



# Town of Mount Holly Planning Commission

## **Town Office & Remote Electronic – Regular Meeting Minutes**

Wednesday July 20, 2022

7:00 P.M.

Commission Members Present: Jon McCann (Chair), Jim Seward (Vice Chair), Brigid Sullivan, Andrew Seward

Commission Members Absent: Andrew Schulz

Also Present: Christine Boudreau, Edward Burgess, Marie Paquette, Bruce Paquette, Okemo Valley TV

1. Chair called the meeting to order at 7:03 pm.
2. Commissioner Jim Seward requested adding an item to New Business for “Tarbellville flood plain structure”. Agenda accepted as amended.
3. Andrew Seward requested a correction to the Commissioners present list. Another change suggested by Treasurer David Johnson was previously distributed by email. Motion made and seconded to approve minutes as amended with both changes. Passed unanimously.
4. Reports & Announcements
  - a. Administrative Officer: Chair read an emailed report.
    - i. Renee has reached out to the Administrator in Shrewsbury to see if we can share information about permit application forms etc. for the Flood Hazard Area Regulations. No response yet. Chair will reach out.
    - ii. Confirmed that Walter Siegordner’s new wastewater permit has been recorded (Volume 101, Page 105-107).
  - b. Chair
    - i. Transportation plan from Devon Neary (RRPC) is delayed because of his new position as executive director of the RRPC.
    - ii. Relayed information from recent Select Board meeting about possible discontinuance of Scampsville Road.
      1. Commissioner Andrew Seward objected to giving up the road. He cited specific concerns such as a currently undeveloped lot that is only accessible from the road, and also general concerns that the town should never give up roads or town land since we can’t know if we might need it in the future. He would like this added as a policy to the Town Plan.
      2. Commissioner Jim Seward mentioned that the town has regretted giving away roads in the past.
      3. We will loop back to Transportation in one of our next working meetings.
5. Correspondence
  - a. Subdivisions: none
  - b. State Permits
    - i. Follow up on Siegordner revised permit WW-1-1820-2 for adjoining landowners.
      1. Chair reported that new permit for 6 BR dwelling has been recorded in the land records and asked if there are any further questions or concerns.
      2. Marie Paquette asked who is responsible for recording the permit and thought it had to be recorded within 30 days.

## Town of Mount Holly Planning Commission

3. Chair responded that the requirements are listed in the permit itself and it is his recollection that it is the permittee's responsibility to record the permit within 30 days of issuance.
  4. Marie Paquette asked about the text of the state permit including language about merging of lots. Is it still in agreement with lot sizes in the town subdivision permit?
  5. Chair reported that the Commission has not formally compared the state permit site plan to the details of the subdivision permit. Discussion about ways in which our current Subdivision Regulations from the 1990s have not kept pace with modern site design and state permitting.
  6. Christine Boudreau said it looks like there were lots combined in the state permit and wondered how that was possible.
  7. Commissioner Andrew Seward mentioned that the state does not have the ability to change the lots we have approved.
  8. Christine Boudreau asked how there were 4 lots when the town only created 3.
  9. Chair gave his opinion that there may be a misunderstanding because the original site plan the state reviewed depicted lots that had not been approved by the Town and therefore did not exist. When the state permit was amended, for the 6 BR development, the site plan used the lot layout approved by the Town.
  10. Marie Paquette asked if some of this confusion could be addressed by updating and streamlining the Subdivision Regulations.
  11. Christine Boudreau agreed, that with all the development going on it would be beneficial for the town to have modern and streamlined permitting and review.
  12. Chair agreed that it would be good to have another look at the regulations. For example, we often don't need the test pits that the current regulations require and essentially all water system review is now done by the state. We don't really want to be doing that anyway. It would be best if our regulations reflected that.
  13. Chair reiterated that the town does not have zoning and there is not really any review of what happens after the subdivision is approved. Chair reminded the concerned citizens that the Commission added conditions to the subdivision permit based on their concerns related to screening and buffers. He suggested that if they have concerns about compliance with those conditions to contact the Town but there is not much more the Commission can do on this matter.
- c. Email / Other
    - i. FEMA Floodplain Mapping Skill Share Workshop - August 8
6. Unfinished business
  7. New business
    - a. Draft application forms for FHA development
      - i. Chair distributed a draft application form based on our current Subdivision permit application form
      - ii. Chair mentioned that VLCT gave guidance that application form be separate from permit decisions, and that decisions be in writing.
      - iii. Chair will check other nearby towns to see what their forms have.
      - iv. Chair mentioned that our ordinance requires a number of things be on the application form.
      - v. Commission decided to consult with flood plain experts at our next working meeting, revise as needed, and vote on it at our next regular meeting.
    - b. Update subdivision application form to include FHA

## Town of Mount Holly Planning Commission

- i. Discussion about where to ask if property is in a FHA.
  - ii. Discussion about which map to suggest applicant consult to find out.
  - iii. Discussion about how to indicate FHA on site plan.
  - iv. Chair noted that Subdivision Regulations predate the FHA ordinance and, if we revise the ordinance, we should require listing base flood elevation and FHA zones when applicable.
  - v. Commissioner Andrew Seward mentioned that a revised Regulations should also be more specific about what jurisdictional wetlands and waters should be shown on site plans. And agreed that we should amend the ordinance to require FHA on site plans.
  - vi. Discussion about various other minor proposed changes to the form.
  - vii. Chair explained that the point of the application form is so that the Commission doesn't have to perform research or investigation and we have nearly everything we need in order to write a decision – affirmed by the applicant.
  - viii. Chair mentioned that some towns have regulations that require the applicant to perform the mailing to adjoining landowners and/or posting a permit notice on site. This could be something we consider to save the town time and money in the future.
  - ix. Commissioner Sullivan asked about whether we should ask any questions related to Act 250 triggers such as number of subdivisions in so many years.
  - x. Chair mentioned that he would rather not ask about Act 250 triggers because we aren't authorized to make those determinations. What is really required is a "Jurisdictional Opinion" from the District Coordinator.
  - xi. Commission looked at the current Act 250 jurisdiction rules. Discussion about the rules and triggers and what questions we might want to ask related to them.
  - xii. Commissioner Sullivan suggested we ask the Act 250 District Coordinator what we should include. Commission unanimously agreed. Chair will follow up with them.
- c. Tarbellville Flood Plain Structure
  - i. Commissioner Andrew Seward described a new camper trailer structure and some associated fill located close to the Mill River at the northwest of the intersection of Tarbellville and Route 155. He didn't know whether the structure is located in the flood hazard area or not. He wondered how we should handle it.
  - ii. Chair suggested that Commissioner Andrew Seward give them a copy of the Flood Hazard Area Regulations document. Chair suggested that it isn't the Commission's job to administer the regulations – that it is the Administrative Officers job. Noted that we don't actually have the permit application form to give them yet.
  - iii. Chair suggested, as discussed at the previous meeting, that the first step should be education.
  - iv. Commissioner Jim Seward wondered if the fill is also in the town right of way.
  - v. Chair brought up a map of the FHA in that area on his phone.
  - vi. Commissioner Andrew Seward mentioned that it looks like the trailer might not even be on the same property as the purported trail/driveway to it.
  - vii. Agreed to discuss more later.
8. Public Comments: none
9. Upcoming meetings
  - a. Working meeting - August 3<sup>rd</sup>, 7:00 pm (1<sup>st</sup> Wednesday)
    - i. Special guests Barbara Noyes-Pulling (RRPC) and Kyle Medash (DEC)
  - b. Regular meeting – August 17<sup>th</sup>, 7:00 pm (3<sup>rd</sup> Wednesday)

Town of Mount Holly Planning Commission

10. Meeting adjourned at 8:36 pm

For the Commission,  
Brigid Sullivan, Acting Secretary

In draft form until approved on August 17<sup>th</sup>, 2022