

Wilmington Planning Commission
Meeting Minutes

Monday, June 11, 2018
Meeting Time: 4:00 P.M.

Members present: Cheryl LaFlamme, Chair, Meg Staloff, Angela Yakovleff
Craig Ohlson, Zoning Administrator
Scott Tucker, Town Manager
Gretchen Havreluk, Wilmington Works at (4:45)
Ann Manwaring, Select Board liason (at 4:30)

Open meeting

Cheryl called the meeting to order at 4:04 PM.

Possible additions to the agenda

Approval of June 5, 2018 meeting

Information on WRC workshop offerings (Meg and Craig may go to the June 27 program)

Rural Residential discussion

Approval minutes from 5/14

Cheryl made a motion to accept the minutes of May 14, 2018 with corrected spelling of name Broker-Campbell.

Meg seconded.

All in favor

None opposed

Approval of minutes from 5/29

Angela made a motion to accept the minutes of May 29, 2018 site visit with corrected name (Josh to John) and spelling (Broker-Campbell).

Meg seconded.

All in favor.

None opposed.

Approval of minutes from 6/5

Meg made a motion to accept the minutes of the June 5, 2018 joint work session.

Cheryl seconded.

All in favor

None opposed

Public comments

No public comments

Site visit with ANR discussion

Cheryl talked to Adam Grinold minimally. She will reach out to explain the Windham Regional Commission (WRC) changes in the allowances in flood hazard restrictions and downstream shadowing.

Craig will send Cheryl the ANR template.

The Planning Commission wants the community to know that John Broker-Campbell is willing to work 1-1 with people in the community on this.

Scott thinks the message is whether or not the Town is willing to do this (flood plain regulations) for the greater good. While you may not be able to build a house, there are other structures you can build.

Rural Residential

Nicki Steele made a comment at the Select Board meeting saying she thinks the Planning Commission looked at a map and marked any large parcels Rural Residential. Cheryl said that is essentially what was done. Many of the Rural Residential parcels are presently in Current Use. There is no guarantee the land will stay in Current Use.

Craig noted you can take a parcel from Current Use Land and build, but the house and curtilage around the parcel can't be in Current Use, although the surrounding land can be in it.

Meg wondered if the program was guaranteed.

Ann said it has to be funded each year, but it is a popular program and unlikely to go away. All the money paid by the education tax goes to the education fund. There is no benefit to the Town. She is a fan of Current Use.

Cheryl said she is not a fan of Current Use because she thinks there is a negative impact on the Town tax base.

Town Plan discussion

The question arose as to when the present Town Plan expires. Craig said there was a re-adoption of the present plan in August, 2015. This doesn't expire until 2023.

The newly proposed plan must be adopted by February 26, 2019 or it gets sent back to the Planning Commission.

Ann wondered what the Planning Commission's wishes are. Her instinct is the keep moving forward on the time-line that was set up last year with the adoption of a newly proposed Town Plan while the present plan is still in place. There were more questions about data in the proposed plan.

Scott noted that as soon as data is put out it is outdated. He suggested going to the WRC to see what data points they are looking for.

Cheryl said If we decide we want to update we need to decode which drop-dead data we need.

Scott said, "Which specific data points are you concerned with?"

Craig said if the data is changed it will mean a new public hearing. We can move ahead with the July 10 hearing.

Ann said a March 20, 2018 e-mail from Susan McMahon said "this is a reasonably updated profile,"(the Town data presently in the Proposed Plan) however, it is not presented in the format of our Town Plan.

She asked if we could incorporate the data as an addendum. (It's up to the Select Board.)

Property Maintenance Ordinance

There was a lengthy discussion concerning a Property Maintenance Ordinance. Meg presented a draft ordinance modeled after the sample ordinances we looked at a prior meeting. St. Albans' Ordinance had many of the elements we had discussed. She also used Bennington's ordinance for wording. She took out references to much larger towns. Cheryl thought we had disliked the Bennington ordinance. Meg stressed certain elements and the verbiage correlated well to what we had discussed initially.

Cheryl wondered why we were only addressing vacant buildings?

Ann asked what the goal is and how this document solves the problem? Do we have anything on the books that addresses property maintenance?

Right now the only statutes we use address health and safety issues.

It was suggested we rethink the health and safety issue rather than enacting a separate ordinance.

The goal is to address the vacant, abandoned buildings,

Scott noted that a building may look or be vacant, but taxes have been paid.

We need to be able to issue a municipal ticket.

Ann thinks we need to think about the problem and how to solve it.

Meg thought registering a building as vacant would help. It would let us know who has access and let the owner know the building must be locked.

Ann thinks this would be cumbersome when addressing the problem. Reaching the outcome is the solution or possibly looking at the end outcome goals then back up to find a way to address the issue.

Meg wondered then if we really want to take it down to safety? She asked Craig as a health officer, what can trigger his ability to go into someone's property? (Usually a neighbor complaint.)

Scott said the bottom line is whether the building is a health and/or safety issue?

Is that a gap in our present ordinances?

Safety with vacant buildings is a place to start.

Gretchen had originally brought the issue to the Planning Commission. Ann asked if addressing it in this way addresses her concern? Gretchen thinks it sounds good. She was more focused on the center of town.

Cheryl thinks anything we adopt must address the issue town-wide.

Ann suggested addressing the “gap” and amending the current health and safety ordinance.

Scott looks on it as a tool to secure the building(s).

Ann said if we put a simple one in now, then in two or three years we could ratchet it up if need be.

Cheryl said it would give the Town the ability to go in and secure a building.

Craig said we could go back in two or three years to take a second look and assess whether or not this worked. Any time you don’t comply or have a violation, a municipal ticket can be issued daily. After two tickets a lien can be placed on the property.

Craig said we can’t really amend the present statute. We don’t really have anything in place that directly addresses this issue.

Meg will work to cut the document she presented down to “bare bones” so it addresses only vacant buildings.

Agenda items for the next meeting: vacant building ordinance update.

Reminders: If you know anyone who may want to work with John Broker-Campbell speak to them about this possibility.

The Select Board hearing on the proposed Town Plan is set for July 10, 2018.

Meg made a motion to adjourn at 5:43. Angela seconded.

All in favor

None opposed

Next meeting: June 25, 2018 at 4:00 PM.

Respectfully submitted,
Angela Yakovleff, scribe