

**TOWN OF STAMFORD**  
**PLANNING COMMISSION MEETING**  
**May 8, 2023**  
**(UNAPPROVED)**

Planning Commission: Sheila Lawrence, Vice Chair, Carolyn Brooks, Kurt Gamari, Debra Burchard, Maura Hawkins (by phone) Jenifer Hughs and David Saldo.  
Aaron Malachuk and Daniel Potvin were not present.

Visitors: Janet Hurley from the Bennington County Regional Commission, Luke McKay, Debra Righi, James Righi, and Pamela Tworig.  
Lori Shepard, Secretary.

Sheila Lawrence called the meeting to order at 6:10 p.m. and opened with the Pledge of Allegiance.

**ASSESSMENT OF TOWN PLAN, POLICES AND GOALS**

Janet Hurley stated that to fulfill part of the Bennington County Regional Commission's (BCRC) obligation with the Vermont Department of Housing and Community Development, she needs to assess how the implementation of the town plan is going and whether the town needs assistance from the BCRC. Carolyn Brooks noted that there is an emphasis on transportation in the town plan, yet we have no public transportation in town. Kurt Gamari felt getting a solar-powered speed sign to slow traffic in the village center could be part of the transportation goals. He stated that when the Zoning By-laws were updated, the Planning Commission moved as close to increased housing density as we could without municipal septic and water systems. He felt these updates brought the town much closer to the state's recommendations. The town has already adopted an enhanced energy plan. Janet Hurley noted that exploring community waste water planning and a geological study for municipal water sources is in our town plan. The state has more innovative technologies now to allow for a small system for clustered housing that may not have been approved in the past. Janet Hurley felt our town plan was on target with the state's goals.

Kurt Gamari and Jennifer Hughs are considered ex-officio, non-voting members of the Planning Commission, according to Janet Hurley. Discussion evolved whether the quorum was still five out of nine or four out of seven because of the ex-officio members. Was the majority to pass a vote the same or less if ex-officio members are considered? Does that create two openings on the Planning Commission for voting members? Janet Hurley read the statute and agreed it was confusing and did not have an answer. The board was unsure they could continue the meeting without the determination of a quorum but Janet Hurley wanted to complete the assessment. The board was able to call Maura Hawkins to participate remotely to be sure there was a quorum of five, not counting the ex-officio members.

Maura Hawkins felt the Planning Commission needed assistance with clarifying the definitions in the Zoning By-laws. Janet Hurley reviewed a road speed study on Mill Road and Klondike Road which was done a couple years ago. Janet Hurley also noted that exploring a walking path along the river was part of the town plan. Kurt Gamari felt that it would require permission from several private property owners. The BCRC could assist us with a scoping study to see if people are

interested. Janet Hurley said the Zoning By-laws cannot prevent more than one parking space per dwelling unit. Kurt Gamari said that the last revision to the By-laws with Jim Sullivan's assistance made several changes that would bring the town closer to the state's higher density housing goals: the town added Planned Unit Development, implemented more site plan review and less conditional uses, removed the stipulation that all buildings in the forest district needed a conditional use permit, reduced the acreage for duplexes from three acres to two acres, allowed both single and duplex housing in the residential and rural district, allowed mixed use housing, and reduced the road frontage. He's not sure how much more we can do.

Janet Hurley explained that you can re-adopt the town plan without any revisions if the town is content with it. She also suggested the possibility of building an elderly/assisted living center in town and the BCRC could assist us with a community sewer and water system that could be paid for by the users. The town already tried to start elderly housing and it was turned down.

Janet Hurley asked if the board wanted to consider establishing a village center district that coincides with the village center designation and what types of development standards would be in this new district. Carolyn Brooks felt the Planning Commission already turned this down with Jim Henderson. Kurt Gamari recalled that if we changed one thing in the Zoning By-laws, the town would not lose its \$1,000.00 payment. Jim Henderson was not sure that just creating the village center district would be enough to satisfy the state or if other changes would be needed. Kurt Gamari suggested reducing the setback distance from the Main Road in the new district. Several houses are already non-confirming since they are closer than the current 50 foot setback and this may bring some houses into compliance. Janet Hurley also suggested reducing the amount of road frontage required to build. Pam Tworig felt that change would risk the town's ability to avoid municipal septic and water. Carolyn Brooks asked how this would benefit our town. Janet Hurley responded that everyone in the state is concerned with housing and whatever the town can do for homeowners in the core district would help. Sheila Lawrence felt the state is pushing this upon on and we shouldn't have to make these changes and she will be voting against all of it.

Janet Hurley will look to see if the recent updates to the By-laws with Jim Sullivan will meet the goals of the modernization grant so that the town won't have to pay its \$1,000.00 match and no additional Zoning By-law changes will be required.

#### MINUTES

The board deferred accepting the minutes of April 3, 2023 until the next meeting since there were not enough voting members in attendance who were at the last meeting.

#### ZONING BY-LAW REVISION

Kurt Gamari would like the board to expedite the changes that are needed to the By-laws. Dave Saldo was tasked with coming up with a driveway definition at a prior meeting. Kurt Gamari feels the board should scratch the language, refer to the Highway Ordinance and let the Road Commission deal with driveways like he always has. Deb Burchard spoke at length with Dave Tatro about driveway installation and he doesn't feel driveways should have setbacks. Dave Tatro said there is sometimes only one good access point to a property and it doesn't make sense to make someone invest a lot of money to put a driveway over a stream because of setbacks instead of going around it. Dave Tatro also said there is nothing to stop a property owner from clear

cutting his property, so setbacks on the placement of a driveway don't really make sense. Kurt Gamari said they have tried to find the difference between a driveway and a private road. Deb Burchard will look through her definitions again. Kurt Gamari feels the roads are what are important in establishing growth in town and what development you can and cannot do off a driveway. Removing building in the forest zone from conditional use will have a large impact on development. He is concerned with future development on Klondike Road which is a Class 4 Road. Pam Tworig interjected that opening the forest district to more development is only going to raise our taxes. Dave Tatro has stated in the past that our roads are not designed to handle the increase in traffic. Jenifer Hughs feels the state pushing for a higher housing density in town but it doesn't seem to work for us. Dave Saldo said Klondike Road could be considered a Class 2 road and if it could be improved, especially with Class 2 grants, the town might not want to restrict development. The town needs to decide whether it wants to develop and grow or not.

#### FINANCIAL UPDATE

Lori Shepard advised that after this meeting there will be approximately \$50.00 left in the Planning Commission bank account. There is an additional \$200-\$300 in the budget that could be used for secretarial services. They will probably be over budget by the end of the year.

#### ZONING ADMINISTRATOR

Deb Burchard provided the following update since she was appointed Zoning Administrator:

1. She has been studying the By-laws and talking with Janet Hurley who has been an invaluable resource. The By-laws are actually pretty clear.
2. Home-based businesses need to be permitted. If it will change the neighborhood in any way, then the neighbors need to know.
3. Permitted use is different than allowed use and it has not been enforced in the past. The Permitted Use section means the use is allowed, with a permit, as stated in the definitions. Several thought the title could be revised so that it is clear that the use is allowed with a permit.
4. Any structure to be built or modified in the river corridor cannot be permitted without the involvement of the Vermont Agency of Natural Resources.
5. The farm exemptions does not mean that all farm activity is exempt. You often still need a permit, you can't just claim agritourism.
6. The Zoning Administrator payment structure needs to be changed from a fee-based system, which eliminates the motivation to pursue enforcement, to an hourly rate.
7. Deb Burchard asked who would provide zoning law enforcement now that the town does not have a contract with the sheriff. The state police.

MOTION by Deb Burchard to adjourn. SECONDED by Maura Hawkins. All in favor. Motion APPROVED. The meeting adjourned at 8:10 p.m.

The next Planning Commission meeting will be Monday, June 19, 2023 at 6 p.m.

Carolyn Brooks  
Planning Commission Clerk

CB/las