

DRAFT

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Approved _____, 2024
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CORNWALL PLANNING COMMISSION (CPC)

Regular Meeting

Cornwall Town Hall and via Teleconference

May 15, 2024

MEMBERS PRESENT: Don Burns, Mickey Heinecken, Katherine Branch, Caroline Mellish, Chet Van Dellen, Conor Stinson (Meeting Chair in lieu of Lauren)

ALSO PRESENT: Robert Gill

Recording announced.

CALL TO ORDER—The meeting was called to order at 7:05 pm by Conor Stinson

QUORUM—Established

AGENDA—Don B. MOVED / Mickey H. SECONDED to approve the agenda as distributed.

Motion passed—6 in favor, 0 opposed

MINUTES

April 17, 2024—Mickey H. MOVED / Don B. SECONDED to approve the Minutes as distributed. ***Motion passed—5 in favor, 0 opposed*** (Conor was not at the April meeting; Lauren absent tonight)

ANNOUNCEMENTS—none

CORRESPONDENCE REVIEW—none

PUBLIC COMMENTS—none

OLD BUSINESS

A. Traffic update—The Selectboard, through the Highway Department, has submitted an application to VTRANS for permission to install the town's speed monitors within the State ROWs on State highways.

B. Previous Action Items—Updates will be under "New Business."

C. Town Plan Action Items

a. Affordable Housing, Wastewater Contacts—The next housing work group meeting will be in late May, with a report to the PC at the June meeting.

b. Child Care—Information regarding prior childcare work moved to the June meeting.

c. Recreation Committee—Report on possibilities for trail creation moved to June

NEW BUSINESS.

A. Vermont Conservation Design—Katherine attended the Fish & Wildlife Department's BioFinder website webinar. The resolution of the new maps is 36-times better than the previous maps; new Cornwall map shows habitat blocks and connectors differently. She suggested considering consultation with the CCC to swap old map out of, and new map into, the updated Town Plan. Conor noted that many PC members were not on the Board when this was initially discussed a year ago. The discussion should be re-initiated in order to bring everyone up-to-date. Katherine said she would go through the Minutes to see what was noted and bring her summary to the June meeting. Perhaps the CCC could be invited to the July meeting to discuss further.

B. Subdivision Regulations—Discussion

1. DRB functions vs PC functions.

a. As noted in April, references need to be changed (from both "Planning Commission" and) "Board of Adjustment" to "Development Review Board" and responsibilities

clarified between the DRB and the PC as the DRB has responsibility now for a number of things that formerly fell under the PC.

- b.** Any pertinent “ZBA” provisions should be moved from the Zoning Regulations to the Subdivision Regulations.

2. Forms and Supporting Documentation—content, formatting

- a.** Often, just reformatting the regulations would help clarify the provisions.
- b.** Formatting of applications needs to reflect the steps in the regulations, the mechanics must match.

3. Potential changes, edits, additions.

- a.** §130
 - Subdivision Regulations, §130 should also include housing affordability;
 - §130 is very important as it references a number of topics in the Town Plan;
 - The Zoning Regulations do not have a similar section, perhaps they should; or combining the two would avoid redundancy;
- b.** A flow-chart in the front would help guide people through the various processes;
- c.** Review the LUDR to pick out what might be incorporated into this update as noted in April (“2019 draft contains valuable information and definitions”; “Article 6, Administration and Enforcement, contains clear and very specific information on the duties and powers of the PC, the DRB, and the ZA”;
- d.** Question: Why not have the DRB, with its experience in using the regulations, do the rewriting? *Conor* noted that the DRB will definitely be involved, but the responsibility for writing the regulations lies with the PC. The PC should have as good an understanding of the regulations as the DRB does even though they do not deal with them on a “daily” basis as does the DRB.
- e.** Question: Will an application for a new use re-open an examination of all uses on the property? This question needs to be kept in mind. As it could cause problems.
- f.** Question: Who decides lot sizes? *Conor:* The PC determines lot size for each district. When ready for public review, holds a hearing, keeps or alters the lot sizes or other provisions, adopts the draft, presents to the Selectboard. The SB follows the same hearing/adoption process, incorporating changes as it sees fit and adopting or denying the draft. The process is laid out by the State in 24 VSA 4441 and 4444.
- g.** Web development group is looking into functionality (e.g. use of clarification documents) and examining related issues in the RFP.
- h.** The Subdivision Regulations do not flow as well as might be preferred, but all the needed information is there and available.
- i.** The DRB is likely a good source for information on the weak/strong points of both sets of regulations. It will be useful to find out what they find as too vague, or sufficiently clear. They should be given direction to respond with specific provisions that need clarification, not simply what they like/dislike, or the response may, itself, be too vague to be helpful.
- j.** There needs to be a draft of some sort to tighten up the focus and organization of the work that is needed or the scope will be too generalized to be useful. Katherine and Don volunteered to work on this and bring to the June meeting.
- k.** If the extent of the updating warrants, it might be wise to consider applying for a Municipal Planning Grant.
- l.** Question: Does the DRB have a document delineating what they do and how they do it? Their decisions are based on the existing regulations but is there a document focusing on how the DRB functions? *Conor:* Yes, their functions and processes are defined in both sets of regulations.

D. Scope-of-Work—process, extent

1. **Sequence of process steps.** For example: Talk with the DRB first, then develop the *Scope*, or first develop the *Scope*, then discuss with the DRB?
2. **Context must be clear.** If submission is by 'mail,' is the meaning clear as to whether by USPS mail or by email?
3. **Goals.**
 - a. One of the goals of the previous LUDR (*Land Use and Development Regulations*) update was to combine and simplify the two sets of regulations. This could also be a goal for the current review/update.
 - b. Determine how to implement incremental, targeted updates while minimizing rule changes.
4. **Work groups.** Delineate how smaller 1- or 2-person sub-groups could be used to focus on each topic, then incorporate their information.
5. **Determine what needs to be incorporated:**
 - a. from the *Plan*. The regulations need to meet Town Plan goals of affordable housing, conservation, recreation, flooding., etc
 - b. from the DRB and other groups.
 - c. from the supporting documentation, applications—they must match the steps as defined in the regulations.
 - d. Statute—there have been numerous changes since 2008.
 - e. LUDR—many definitions and provisions could be re-used.
6. **Extent of the Scope-of-Work.** What is the extent, where is the line between updating and rewriting? The Scope seems to be moving from a relatively minor update toward a more extensive reformatting/redesigning, rewriting project. Having a more knowledgeable person to monitor and advise would be helpful.

OTHER BUSINESS,

- **Meeting Chairs**
 - **June**—Don Burns
 - **July**—Mickey Heinecken
 - **August**—Caroline Mellish

ACTION ITEMS

1. Don Burns confirmed as Meeting Chair for June.
2. Add "*Prior work on childcare issues*" to the June agenda.
3. Add "*Recreation Committee ideas around trail development*" to the June agenda.
4. Add "*Housing Committee Report on Wastewater consultant contacts*" to June agenda.
5. Add "*Discuss a list of 'To Do' items*" to the June agenda.
6. Notes on initial Conservation Design discussion for June meeting—Katherine B.
7. First draft of Scope of Work for June meeting—Katherine B, Don B.

ADJOURNMENT

Caroline M. MOVED / Katherine B. SECONDED to adjourn the meeting. **Motion passed—6 in favor, 0 opposed.**

The meeting was adjourned at 8:30 pm.

Submitted by Robin Conway, Substitute Minute-Taker