

Reading Planning Commission Meeting

August 3, 2020 – Virtual Meeting via ZOOM
full unapproved minutes

NOTE: Numbers in parentheses are the approximate time in the Zoom session the topic began discussion. The recorded Zoom meeting can be downloaded at <https://drive.google.com/file/d/1aUrCsaNmUv21V5kESLGqCL8Zkrp36f5A/view?usp=sharing> .

Attendance: Present: Stephen Strait (Chair), Ken Cox, Kevin Kaija, Kathy Callan-Rondeau, Jean Goldsborough (Recording Secretary.) Absent Kurt Voight.
Guests: Jason Rasmussen (SWCRPC), Maryse Brand (HAF), Charlie LaBatt (Engineer), Robert Allen (Zoning Administrator), Matthew and Jackie von Unwerth, Richard Windish, Kathy Reeves, Kevin Reeves, Ann Rubright, Stephen D'Agostino, Andrew Simonet.

The meeting was called to order at 7:06 pm.

Zoning Board of Adjustment Hearing for Hall Art Foundation (HAF) Project
Steve Strait gave a brief overview of the HAF's permit application for a footbridge and parking lot over the North Branch of the Black River. Anyone giving testimony must be sworn in.

1. Swearing In: Charlie LaBatt (Project Engineer, Guntlow and Associates); Maryse Brand (Director of the HAF); Matthew and Jackie von Unwerth (land abutters); Robert Allen (Zoning Administrator).
2. Site Plan Review (RPC) (12:38) – Descriptions and question/answer period
 - a. Maryse Brand described the project and the documentation they have completed and provided. The project consists of a new parking area for visitors as the existing location is not meeting their needs. Also a pedestrian bridge and path that leads over the stream to the Visitor Center. The access from Route 106 will use the previous access on the north side of the bridge. They have the Stream Alteration Permit from the VT Agency of Natural Resources (ANR). They have worked with other state agencies including VT Fish and Wildlife, VT DEC Floodplain management and VTrans to guide their plan and fulfill all requirements.

- b. Kathy – What is the width of the driveway and access? Does it allow one car or 2 cars at a time and is this the only access? Charlie: will accommodate ingress and egress from drive.
- c. Steve – Zoning ord. requires 1 space for every 1,000 sf of exhibit area. Maryse - museum is 6,000 sf (22 spaces ample.) What is largest crowd imagined and will the 22 spaces accommodate that? Maryse - feel 22 spaces was a safe number based on what they've seen historically. Days only, mostly weekends but some special events. No lighting planned for parking or bridge.
- d. Ken – will there be tour buses? Maryse says no but at times school buses and depending on weather they sometimes park by Town Hall lot or in an existing gravel lot, weekdays.
- e. Steve S – handicapped access spot will be where current parking is, all other general public parking will be in the new lot.
- f. Ken – asked about VTrans Letter of Intent. Maryse can submit this afterwards but it basically says they reviewed the access and is a pre-approval from VTrans that guides them to meet requirements for safe access. Robert says all he has is the State Access and Work Permit but not the Letter of Intent from VTrans.
- g. Ken asked that we receive the most recent copies of all documentation such as pre-approvals from any agencies.
- h. Will there be a sign? Yes, a sign directing folks from old entry point to new lot and that will require a sign permit
- i. Steve – landscape plan – speak to riparian vegetation and describe. MB: a mix of plantings that is based on the guidelines from the ANR. It would be the length of the whole parcel, not just the area between the parking and bridge but preserve the entire area. Some of the plantings will be tall enough to screen the view of the parking lot.
- j. von Unwerth questions – introduced themselves as the immediate abutters to the north. They are big supporters of the HAF and always hope to be good neighbors to them and the community. Having only recently found out about the project they have many questions, mostly concerning the parking lot which is very near their home. Questions included:
 - i. What it will do to their property value? Is their house going to be as safe from a flood as it is now (without parking lot?) Will fluids from cars get into the ground water, etc? What will it look like (views?) Will activity affect their dogs or vice versa? They are new to the process and seek to understand more. Charlie indicated the design with the vegetation and topography

allows for absorption into the soil in very limited quantities (“low impact development”.) Ken commented from his experience in Fish and Wildlife and Charlie’s description that the buffers do indeed filter out pollutants and sediments out of run-off areas. This practice is commonly accepted. Maryse commented they have had a lot of meetings with various people and agencies to revise and ensure their plan meets these requirements. The project is subject to ACT 250 so there will be additional review and the von Unwerths can participate in that process. Kevin says they will receive a letter from the State ACT 250. Kevin asked how the F&W landed on the 100 ft buffer. Charlie said that because they had the extra distance and that HAF was willing to do it they planned it that way. Maryse says the parking lot is actually closer to the existing school parking lot. It is 100’ from the top of the streambank out. It is a parallel line to the top of bank of the stream. The lot is a fair distance south and east of the school lot. Jackie asked where it begins adjacent to the fire hydrant. Robert says the drawing shows it will be a couple hundred feet east of the hydrant. Matt asked about the chance to walk that off or could it be staked out and Maryse is happy to do that.

- ii. Matt express additional concerns about the effect it might have on the residential character. Maryse explained all of the areas they considered for parking before coming to this plan. They actually feel this location will screen the lot and not be as much of a blight as you drive into town on 106 and they would have given up valuable hayfield to the south. Regarding numbers of visitors, she explained the capacity depends on the building but they absolutely do not want large groups such as the 250 people who came to July 2019 First Friday.
- iii. Ken asked if the von U’s and HAF might consider some vegetative screening along their property line for visual and noise privacy. Maryse suggests they have a conversation with the von Unwerths to achieve neighborly comfort.
- iv. Robert – was the letter of intent mentioned dated May 5th? Yes and it is being recirculated now to Ken and Steve. The reason this went into Conditional Use permitting is because the project is in a flood plain.
- v. Stephen D’Agostino– like the HAF the Rec. Commission cancelled the big event Fall Fair due to COVID but has

questions about the project's impact on the space used for the fair for next year. Maryse thinks there might be plantings where the fire trucks were parked last year. She said we could use the parking lot and didn't feel there would be a greater impact. The Ducky Derby is also run in that area – would this plan be impacted by that? Maryse – yes, probably because there is great effort to conserve that area via the riparian buffer. STEVE suspended this line of questions as the area being discussed do not relate to eh Hearing for the parking lot and bridge.

- vi. Kevin commented about the channeling and berm work of the stream since Irene means the run-off back into the stream is negligible. The Zoning Ordinance only requires a 50' buffer.
- k. With no further questions, the Site Plan review was recess by Steve at 8:15 pm. (1:16:44)
- 3. Conditional Use and Flood Hazard Review (ZBA led by Ken Cox) (1:17:06)
 - there are certain standards that the ZBA must have findings on
 - a. General 5.2.1 – Existing and Planned Cmty Facilities – Charlie – only facility is the State Hwy and that will not be affected.
 - b. Matt asked about the school and is that affected? If most use is on weekends that should not be affected. Also the access will still be able to serve as a secondary access for the school as it is now. There was some discussion about whether or not anyone from the school represented and it is unclear who might be aware of the project and if they have had any questions or comments on the project. Robert indicated all required notices of this hearing were posted. Jean added that the School Board meets on Monday nights so there may be a conflict with this Hearing schedule to send any school representatives.
 - c. Ken – any adverse effects of the character of the area. Maryse thinks not since there is already a parking lot there. It is a more organized use of the existing area.
 - d. Matt asked if there will be a cross-walk? Maryse said that visitors will cross 106 at the same place but that said HAF really wants a crosswalk. They will work with VTrans on that.
 - e. Effects on renewable energy resources? Is there any future proposal for a solar array in the fields south of the parking lot? Maryse says it is not something they have considered doing. Not applicable.
 - f. Any effect on the existing Zoning Ordinance? (Felchville is zoned as Residential/Commercial) All parts of the ordinance do not appear to

- be affected. There are signs planned but when that planning comes they will be required to get a permit for the Zoning Administrator.
- g. Specific Standards 5.2.2 (1:33:40) – In sub-section 1 there are no additional questions as this has been addressed in discussions.
 - h. Sub-section 2 - Access to light an air including significant views where appropriate – no concerns or questions
 - i. Sub-section 3 -Public Utilities or infrastructures – there are none so not applicable
 - j. Flood Hazard Regs – the ANR has commented on this and sent a letter to RA dated 4/21/2020.
 - k. There is mention of the 100 year floodway but it doesn't show the 1% annual flood plain hazard or .2% flood hazard area. Ken would like to hear from the applicants regarding whether or not the parking area might be at least partially within this flood plain areas noted on The Natural Resources Atlas Map (River Corridor.) Charlie - sometimes FEMA can have conflicting information regarding this type of mapping outside of the area of detailed study. Typically the flood elevation profile is used to really determine where that boundary is in respect to elevation. In this case the engineers surveyed it with this in mind.
 - l. Robert read a few things for Scott Jensen's Stream Alteration permit.
 - m. Ken feels there are 2 opinions and it is not clear and would like to see the plan show this more clearly regarding the river corridor and the flood hazard area. Charlie suggests their profile map shows this. It is still unclear and more information may be needed. Ken said we need to see any findings from the US Army Corps of Engineers. Maryse read a written statement that confirmed that they felt it did not present concerns that would require their oversight. Ken feels it warrants further discussion with the ZBA members. Kathy C-R also felt it wasn't clear in the documents provided. STEVE feels the only recourse is to recess so it can be discussed by ZBA members. The Flood Plan Hazard part of the review is recess.
4. At 9:05 Steve reopened the Site Plan revision to discuss for decision making. Steve read his notes addressing this review and procedure for voting verbally.
- a. Voting – Steve made a motion to approve the project as it meets the Site Plan review. Ken 2nded. All PC members voted to approve the Site Plan. This portion of the Site Plan review was closed.
5. At 9:11 Ken reopened the Conditional Use and Flood Hazard Review and discussed the key points and findings. Kevin commented that the character

will not be affected or the enjoyment of the adjacent properties. Ken interpreted the von Unwerth's concerns will be satisfactorily addressed directly with Maryse and HAF.

- a. Ken made a motion and Steve seconded. 3 of the 4 ZBA members voted in favor and Kevin abstained. Conditional Use passed and is recessed.
 - b. Flood Hazard Review – Ken asked each ZBA members if they have enough information to make a decision tonight or is more information needed? STEVE felt there was enough information. Kathy felt the map and the narrative do not necessarily match and she would like to see that clarified. Ken tends to agree or we could accept Charlie's explanation. Kevin feels there is adequate information to make a decision. Ken asked for a vote to accept information as presented tonight: Votes to approve the Flood Hazard Review – Steve, KK and KC voted to approve. KCR abstained. Decision is to approve the project but Ken still wants copies of the statement from the Army Corps of Engineers for the record.
 - c. The von Unwerths had additional questions mostly regarding procedures. Steve and Robert addressed these questions as best able. Maryse again offered to have a separate conversation with the von Unwerths.
 - d. Adjourned this section at 9:29 pm (2:30:02)
6. Steve reopened the regular PC Meeting (2:30:15)
- a. No changes to the Agenda other than we will not get through it all so will roll over to next meeting
 - b. No changes to July minutes.
 - c. Mail and email – nothing of consequence. No Regional PC business. No new reports from Energy Committee
 - d. Windish subdivision (2:31:37) – Richard Windish was present. Steve has done a lot of research and spoke to some lawyers. He summarized the unique and complex circumstances. The previous owner of this parcel subdivided it into 3 lots. Mr. Windish bought the property the following year and it was purchased as a single parcel as it turns out the Town had no record of the subdivision. There is the possibility this could be grandfathered but it is complicated and unclear with the information currently available. Steve suggests that we allow Mr. Windish to continue to develop Lot #3 without requiring additional sub-division review. He will of course need a Zoning permit to build. If Mr. Windish decides to sell or develop Lot #2 that at that time it becomes a subdivision application. This was discussed among

members. Ken added Gary Vittum reviewed the driveway to Lot #3 and felt provided the drive is maintained property a truck could access the property. Steve wants to ensure there are adequate land records indicating this change so it does not have to be dealt with again in the future in a title search. Steve made a motion to allow Mr. Windish to develop Lot #3 for his father without additional oversight with agreement that if Lot#2 is to be developed that it will be subject to Planning Commission review. Ken seconded. All members in favor. Robert asked that Mr. Windish get with him to clarify the lot sizes.

e. Next PC meeting - Steve suggested and all agreed to meet Monday, September 7 despite it being Labor Day.

Ken made a motion to adjourn. Seconded by Steve. **Adjourned at 9:47 pm**

Respectfully submitted,
Jean G. Goldsborough, Recorder