



August 21st, 2024

Members Present: Richard Heilemann (Chair), Anthony MacLaurin, Nick Parks, Christie Bronstein, Keld Alstrup, Eric Dorsch

Members Absent:

Others Present: Curan VanDerWielen (Zoning Administrator)

Call to Order: 10:57 AM by Heilemann.

Changes to Agenda

Heilemann noted that he wished to add a discussion on the possible creation of a Neighborhood Development Area (NDA) within the Village. VanDerWielen noted that the discussion would slot in after the Bike-Ped Grant update on the agenda.

Approval of the Meeting Minutes

Heilemann asked if there were any corrections of note for the meeting minutes. None were noted.

Motion: To approve the draft meeting minutes for the Regular Meeting of the Planning Commission of July 17th, 2024.

Motion made by Parks. Motion seconded by Bronstein.

Motion approved, unanimously.

Discussion of the Bylaw Modernization Grant and Upcoming Meeting for September 30th

Heilemann introduced the first topic of discussion and asked for the Commission's feelings regarding the previous walking tours hosted with the Bennington County Regional Commission (BCRC). A brief conversation ensued regarding Commissioners' thoughts on the tours. It was widely believed that the walking tours were useful, informative, and garnered a decent turnout, but that some of the messaging/conversation could have been more focused.

Heilemann asked the Commission if they thought they had received adequate public input thus far to continue the project effectively. Bronstein expressed her belief that the Village and BCRC had done as much as possible in generating public interest, and that the opportunities provided were sufficient. Alstrup noted that low levels of participation were normal in public processes, but that he believed more interest might be brought forward now that the proposed changes to the Bylaw were being drafted.

Parks asked if the meeting on the 30th of September would be when such a draft would be presented. Heilemann confirmed that it would. MacLaurin asked where the meeting would be held. Heilemann stated that he was unsure, as they had planned to utilize the Silver Fork restaurant, but no response had been received from them in some time. Heilemann then



highlighted the need for early outreach for the meeting on the 30th. A conversation ensued, in which it was agreed that a combination of the email list, posted flyers, and a postcard mailer would be used to drive public notification/interest. The reliability of the printer used for the previous mailer was also discussed. It was widely agreed that the promise of a new draft might draw increased attention. Parks asked if it would be appropriate for the Commission to review the draft ahead of the public meeting, to ensure smooth messaging. A short conversation ensued, during which it was agreed that the Commission would review the draft for the first time with the public at the meeting, and that it would be emphasized in public communications that the meeting would be the first time the Commission would be viewing the document, as well.

Update on the Bike-Ped Scoping Grant

Heilemann introduced the topic and explained the current status of the project, including recent conversations on the pricing and scope of the study. Heileman noted that it appeared some expensive elements of the study might be able to be cut to save cost and time, such as the accompanying archaeological study. Heilemann then introduced a map depicting the proposed bike path corridors, and noted the likely staging of certain areas as implementation began. Heilemann also noted the contributions Manchester Center was likely to make as part of the overall scope. A conversation ensued regarding the suitability of bike path placements on certain roads, and the need to improve safety for local cyclists on roads outside of the scope of the current project. Bronstein noted in particular the need for pedestrian and cyclist safety improvements along Route 7A south of Taconic Road, where BBA athletes tended to run but where the sidewalk abruptly ends. MacLaurin noted that the limited scope and need to stage development was a result of budget constraints, adding that these items could be visited in a future fiscal year.

Parks noted that additional work might need to be done beyond what had been scoped for the project, especially because the proposed corridor appeared to lack destination. Alstrup asked why the proposed bike lanes only appeared on major roads and not on other well-traveled streets such as West Road. Heilemann noted that many of the problems with scope had to do with budget sensitivity and the prioritization of areas where the most significant safety challenges had been noted in a 2022 study. MacLaurin echoed Heilemann, and emphasized the need for budget sensitivity relative to timescale.

Discussion on the Possible Creation of a Neighborhood Development Area

Heilemann introduced the topic and recalled the Commission's recent discussion with Janet Hurley the month previous where Neighborhood Development Areas (NDA) were discussed in the context of various recent changes in Vermont land use statute. Heilemann noted that he had followed up with Hurley, who had informed him of possible funding for the Village to create an NDA, should they see it necessary. Heilemann introduced the purpose of an NDA with a map showing the possible area for one, adding that its adoption might open the municipality and its residents up to various grant opportunities for historic preservation and economic development. VanDerWielen added its significance in providing Act 250 exemptions regarding affordable housing development.



Parks commented that he could see such an NDA in the space between Main Street, Taconic Road, and Ways Lane. Heilemann stated that the Commission did not need to come to a decision today, and that certain steps would still need to be taken through the Board of Trustees and BCRC beforehand. MacLaurin advocated for further study and discussion, noting that a summary of such a proposed inclusion might be helpful. The Commission tabled the discussion *de facto*.

Continued Discussion of the Village Sign Regulations

Heilemann opened the floor to VanDerWielen. VanDerWielen introduced the topic, noting that possible changes to the Village Sign Regulations had been spurred by a recent controversy over a local business sign which fit the Village's local regulations while still proving unsightly. VanDerWielen stated that based on last month's meeting, he had drafted some potential edits to the regulations, and presented them to the Commission. A short conversation ensued regarding the suitability of the edits and possible amendments to include sign regulations specific to the Historic Core and the possibility to more tightly regulate political signs. It was decided that VanDerWielen would perform further work and return next month with a new version of the edits for the Commission's consideration.

Continued Discussion of the Plan of Development and Provisions Relevant to the Public Utility Commission

Heilemann introduced the topic of discussion, noting specific intent to review whether the Village would have a say in case the Public Utility Commission (PUC) saw fit to issue a permit for a telecommunications tower in the municipality. A similar situation had generated recent controversy in the neighboring Manchester Center. VanDerWielen noted that he had performed some research and reviewed the Plan of Development, and it did not appear that the Village had an regulatory guidance nor plan regarding telecommunications towers. As such, VanDerWielen concluded, it appeared unlikely that the Village could interface effectively with the PUC in such an instance. Parks stated that this needed to change quickly, in case such a case occurs in the near future. VanDerWielen noted that an edit to the Plan of Development could take some time but agreed that it was a timely priority. VanDerWielen noted that he would prepare some options for the Commission, for a future meeting.

Discussion of Possible Property Maintenance Regulations

Heilemann introduced the topic and opened the floor to VanDerWielen. VanDerWielen presented several examples of municipal property maintenance regulations from similar or nearby towns, including Bennington and Woodstock. VanDerWielen noted that absent a property maintenance passage in the Zoning Bylaws, the Zoning Administrator could not resolve local complaints relevant to unsightly or unkept properties. A short conversation ensued, the result of which was a decision to consult with BCRC as to what such regulations should look like and if they could be incorporated into the existing Bylaw Modernization project.



Discussion of the Village Itinerant Vendor Regulations

VanDerWielen introduced the topic and noted some recent concerns brought forward by members of the Board of Trustees relevant to the permitting of itinerant vendors within Manchester Village. Of specific note was interest in introducing a quota on the number of permits issued in a particular year and in raising the amount collected in application fees. The concern was generated by a question of whether itinerant vendor businesses were fairly competing with other ‘brick-and-mortar’ establishments, given the ease of obtaining a permit through the existing ordinance and form.

Bronstein noted that she was happy with the vendors currently operating in the Village and viewed them as good amenities for residents and visitors alike. Heilemann and Parks echoed Bronstein. Alstrup noted that one itinerant vendor no longer operating within the Village used to create some issues. Heilemann asked what additional controls the Board had in regulating itinerant vendors. VanDerWielen responded that the Board could reasonably set any conditions they saw fit on any permit applications. Heilemann noted that he believed this gave the Board enough latitude to enforce itinerant vendors as they saw fit, and would like to discuss the matter with the Board to understand the concern better.

New Business

No new business was brought before the Commission.

Other Business

Parks asked about whether the Village currently regulated or could regulate helicopter landings. VanDerWielen noted that while the Village did not regulate helicopter landings, it had a swath of options it could take in instituting such regulations. A short conversation ensued, after which it was agreed that the subject would be added to the September agenda and VanDerWielen would research some further context for conversation.

Heilemann and Bronstein both noted their inability to make the regular meeting scheduled for the 18th. Heilemann asked the Commission if the 11th at 11:00am would work. All in attendance agreed, except for Alstrup who stated that he would be travelling and MacLaurin, who had to depart the meeting earlier.

No other business was brought before the Commission.

Motion: To adjourn.

Motion made by Alstrup. Motion seconded by Parks.

Motion unanimously approved at 12:22pm.



The next regular meeting of the Planning Commission will be held at 11:00am on September 11th, 2024.

Respectfully submitted,

Curan VanDerWielen,
Zoning Administrative Officer

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