation and how this would be measured.

- Separate Flood Hazard Bylaw

PC discussed the possibility of having a separate, stand-alone Flood Hazard Area Bylaw

- Input from Alison Lowe regarding the parking elements of the Outdoor Storage Ordinance

Alison also provided language for parking regulations which the PC will consider. Parking of cars and RVs could be regulated as a parking ordinance. Prohibition of parking in setback areas was considered. This would mean that on small lots in the Village District, there may not be areas to store vehicles. PC members in general did not find it to be a pressing need to regulate parking areas on private land.

7. Next Zoning Bylaw draft section/s
Updates from Ellen

Ellen will incorporate language for junky yards and outdoor storage back into the Zoning Bylaw according to the discussion with the Selectboard.

Revised schedule to complete Bylaw draft

A full draft will be ready after review with the Selectboard and in January for review by the Town Attorney.

8. Annual Time Sheets

PC members will complete annual time sheets at the Nov 28 meeting.

9. Other Business

None

10. Next Meeting

November 28 at 6:00 pm

11. Adjourn

Kitty motioned to adjourn, Ellen 2nd the motion and the meeting adjourned at 8:24 pm

Minutes respectfully submitted by Ellen Fox