

TOWN OF WESTMINSTER
PLANNING COMMISSION MEETING (PC) VIA ZOOM
August 8, 2022

Members Present: Bari Shamas (Chair), Kathy Kingston, Michelle Chmelar, Richard Crocker, Seroya Crouch

Others Present: Sarah Buckingham (Recording Secretary)

1. **CALL TO ORDER:** Shamas called the meeting to order at 7:02 PM.
2. **COMMUNICATIONS AND PUBLIC COMMENT:** None.
3. **ADJUSTMENTS TO AGENDA:** Kingston requested the discussion of meeting protocol be given more than ten minutes. Shamas agreed to allot a total of 15 minutes.
4. **ACCEPTANCE OF MINUTES:** No action. Discussion: Shamas said she received a message from Administrative Assistant Kelly Thayer saying the July 11th meeting notes taken by Kingston needed to be put on letterhead and organized by agenda item. Shamas proposed the committee vote to accept these minutes at the next meeting, after the requested formatting changes. Kingston agreed to email the notes to Buckingham for re-formatting.
5. **UNFINISHED BUSINESS (Discussion / Action):**

A. Meeting Protocol

Shamas acknowledged a couple of rough starts and shared that at the last meeting there was discussion regarding how to avoid a repeat experience. Shamas requested that committee members communicate with her if they are to be absent or tardy. It was agreed the committee will not wait more than ten minutes for latecomers.

Crocker asked about whether the meeting time would be 6:30 or 7:00 PM going forward. Kingston stated a preference for 7:00 PM in the summer and early fall, for those who work outside. Shamas said meetings will begin at 7:00 until further notice, until group decides to move it earlier again.

Kingston said she enjoys the planning board and that this is supposed to be fun. She said that when people are really participating it feels so much better than it has felt these last two months. She acknowledged she herself had issues making it to the last two meetings. She expressed feeling pretty discouraged and said she wants to feel good about being with this group and feel committee members are on the same page.

Shamas asked for a show of hands, "Who wants to have fun?" Chmelar said she wants to have a meeting where things get done. Shamas declared a re-start of the planning commission with the intention to have fun and get things done. She said looking back, it doesn't seem

summer is ever the most productive time. Kingston addressed Chmelar, saying that Chmelar's comment felt hostile towards what Kingston had said. Chmelar said, "Come on, seriously?" Kingston said it is fine if Chmelar feels Kingston is being ridiculous, but that her point is important to her and what matters to her is important to the group. Chmelar said she should be able to make a comment without being jumped on. She said her feelings are as valid as Kingston's are. Kingston expressed frustration at the number of meetings Chmelar has missed. Kingston thought it was a total of four out of the last eight meetings. She said it doesn't work for her to have a member that is not regularly present.

Shamas said the issue should not be addressed at Chmelar specifically. She asked the committee to consider what it means to be a member and show up and how many meetings it is acceptable for anyone to miss and still remain an active member.

Chmelar reminded the committee that its members are appointed by the Selectboard. She said Town Planning Commission members have wanted her out of the group for a while and if the group continues to feel that way, it can be taken up with the Selectboard. Shamas indicated that she does not want Chmelar out and that she wants to have a group discussion about what it means to work together and how many meetings it is OK to miss. Crouch agreed that the committee ought to set such guidelines. She inquired as to whether this conversation ought to be in Executive Session.

Shamas said she did not see any reason to move into Executive Session. She wanted the committee to discuss what it means when we ask the Selectboard to appoint us, what are we committing ourselves to? She said her understanding is showing up to meetings once a month is part of the commitment and that she does not have clear understanding of how many meetings it is OK to miss and still be a member of the commission. Kingston said no guidelines have ever been set. Shamas asked whether the committee would like to set them now. Crouch said she would check for guidelines from the Vermont League of Cities and Towns. Kingston called to table further discussion until the next meeting.

Chmelar said the June meeting was not a legally warned meeting, so she did not miss that meeting because that meeting did not exist. Shamas said the committee had met under such circumstances before, and it only means no policy decisions can be made. We can still get things done. She said the June meeting's agenda was a discussion of updates, and there was nothing to vote on. She said Thayer was on vacation and so the agenda didn't get posted on the website because Shamas didn't get it to Thayer before she went away. Only Shamas and Buckingham were in attendance. Kingston attempted to join late. Shamas said Kingston wrote to her and asked whether the committee would meet after she noted the meeting was not legally warned. Chmelar said she took the point. She said she was not the only one who didn't come. Crouch said she had given notice at the previous meeting that she would be away.

Shamas would like the committee to put the past behind them. She proposed that a member can miss three meetings in a fiscal year, a quarter of the total meetings, but more than that constitutes a forfeiture of the seat. Crocker said he didn't want to jump on that just yet. Kingston said it sounded reasonable and asked whether it could be discussed at the next meeting. Crouch said if more things start happening that someone is not able to attend, they may just not have room in their life to do it. She said she can imagine that potentially happening to her. She

said the commission has a lot to get done and she thinks 25% seems like a generous number. Shamas tabled further discussion until next month.

B. Town Plan updates

i. Housing

Crocker had nothing new to report. He heard about an article that said 25% of property is being bought up by out-of-state corporations. He said if that's true it needs to be part of the discussion. He will look into it.

Crouch said she talked to real estate broker who is interested in helping with the housing section. This person is interested in affordable housing. Crouch will give Crocker this person's number. Chmelar reminded the committee that she took webinars on affordable housing, and had informed the committee previously that to get money for that a town needs to have a certain infrastructure that we don't and probably won't have. Sewer, for example. She said it would have to be done privately because the tax grants and other monies to put the affordable packages together only work for larger areas like Brattleboro or Bellows Falls. Crocker agreed that was true and stated that he would like to consider whether there is anything that could work here, the Westminster version of affordable housing. He said we ought to try to make something work because we need it. Crouch said Chmelar's point was well-taken and we might have to rethink what affordable housing means for us. She said she had attended a Selectboard meeting once where there was discussion about someone who had put a trailer on their property and the neighbors were upset, they had to get zoning, etc., so maybe we need to make it easier for people to do little tiny home communities. She said we need to think outside the box because we're not going to fit in the box.

Chmelar said the number of available units could be increased if more townspeople offer existing structures like barns or carriage houses, but that she doesn't know if those are going to be affordable. Shamas suggested Crocker research alternate ways of doing septic systems. She said one of the reasons Vermont is as unpopulated as it is is the ledge we sit. Crocker agree about the ledge and said groundwater is part of it, too. Kingston said septic is a Vermont law, this committee can't do anything about that. There are people who are trying to figure that out and do better, but its Vermont law. She said the committee has already talked about this and about Vermont legislating controls so there are rentals available and people can't just buy a place and turn it into an Airbnb.

Crouch said the town could pass our own law or guidelines about that and that might be something this committee might want to recommend. She thinks it would be a valuable to limit Airbnb activity based on various criteria. Shamas said the committee needs to consult the townspeople before we put that in our plan. She said there was talk at one point of doing a public meeting around housing and suggested that the committee talk about that at its next meeting. Crocker agreed.

ii. Transportation

Shamas said this had been Russ Hodgkins' section. Chmelar said she thought Chuck Lawrence had already looked at it. Kingston said he had sent his comments to her and that she had entered them.

iii. Economic Development

Chmelar said she and her husband Kevin are going to do this. They don't have comments yet, but it is a work in progress. Shamas asked for more information. Chmelar said they wanted to do it together and they haven't had a chance. They have each read it separately. She said hopefully they would have something in September, but that nothing more is gonna happen in August. Shamas asked if the committee had anything they wanted Chmelar to look at. Kingston said there was a list of local businesses in the last Town Plan that could be updated. Chmelar said a lot of people are working from home now, that's something to include as well. Shamas asked if broadband development would be looked into. Chmelar said something was happening with that and she will try to figure out what it is.

Crocker said he would like to see how economic development meshes with what's happening with our housing and the incomes generated from higher housing prices. Chmelar said she heard in those housing seminars that there were big issues with people hired for jobs here being unable to find housing. She said she did not know if empirical data exists. Shamas suggested that maybe the real estate agent Crouch spoke with might have access to data. Chmelar said that he would know about the houses he worked on. Crouch said he told her no one is collecting that data. Crouch has heard from other realtors that investment companies are coming in and buying houses. Chmelar said she has clients who have second homes who worked and lived up here during COVID. She said they have a different pocketbook than most people that live and work here.

iv. Recreation

Shamas said she had started writing the intro. She put hunting in because it is both recreation and a way to put food on table. Also included: walking, snowmobiling, great hiking. She will find out if there is anything going on with the Westminster Pool. She said she considers libraries recreation. Kingstown agreed that hunting and fishing should be added to Recreation. Crouch said birdwatching is a huge thing in this town. Kingston mentioned Allen Brothers Marsh, saying people come from far away to birdwatch there.

Chmelar wondered if there are groups that Shamas could reference in this section, like the group Chuck Lawrence came to talk about. She likes the idea of having a group like they have in Athens. The committee reviewed its previous discussion of the Vermont Association of Snowmobile Travelers (VAST). [Dec 13, 2021 Meeting]

Shamas wondered about access to the river in Westminster. Crouch said it would be nice to have. Chmelar said there is a point along Rt. 12, just over the bridge. Shamas said that is part of New Hampshire. Chmelar acknowledged that, but pointed out that it is already built and ready to go. Kingston said it should be included. Crocker said the riverfront is a huge chunk of town and it would be nice to have access to it and have it recognized in our Town Plan.

v. Review Timeline

Crouch asked the committee to go chapter by chapter and give each a percentage of completion. She said the Introduction and Community Overview should be done last, so those both received 0%.

Regarding Chapter 2 Historical and Cultural Resources, Crouch said she was in touch with an archeologist a couple years ago who was involved in making a historical map. She said this is a very important map that is not public. It shows cellar holes and historic sites, etc. This individual is an expert on First Nations. Crouch would like him to write this section.

Kingston said Chapter 3 Natural Resources is 85% complete and asked the committee to look at her responses to their comments. Crouch said Agriculture is about 70% complete. Kingston is working on Flood Resilience and has shared the document with the committee to review. She estimated the chapter was 60% done. Shamas gave Recreation 25% and Crocker rated housing at 10% complete. Chmelar said education was probably around 20%. The committee agreed to remove the Health & Social Services chapter since those services exist outside of town. Kingston thought Transportation was 95% done and she agreed to finish it.

Crouch asked if anyone knew about Utilities and Facilities. Russ Hodgkins had been doing it. Shamas suggested talking to the new Town Manager. Crocker said he would read it and then perhaps volunteer to take it on.

Regarding Energy, Kingston said a bunch of the information from the energy plan needs to be put into appendices and she needs to check in with the author. Shamas suggested that section might be 80% complete, but the formatting is tricky. Crouch thought an executive summary of the energy plan could constitute this chapter in the Town Plan. Kingston requested this topic to be added to the next meeting agenda. She thought this section was at 70%.

Chmelar said nothing has been written on Economic Development. Kingston said the land use chapter probably isn't gonna change much from the last plan. She estimated 65% completion and said that whoever is going to be the Zoning Administrator should be in charge.

Crouch explained that Compatibility with Adjacent Towns is a step in the approval process. When the plan gets to a certain point, the committee has to give it to adjacent towns so they can see if there's anything impacting them in our plan and give us feedback. The committee can't do anything until we get that feedback. Probably six months from now.

The committee is not yet sure what will go in the appendices. Crouch has some stuff from Agriculture and wondered if others might have stuff from their sections suitable for an appendix.

Crouch said the committee needs population data from the most recent census. Crocker remembered the former Town Manager had questioned the veracity of the latest census. Crocker said Hodgkins had told the committee he knew for a fact there were more people in town than that.

Crouch said the committee should check in with Allison Bigwood regarding traffic analysis. Chmelar thought that would be not done on the town level, but at the county or state level. Crocker agreed. Crouch thought whoever is on Transportation could look at that. Chmelar agreed to ask Chuck Lawrence where to go for that information.

Shamas said she would expand on the existing list of businesses and send it out for everyone to add to.

Crouch said she had backdated from the original final deadline, December 2022. She said that would have to be pushed back. The committee will have to sit down and talk about how to adjust these dates. She said there must be a hearing in our commission for people to make comments on the plan. The committee has to publish the proposed plan on the website, or somewhere, and then have a hearing; warned 15 days prior. It is required to have one, but possible to have more. The committee will incorporate that public feedback and then submit the proposed plan to the Selectboard. The timeline includes a second hearing, should it be necessary - say someone really objected. Then the plan will be submitted to the Selectboard and then there's legislative hearings, so the Selectboard has to hold hearings on the plan. If there are proposed changes, then we have a follow-up hearing. There is room in timeline for a third hearing, if needed. If the Selectboard doesn't adopt it, it can be adopted by Australian ballot, but that's probably not the most advantageous way to go, so hopefully the Selectboard is going to be happy with the plan. It could happen in three to four months if there is one hearing, or if the Selectboard has multiple hearings, the whole process could take a year. October 14, 2023 is the absolute drop-dead deadline, when our current Town Plan expires and we must have a new one to replace it. Crouch emphasized that 2023 is coming in four months. She said the committee is behind schedule at this point and really needs to get the plan whipped into shape by January 1st at the latest.

Kingston wanted clarity on how to call polices and recommendations. She would like to focus on that at the next meeting. Crouch said there is language that has recently changed. Kingston asked Crouch to bring that to the next meeting. Shamas asked that it be emailed to the committee. Crouch said she wanted to share that she is nervous about the committee completing all of this in time. But, she said, a lot of people work best under deadlines.

Buckingham inquired as to the timeline for proofreading. Crouch said the plan would go to Buckingham for proofreading at the same time it goes to WRC for review. The committee will let them know it is still being proofed. They are going to need a month or more to review it and Buckingham will work on it during that time. The committee will finish the plan by January, 2023 and allow January through March for WRC review and proofreading and formatting.

Shamas thanked Crouch for laying out the timeline in such a clear way.

6. NEW BUSINESS (Discussion / Action):

Crouch said the Municipal Planning Grant covers Buckingham's time for proofreading and formatting and the Windham Regional Commission review process. It also covered VT Farm to Plate, to help with things to do with sustainability and agriculture. Crouch said she is not sure the committee can do anything with VT Farm to Plate with the time we have left, between now and January.

7. OTHER BUSINESS:

Shamas read aloud an email from Katrina Hamilton about the Zoning Administrator position. It said the Selectboard is trying to set up a meeting with Town Hall and that no applications have been received for the position. Shamas said she wrote back and asked about the process for seeking applications. Crouch said she wants to make sure they are beating the bushes. She wants to know how many hours the position requires. There was speculation as to Allison Bigwood's desire and qualifications for the role. There was discussion about whether this topic was appropriate in Open Session.

Kingston noted that Version 1.4 is the final outline everyone should be using. The others should be deleted from the drive.

Kingston said she wanted more clarity on when the agenda comes out. Could there be a set date? Shamas said she sent out the agenda right after the last meeting, and no one had submitted additions by the time the Kelly Thayer asked for permission to publish it. Shamas said she will ask on Sunday and will accept agenda items until Tuesday so she can have it to Thayer by Wednesday.

Kingston said she wants to resign but is willing to continue working on her sections as a townsperson and the committee would have the decision-making power. She said it is not working for her to be on this board anymore but that she does not want to resign if she cannot continue to contribute to the Town Plan because she is working on four chapters and it doesn't make sense for her to drop the ball, but it also doesn't make sense for her to come to meetings anymore. She said she thought the committee members all have some idea about why, but that she could send a formal letter of resignation.

Shamas said other townspeople are working on sections and she saw no reason why Kingston could not do so as well. Shamas said it would be most welcome, because Kingston has the greatest institutional knowledge of anyone on the committee right now. Shamas said Kingston would be missed. Crouch said she was sorry and that she would like Kingston to stay on the commission. Kingston said she wants meetings to be fun and they are not fun. There is a little too much contention for her. Crouch said the committee is already super small at five and if Kingston resigns there are only four. Kingston said there were seven committee members working on the last Town Plan. She said she wanted agreement from the full board about the board taking input from her as a townsperson. Shamas and Crouch agreed a townsperson can work on chapters. Chmelar agreed. Crouch expressed this is a terrible loss and Kingston has done more work than anyone. Crocker agreed and acknowledged Kingstons' feelings. He asked if there was anything that could be done to make it easier for Kingston to stay. Kingston said she would answer that in Executive Session.

Kingston made a motion to go into Executive Session to discuss her reasons for resigning. Crouch seconded. No discussion.

The committee entered Executive Session at 8:42 PM and returned at 8:57 PM.

8. DATE OF NEXT MEETING: Monday, September 12, 2022 @ 7:00 via Zoom

9. ADJOURNMENT: The meeting adjourned at 8:58 PM.

Signature of Clerk

Date

Prepared by: Sarah Buckingham, Recording Secretary