

Westfield Planning Commission (PC)
Meeting Minutes
Monday, March 27, 2023, 6:00 PM
Westfield Community Center, 59 North Hill Rd., Westfield, VT

1. Call Meeting to Order

Pat called the meeting to order at 6:18 pm.

In attendance: PC members Brian Dunn, Ellen Fox, Loren Petzoldt, Pat Sagui, and Westfield Zoning Administrator(ZA) Will Young.

2. Additions/Changes to the Agenda

None

3. Approve Minutes

A. March 13 minutes

Loren motioned to approve the minutes. Brian seconded the motion and the minutes were approved.

– Business from Minutes

Pat will ask the Selectboard about an overall conflict of interest policy for municipal employees. This is relevant to the PC discussion of whether two individuals need to be involved in the process to be sure a zoning application is acted upon within 30 days following completion of the application. Pat also sent an invitation to the new Selectboard member, Dennis, to join our April 10 meeting. Pat will follow up over the phone or in person with Dennis.

4. Zoning Bylaw revisions:

• Miscellaneous reader edits

Discussion of responsibilities of the ZA including many tasks in addition to approving and denying Zoning Permit applications concluded in a consensus that the PC will develop a proposal to provide a stipend for the ZA in addition to the payment per permit.

Discussion of topics in the proposed revisions and reviewer comments

-Having a cost threshold to trigger a permit requirement for interior renovations reflects the intention to have the listers adjust the value of a property when renovations increase the value. However, the cost of a project isn't clear until it is completed. Furthermore, interior renovation often happens in stages and creates an undue burden on a homeowner and the ZA to administer permits for multiple and perhaps overlapping projects. The proposed revision will not require a permit for interior renovation. An updated value resulting from interior renovations will be reassessed for the grand list at the listers' request, the owners' request, periodic statewide reappraisal, or when a property is sold.

-Attorney review noted that service for a Notice of Violation does not need to be by Certified Mail since often recipients refuse Certified Mail. Notice can also be achieved by public posting. The proposed revisions will include notice options of Certified Mail, 1st class mail with a Certificate of Mailing, publication in a local paper, service in person by sheriff or other municipal official.

- Attorney review noted that the time period required for Abandonment of Use is relatively short. For example, due to the COVID pandemic many businesses did not operate for a year and so any conditional use approval would have switched to abandoned use and the owners would need to reapply for conditional use. Discussion of the desire for property owners to maintain their conditional use while they own the property, and also for owners to discontinue a use prior to selling their property, with the approved conditional use remaining intact nonetheless. To accommodate this, the proposed revisions will define a use as abandoned when both a period of 2 years has passed AND a change of ownership occurs.

- So that fences do not tend to change property boundaries and create vacant unusable land in setbacks between fences, the proposed revisions will allow fences to be built up to the property line, though not on it and must be maintained by the owner.

-For home occupations, “helpers” will be omitted in the proposed revision so that home occupations may use independent contractors for specific purposes. Employees rather than employees and helpers will be a determining factor for an enterprise to qualify as a home occupation.

-In the proposed revisions, a food truck will be required to obtain a zoning permit if it will serve food on public accessible property and to the general public. Caterers at private events do not need to obtain a zoning permit. The PC needs to articulate some parking, traffic, or safety standards for the ZA to approve these permits if they are permitted and not conditional use.

-In the child care section, refer to the State of Vermont standards rather than try to explain the threshold for the number of full time and part time children allowed for a home child care vs child care facility.

- Accessory Dwelling Unit can include any structure, rather than only efficiency or 1 bedroom as written in the definition. Ellen will amend the definition.

-DRB has broad ability to apply conditions where the Bylaw is silent on specific standards of review. There is an increasing need to be sure decisions of the DRB are made in context of similar conditional use decisions with clear Findings of Fact and Conclusions of Law. The PC recommends that the clerk for the DRB be paid for this time, and to professionalize and retain these services.

-Ellen proposed the idea of maximum density / acre standards for zoning districts rather than minimum lot sizes. Through discussion of density goals for different zoning districts, the PC considered options such as maximum dwellings per parcel or per lot. Lot is not currently used or defined in the proposed revision of the Bylaw. The proposed revisions will allow up to 2 single family homes, each with an accessory dwelling and so at least 4 dwellings per lot are allowed. There will be discussion at the next meeting about adding maximum dwellings per parcel standards to the dimensional standards table.

- Updates from Ellen
 - Outreach plan and materials for PC informational meeting
 - Percent of total acreage in Westfield conserved now, and with addition District (not necessarily conserved via land trust)
 - Schedule to complete Bylaw draft

Tabled to next meeting.

5. Sewer hook-up survey next steps

Pat, Jacques, and Ellen will attend the Jay Troy Joint Sewer Board meeting this coming Tuesday to discuss possible connection to the existing wastewater system. If there is feedback that it is possible and the Board is amenable, we will begin to distribute the wastewater survey in Westfield to get feedback.

6. Permits

- Kennison subdivision hearing materials

Hearing will be April 10 at 6 pm with the regular meeting to follow.

- Wojcik and Rosa, ANR request to Act 250 to hold issuance of permit

Pat shared this notification from ANR regarding a necessary review by the wetlands program.

7. Invitation to new SB member for bylaw revisions overview

As noted in business from the minutes, Pat will follow up with Dennis to invite him to the April 10 meeting, or find another time to come to our meeting.

8. Other Business

None

9. Next Meeting

April 10 6 pm hearing with meeting to follow

10. Adjourn

Loren made a motion to adjourn, Brian 2nd the motion and the meeting adjourned at 8:30 pm.