



Town of Mount Holly Planning Commission

Town Office & Remote Electronic – Regular Meeting

Tuesday, November 18, 2025

6:30 P.M.

Commission Members Present: Jon McCann (Chair), Jim Seward (Vice Chair), Andrew Schulz (Secretary) (via Zoom), Andrew Seward, Stephen Michel

Also present: Faith Tempest, Ron Unterman, David Johnson, Lisa Kelley

1. Chair called the meeting to order at 6.35pm.
2. Changes to agenda: none
3. Approval of minutes: Andrew Seward made a motion to accept the minutes of the public hearing on 21st October and the regular meeting of 21st October, seconded Jim Seward, approved unanimously.
4. Reorganization
 - a. Election of officers (Chair, Vice-Chair, Recording Secretary): Chair suggested a slate of the same candidates as held office in the previous year (Chair Jon McCann, Vice Chair Jim Seward, Recording Secretary Andy Schulz. Commissioner Andrew Seward moved to accept the slate, seconded by Commissioner McCann, approved unanimously.
 - b. Re-adopt Rules of Procedure and Conflict of Interest Policy: Chair noted two changes in the rules: updating the meeting time and date, and the date of adoption of the new version of the rules. Commissioner Andrew Seward moved to adopt the amended rules and conflict of interest policy, seconded by Commissioner McCann. Commissioner Michel asked which statutes set out the rules regarding open meeting laws and executive session, and for clarification of when the chair can represent the Commission and how a Commissioner would indicate their variance or disagreement with a Commission Decision. Chair responded that this is through votes of the Commission, and that the wording may predate the current Commission, which moves as one body. Chair called the vote, approved unanimously.
5. Reports & Announcements
 - a. Administrative Officer:
 - i. Armstrong, Tarbellville Road: the second attempt to contact Mr Armstrong was returned, so it is unclear what the next steps are in ensuring removal of the camper in the flood hazard area on the property if Mr Armstrong has not been notified. Commissioner Schulz suggested using some approach (eg Fedex) which shows that the letter has been delivered.
 - ii. Garrow subdivision: all documents have been recorded and there is now a contract for the sale of 929 Packer Road but the mylar has not yet been signed. Chair asked the AO to follow up to ensure that the requirement has been met that Mr Garrow disclose all relevant information to any purchaser, and that the requirements on an access easement are also met.



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- iii. JO on Belmont General Store: The Act 250 Coordinator has determined that no Act 250 permit is required at this stage. Commissioner Michel stated that he has questions and will review the representations made, especially regarding emails from Commissioner Schulz to the Coordinator and whether they were sent as an individual or as a member of the PC. Commissioner Schulz stated he sent the email as an individual. Chair asked PC members to review the decision and its supporting evidence and if there are any concerns about the representations, to bring them to the next meeting and consider whether the PC should make an appeal of the decision. Chair noted his own questions regarding the BLA and its conditions, the timing of opening of the store, and the timing of the acquisition of the meadow parcel. n. Ron Unterman asked about the rules of procedure which say that the commission moves as one and whether the email from Commissioner Schulz could have been interpreted by the Coordinator as coming from the Planning Commission, in which case is this a violation of the open meeting law. Chair responded that Commissioner Schulz action was not based on a decision by the Commission, but agreed that the email does not state that it was written as an individual. Commissioner Schulz stated that he was copied on communications by the Coordinator and he responded with facts as he observed them, which may not have been considered by the Coordinator. Mr Unterman asked that PC members make clear in such communications whether they are acting on their own behalf or as PC members. Chair noted that on at least two occasions the PC discussed questions regarding the General Store, and Commissioner Schulz's role in the BLA decision. Chair noted that transparency is vital, both on the part of the Commission and by town residents coming to the Commission, and committed to continuing this. Commissioner Schulz restated that his email was intended to provide factual information to the Coordinator which she may not have been aware of, and even if considered as acting on the part of the Commission this would not be a violation of the open meeting law (given a five person Commission), but he took Mr Unterman's comment to heart and stated that he will in future make clear when he is acting on his own behalf. Chair noted that if communication by individuals is portrayed as being on behalf of the commission, the Commission has voted to clarify facts to the State, for example disclosing to the Coordinator the BLA (which had not been disclosed by the property owner). Mr Unterman noted that Commissioner Schulz's email contained egregious information which may have been amended if it had been reviewed by the Commission. Commissioner Michel asked if the PC members could have access to the PC official email account. Chair responded that he forwards all emails to PC members.

- b. Planning Commission Chair: Chair reported that he had received questions from a potential purchaser of 929 Packer Road (already discussed under AO report).

6. Correspondence

a. Subdivision proposals

- i. Kelley: Lisa Kelley submitted a revised survey in response to the PC's request including a correction to abutter information, clarity on access points, and on the detail of the proposed division between the parcels. There was still a question of correct ownership of the parcel on the survey, which Ms Kelley will have corrected. Chair noted that since this is a gift from the current owner to family members, he understands the reticence of those family members to meet the requirements for full designs (eg of septic, water, access) if they do not own the property. The regulations do allow exceptions to these requirements in the case of such gifts. Chair reviewed the wording of the regulations which would allow a subdivision based on a survey at this stage, but no future development without the design elements being in place. At the time that the new owners are clear of the plans then a further subdivision application would be needed to allow future construction, effectively going through the process twice.



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Chair moved treat the subdivision as a gift, approved unanimously. Chair proposed that the costs be met through a single payment of \$400 if the applicant comes back within a year with the full proposals. A date of 16th December was agreed for the public hearing at which the final plat/ mylar should be available.

- b. Email / Other: none
- 7. New Business: none.
- 8. Unfinished business:
 - a. The Housing Needs Assessment and Action Plan is nearing completion with a draft to be sent in January for the PC to give feedback. SE Group would like to give a presentation in January at the PC meeting (possibly jointly with the Select Board).
 - b. Subdivision regulations: Chair will try again to get an editable copy of the proposed subdivision regulations from Cavendish. Commissioner Michel asked for review of the BCR ordinance. Chair noted that reviewing the ordinance was possibly outside the authority of the PC, so could only be done as advisory action to the Select Board. There is a question regarding who has the authority to develop a new ordinance. Chair proposed to deal with sub-division issue first, then consider this.
- 9. Public comments: None
- 10. Upcoming meetings:
 - a. Deliberation meeting for Wagner subdivision (closed): November 25th 6pm
 - b. Public Hearing for Kelley subdivision: December 16th 5.30 pm
 - c. Regular Planning Commission Meeting: December 16th 6.30pm
 - d. Public meeting on the Housing Needs Assessment and Action Plan: January (date tbd).
- 11. Adjournment: 8.15pm

A video of this meeting is available at: <https://okemovalley.tv/mt-holly-planning-commission-1118>