

Calais Planning Commission

June 21, 2016 Meeting Minutes

Members Present: Gary Root, Chair; Janice Ohlsson, Vice Chair; John McCullough; Paul Rose; Melanie Kehne

Others Present: Grant Orenstein, Stephanie Kaplan

• Public Comments on Items not on the Agenda

Grant Orenstein said that he would like to be involved in any discussion of groundwater extraction and related zoning regulations, as provided in the Town Plan goal. John noted that the zoning bylaws are at Sec. 4.4 Extraction and Quarrying. Also, Grant said that the State geologist will present groundwater maps at Town Hall on August 17, 2016 at 7 p.m. All are invited.

Stephanie Kaplan said that she and the Conservation Commission are interested in shoreland zoning. Also, she highly recommends the talk by Amy Picotte that Selectboard Chair Denise Wheeler is arranging for a joint meeting of the Selectboard and the Planning Commission. The Development Review Board may also be invited.

• Shorelands Zoning

Discussion continued on shoreland zoning options and issues, including vegetative buffers, development and mitigation, roads and other impervious surfaces, downstream properties, and whether different approaches may be appropriate in different sites.

- Paul Rose told us about the Ridge to River stormwater management report for the Mad River Valley watershed, which he learned about through the Central Vermont Planning Commission.
- Stephanie Kaplan noted that the advantage of having clear regulations is setting expectations.
- Gary suggested that maybe the zoning regulations could be more directive on impervious surface issue, to protect water resources.
- Paul raised the enforcement issue – don't want to pit neighbor against neighbor. Can enforce impervious surface requirements. ZA will check after permit is issued.
- John thought delegation would be good for applicants and the town, but realizes that enforcement may be an issue.
- Gary asked whether it would make sense to regulate some shoreland districts differently; in particular, the Curtis Pond Shoreland District. It is the only shoreland district that borders on a village district rather than rural residential.

Gary would like to start focusing on language, and wants Planning Commission members to be prepared to discuss specifics.

- John will share the link to Best Management Practices for vegetation management.
- Jan will find and circulate sample mitigation language in other towns' shoreland zoning (e.g., Elmore).

Gary raised the issue of downstream properties within a shoreland district. They are treated as shoreland properties even if runoff from the property does not flow into the water body. For example, North Calais Village is all downstream from Mirror Lake. Should this be treated differently? Melanie suggested that buffers on these properties

might have other important functions and values, such as floodwater mitigation and protecting water quality downstream of the lake.

The Planning Commission will look at each lake/pond and try to see what Shoreland district size is appropriate.

Grant mentioned the Environmental Court decision, *In re Myers 2-Lot Subdivision*, from 2010, and said that changes to the Curtis Pond Shoreland District could have an effect on the ability of landowners to subdivide.

Gary suggested a case study. Perhaps the southern part of Curtis Pond, off of Worcester Road. Look at how best to divert or improve quality of runoff from the road into the pond. Stephanie said that the Federation of Vermont Lakes and Ponds website has some good information and resources.

John received a note from a shoreland resident with questions about the Shoreland Protection Act and a related report. He will refer the resident to the Agency of Natural Resources Lakes and Ponds Division for more information.

- **Changing Town Maps**

The Commission discussed the recent requests to amend the ridgeline map, and how to handle map change requests in general. Maps that are part of the town plan can only be revised as an amendment of town plan. Maps that are part of zoning can only be revised as a zoning amendment. Title 24, Chapter 117 specifies which maps are required. With regard to the ridgeline map, the question is which ridgelines should be protected?

- **“To Do” List**

Change the language in the Town Plan that misconstrues how some town maps are amended. Gary will use the google earth map app to view the ridgeline in question. What is prominent? Promontory?

- **Inviting new members**

Jan posted a notice on Front Porch Forum that the Planning Commission has a vacancy, and inviting people to attend one or more meetings to see if they are interested.

- **Minutes**

Jan moved the approval of the minutes from the June 7, 2016 meeting, with some minor fixes to typos. John seconded. Motion passed unanimously.

- **Adjournment**

Melanie moved to adjourn. Jan seconded. Motion passed unanimously.