

Wilmington Planning Commission
Meeting Minutes
Monday, March 26, 2018
Meeting Time: 4:00 P.M.

In attendance: Cheryl LaFlamme, Chair, John Lebron (by phone) Meg Staloff, Angela Yakovleff
Craig Ohlson, Zoning Administrator, Gretchen Havreluk, Wilmington Works, Ann Manwaring, Select Board liaison, Scott Tucker, Town Manager

Open meeting

Cheryl called the meeting to order at 4:05 PM.

Possible additions to the agenda

Review and discuss updated data pertaining to Town Plan from Windham Regional
Cheryl noted it is good data, but it doesn't fall in line with information we presently have in the Town Plan. It's more recent, but is a whole new set of data.

Approve minutes from 3/12/18

Meg made a motion to accept the minutes from the March 12, 2018 meeting.

Cheryl seconded.

In favor: John, Meg, Cheryl, Angela

Opposed: None

Public comments

None

Discuss Property Maintenance Ordinance

Cheryl asked Gretchen what her reasoning was in presenting this ordinance at the February 26, 2018 meeting.

Gretchen feels it is a way to avoid a vacant building in town from falling into disrepair.

Cheryl noted that at our last meeting (March 12, 2018) we discussed the possibility of a fine that would alleviate this.

The question was asked if this would be a lien against the property. (No, it would just be a penalty.) A lien would be put on the property as part of a process.

Meg researched and presented three examples of Property Maintenance Ordinances from other towns/cities, one each from Montpelier, Plainfield, and St. Albans.

These were reviewed and discussed. We looked at the parts of the plans that would meet Wilmington's needs and expectations.

Gretchen said if a building in town is vacant or on the market, it should need a vacant building permit.

Meg read a section from one of the ordinances that stated, "...and maintaining the building to the standards..." She thinks this language helps define what the expectation would be if a property owner has a vacant building.

Cheryl asked how we might address buildings that are just a mess, blight.

Gretchen noted that Craig has tried and continues to work on this.

Meg said in other ordinances these two situations are addressed separately. It is easier to enforce an ordinance concerning a vacant building than an occupied one.

John asked if someone making a complaint would be the impetus for addressing such a situation.

Craig said to address blight of an occupied building, it does not need to have a complaint against it.

The Plainfield Ordinance only addresses occupied buildings that are declared not structurally sound.

The Health Officer enforces the ordinance. In Wilmington Craig holds this position. Scott said the state statutes guide what is defined in the ordinance.

Cheryl noted that none of the examples really speak to "blight."

St. Albans has elements that could be adapted.

Meg asked how fine grained we want to be in writing an ordinance.

Cheryl inquired as to whether Craig makes site visits to buildings that are unsound or in a state of blight.

Cheryl noted that many of these buildings are LLCs and sometimes not listed in the Secretary of State Offices. A vacant building permit would be another way to know who owns the building.

What happens if the owner does not follow the conditions stated in the ordinance? (There would be a \$100.00/day fine until the building is sold.)

Cheryl asked Gretchen if the St. Albans Ordinance is in line with what she was looking for.

Gretchen just received a copy and has not yet read it.

Meg thinks the Plainfield Ordinance is more explicit.

Gretchen asked if we could take what we have in the present ordinance and add to it.

Ann is concerned we do not have an ordinance that is too, "Big Brother." She feels that with an economic decline we may be hitting people who are not necessarily going to fall behind on building maintenance. She wondered how this ordinance prevented more buildings from falling into disrepair.

Gretchen wondered if many of the present vacant buildings would be grandfathered.

John noted that just registering a building as vacant is not a fix.

Scott said it would be too cumbersome to grandfather. Property owners don't want to be told what to do with their property. What is the problem we are trying to solve? We need to be clear on that.

Cheryl said you wouldn't want the buildings in blight "living" next to you. At the present time we have no way to address this.

Craig said at this time we have no recourse unless there is a health issue.

Meg requested a copy of what we presently have. She wondered how abandoned buildings are addressed.

Cheryl likes the St. Albans Ordinance addressing residential and commercial, vacant and occupied buildings.

Gretchen thinks the Planning Commission is following through with their plan. We need to be careful with how we move forward. There are other buildings in town that are for sale. We could see more "blight."

Ann thinks this is a good public discussion even if it takes time to develop an ordinance. She wonders if it makes sense to have a small committee to look into it and bring it back to the Planning Commission.

Cheryl thinks a public hearing usually draws more people.

Craig thinks if we advertise a Hazardous Building Ordinance, anyone at all interested will come.

Scott asked if an ordinance similar to St. Albans' would be helpful.

General consensus is yes.

Cheryl suggested we each go over the sample ordinances and mark out or tweak what does not make sense for Wilmington.

The question was asked, "What did the roll of the ordinance in St. Albans play in getting rejuvenation in the town?"

Cheryl reminded that we need to think in entirety, not only town center.

Gretchen mentioned several ways St. Albans has addressed town rejuvenation.

Craig will call the Zoning Administrators in Plainfield and St. Albans to ask about the effect the Ordinance has had on the Towns.

Discuss Town Plan

We received a copy of the map showing properties with land in Current Use. Craig will label the properties.

If you take the land out of current use you have to pay a penalty.

We need to make a decision whether or not we want to update the demographics or just ask Scott to send the approved Town Plan to the Select Board.

Ann thinks the Select Board can just add an addendum if we choose to send it as is with the older data.

Cheryl thinks we should send it on and request a work session with the Select Board in April or May. None of the updated information corresponds to the present data. If we changed it, it would delay further.

Ann thinks the easiest thing to do would be to add the new data as another appendix.

Meg thinks there is only a modicum of newer information.

Scott asked what the actual data source was and if there was any more relevant State data. When does the new data stop?

Scott will ask Jessica when a work session with the Select Board can be arranged.

Other business

Craig said John Brooker-Campbell is unable to be at the next meeting to discuss flood.

Craig will ask him and Josh Carvajahal to the May 14 meeting.

Close meeting

Meg made a motion to adjourn the meeting at 5:30 PM.

Angela seconded.

In favor: John, Meg, Cheryl, Angela

Opposed: None

Respectfully submitted,
Angela Yakovleff, scribe

Next meeting: April 9, 2018 4:00PM