



Village of Manchester, Vermont

Minutes of the Regular Meeting of the Planning Commission Held June 15th, 2022 at 11:00am

Members Present: Chair Audrey Kolloff, Vice-Chair Rich Heilemann, Anthony MacLaurin, Christie Bronstein, Tom Scarnecchia

Member(s) Absent: Eric Dorsch, Renee Waller

Others Present: Zoning Administrative Officer Curan VanDerWielen

The meeting was held both in person at the Village Office and via zoom.

Chair Kolloff called the meeting to order at 11:03am.

Minutes:

Approve the draft minutes of the May 18th, 2022, meeting.

Kolloff moved to defer approval of the May 18th regular meeting minutes to the regular meeting in July, due to their unfinished state. Heilemann motioned to approve this, with Bronstein seconding.

Planned Business:

Review Plans and Preparation for Upcoming Public Hearing on the Energy Plan

Chair Kolloff opened the discussion by reminding the Commission of the recently agreed upon date for the public hearing of July 20th. Kolloff stated that a time now needed to be decided before the Commission could post notice and reminded Commissioners that two different times had already been suggested in the previous regular meeting, either in the evening to avoid the work day or during the regular meeting time. Heilemann stated that he believed keeping the regular meeting time would be more appropriate and expressed his doubt that a large amount of people were likely to attend. Kolloff agreed with Heilemann. With no further comments made, Kolloff stated that the public hearing would be held at 11:00am on July 20th before asking if the Commissioners felt it would be appropriate to hold the meeting in the old Bennington County courthouse. Both Heilemann and MacLaurin expressed their belief that the courthouse would function as the best possible venue. Kolloff agreed and reiterated that the meeting would be held at 11:00am on July 20th with both in-person and virtual attendance. Both Heilemann and MacLaurin stated they believe that was correct. Kolloff then stated that Cat Bryars of the Bennington County Regional Commission has forwarded her posting instructions, iterating that all items needed to be sent to the Town of Manchester in addition to the regular warning process.

At this point in time, Tom Scarnecchia entered the meeting, prompting Kolloff to catch Scarnecchia up on the items discussed above. Having completed this, Kolloff added that several

state agencies would need to be notified before going over the regular warning process, which included the posting of several public notices including in a local newspaper. Kolloff then asked the Commission for a volunteer to handle distribution of these notices. MacLaurin asked if VanDerWielen possessed the key for the front and Post Office public boards. VanDerWielen stated he did, but that the Post Office board did not require a key. MacLaurin then stated that VanDerWielen or the Assistant Town Clerk, Missy Johnson, could handle distribution. VanDerWielen stated that he could probably do it. Kolloff reiterated that notice would need to be sent to the Town of Manchester. MacLaurin then stated he could do it, then asked about contact information for distribution in the newspaper. Kolloff then stated that it would be best to post the warning notice as soon as possible. Heilemann stated that it might be good to post the warning notice in multiple newspapers and on the website. Kolloff agreed that posting on the website would be necessary. VanDerWielen stated he could forward the notice to the website. Kolloff then stated that warning would therefore consist of four public notices and four additional public notices posted in news or online outlets.

MacLaurin then suggested using the emails gathered through the postcard outreach project to notify individual residents of the impending public hearing. MacLaurin then asked if and how this process would work to VanDerWielen. VanDerWielen explained that the process would be simple insofar as the emails could be transferred from the Gmail account listed on the postcard to any other appropriate email account to send notice to individual residents. Kolloff asked if an additional email existed in the municipal email system to send notice out. VanDerWielen stated that he believed a third email specifically geared towards general information did exist, but that he did not have its login information and would need to confirm with Vermont Web of its existence. Bronstein then asked when this task would need to be completed. Heilemann stated that it should be taken care of by June 30th. MacLaurin then stated he did not know an exact deadline but speculated it should be completed before July 4th. Bronstein then commented that she believed transferring the email list from Gmail to Outlook would be relatively simple and quick, then indicating she could handle this part of the process. Bronstein then asked how the Commission would contact new homeowners who had moved in between the sending of the postcard and the issuance of notice for this upcoming meeting. Kolloff answered, saying that the postcard was sent to homeowners on the Tax Grand List and that until updated, new homeowners would have to be notified either by word of mouth or by being specially inserted into the email list.

Bronstein then asked if extra copies of the postcard were left to pick up in the Village Offices. MacLaurin confirmed that extra copies were, indeed, there. Bronstein then suggested posting copies of the postcard to public boards so that individuals could scan the QR code in order to be added to the email list. Kolloff asked VanDerWielen if extra copies were available. MacLaurin then stated that he agreed with Bronstein, asking whether a postcard could be posted on the board in front of the Village Offices. Kolloff then stated that a postcard would be posted there. Bronstein stated she could post a postcard at the Post Office. MacLaurin asked whether Bronstein meant the board outside of the Village Offices or the board at the Post Office. Bronstein stated that she believed both should be posted. Scarnecchia then suggested that in the future the postcard could be distributed to local real-estate retailers to slip into property packets. MacLaurin stated the Commission would need to print more to achieve that. Kolloff agreed with Scarnecchia, but

cautioned that some stock would need to be left in the office and adding that the Board of Trustees needed to approved further costs associated with printing. Kolloff then suggested printing black and white copies to distribute in such a manner. Bronstein cautioned that the QR code might not be as visible on a copy of the card. Kolloff then stated she could set up a new budget meeting with the Board at a later date. Scarnecchia stated he could assist with that process. Kolloff confirmed that Bronstein would handle public posting of the postcard. Bronstein then asked who had the key for the Post Office board. VanDerWielen reiterated that the Post Office board had no key. Bronstein then confirmed she would post the postcard at the Post Office.

Kolloff then asked if there were any further questions or comments on the posting of the public hearing. Heilemann asked if it were a good idea to send a copy of the Plan to the Board of Trustees and a copy of the warning, and to present the Plan. Kolloff stated she believed it was a good idea to, but that they would need to develop a plan and presentation. Heilemann commented that the Commission could use the same format as before and keep the content simple. Kolloff commented that it might be good to include Cat Bryars in that process. There were no further comments on the matter.

Review Final Bylaw Chapters 3, 4, and 10

At this point, Kolloff asked VanDerWielen about the status of the Bylaw modernization edits, commenting that next steps would be to send the draft edits to the Development Review Board (DRB). VanDerWielen stated that the edits had already been completed per the last meeting and had already been sent to the Chair of the DRB. Kolloff asked if a copy had been sent to the Commissioners. VanDerWielen stated that a copy had not been sent to Commissioners, but could be circulated for their reference. MacLaurin then commented that a Trustee had approached him with concern of a house being divided into four apartments, and asked VanDerWielen if the edits made covered such a zoning issue. Kolloff stated that the edits did not include anything which discussed house use. MacLaurin then commented that he, Trustee Jim Lewis, and Trustee Nina Mooney had discussed the issue and had concluded that the existing Bylaws did not offer strong language on this type of land use and had created confusion in terms of what could and could not be permitted in a specific zone. VanDerWielen then stated that a comprehensive list of permitted and conditionally permitted uses did exist in the existing version of the zoning bylaw, and that enforcement action followed the same process for use violations and any other violation. VanDerWielen then stated that in the case referenced by Trustees Lewis and Mooney, the creation of apartments or dormitories in a rural residential zone, without first obtaining a change of use permit, waiver, and/or variance from the DRB, was handled as a violation and could be escalated to Vermont Environmental Court. MacLaurin thanked VanDerWielen for the clarification. Kolloff commented that after the public hearing, further possible revisions for the Zoning Bylaws might be looked at.

Discuss Next Steps for Community Outreach

Kolloff began by stating that earlier in the meeting next steps had already, effectively, been discussed. Kolloff then asked Bronstein if she would like to assist developing the physical notice,

to which Bronstein stated that she would prefer to only work on the email list, for now. Kolloff then stated that she and Heilemann could put together the notice. MacLaurin then commented that he believed it may be a good idea to use the email list to also notify residents of the upcoming Annual Village meeting. Kolloff commented she believed it was on July 10th, which MacLaurin agreed with. Kolloff then agreed with MacLaurin that the email list could probably be used for such an endeavor, although she could not find the agenda posted online for the Annual Meeting. MacLaurin then left the room to check with the Assistant Town Clerk the exact date and time for the Annual Meeting. Heilemann commented that he believed it was on July 12th at 7:00pm. MacLaurin returned and stated that it was on July 11th. Scarnecchia commented that the most recent Board of Trustees meeting minutes indicated that it was to be scheduled for July 11th.

Other Business

At this point, Kolloff thanked VanDerWielen for preparing his briefing on the Short-Term Rentals market in the Village, and asked whether the Commissioners had any questions or comments left from the last regular meeting. MacLaurin commented that he wished to review it again, and Heilemann stated that he would like to see it posted as an item on the next regular agenda for July. MacLaurin agreed with Heilemann. Scarnecchia then thanked VanDerWielen and stated that he was aware the Town of Manchester too was working on the matter, and further, that he wished to reach out to the Town to coordinate on any future efforts. MacLaurin then asked about statewide regulations. VanDerWielen explained the two major regulatory efforts by the state, namely the Meals and Rooms Tax prescribed by the Department of Taxes and irregularly-enforced public health and safety restrictions. Kolloff commented that she had sent an email to VanDerWielen referencing AirDNA as a possible source for research, but also that she had later seen it in his briefing on the subject. Kolloff also noted that comparing future endeavors to other resort communities such as Killington, Woodstock, and Stowe might be prudent. VanDerWielen then stated he recommended modeling future regulatory efforts off of successful efforts in similarly-sized Vermont resort towns, and to look out for possible or certain mistakes to avoid, made both in and out of the state. Kolloff then asked if the matter was up for discussion at the Annual Meeting. MacLaurin commented that it was not. Kolloff then asked VanDerWielen to provide the briefing again for the next regular meeting, to continue discussion.

Kolloff then stated she had approached President of the Board of Trustees Orland Campbell about the possibility of purchasing a camera for future meetings, to which she had not received a response and was thus inclined to personally purchase for the Commission. VanDerWielen then recommended calling Campbell, as he had experienced interruptions with email in the past. Kolloff then thanked Heilemann for agreeing to step into the role of Chair during the next appointment cycle, expressing her gratitude and her looking forward to supporting the group from the future position as Vice-Chair. Kolloff then stated she would double check with the Assistant Town Clerk on what statute required for a number of items concerning term limits, the appointment process, and meeting warnings. MacLaurin commented that he appreciated Kolloff's dedication and leadership for the past year, and that he would be voting for her to be Vice-Chair in the upcoming cycle. Heilemann commented that he had only agreed to be Chair if she had remained on as Vice-Chair. Kolloff then stated her reasons for stepping down, including her

unavailability for being in person due to her spending more time in Maine. Kolloff then thanked Heilemann and MacLaurin. Heilemann commented that he wished to coordinate on a transportation study with Bennington County Regional Commission (BCRC), but has not heard anything from them on next steps. Kolloff commented she believed the next step was to commission a scoping study, but that the Commission had been handling other topics recently. Heilemann commented that he believed the purpose of the Commission was to handle more long-term items and wished to reinforce this during his possible upcoming term. Kolloff and MacLaurin both signaled agreement. MacLaurin then commented that the chair of the BCRC was changing soon, but that he hadn't heard who was replacing the current chair. Heilemann commented that this was to be expected at some point. Kolloff then asked VanDerWielen if she could pick up a hard copy of the updated Plan of Development soon to deliver to Janet Hurley at the Town of Manchester, to which he responded he would have it ready for her and for her to text him to schedule a time.

There being no further business before the Commission, Chair Kolloff closed the meeting at 11:48pm.

The next regular meeting of the Planning Commission will be held on July 20th, 2022, at 11:00am.

Respectfully Submitted,
Curan VanDerWielen, Zoning Administrative Officer