



## Town of Mount Holly Planning Commission

### Town Office & Remote Electronic – Regular Meeting

Tuesday, April 21, 2026

6:30 PM

Attendance: Jon McCann, Jim Seward, Stephen Michel, Andrew Schulz (via Zoom), Ron Unterman  
Also: Faith Tempest, Dennis Devereux, Michael Huck, Julie Campbell (via Zoom), Lynn Sheldon, Lisa Kelley, Jeff Chase, Pat Teter (via Zoom).

1. Call to order 6.34pm
2. Changes to agenda: Chair noted that Commissioner Unterman wanted to speak on a number of issues and added this to public comments; Chair added an information item from VLCT to 4c.
3. Approval of minutes: Approval of minutes of the Gilbert hearing was tabled. Chair asked for two changes to the minutes of the March 17<sup>th</sup> meeting; with these changes Commissioner Schulz moved to approve the minutes, Commissioner Unterman seconded, minutes approved unanimously.
4. Reports & Announcements
  - a. Administrative Officer:
    - i BCRs:
      - Buechner Shunpike Road, Kitchen/bathroom/dining room renovation
      - Shapiro Lake Ninevah Road, 20'x30' Bunkhouse/ADU,
      - School District 10'x14' building for School Water Treatment system.
      - Cohen and Barlow Gates Road, Deck and Porch roof extension
      - Precino 13'x28' Garage
    - ii A Town resident David Martin asked about the Sawyer Hill development by Mr Longobardo and whether this is subject to Act 250. AO reported that she has been in contact with Mr Longobardo to enquire as to whether he has contacted the coordinator but has not yet received a response on this. If Mr Longobardo does not respond the AO will seek a JO as to whether this does require an Act 250 permit.
    - iii Wetlands designation: A town resident Melody Bothers received notification from the State that her property has been declared a wetland and wanted to know what could be done to channel water away from her house. Michael Huck has also had a portion of land designated. Chair asked about the process for making such declarations. Lisa Kelley noted concerns about the burden of this on the property owner. Is there some guidance to give to owners, or ask the State about this. Chair asked about getting a better understanding of how the State is doing this and proposed Chair and AO meet wetlands coordinator to find out about the process to bring back to the Commission on this including what the procedures are, what notice is given to residents, what opportunities for Town input, what appeal rights exist.
  - b. Planning Commission Chair: Chair noted some changes to the website, including a page for decisions and plats, linked from the Google drive. Chair sent the video of the Regional Planning

Commission first session on Essentials of Land Use Planning. The Regional Plan Final Hearing is May 19th.

- c. Belmont Village Wastewater Planning Subcommittee— report, if any, and clarification and restatement of prior action, including membership, charge, and process: Chair read a statement on the establishment of the advisory committee, its role, what is expected of it, its rationale in relation to support of housing development. He noted that Jeff Chase will serve as chair of the committee. He confirmed that the committee is advisory but also subject to open meeting laws. Commissioners Unterman and Michel questioned whether the committee had been established at the previous PC meeting. Chair asserted that the first task of the committee was to look for additional members and that the committee is now clearly established. Commissioner Schulz recalled that the committee was established at the last meeting, with a first task to find additional members; a view concurred by Jeff Chase who confirmed that his understanding was that committee had been formed. Chair noted that his statement was intended to resolve any ambiguity and asked commissioners if such ambiguity had been resolved. Commissioners Unterman and Michel agreed that in terms of going forward from today it had. The discussion moved on without resolving the ambiguity from the March 17, 2026 meeting. Chair continued his statement to clarify the open meeting law requirements of this committee, which are the same as those applying to the Commission itself, ie substantive discussion must take place in publicly warned meetings. Chair also outlined the necessity for such openness and transparency. Commissioner Unterman noted that the housing study proposed that such wastewater systems should also be considered for Mount Holly hamlet and the municipal center. Chair responded that if Commissioners wish they can propose committees to look at other areas. Jeff Chase asked for clarification about what specific information can be shared within the committee by email and what can and cannot be discussed. Chair reported on discussions he had with VLCT to clarify this. Dennis Devereux spoke about his experience developing the Open Meeting law. Commissioner Schulz noted the difficulties of conforming to the law. Commissioner Unterman stated that he had not been appointed to the wastewater committee; Chair noted that Commissioner Unterman could decline, but preferred that he did not. Chair asked Jeff Chase to confirm his chairing and membership of the committee; Faith Tempest confirmed her membership, Commissioner Unterman declined. Commissioner Unterman stated that Kevin Hollobeck has confirmed that he is interested in being a member of the committee.
5. Development review
    - a. Review of Gregory Kelley Final Plat changes: A mylar of the final plat had been submitted again, with corrections to the earlier printing errors. Chair asked for confirmation from the commission that he could sign. There was no objection from the commissioners.
    - b. Status of McDonald/Huylar/Carney land division: AO confirmed that Mr McDonald will come to the Town Office to complete the application. AO asked about map titling as a Boundary Line Adjustment when a decision has not been made regarding whether this is a BLA or Subdivision. Chair said that this was an issue of form, the application should be treated under the subdivision regulations. Chair also noted there may be some issues regarding the deed which means the subdivision may be from one to two lots rather than to three lots if there has been no prior merger of the parcels under discussion. This could be addressed in a hearing but it is possible that part of this does not need to be approved.

- c. Huck subdivision sketch plan review: Mr Huck shared the documents he currently has and presented the proposal, including a 1993 survey and a sketch of the proposed subdivision. Mr Huck asked about wetlands permits; Chair directed Mr Huck to the Permit Navigator and the wetlands coordinator. The surveyor who conducted the 1993 survey is still working and Mr Huck will try to use him to update the survey. Mr Huck asked which neighboring landowners need to be notified, and why those who were some distance away need to be noted. Chair clarified the statutory role of abutters, and that the PC does not have any control over who has these rights. Chair noted that interested parties do not have veto power. Commissioner Schulz asked if the existing structures on the survey were still there? Mr Huck confirmed they are. Commissioner Unterman asked about the specific location of the Town highway access permit – Mr Huck referred him to the Town Roads Foreman who had determined the location.

6. New business

- i Review Rutland Town Permit Tracking Ordinance: Chair had shared examples of neighboring towns without zoning and how they monitor development through construction permit tracking. These are intended to ensure that residents conform in advance to any State permit requirements and reduce the need for the Town to chase applicants. This could be a basis for review of the BCR which currently allows owners to start construction immediately, without informing them that they should conform to State law. Chair clarified that this is not zoning. Commissioner Michel asked if this would require a revision to the bylaw? Chair confirmed yes. Commissioner Unterman asked if this would be approved by the Select Board. Chair confirmed yes, the ordinance would need to be presented to the Select Board, and if approved the PC/AO would develop the associated form. Chair proposed further discussion at the next meeting.

- ii Analyze Act 181 potential impacts. The Select Board proposes to write a letter regarding Act 181. Chair noted that the LURB was unwilling to share the latest version of the maps due to the repeal process. The PC had reviewed the draft Regional Plan future land use map (which is used to prepare the LURB maps) in December and proposed some changes, but overall the map did not raise concerns. Chair reviewed with the Commission the changes made to respond to the comments. Commissioner Unterman asked if the Rural Agriculture and Forestry category would preclude development of affordable housing. Chair responded he did not think so, but noted that under the current Act 250 rules as a one acre town a multi-unit development would likely trigger Act 250. Jeff Chase asked if the Regional Plan would limit funding to try to direct development to village centers and away from Rural Agriculture and Forestry areas. Chair noted that the overall intention is to try to prevent sprawl and concentrate development. Commissioner Michel asked about Tier 1 areas. Chair responded that Mount Holly has no Tier 1 areas and very few Tier 3 areas, so much of the Town remains in Tier 2 which keeps the status quo, meaning very limited effect of Act 181 in Mount Holly if it remains as currently proposed. Commissioner Unterman reiterated that he wants to ensure that the land use maps do not have a negative impact on housing. Chair asked Faith Tempest what she required for drafting the Select Board's letter. She noted that the repeal process has changed the situation but the thrust of the letter may be related to the limitations in the process. Chair noted that the PC cannot specifically address the implications of the Tiers since the maps have been closed in anticipation of repeal. Commissioner Unterman proposed that vagaries on the process should be emphasized. Commissioner Schulz noted the process problem – the legislature stated the Tiers, but left the definition as a non-transparent process which led to reaction from the public. Ms Tempest said she would use these comments in the drafting of the Select Board's letter.

## 7. Unfinished business

i Subdivision Regulations revision process: Chair hopes to make progress on this and proposed review of those issues. Commissioner Unterman asked why there was no written proposal to review, stating that he was unable to consider any changes without such a document. Chair identified problematic issues, specifically: noted a number of issues which have already been recognized including:

- a. Our regulations do not require a written finding, contrary to State law.
- b. Sketch plan review should this be kept? Formalized? Should it only be for major subdivisions? Commissioner Schulz noted that it is useful to guide applicants, and does not seem burdensome and so has value in keeping it. Commissioner Seward agreed that it is useful for both applicants and the Commission.
- c. Should there be a simplified path for amendment? Should there be an amendment process which gives more options for administrative approval on some amendments including eg minor boundary line adjustments. Commissioner Unterman proposed a clearer BLA adjustment policy.
- d. Should the regulations retain a two-stage review for major and single stage for minor and make this much clearer in the regulations. If retained, the two stage process must make clear that there would be two hearings.
- e. Should the regulations continue agricultural and conservation exception and how the term sole purpose is interpreted – all lots, or only the lots being created. Commissioner Seward proposed keeping the exemption. Commissioner Schulz asked for more clarity on the gift exceptions to make it clearer what counts as a gift.
- f. What could be included in the regulations to encourage housing?
- g. Lot mergers – can lots be merged without continued independent existence. There is no automatic lot merger in the current bylaw, and there should be something which allows this. Commissioner Schulz asked how the BLA and lot merging are related. Chair noted that BLA and dissolution of intra-lot lines would be possible without requiring lot dissolution.
- h. Should the AO be responsible for noticing or the applicant?

8. Public comments: Commissioner Unterman asked to clarify how to get items on to the agenda if he sends an email 72 hours in advance; asking if the Chair has discretion over whether it is added. Chair confirmed that the Chair has this discretion. Commissioner Unterman asked how to communicate information to the Commission related to the wastewater committee. Chair proposed that information be sent to the committee Chair, which is possible since Commissioner Unterman is no longer on the committee. Commissioner Unterman noted his request for a continuation of the discussion of the housing needs assessment – can he submit that analysis of all options in the action plan to the Commission. Chair noted that if this relates to implementation of the action plan yes it can be submitted for discussion by the PC, and acknowledged that the PC has a responsibility to help the SB to implement the action plan. Commissioner Unterman asked about the focus on Belmont, and potential for other areas of focus. Chair responded that the arc of planning is long, and that much work has already gone into the discussion on Belmont. Chair agreed that the issue of what aspects of the HNA could be taken up could be discussed at the next meeting. Commissioner Unterman asked about changing

the PC's rules to prevent the Chair from being the only one to constitute committees. Commissioner Seward noted that this has been in the rules for many years. Chair noted that the rules are updated annually and can be revised at the next review.

9. Upcoming meetings: May 19<sup>th</sup> 2026, 6.30pm.
10. Adjournment: 9.32pm

These minutes are in draft form until approved at the next regularly scheduled meeting.