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**Town of Pownal
Planning Board Minutes
Wednesday, September 20, 2023
Meeting Minutes**

Members Present: Matt Altieri, 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: Marcia Bowen,

Guests: Jon Morris, Selectboard liaison,

Call to Order at: 6:02 pm by Matt Altieri

Matt- Thanks everyone for coming, calling the meeting to order at 6:02pm.

Secretary report: Approval of meeting minutes of August 16, 2023

Matt- I move that we accept the minutes as amended for the August 16th, meeting. Orion to second, All in favor 4-0 motion carries

Old Business: None

New Business: Draft Conservation #8 Conservation Ordinance Review

Matt- Most of our meeting will be reviewing and approving the zoning ordinance that was sent around I had some minor changes. Thanks to everyone that sent in proposed changes in the process it was very helpful. Most changes I think will be pretty minimal. Feel free to pitch in as we go.

1. Page 33 the definition of subdivision conservation. In the draft it is 5 or more than lots. We should strike the “more than “so it is 5 or more lots.
2. Page 112 the project classification in subsection C of 902. Add “any” in front of subdivision in one and two, so it reads “Any subdivision of 4 lots shall be classified as a minor subdivision and on 2. “Any subdivision of 5 or more lots.”
3. Page 117. I think we had discussed this in a previous meeting. It involves the conceptual plan requirements. Something needs to change in here and I don’t know where we landed in the previous meeting. We have under part two under the existing features map, two different spots where we say “the location and delineation of the primary conservation areas is required. Under subsection D and subsection J & K we have them as mandatory for the existing features map. We have it as optional under little I. I think it was left in somewhere along the line. Does anyone remember where we landed on this. It has to be removed either from the optional place or the mandatory place. I thought we made it under mandatory but I am not certain. It makes sense that these should be included on the existing features map. Brian agrees that is where we came out. I propose that we strike it from the optional elements so little I than we remove one of those probably D from the mandatory elements. Then just a minor point on J. Can we change it to say the location and delineation of primary conservation areas within the subdivision and then a colon and no hyphen there. The same thing on K, as well.

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Brian - Can I flag something while we are there. This idea of primary and secondary conservation. I think came from a draft where we lifted stuff to create a uniform term. We are really talking about open space being confirmed. Open space is a conserved area. Creating conservation is a defined term, primary and secondary creates confusion.

Matt- Should we strike primary and secondary conservation areas and replace them with open space? Thoughts from others?

Mercedes- Brian how do you reconcile the one above it. Does it mean it is not a optional? It says “the local of open space to be conserved is m.”

Brian- It is redundant. Mercedes agrees. That is another thing defined terms are not capitalized consistently throughout.

Matt- Mercedes you are saying location of open space to be preserved is on its own is sufficient.

Mercedes- I am not sure, it goes on to say unbuildable areas. Which I don't think is the same as open space. I am trying to reconcile n and I

Sam- It is different from open space. It shows where you can and can't build. To confirm, take out the words primary and secondary. Instead say the location of unbuildable areas, deep slopes, etc. The location of essential or significant features that include open space, open fields, or underlying natural areas.

Matt- Agrees as well as other members of the board.

Brian- “e” thru “l: can be sub- bullets of “d”.

A discussion was had between members on how to proceed with Sam making changes to the draft ordinance as necessary, as it being projected so everyone could see.

Orion- Where is the resource protection district. The board looks for an explanation through the document. Sam is not aware of a resource protection district.

Matt- Lets strike that.

Brian- Raises a concern with the timber harvesting section and would like to strengthen it. He would like to see it as 5 years after it is harvested.

Matt- Confirms this information is verbatim from a state statue. What we are doing is putting it in our ordinance. We can look into it further. I don't want to change anything tonight. I do understand what you are saying but it needs to be looked into further when we have more time.

Orion- I have some things that I flagged. Page 118 1. Under ii, minimum road to access each house the question I have is we are not encouraging certain lengths because we want the homes to confirm we may not be actually asking them to give us the minimum. We may be asking to make them longer to preserve scenic features. Do we ask for that? Right below is the lot density map. To me it's not clear what we are asking for. I can see it be twisted to not what we are asking.

Matt- All we can ask for is the minimum with regard to road minimum. Density thoughts, Do people share the same concerns? This language is something we have worked on with the town attorney. We doctored it together and put in the frontage requirements. We want to be brief in describing items.

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Orion- That addresses my concern. I do like the idea of a separate document that is not in the ordinance that provides an example.

Sam- Usually if something is unclear it is in the definition section. There was a definition for net residential density, it was in the cluster definition which has been removed. If something is unclear it should be in the definition section.

Matt- We can't provide a separate document and we can't give advice on what they should or should not do. It is not good practice. We could say our goal is density neutrality.

Jon- We have a town planner and that is their job. We don't need a separate document.

Matt- It will be the frontage that limits people not the density.

Orion- Later on in the document it does clarify lot density more and refers to the section applicable.

Matt- I think we need to add language to each of these requiring that it be unbuildable space.

Orion- I think you should go to page 128 where it spans the definition. You could say number of lots of proposed land on buildable land in a manner that meets the lot density requirements.

Matt- Requests that Sam make those changes. Brian and Orion agree. Conversation is then turned to the conceptual plan meeting where three maps are being asked to be submitted. One is the site context map, second is the existing features map, and the third is the lot density map. We have an optional feature that includes the alignment of streets, driveways and trails. The other item is the lot density map where it is not optional, and we require a preliminary survey. Those two things are contradictory. I think we should make it mandatory that it is included.

Sam- Okay so take out streets? Boards agreed.

Todd- I think you need to add unbuildable areas as not optional under existing features.

Brian- We have that it is further up we kept it.

After a discussion about proposed roads, map density and proposed streets, Sam was directed to strike B under lot density map, as it has been addressed later on. The question is do we add on the other map under two and add back in streets.

Brian- Do we want to add F, The proposed private roads?

Orion- Do we want to leave it as optional.

Matt- Explains the concept of density neutrality. We don't want to expand the number of lots that could be built in a conservation sub- division. Compared to the number of lots that could be built under the existing ordinance. Our baseline is what could be built under major subdivisions. I was always under the impression that we could not build more than that. Now I am nervous about it.

Orion- If we go back to page 128 we have already added a line that number of proposed lots that meets density requirements of buildable roads or however we said that applicable we added buildable roads it is not like they can add a road anywhere.

Sam- Number of lots shall not exceed the number of lots pursuant to maximum net density requirements.

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Matt- No 2a, but b addresses our problem. It is important that we achieve density neutrality, and it is important that all think of it the same way. I observe 2c on page 128 the roads the applicant is proposing to build. If they are proposing 2 roads, they get to use 600 feet. If they are proposing 1 road, they only get to use 1.

Orion- No

Matt- Look at the language.

Orion- That is not what we have been talking about all along. We have said we don't want them to have two roads, we want them to have one road.

Matt- I don't want to allow applicants to throw on paper roads.

Orion- I think saying 'buildable' address it. When we perform the site walk, we can see where they put in these roads. Once we see the topography of the property, we can say you can't put a road in here, your map is not accurate.

Todd- We are saying that you could, it is a starting point.

Brian- You must take into consideration the topography, and what could be done.

Matt- Agrees

Ginnifer- Asks Sam how she feels about it? Sam responds it's fine.

Mercedes- I thought we were getting rid of primary and secondary and pointed out where she sees them. We should replace streets with roads. Sam makes those corrections.

Matt- Any other changes.

Todd- Could we create a definition for conservation areas to include all of that. There is currently not a definition. For readability.

Matt- I move that we adopt the amendments to the land use ordinances. As proposed in the document that we reviewed tonight. Orion to second. All in favor (4-0) motion carries.

Matt- Action items for board meeting. I have made a call to Becky about scheduling the special town meeting in early December. We will have 2 public hearings in advance of that and those will ideally take place at our regularly scheduled meetings. I will submit it to Natalie for legal review. Marcia had suggested that we add an agenda item on the "Annual Pumpkin Festival". I assume for the subdivision plans. Orion suggested that we print off the power point and pass out. Mercedes also heard a rumor that the group that did the village planning committee will be handing out something as well and it would be right before our meeting so we may get more people to come.

Adjourn

Matt- I move that we adjourn the meeting. Brian to second. All in favor. Meeting adjourned at 8:02pm

Respectively submitted,

Alison Purinton

Planning Board Recording Secretary