

**TOWN OF WAITSFIELD, VERMONT**  
**Planning Commission Meeting Minutes**  
**Tuesday, December 19, 2023**

**Members Present:** Kevin Anderson, Beth Cook, Bob Cook, Emma Hanson, AnnMarie Harmon, Alice Peal, Jonathan Ursprung

**Members Absent:** None

**Staff Present:** JB Weir, Planning and Zoning Administrator

**Others Present:** Robin Morris

**II. Regular Business.**

**1. Call to Order**

The meeting was called to order at 7:00 pm by Alice. The meeting was held in person at the Town Offices and remotely via Zoom.

**2. Review agenda for addition, removal, or adjustment of any items.**

An MPG update was added to the agenda.

**3. Public Forum.**

Robin Morris – Water System update and Groundwater Protection Overlay intro

Robin went through a presentation he had created, giving an overview of the water system, and outlining topics that are currently the focus of the Water Commission. He explained the system's infrastructure, including storage, line route, and service area; and noted that the system is fully paid for by users, with fees having seen a reduction as the number of users has grown.

Next, Robin spoke of the three current work items being addressed by the Commission. The Ordinance is currently under review; such a review takes place every few years. There is also current focus on both the Source Protection Plan and seeking approval for a capacity increase for the system. The capacity increase is based upon the State's accepting prior test results indicating greater capacity as well as an engineering evaluation indicating that the increase proposed can be handled by the existing infrastructure. Robin indicated that both of these parameters have been met, and all applications are either submitted or being drafted for submission.

Robin then explained that currently the Source Protection Plan is distributed as an advisory document to relevant landowners; source protection is focused on keeping wastewater and other contaminants out of the water supply. He outlined two options which the Commission has decided not to pursue: entering into a covenant with each of the relevant landowners, or adding related language to the Ordinance. The Water Commission is proposing to put a Source Protection Overlay in place, a strategy they feel will provide more awareness and compliance with the need to protect the supply.

PC members expressed interest in learning more about this strategy, and Robin will attend a PC meeting in January or February in order to present a draft of a Source Protection Overlay.

Alice asked that Robin look into how the water line crosses the Mill Brook in the vicinity of The Eagles, noting that the water rose dramatically there in the recent rain event, and wanting to ensure that the system's infrastructure will not be impacted by future flooding.

#### **4. Approval of Minutes**

The minutes of December 5, 2023 were approved.

#### **5. Municipal Planning Grant (MPG)**

AnnMarie shared that notification was just received that the MPG was awarded for the full amount requested. She outlined the next steps to be taken for acceptance, and the disbursement schedule. Alice will adjust the budget request to reflect the \$5000 match amount, and a request will be made for the Selectboard to approve accepting the grant. Work will begin on drafting an RFP, and there was some discussion of the makeup of the related steering committee. AnnMarie will meet with JB and Joshua Schwartz in early January to do further planning.

#### **6. Bylaws – Selectboard Hearing Prep**

Kevin will be present at the Selectboard Hearing in order to summarize the changes to the bylaws; the slides he created will be available if needed.

**MOTION:** Kevin made a motion to recommend to the Selectboard that they adopt the Zoning Bylaw amendments, including the Zoning Map change, that were the subject of the PC Public Hearing on December 5, 2023. The motion was seconded by Bob. All voted in favor.

The larger map version will be produced once approved, and a final grant report will be drafted for ACCD.

#### **7. NDA Designation – Work Plan**

JB reported that he has been working with Joshua Schwartz on some mapping and on preparing a working draft of the NDA application, which will be available for PC review in January. There will be a pre-application meeting with ACCD staff, and the complete application will be submitted for their review in March. Beth offered to represent the PC as part of the group working on the application.

Alice noted that the benefits of an NDA may change in accordance with upcoming Act 250 changes; it is unknown what the changes or timeline will be.

#### **8. Wastewater Planning Project**

JB highlighted some of the points made in his written report, and noted that the Project Committee is determining member roles for the three months that Joshua Schwartz will not be available in the spring of 2024. Much of the upcoming work will focus on public outreach, and Chach Curtis will be stepping into a more active role on the Committee. JB also noted that a bond vote is planned for November; a successful vote will make it possible to apply for USDA funding, which requires this concrete show of support.

JB also noted that the Town did not make the CVEDC Project Priority List due to not being able to quantify job creation to the necessary level. He confirmed for AnnMarie that the project does meet federal wetlands criteria, with the disposal site adjusted to be away from wetlands. He explained that landowner connection agreements will be part of the public outreach efforts, and that Joshua would explain more at the January 16 PC meeting.

#### **9. Town Plan**

CVRPC Approval Update – Alice reported that an approval had been received from Christian Meyer, which is in effect for four years rather than eight due to the need for inclusion of a better narrative regarding Waitsfield’s day care facilities. The RPC has also issued a new approval of the public planning process in Town, and indicated the Plan’s compliance with Act 74 Energy considerations.

**10. Act 250 Legislative Updates**

Alice reviewed some information she had sent to PC members, outlining that the proposed updates to Act 250 will be based upon development as it falls within a tiered structure, with one tier being town centers and growth areas, a second being rural areas, and a third being protection of natural resources. Kevin noted that this change might mean more Act 250 involvement for upper ridge development and less for downtown and village projects. It was explained that there will be new maps generated to align with the 3-tier structure.

**11. January Meeting Schedule**

It was agreed to meet on January 16 and January 23.

**12. Other Business**

LHMP Update

Alice noted that this work is continuing, and asked that any reports of flooding due to the recent rain event, particularly in unexpected areas, be provided.

**12. Adjournment**

The meeting adjourned at 7:57 pm.

Respectfully submitted,  
Carol Chamberlin, Recording Secretary