



# Village of Manchester, Vermont

## Minutes of the Regular Meeting of the Planning Commission Held May 18<sup>th</sup>, 2022 at 11:00am

**Members Present:** Chair Audrey Kolloff, Vice-Chair Rich Heilemann, Anthony MacLaurin, Renee Waller, Christie Bronstein, Eric Dorsch, Tom Scarnecchia

**Member(s) Absent:**

**Others Present:** Zoning Administrative Officer Curan VanDerWielen, Cat Bryars

The meeting was held both in person at the Village Office and via zoom.

Vice-Chair Heilemann called the meeting to order at 11:04am.

**Other Business:**

### *Tribute to Lu French*

Chair Kolloff referred to the Commission recent news of the passing of Lu French, a former member of the Commission and highly regarded member of the community. After a brief moment of silence, Chair Kolloff expressed gratitude on behalf of the Commission for her public service before opening the floor to further comment by the other Commissioners. Vice-Chair Heilemann added his recognition of the value of French's insight over the course of her service and stated that her spirit would remain alive within the community. MacLaurin then added that from his experience working with French he had come to know her as strong, clear-viewed, and to have had a great sense of humor. Waller then commented that her passing was sad both for the community and for the French family, but that she had always been impressed by French's conduct. Chair Kolloff closed the tribute by stating that her memory would be remembered fondly.

**Minutes:**

*Approve the draft minutes of the April 20<sup>th</sup>, 2022, meeting.*

Chair Kolloff asked the Commission whether there were any comments present. Vice-Chair Heilemann commented that the referred Act 17 was incorrect in the draft minutes, and should be replaced with Act 171. He then indicated to a second error where the company 'VRBO' had incorrectly been recorded as 'ZRBO'. Vice-Chair Heilemann then moved to accept the minutes on condition of these changes. Waller seconded the motion. Chair Kolloff called the motion to a vote, and it was approved unanimously by the Commission.

## **Planned Business:**

*Presentation by Cat Bryars of the Bennington County Regional Commission on the adoption of the Energy Plan and Solar Screening Ordinance, Village Plan of Development review, and public hearing scheduling*

Chair Kolloff gave the floor to Cat Bryars of the Bennington County Regional Commission, who proceeded to speak on the integration of the Energy Plan into the Village Plan of Development in reference to a draft prepared by her for the Commission. Bryars indicated that the integration of the Energy Plan was recommended by the Public Utility Commission for all municipalities in the State, and that her draft accounted for any inconsistencies between chapters upon incorporating the Plan. Bryars continued to explain that references to the Energy Plan had been placed into existing chapters and that references to forestry and forest districts had been updated to reflect changes made by Vermont State Act 171.

After this brief introduction, Bryars and the Commission reviewed the changes line-by-line, starting with minor additions made to Chapter 2 Sections 5, 6, 13, 19, and 20 before going over Chapter 3.7, where additional language concerning Act 171 had been inputted. Bryars explained the purpose of the Act, which was to protect critical habitats and reduce forest fragmentation or clear-cutting. MacLaurin asked for more information about a map on Page 6 of the draft Plan of Development, referring to a circular overlay on a map of the Village demonstrating the range of a rare and protected species of medicinal herb. Bryars answered that the surveying to determine the displayed range has been developed by Vermont ANR and reflected a generalized area for the herb. Heilemann asked whether any identifiable blocks were to be protected by Act 171 within the Village, to which Bryars confirmed none were identified with the possible exception of conserved land near Southern Vermont Arts Center (SVAC). Heilemann and Bryars then discussed briefly the surrounding area and the possible role of Vermont Land Trust in reference to Act 171.

Bryars then moved on to Chapter 4.3, where she notified the Commission of the upcoming expiration of the Village's Hazard Mitigation Plan. Bryars indicated that this would need to be readjusted and reapproved by the Board of Trustees. Bryars went on to walk the Commission through the logic of adopting and utilizing the Hazard Mitigation Plan, mostly as a means to qualify for additional State and Federal funding in the case of a natural disaster. Bryars referred to a case in Sandgate, where a lack of a Hazard Mitigation Plan has hampered the municipality's ability to secure financial support in recovering from natural disasters. Bryars then indicated that the Board of Trustees could create its own group to readjust and redraft the existing Hazard Mitigation Plan, and that State funding existed for consultation on the matter, should it be desired. Heilemann asked how the Village Hazard Mitigation Plan fit in with the Town, to which Bryars responded she did not know. MacLaurin commented that the Board of Trustees was already discussing this matter. Bryars stated she could email the Commission and the Board details on how to secure State funding to secure consultation.

Bryars moved on to Chapter 5.2, pointing to select passages which were highlighted to indicate that they may hamper progress towards fully modernizing Village Bylaw. Bryars then

recommended that the Commission simultaneously update Bylaw and the Development Plan to avoid any confusion. Minor additions or changes were then introduced to Chapters 5.2, 5.3, and 5.4, 6.3, 8.1, and 8.6. MacLaurin then asked whether an update had or could be provided for data indicated on Page 18, specifically census data. Bryars stated that an update could be arranged by BCRC for additional charges, as the entire Plan would have to be adjusted for the new totals, however agreed with MacLaurin that the Plan would be in need of an update by 2025. MacLaurin indicated he understood.

Bryars then moved on to discuss Chapter 9.7 concerning an addition of a Capital Budget, listing a number of merits to such a change. MacLaurin commented that the Village already had a Capital Budget.

Bryars then moved on to the Energy Plan itself, discussing an adjustment to the number of preferred Solar Resource sites mapped for the Village to 59 sites. MacLaurin asked whether this had taken into account for gold courses, to which Bryars responded that it had not as the map only reflected preferred placement for Solar Resources and did not include entire land parcels. MacLaurin then asked Bryars to comment on the implementation of the Plan. Bryars stated that the primary implementation vehicle for the Village would be to create a designated Energy Committee. She recommended designing it similarly to that in Dorset, referring to Dorset's recent effort to offer more efficient lightbulbs to businesses and residences for no cost, in addition to Dorset's efforts to increase electric vehicle facility availability and to use largely electric maintenance equipment. Bryars then commented that BCRC has funding to offer technical assistance on matters such as these. MacLaurin stated that he would like to work closer with those in Dorset to cross-pollinate ideas on execution, to which Bryars commented that she believed it was a great idea.

Bryars then indicated that Chair Kolloff has a number of suggestions concerning the Plan. Kolloff stated that she first wanted to ask about Chapter 8, specifically if it could be organized more effectively. Kolloff indicated her concern certain sections did not need to stand on their own but would be more readable as subsections of others. Heilemann, Bronstein, and MacLaurin all expressed agreeance. Bryars said she believed the suggestion was a good one, but that it could make the section inconsistent with others in Chapter 8. Kolloff then suggested that perhaps they could instead be separated, to which Bryars indicated that it had already been set up similarly in Chapter 6 but that she would look to create a new edit to the Chapter to organize it more intuitively. Kolloff asked if the Commissioners agreed, to which Waller and MacLaurin responded that they did. Bryars then indicated she would format all Chapters the same way going forward, to which the Commission unanimously expressed agreeance. Kolloff then stated she wished to check with the Chair of the Board of Trustees, Orland Campbell, on the Capital Budget.

Bryars then asked if the Commission would like more information on next steps, to which Kolloff replied that they would. Bryars indicated that in July a public hearing should occur at the same time as the regular PC meeting for that month. Kolloff asked if that date was to be July 20<sup>th</sup>. Bryars stated then that process would actually consist of two public hearings, one with the Commission and another with the Board of Trustees, including a 30 day public circulation,

notification to adjacent municipalities and then additional review by both the Public Utility Commission and BCRC. Bryars indicated that this additional review would likely take place in the Fall, probably November, thus recommending that the new Plan be heard by the Board of Trustees sometime during August or September. Bryars then commented that the Solar Screening Ordinance would be a municipal-level only process, not needing BCRC input.

MacLaurin indicated that with the annual Village budget meeting coming up in July, that it may make sense to hear it then, asking VanDerWielen about the date. VanDerWielen commented that he was not sure. MacLaurin stated he would ask Missy Johnson, the Assistant Town Clerk. Bryars stated that if the Commission believed more public input was needed, then such a move would be recommended, but that she believed combining the two hearings was not necessary. MacLaurin commented that the annual meeting would be held on July 11<sup>th</sup>. Kolloff commented that the meeting would likely be scheduled on July 20<sup>th</sup> if not combined. MacLaurin asked if it would be conducted in the evening, to which Kolloff stated that it had been discussed but was likely not to be. Waller commented that the meeting might be better scheduled in the evening to avoid overlapping with interested individuals' workdays. Heilemann commented that it might be best to decide the time after more responses to the postcard outreach project had been collected. Kolloff stated that the Commission would discuss the postcard outreach project later in the meeting before asking whether there were any objections to the July 20<sup>th</sup> date. No objections were raised. Bryars then asked whether any other adjustments should be made to the Village Plan, and if not, stated that she would finalize it ahead of the next regular Commission meeting, in June. Kolloff confirmed that that would be best, before opening the floor to any additional comments. None were raised, and the July 20<sup>th</sup> date was approved for the public hearing.

#### *Continuation of Bylaw Modernization Review*

Kolloff started the discussion by asking VanDerWielen if the Bylaws were ready to be sent to the Development Review Board for review. VanDerWielen confirmed that they were almost ready to be sent, pending a few minor changes. VanDerWielen then walked the Commission through the approval process for the Bylaw changes made by the Commission during the last regular meeting, in April. VanDerWielen stated his intention to send the Bylaw changes to the DRB within the coming weeks. No objections or comments were raised.

#### *Postcard Outreach Project Status*

Kolloff introduced the next item of business, to which Waller commented that she believed the postcard sent out to Village resident was beautiful and outstanding. Kolloff voiced her agreement with Waller before thanking Tom Scarnecchia for raising concern about the email during the last regular meeting, held in April. Kolloff then commented that access to the Gmail account used for the postcard was limited by a two-step authentication process activated by the creator of the account, Trustee Brian Maggiatto. Kolloff stated her intention to reach out to Brian and either nix the two-step authentication or at least change the phone number attached to the account. MacLaurin asked about responses to the office, commenting that many individuals may have not utilized the QR code included on the postcard. Kolloff agreed with MacLaurin. Heilemann

commented that the message on the postcard may have been a little long, and stated that he believed it might be better to include a shorter message on the next batch. Kolloff agreed with Heilemann.

*Short Term Rental Regulations Report*

Kolloff then introduced VanDerWielen to speak on a Short Term Rental Regulations report produced by him, as requested during the April regular meeting. VanDerWielen first apologized to the Commission for sending them the report only that morning, as delays had kept him from finishing until that morning. VanDerWielen went on to briefly introduce the report, touching on the merits and demerits of the Short-Term Rental market in Vermont, its current scope and impact on the Village of Manchester, and possible avenues for regulation based on a review of existing Short-Term Rental regulations in nearby municipalities and at the state level. VanDerWielen stated that because the Commissioners had not had much time to review, he would open the floor to any questions, but commented that it may be better for the Commissioners to digest the information included. Scarnecchia offered a question on the current regulatory exploration being conducted by the Town of Manchester and how it might affect the Village. VanDerWielen commented that while he was familiar with the Town's exploration, very little had been put in writing by the Town regarding the matter. VanDerWielen stated his intention to speak with the Town Zoning Administrator, Janet Hurley, about the possibility of participating in a survey of Short-Term Rentals being commissioned by her office. With no further questions, Kolloff stated that she intended to put the report on the next regular meeting agenda to allow the Commissioners time to review the report.

There being no further business before the Commission, Chair Kolloff closed the meeting at 12:07pm.

The next regular meeting of the Planning Commission will be held on June 15<sup>th</sup>, 2022, at 11:00am.

Respectfully Submitted,  
Curan VanDerWielen, Zoning Administrative Officer