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**Town of Pownal
Planning Board Minutes
Wednesday, April 17, 2024
Meeting Minutes**

Members Present: Matt Altieri, Todd Mellin, Marcia Bowen, Orion Breen, Brian Stornelli, Bill Schmidt, Thomas Ursia, Town Planner, and Recording Secretary, Alison Purinton

Members Absent: Excused, Mercedes Pour-Previti

Guests: Sam Rice- Burns & McDonnell, Kevin Nicholas-CMP, Nicholas Hahn- CMP Vegetation Management, Lisa Gilbreath- Pierce Attwood, Legal Counsel, Gerry J. Mirabile- Director CMP Permitting and Compliance, Troy Thibodeau- Burns & McDonnell, Public Involvement, and Jon Morris, Selectman

Call to Order at: 6:00 pm by Todd Mellin and explains that Matt Altieri has excused himself for the CMP portion of the meeting. We will go over that and then drop into the normal agenda of the meeting.

Secretary's Report: Approval of Meeting minutes for March 20, 2024.

Todd- I move that we accept the minutes as amended for the March 20, 2024 meeting. Marcia to second All in favor 3-0 Motion carries

Old Business;

CMP application for Section 62 rebuild and Section 64 Repair

Todd- We need to vote on the conclusions of law. I was going to go thru each conclusion and vote on as a board.

Lisa- If you would vote on the entire document at the end to capture the findings.

Tom- Passes out 2 copies as signatures will need to be done this evening. There is a fair amount to do so I am going to get to it.

Tom- Appreciates all the work that has been done and would like to hear from the public outreach individual as he is here. This is very important. Blasting remains an unknown and is typically a public concern. I suggest there be the board statement of the importance of public communication as the project proceeds.

Todd- We have voted on the project as a whole we are now going thru the findings and facts and conclusions of law. We have already approved the waivers. Let's turn to page 5.

Marcia- I move that: The Project will maintain the same safe and healthful conditions that currently exist. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project will not result in water pollution, erosion, or sedimentation to surface waters. Todd seconded. No comments. Motion approved 4-0

Marcia – I move that: The Project's control of building sites, placement of structures and land use is appropriate for special exception use. Todd seconded. No comments. Motion approved 4-0

Marcia- I move that: The Project adequately protects spawning grounds, fish, aquatic

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life, bird and other wildlife habitat. Todd seconded. No comments. Motion approved 4-0

Marcia- I move that: The Project is compatible with adjacent land uses. Todd seconded. No comments. Motion approved 4-0

Marcia- I move that: The Project location is needed for the proposed use. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project has adequate access from existing town roads, will not have an adverse effect on the public's use of the existing town roads, and does not include any proposed new permanent driveways or roads. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems is appropriate for special exception use. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The project will not adversely impact or degrade the land or adjacent water bodies. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project will not adversely impact existing topographic and drainage features and vegetation cover on site. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The erosion potential of the site based upon degree and directions of slope, soil type, and vegetative cover is appropriate for the Project. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Projects impact of the proposed use on transportation facilities is appropriate for special exception use. Todd seconded. No comments. Motion approved 4-0

Marcia- I move that: The Project's impact of the proposed use on local population and community facilities is appropriate for special exception use. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project's impact on groundwater and surface water quality, as well as local water supplies, is appropriate for special exception use. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the 601 Driveway and Driveway Entrance performance standard. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 807(B) landscaping criteria. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 807(C) buffering criteria. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 807 (D) environmental considerations criteria. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 807 (E) site conditions criteria. Todd seconded. No comments. Motion approved. 4-0

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Marcia- I move that: The Project meets the Section 807 (J) utilities criteria. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 807 (L) noise standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 807 (O) fire and explosive hazard standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 15(C) standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 15(I) standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 15(K) standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 15(S) standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 15(T) standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 15 (U) standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project meets the Section 15(V) standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project will maintain safe and healthful conditions. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project will not result in water pollution, erosion, or sedimentation to surface waters. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project will avoid problems associated with floodplain development and use. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that: The Project is in conformance with the provisions of Section 15, Land Use Standards. Todd seconded. No comments. Motion approved. 4-0

Marcia- I move that the Planning Board finds and concludes of the project conformed of applicable standards and requirement set forth from the Planning Board approves CMP February 29, 2024 application subject to the following condition.: Planning Board's approval is conditional on the receipt of all federal and state permits for work in Pownal. Todd seconded. No comments. Motion approved 4-0

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Troy Thibodeau- Typically if there is any blasting using helicopters CMP's policy is they don't always notify abutters as far as the helicopter use. As far as blasting what I try to do is reach out to them individually whether that is knocking on the door or with contact information and giving them as much awareness as possible because it is impactful with the helicopters, I have been notifying the towns in advance. I have your road commissioner's information. I have met Pascal. She is a lovely lady and I have her information and I have Tom's email. I have no issues contacting abutters. It has worked well in the past. About a week in advance, I will reach out and try to contact people. If there is anything else at any time that you folks need let me know.

Signatures are obtained and Matt joins the meeting.

New Business:

Food Truck Ordinance-

Tom- It is being driven by the town with a potential farmers market. This could happen as soon as this fall. A little preparation would be helpful. Do you feel it is compatible to have in a farmers' market? Hours of Operations? The days can be flexible; the intention of the economic committee is to use the parking lot up front as this would occur on town property.

Matt- How do you come up with 3 days? Is town property the only location for them to be allowed?

Tom- There could be other places as well. It is a starting point.

Matt- I think these are great and we should encourage them. I want to make sure our ordinance is the minimum possible to ensure health and safety. Location is one element; traffic control would be another. If someone wants to have a celebration of some type, they should be able too.

Brian- I don't agree with another license by the town as they are already heavily regulated by the State.

Matt- If there is a food truck on Route 9 with people driving 60 miles an hour is a bad idea. In that sense the town should have some knowledge or say as to location.

Bill- Noise issues, traffic control, zoning ordinances are considerations.

Todd- I am in line with everyone else. If someone is going to park a food truck in front of their home and leaves it there, then it's a change of use.

Matt- Can part A just say it must have adequate off-street parking and be approved by the CEO? Part B say effectively the same, remove the limits of the days.

Orion- You could put a limit on how many days they can be at one location.

Brian- That is all we need.

Tom- This is to help facilitate the CEO. I like what I am hearing the board saying. We want to be supportive of our agricultural community.

Matt- I think we should table it until there is an issue.

Tom- Excellent idea. I will monitor this.

Todd- Would us not doing something today prevent the Selectboard having food trucks.

Tom- The Selectboard may create a small policy. Let's see where it goes. I would like to switch gears. We have received a public water grant. The RFP became official today. The selected firm will need to have a hydrogeologist and some scientists. It will be a technical study and the possibilities for a new well in the community. We hope that we can stretch the monies for a test well. It's complicated and hopefully will produce some findings.

Marcia- I was reviewing the duties as a secretary the more you can send me so that we are aware.

Tom- If the site plan is in order there is a proposal for a 5-room inn on Merrill Road. If she has her plans in for the May meeting, we will include it on the agenda. I sense it will be in order. We will work with the 14-day rule for inclusion on the agenda as we have been working with her for a while now.

Matt- I am fine with that. The board agrees.

Tom- Are we going to treat it as an ongoing application as we have been reviewing it for some time, or do you want to treat it as a new application?

Matt- Sounds like everyone is on board with the ongoing application. The application should be complete.

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Tom- If it turns out the well does not produce enough for the applicant or the 5 units. Then there will have to be a new well. Do you want to do a site visitation?

Matt- Lets look at the application first and then decide.

Tom- Suggests creation of a document to be filled out by town officials (i.e. Fire Chief, Public Works, etc.) for new projects, making it easier for the Planning Board.

Matt- Agrees that it would make things better as long as he wants to head that up.

Checklists-

Matt- I did not get to either of those documents.

Marcia- What we have now is posted downstairs it indicates to contact NorthStar Planning really we want it to say contact the Town Planner. She will send it out again.

Tom- Passed out an outline for a conservation subdivision from NorthStar. I have gone through a part of it and it is very through.

Matt- I propose we review this next month.

Marcia- Passed out the new ordinance and asks Tom to email her the checklists. I received a note about Community Day on May 18, 2024.

Old Business- Continued

Marcia- I submitted to Todd and Matt our annual report for the town. We have 2 things on the upcoming town warrant. Zoning changes and the FEMA ordinance. There is a public meeting on April 29th 2024. It would be good if a member of the board could be present.

Matt- I move that we adjourn the meeting. Marcia to second. All in favor. Meeting adjourned at 7:35pm

Respectively submitted,

Alison Purinton

Planning Board Recording Secretary