

## Planning Board

Board Room, Municipal Building, 7:30pm

February 9, 2010

Members: Michael Mayor, Judith Esmay (Chair), Jim Hornig, Bill Dietrich, Joan Garipay, Charlie Faulkner and Kate Connolly

Alternate: Mike Hingston, Iain Sim

Staff: Denise Shibles, Jonathan Edwards, Judith Brotman

Others: See attached sheet

1. Minutes July 29, August 26, October 27, December 14, 2009, and January 5, 2010  
July 22, 2009- MAYOR made a motion, with CONNOLLY seconding, to approve the minutes. The vote was unanimous in favor of the motion with the following members voting: Mayor, Esmay, Dietrich, Faulkner and Hingston.

August 26, 2009- Hingston and Esmay approved the Residential Report as written.

October 27, 2009- Hingston and Esmay approved the Residential Report as written.

December 14, 2009- DIETRICH made a motion, with HINGSTON seconding, to approve the residential project minutes as corrected. The vote was unanimous in favor of the motion with the following members voting: Esmay, Dietrich, Garipay and Hingston.

January 5, 2010- MAYOR made a motion, with HORNIG seconding, to approve the minutes as corrected. The vote was unanimous in favor of the motion with the following members voting: Mayor, Esmay, Dietrich, Hornig and Garipay.

February 2, 2009- DIETRICH made a motion, with GARIPAY seconding, to approve the residential project minutes with corrections. The vote was unanimous in favor of the motion with the following members voting: Garipay, Esmay, Dietrich and Hingston.

### 2. Public Hearing on proposed zoning amendments

#### **#10-01- 1 Section 803**

The proposed amendment states if there are no changes to a non-conforming structure within the footprint, height or distance from neighbor, the Zoning Administrator can approve. If any of these are affected, they must go before the Zoning Board.

DIETRICH made a motion, with FAULKNER seconding, to move to the warrant and recommend its passage. The vote was unanimous in favor of the motion with the following members voting: Mayor, Garipay, Hornig, Esmay, Faulkner, Connolly and Dietrich.

**#10-2 Section 1006 Variance**

This proposed amendment would bring the ordinance in compliance with the new language in the state law. This change eliminates differences between area and use when applying for unnecessary hardship.

There was some discussion of adding the legislative "statement of intent" to the amendment. It was decided that it could be added as an administrative footnote. Jonathan would check with town counsel to see if this is legally permissible.

(It has since been reported that Town counsel strongly urged the Board not to add this language.)

MAYOR made a motion, with CONNOLLY seconding, to move to the warrant and recommend its passage. The vote was unanimous in favor of the motion with the following members voting: Mayor, Garipay, Hornig, Esmay, Faulkner, Connolly and Dietrich.

**#10-3 Public Notice**

MAYOR made a motion, with CONNOLLY seconding, to move to the warrant and recommend its passage. The vote was unanimous in favor of the motion with the following members voting: Mayor, Garipay, Hornig, Esmay, Faulkner, Connolly and Dietrich.

#10-04- MAYOR made a motion, with DIETRICH seconding, to move to the warrant and recommend its passage. The vote was unanimous in favor of the motion with the following members voting: Mayor, Garipay, Hornig, Esmay, Faulkner, Connolly and Dietrich.

3. Discussion about Water Company lands

Jim Hornig raised the topic of what role the Planning Board might play in the future of this land and suggested possible steps the Planning Board might take going forward.

His suggestions are:

Formation of a committee to recommend both short and long range management policy of the property, as recommended by the Master Plan. This might be a standing committee of the Conservation Commission.

Urge the Town or the Trescott Co. to complete and publish the long promised Resource Inventory of the land.

Include a conservation representative on the Trescott Board, suggesting that the Hanover Conservation Council handle this.

Begin the process of rezoning the property from Forestry to Nature Preserve.

Hornig also raised the following questions:

What is the Trescott Co. goal? Do they need a financial gain?

Who are the shareholders? Are there by-laws? Who's writing the by-laws?

Mayor stated he agreed with these recommendations.

Sim suggested the Conservation Commission make suggestions to the Planning Board. He also stated that he believes the primary purpose is that this area serves as a watershed to collect drinking water.

Several members of the public spoke.

-Penny Williamson stated she agrees that the Hanover Conservation Council be involved.

-Bob Keene asked if "Natural Preserve" (NP) excludes recreational use? What about hunting? It was explained to him that there would need to be an application presented to the Zoning Board of Adjustment for a special exception to allow outdoor recreation if zoning is changed to NP. It was also explained that hunting is considered permitted unless posted by the land owners.

-Elizabeth Tobiasson asked about a golf course, understanding the College might be interested in placing one on this property. It was explained that this too would need to be an application to the Zoning Board for a special exception.

-Lise Richardson is concerned that 6 appointed individuals will be making the important decisions concerning this property.

-Robert Bruce supports Hornig's suggestions.

-Anne Morris also supports Hornig's suggestions and is concerned with communications between the Trescott's Co. and the townspeople. She also expressed concern that there is no written commitment to the sustainability of water production and quality by the Trescott Co.

-Dave Cioffi asked that, should the zoning be changed to NP, that it not be forgotten that this land is good agricultural land.

-Ed Chamberlain is concerned that the College would not agree to NP rezoning from Forrestry.

Connolly stated the Charter should be completed by July 1, 2010.

Hornig suggests that a letter be written to the town manager, asking for a property list. He's also like a letter written to the Selectboard giving recommendations of directors to the Board of Trescott Co.

HORNIG made a motion, with FAULKNER seconding, that Mayor take to the Conservation Commission, the matter of establishing a committee to work with them on matters relating to Water Company land. The vote was unanimous in favor of the motion with the following members voting: Hornig, Faulkner, Garipay, Mayor, Esmay and Dietrich.

4. Discussion about going paperless  
After much discussion about the difficulties going paperless would present to each board member, the decision was made that they are not ready for this at this time.
5. Adjourn- The meeting adjourned at 9:55pm.

Respectfully submitted,

Denise D. Shibles

Recording Secretary