

6.17.26 meeting minutes

This meeting was conducted remotely.

Members present: Alison Anand, Chelsye Brooks, Virginia Clarke, Mark Fausel

Members absent: *(none) (one vacancy)*

Others present: Keith Osborne (Director of Planning and Zoning), Tom Astle (MMCTV), Trevor Brooks

1. Welcome

Clarke welcomed members and guests and opened the meeting at 7:03pm.

2. Review agenda and public comment on non-agenda items

There were no changes to the agenda or public comments, so the meeting continued with the posted agenda.

3. Review minutes of 5.6.26 meeting.

As there were no corrections or additions to the minutes, they were accepted into the record as written.

4. Annual organizational meeting

Fausel nominated Clarke as Chair and Brooks as Vice-chair, with Clarke continuing as Secretary. As there were no other nominations, these candidates were voted in. Clarke reminded members to sign the annual ethics review page, and reviewed a list of potential PC activities for 2026 including:

- completing the stormwater regulations
- distributing the Town Plan “Action items” to the various committees which have Ownership. Osborne says this is being done and the lists will be distributed soon.
- aligning remaining districts with residences in the Water and Sewer service area with Acts 47 and 181 (V R/C; VC; JCD; VD)
- aligning the PUD process and Subdivision Regs with the existing RZR substitution of “Critical Permit Conditions” for “Master Development Plan” language and other needed RSR changes
- creating a “trail” definition to accompany the new Andrews Community Forest Plan
- scheduling more in-person PC meetings, including potentially July 13
- coordinating a discussion with the DRB about the new stormwater zoning proposals

5. Continued discussion of new Sections 6.17 and 5.5 regarding stormwater management and erosion control.

The discussion started with Clarke describing changes she had made in the latest draft to reflect discussions from the last PC meeting. Brooks suggested language requiring the Permit Navigator tool in the requirements of 6.17.5. A discussion then followed about

correcting the language in existing RZR section 5.2.1(c)(VIII) which Osborne agreed was incorrect. Clarke agreed to correct this in the next packet of drafts. Osborne suggested that we add a requirement for proposed structures that will need a CO (= or > 600 sf) to have a pre-construction “stakeout” or field visit by P&Z to make sure the setbacks are met. Anand and others agreed with this, and Clarke said this could go in the next draft also. The 6.17.5 “Guidelines” were then discussed. These would help applicants in thinking about how to minimize erosion and sedimentation. Anand thought this was important as people now have less land to absorb runoff. Brooks felt that items not mentioned in the planning phase would not later be enforceable, but that maybe they would be required in the site plan language of 5.5 instead, or we could add something to the planning phase that if EPSC isn’t working, the plan could be changed. Clarke also agreed with Brooks that parcels with wetlands should be required to align with the “wetlands” section of the RZR. Osborne agreed with these points.

Moving on to the construction phase, 6.17.6, there was discussion about an EPSC plan “not working” under field conditions. Brooks and Fausel suggested a concrete negative standard, such as “prevention of a turbid discharge leaving the site” be listed as an outcome that would require remediation. Runoff leaving the site was clearly crucial, but preventing runoff from entering the site was felt by some to be secondarily important, and could be a guideline. Anand agreed with this. There were no other comments about 6.17.6, and the Commissioners agreed that as there was an educational aspect to these regulations, descriptions of techniques that are also found in the *Low Risk Manual* could be listed here as well.

Discussion moved on to subsection 6.17.7, the long-term management of stormwater in the post-construction phase, which involves infiltration and/or containment and drainage. Brooks suggested language saying runoff needs to be kept on-site unless there is a drainage easement with the neighbors, as the Town has very little in the way of public drainage facilities. Fausel agreed with this. Commissioners agreed that some of the other “requirements” should be in the “guideline” subsection as they are not enforceable. Brooks asserted that the State stormwater regs have at least one loophole that has now been codified and reduces State permit oversight, so this is why our municipal regs will be important to actually provide stormwater management. The language about applicants being responsible for their own State permits (if needed) was felt to be okay.

The rainfall numbers in 6.17.7(II) were discussed, including the “first flush” concept and the standard of the 25-year storm. The comments submitted by former DRB Chair, David Sunshine, that all site plans should be prepared by a licensed professional were discussed, and felt to be overly burdensome for small developments such as SFH’s or ADU’s. Fausel felt that this is why a tiered system should be developed to determine which projects would actually need the expense of an engineered plan, involving not only the amount of impervious surface created, but also the ratio of impervious surface to the size of the parcel, how close the neighbors are, and the actual likelihood of creating downstream impacts, etc. Brooks felt that having a defined system for deciding where

more oversight is needed, is better than allowing these decisions to be discretionary or subjective on the part of the ZAO or the DRB, and provides more clarity and transparency for developers right up front. Brooks suggested basing a risk assessment tool on the State's Appendix A, which already exists for larger projects, and said she would work on developing this idea for our level of regulation. Fausel agreed with this approach, and felt it addressed the different types of situations we would encounter with fairness yet effectiveness. Clarke thought it would help the DRB make more consistent decisions. Anand thought the idea was promising.

6. and 7. Updates, Other Business and Adjourn

Clarke discussed her system of each new iteration of a document having a distinct draft # and date. She said she would put asterisks on items that were changed from the previous version, rather than making it difficult to read with stacked tracked changes. As there was no other business, Fausel motioned to adjourn, seconded by Anand and Brooks. There were no objections, so Clarke thanked the Commissioners for a good discussion and ended the meeting at 9:17 pm. The next meeting was scheduled as remote on July 1st, with tentative plans for an in-person meeting on July 15th.

Minutes submitted by Virginia Clarke