

APPROVED

**Town of Pownal
Planning Board Minutes
Wednesday, August 16, 2023
Meeting Minutes**

Members Present: Matt Altieri, Secretary Marcia Bowen, Brian Stornelli, Mercedes Pour- Previti, Orion Breen, Todd Mellin, Samantha Peikes with NorthStar Planning, Ginnifir Giddige, Code Enforcement Officer, and Recording Secretary, Alison Purinton

Members Absent: none

Guests: Jon Morris, Selectboard liaison, Andy O'Brien Selectboard, Christine Watson, Jessie Peters, Fire Chief

Call to Order at: 6:00 pm by Matt Altieri

Matt- Thanks everyone for coming, calling the meeting to order at 6:00pm, explaining that we will be nominating individuals for the planning board.

Matt- I nominate Marcia Bowen as Secretary. Orion Breen to second. All in favor 3-0 motion carries.

Matt- I nominate Todd Mellin as Vice Chair to the Planning Board. Brian Stornelli to second. All in favor 3-0 motion carries

Marcia- I nominate Matt Altieri as Chair of the Planning Board. Orion Breen to second. All in favor 3-0 motion carries

Secretary report: Approval of meeting minutes of July 19, 2023

Matt- I move that we accept the minutes as amended for the July 19th meeting. Orion to second, All in favor 4-0 motion carries

Matt- When Chief Peters arrives, we will refer to the comments that were received in writing earlier. Let's move forward.

New Business: Draft Conservation #8 Conservation Ordinance Review

Matt- Handouts were passed out containing corrections that were made earlier in the day. He hopes to have clarified the difference between procedural requirements and performance standards. It was pointed out that we needed to do work on the procedural requirements. Sam did make some changes in line with what we had asked. As I reviewed it they were still unclear. Members and guests reviewed the handout. A discussion was had about how many meetings should/could be had for a conservation subdivision proposal vs a minor subdivision proposal. Marcia points out that we did not make any changes to the minor subdivision procedure with one exception. The board will no longer make the classification whether it is a minor or major subdivision.

#1 Discuss informal initial meeting to understand the scope of the project. This stage could include a site walk. Matt reviewed and edited the most recent draft and distributed copies. He tried to clarify the steps and procedures; members took a moment to review the draft changes as it was submitted late.

#2 The Conceptual plan could be encompassed in the preliminary plan; the public hearing procedures are similar to what we had in place.

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Matt- It's pretty clear we have the sketch plans within the minor subdivision procedure. There are two meetings. With the conservation subdivision we have 4. I am unclear if we agreed on this last meeting. Do we want 3 or 4? The last two meetings are the ones we are all familiar with. The preliminary plan and final plan meetings. The preliminary plan needs to be a public hearing and other requirements. Those are relatively similar I haven't made any changes to what we have in place. I think we kept them consistent with what we had in place. The other two are new; The first meeting to discuss this is an informal initial meeting. We had a desire to have this meeting to have a collaborative process with applicants to understand the lay of the land, existing features, etc. and what the scope of the subdivision will be. The draft that I sent around was taken from what Sam had in place. That could or could not include a site walk. 2. The second meeting would be a conceptual plan and could be encompassed in the first meeting. The conceptual plan puts pen to paper with respect to plot lines, house sites and the exact location to proposed to open space and streets. Do we want to this be included in the 1st meeting, or 2nd meeting? What I have done in this draft was clarify where the meeting happens, and the submission requirements are for each individual meeting. After a few moments the floor was opened for discussion. Can I get initial thoughts on separating out the procedural pieces from the performance standards? Do we lose anything? Sam please jump in and any members of any other committees.

Todd- I think it makes it a little easier to understand the first part and separate it out. It gives a better sense of what's expected by the applicant at each stage.

Matt- That was the goal. Except for changing numbering and paragraph lettering and a few grammatical changes. Please speak up if you see something missing from previous drafts.

Mercedes- My question is in terms of procedure is there a possibility the town will actually have a town planner? I wonder if some parts of the procedure may go to the planner instead of the planning board. Some of these steps use the word "Municipal Planning authority" If we did have a planner, it would go there. If we didn't have a planner it would come here.

Matt- What do folks think?

Todd- I was thinking along the same line, you are looking four months from start to finish. If we do have a town planner that may shorten the time. This is all a big deal and should be a thoughtful process.

Orion- Do we require two meetings before we have the application, or strongly suggest that if you don't talk with us or planner beforehand you may need another meeting. I agree with what Mercedes said.

Brian- How involved do we want to be. I noticed the lot density plan. It's good to do before so we know what we are talking about.

Matt- I propose that in 904A It says all shall confirm to the requirements upon pre application request with the planning board or with the town planner. That gives us discretion, if we move the density map we will be able to exercise that discretion on how many lots could be built here.

Orion- I like that, we actually have to have a formal vote. Do we actually need to have a formal meeting and vote? Or could it be an email?

Matt- Calls on Christine and asks with the preliminary plan in the past sometimes we would just send Tony out for the initial meeting?

Chris- For the initial meeting yes, we always had at least one or two planning board members that would attend. Just to see what they wanted to do. They would advise the applicant what they could and could not do.

Matt- Was that a decision made at the meeting?

Chris- It said in the ordinance that you would meet with the town planner.

Matt- Would we make that decision at the planning board meeting? Sometimes we would discuss who is available for a meeting. I don't know if that decision was made off records outside of a meeting. The question is do we have to have a meeting to make that decision. This will elongate the process for the applicant.

Christine- My recall was that any applicant would go to the Town Planner, request a meeting to go over the plan and Tony would contact the chair of the planning board and find out whom could meet.

Jesse- He would send out an email to the chair and say schedule a meeting at this time, hoping that someone could be there.

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Jon- There will be a town planner, and we have some applicants. There needs to be some consistency in presentations to the board. Leave the preliminary stuff to the person in the office.

Matt- In the past few years the earlier we're involved the discretionary calls can be made.

Jon- I appreciate your perspective. This ordinance is written well.

Matt- Consensus is this should be initiated by the Town Planner. That's a change that can be made.

Marcia- We are getting rid of the sketch plan for the conservation subdivision. Would it be the pre-application that goes to the town planner? Or would that be the step that happens which is the site context map and the existing features and at that meeting determine what is too many lots.

Matt- Will the preapplication review meeting also include the concept plan? This is the process that puts pen and paper to where the houses and roads will be. The idea was to have something informal. It would be a proactive way of getting the town involved at an early stage, to give preliminary guidance.

Andy- A town planner should be able to say whether the concept plan does or doesn't fit within the ordinance. It should be all inclusive in one meeting.

Todd- If we have a pre- application meeting with the town the concept meeting becomes really important. That would be our first real exposure at an early stage. We can ask questions and make suggestions what we think as a board.

Mercedes- I don't think that is the role of the planning board. The role is to make sure it meets the ordinance. We should not need to insert ourselves in the process.

Todd- We do need to insert ourselves when there are comments from neighbors.

Mercedes- The beauty of the planner is they have rules. We become the judge of how well the applicant meets the ordinance.

Matt- The way to balance those interests is to make sure our relationship is solid.

Mercedes- Our CEO is already saying let's make sure this solid.

Orion- I agree with Todd it is good to bring us in early as it ends up saving time and money.

Matt- There are more descriptions to this ordinance. Buffering is a key one. The town planner can say yes this checks all the boxes. They can't say whether this lot may require buffering.

Andy- You will have a chance to pick apart the preliminary plan.

Sam- The conceptual plan should be combined with the pre- application. It just adds an extra meeting. Adding a fourth meeting adds expense. It is not necessary to have the whole planning board included. It's a step done with the town planner so by the time it gets to the board the process is made easier.

Matt- I am leaning towards that also.

Christine- The town planner should know the ordinance. The next step would be going to the Planning Board.

Ginny- You must put faith in the office downstairs. Your taxes are paying for us.

Matt- That is a fair point. It is balance.

Todd- Typically, the final meeting is a vote of approval. We can make minor changes upon the approval. Our opportunity to makes changes is during the conceptual plan.

Matt- We have had a lot of applications where we see a plan come in and we say let's make changes. Two months later they come back and have another preliminary plan with those changes noted. According to the letter of the ordinance, it is not appropriate. I think that is in the planning boards, town planner and applicant's interest. We don't want to say there is only one meeting where changes can be made.

Orion- We can say that I don't think your preliminary plan is complete and you can come back for another meeting. That's our job.

Matt- Maybe we need to be sticklers. That has happened in a few meetings we don't need to say anything because it is a formal submission. That is a completion requirement and its where our clock gets triggered. The key is for us to follow the guidelines on when the application is complete. Let's table this discussion and speak with Chief Peters, Welcomes Mr. Peters and thanks him for coming. You submitted in writing a few comments.

Jesse- The biggest thing from our perspective is the reduction in the road width and road shoulders. The reason it's as wide as it is for two fire trucks to pass each other. Fire trucks are 8 feet wide and 50,000

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pounds plus. A 16-foot road with a 2-foot shoulder will not work. We will end up putting trucks in the ditch.

Matt- Your proposal is 20 feet 18 at the minimum.

Jesse- My proposal is to keep the road the way it is listed now, for a minor dead-end street.

Matt- Questions for Chief Peters

Andy- Since you have changed the maximum street length to 1000 feet, you should increase the minimum size of the cisterns to 12,000 gallons.

Jesse- At 900 feet of hose you have reached the maximum capacity.

Todd- The reason the road length is extended is because the homes are further back. Can you put the cisterns closer to the homes instead of closer to the road?

Andy- Yes.

Christine- They do have to make sure that is in the ordinance. It has to be increased and the road should be amended.

Matt- Sounds like it's both. Change to 12,000 gallons and change the cistern to at least 400 feet of the existing road.

Jesse- Every situation would be different. We don't want to have the cistern 1000 feet from the last house on the road.

Mercedes- Is there a calculation or something if we got to this many homes, we need this many cisterns?

Jesse- I thought the size of the cistern is determined by the number of houses.

Andy- Put a disclaimer in here the location of cistern to be determined by the Fire Chief.

Matt- Ok,

Brian-It does already say that.

Todd- In accordance with the recommendation of fire chief.

Matt- the 1500 foot was related to an approved water source if you are withing 1500 feet of an approved water source you don't need that. An approved water source would be a certified water source that has been certified by an Engineer or an active hydrant like in a public water system.

Orion- Didn't you say that was too far away for your houses.

Jesse- We would use two trucks. It is sustained because it is a large body of water. All that 10,000 or 12,000 gallons will do is stop the beginning fire. Gives an example of a recent fire in town. That fire we used 80,000 gallons of water. Typically, a house will use 30,000 gallons of water.

Marcia- Is there another way for us to have a winding driveway road and have it still be narrow. Or do you always need to have two trucks to supply water back and forth.

Jesse- We have to bring all of our water to the fire so that means multiple trucks and tankers.

Marcia- If you had two cisterns would you still need two tankers?

Jesse- To set up the pump relay situation takes time you are laying out houses for multiple trucks.

Matt- I was surprised when you said 20 feet. We looked through many ordinances where it was only 16. You had also raised the issue of ½ acre lots.

Jesse- But the reason is because they have town water, and we bring the water with us. You can't balance public safety. If you were putting homes closer together that would make me nervous. I spoke with Andy, he said you were putting buffers on each side so that makes me feel better.

Matt- Any other things that caught your eye or you have concerns about. One thing that caught my eye I would worry about is a 20 foot road with people parking on the side of the road.

Jesse- Fire trucks don't park on the side of the road.

Matt- Any other fire safety related issues?

Andy- No

Mercedes- When does the board get invited to walk?

Sam- It is a board decision that needs to be voted on.

Matt- That's an interesting question in the past that decision has been made as a board but right now it is in there as part of the preapplication review. In that scenario the board hasn't even met. I think that should stay in the pre application meeting, but we have discretion. For some applications there is no need for a site walk.

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Jon- All site plan walks and public meetings will need public notices and notices to abutters.

Matt- A discussion was had about what was done in the past.

Christine- The public is there to walk the property and then at the planning board meeting the public could voice their concern.

Matt- We have to think about how this happens on the ground. It would be best for the town planner to make a recommendation.

Ginny- Site walks help the neighbors.

Orion- We have a recorder and take minutes.

Matt- MMA recommendation try not to have a meeting. The key is you don't talk about what your decision will be. The notes say who is there, the chair says something and then applicant/ surveyor says okay you will be walking this way. Questions can be asked however you don't discuss the plan.

Christine- The chair should verbally relay the rules, so everyone is complying.

Orion- Can the public ask questions of the developer?

Matt- Yes, the restrictions of speech are for the board. Let's go into the changes that I proposed, and that Sam has already incorporated. Let's take a close look at any changes that need to be made.

Brian- I think we need to shift some things; the pre- application review should have 2 submissions for a site context map and an existing features map that would get pushed into submission requirements. The conceptual plan through steps 4, 5,6,7 and 8 would be optional.

Matt- recaps what Brian had said, and asks the board what people think? It makes sense to include less. Would that also include the lot density map?

Brian- Yes, that needs to be in the conceptual meeting.

Marcia- It's hard for me to hear, Are we still having four meetings?

Matt- Combining the first two. That's meeting with the town planner.

Brian- That's three with the planning board and one with the town planner.

Matt- At the beginning of this meeting I thought we had said to limit it to three meeting total. One with the town planner and any two members of the planning board as a pre app meeting to be combined with the conceptual meeting. The two additional the preliminary meeting and the final meeting, your saying something different right?

Christine- The town planner meeting should be number 1. Before it goes to the planning board they need to do an application which starts the process which is like the pre. How you combine all your requirements, keep in the back of your mind once they pay the fee that's when their time starts. I am with Brian it should be 4 meetings. The first with the town and three with the planning board.

Brian- So you have or have not submitted an application for the first one. Its optional you may or may not have.

Christine- The first one is not with the planning board it is just like a sketch plan with the town planner. The second meeting when they file the application. Becomes the conceptual plan.

Orion- We have it they are not filing an application until they have their preliminary plan.

Matt- They are paying the fee at that point. Once the board becomes involved the fee should be paid.

They are submitting materials and we have had a meeting so enough has happened at that point. The fee should be paid.

Jon- You can't charge an application fee for meeting with the town planner.

Matt- Proposal is to require a fee once the planning board reviews the conceptual plan.

Orion- We are reverting back to three planning board meetings.

Sam- I think it was actually four meetings. The applicant would come before the planning board because the pre application was optional to be reviewed by the board. Now we are saying the town planner does that with the applicant. Then three more meetings.

Matt- I see I haven't been clear setting up the communication. Where we came to consensus is that the 1st pre-application meeting will be with the town planner and if desired one or two members of the planning board. Then the conceptual plan meeting and possibly a site walk before that. The applicant submits the fee or part of the fee (we will need to look at the fee schedule). The next step is how to pare down the preapplication and what changes to make to the conceptual plan meeting. Brian has some suggestions.

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Brian- Site context map and existing conditions is optional at the pre application meeting.

Mercedes- How does the planner know what to do?

Sam- The preapplication is just a discussion where the applicant comes and says here is my general idea for what I want to do with the property. In this case it's best to have something, a site map, a plan. In the model ordinance it is required.

Brian- That language was originally optional, and this language was lifted from that.

Todd- They are asking for a pre app with pre app requirement than you have a map. You could sketch out a google map. It has to be some sort of plan. This helps them save money beforehand.

Jon- You are not using the town planner. They can meet with the town planner as many times as they want. It's a raw process. Do you agree with that Sam?

Sam- Yes.

Matt- It's a forward process, we still may want to include optional submissions. Does everyone agree that those should be required at the conceptual plan meeting?

Mercedes-We do say within six months following the pre application review meeting.

Matt- They have the option of coming back. Those requirements are for the later meetings. We could remove it altogether from the conceptual plan meeting.

Christine- The six months is when they start all over again. That's the point of six months. You don't want to keep going over and over again.

Matt- The meeting with the town planner is for help to the applicant. It eases things for us. They would need to follow the advice of the planner. Six months following the conceptual plan meeting.

Jon- The town planner is going to make suggestions to the applicant. They will be working with this ordinance to get it ready.

Brian- They can have multiple meetings with the Town planner to fine tune it.

Matt- The preapplication meeting will now strike the description of the site context map and the description of the existing features map and carry those into the concept plan. Add to the concept plan the lot density map. Going back again to the preapplication meeting, it will include the language that this meeting is only with the town planner who may include up to two members of the planning board and the planner may request the applicant bring any other submissions that may be presented at the conceptual plan.

Marcia- Since we don't have a town planner yet or at some point maybe in between planners is there another term we could use?

Matt- Good Question

Mercedes- Municipal Planning Authority.

Matt- That is the states statue and is meant to say planning board.

Ginny- Authority having jurisdiction?

Mercedes- When they mean planning board, they say planning board in here.

Sam- Maybe just say planner. Currently we are the consultants for the town.

Matt- Okay we have made changes to the first two meetings. Any other changes people have with the next two. I do have some lettering changes, and trust Sam to make those. Including with the preliminary plan should be the lot density map, the site context map. I think we will want to see the maps separated. I think it would get too busy to have it all in one. Sam, what are your thoughts. All of those different requirements- the site features, site context and the lot density maps would be separate. Would be too cumbersome to even look at.

Sam- I think its fine to ask for at the preliminary again to build on the previous step.

Matt- We would require separate maps not all in one. The key to be really clear. we don't want to say you have to do all those things for the conceptual plan. We want them submitted again so if there are any changes those maps would be included.

Todd- Do you notify of a site visit should it be moved to the conceptual meeting?

Matt- I think that is what we discussed earlier.

Brian- Should it be optional?

Orion- What should be optional?

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Matt- The onsite visit is currently listed in 905B5 It is just a single paragraph.

Orion- It says may right now.

Brian- It should be the same language.

Mercedes- If we are reviewing a 20-lot subdivision do we owe it to the town for a site walk?

Matt- Yes, what are you saying? If there are a certain number of lots, there should always be a site walk?

Mercedes- If you are at this level, I don't know just putting it out there. It is a slippery slope.

Jon- You should have a site walk.

Matt- The question is will it always be required.

Jon- People want to know that is part of being transparent. It may be difficult.

Matt- If the interest is in transparency, I am all in favor.

Christine- This town is changing; people are moving in and they don't know the area. It gives them an opportunity to view the land that they did not know existed. It is a very important piece.

Mercedes- Buffers and things like that I don't know how you decide that from a map. There are some things we will want to buffer and some things we don't.

Matt- If we are going to require it then it should be after the conceptual plan meeting.

Orion- Do we want to see a part of the conceptual plan before we do a site walk?

Brian- They have to submit an application in order to get on the schedule.

Orion- With their application they don't have the entire plan.

Matt- The applications should be submitted with the preliminary plan.

Orion- So we are seeing the preliminary plan before we go on the site walk. How long before they have to submit plan for scheduling?

Matt- You have to submit three weeks before a meeting. So if they submitted 21 days before the meeting.

Marcia- It would be considered existing business so it would be two weeks.

Matt- Practically speaking it would be stretched out a bit. They are serious, they are submitting an application. The next meeting will be a site walk and we may also say they are coming next month for a public hearing.

Orion- Hopefully we don't slow the process to much because of a site walk.

Mercedes- The way this is worded there is 28 days between a new application coming in and the next board meeting so we could totally have a site walk and get it posted before the next board meeting.

Application in process would be 14 days however this would be a new application.

Jon- Hopefully the town planner will be keeping you informed this is coming, we should think about a site walk.

Matt- The value of a concept plan meeting first then site walk then the preliminary plan review. We want to know what they are planning even though they bring it to the site walk. It should happen after the concept plan meeting.

Todd- Every site walk I have been on was just a step as everything else had been determined. The value of a site walk is the town helping to mold and offer input on what might impactful. We can still recommend changes in the preliminary plan and should feel comfortable doing so.

Brian- Sometimes we plan on variances.

Jon- Be careful you don't want anything set before the site walk.

Matt- Most of the time we have been out only the boundary lines have been set. I don't think they will have a problem setting the lot boundary pins.

Christine- There are flags for boundaries and septic but no pins.

Jon- I have been to many site walks where pins have been set so you want to be careful.

Matt- We have gained a lot more clarity and I see the value in a workshop meeting. A workshop meeting is scheduled on September 12 at 6pm. Sam will make necessary changes and circulate a redline editions.

Jon- Has a question about definitions and reads them out loud.

Matt- Asks Sam to makes changes to the definitions and include the application and the conceptual plan submissions shall be accompanied by a fee. Also add the town planner shall verify that all submission requirements are included prior to scheduling the conceptual plan meeting.

Marcia- We need to submit something for the newsletter submission.

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Orion- Volunteers to write something. Marcia will forward Orion the information necessary.

Adjourn

Matt- I move that we adjourn the meeting. Marcia to second. All in favor. Meeting adjourned at 8:40pm

Respectively submitted,

Alison Purinton

Planning Board Recording Secretary