

Planning Commission Minutes
Tuesday, October 4, 2022

Members Present: Marcey Carver, Ted Unkles Monique Priestley and Ron Huntington on Zoom
Absent: Dan Perry
Visitors: Jared Pendak, Peter Gregory (TRORC), Kevin Geiger (TRORC)

1. **Call to Order:** Carver opened the meeting at 7:02p.m.

2. **Changes/Additions:** None

3. **Public Comment:** None

4. **TRORC Discussion about Incompatibility of Town Plan with Regional Plan:** The issue centers on the Lower Plain. TRORC Regional Plan has an area south of Route 25 and west of Route 5 as Rural. This would prohibit Primary Retail. The Town Plan as proposed as that area as part of the Lower Plain District which does allow Primary Retail. Geiger pointed out that the Regional Plan has a strong prohibition against primary retail in that area. There is particular difficulty with Policy 5 on page 95 of the current draft of the Town Plan. TRORC would allow land intensive retail like warehouses, car lots, JM Landscaping, Bethel Mills and service based like a Tire store. But it would oppose businesses like Family Dollar or Aubuchon's. The way TRORC looks at it is if it is something that would fit with a downtown. Restaurants would be allowed. Gas station with a convenience store would not be allowed.

5. Carver states that there is water and sewer, power, flat land, nothing different from the eastern side of the road.

6.
7. Gregory stated that the staff opposed expanding the district on the eastern side and allowing it was a compromise. And that the commission agreed to the compromise implying it was partly due to Tractor Supply's interest. Carver responded that the town's position was clearly not because of Tractor Supply. The town had invested millions of dollars to extend the sewer which serves both sides of the road.

Carver continued that the definition of the district from Lower Plain Commercial to Lower Plain was significant. It is now in zoning a mixed use district where commercial, housing and multifamily are encouraged subject to design standards. We have limited the size of the buildings as well. By having these limitations, we limit who is interested as Huntington often points out. She further stated that she doesn't feel that Regional Planning Commissions are conceived as having as their role to define so specifically zoning districts as TRORC does down to the parcel level. This approach does not give enough latitude to our town. We are being very respectful of Regional Planning Objectives and have adopted them. We have listened to all of your arguments on a variety of things. The town shouldn't be constantly having to beg to have a district that we have had for over fifty years. We have made it less likely to have large box stores. If the Development Review Board follows the bylaws and the Town Plan, development in the Lower Plain will not allow big box stores. In fact we don't even want stand alone retail. We want additional stories about first floor retail businesses.

Unkles asked for clarification on why a restaurant is different than a Family Dollar. Geiger stated in general they are not super specific. The reason restaurants are okay is because they are generally smaller whereas primary retail can range in size from tiny to big box stores.

Unkles asked for greater explanation about the distinction between what would be allowed and what is not.

Carver stated that Tractor Supply did a traffic study which found little impact on Route 25/5 traffic.

Huntington pointed out that there is an Antique store across from Tractor supply which probably would not be permitted if it was a new business.

Gregory stated that we had made some valid points and perhaps in the next iteration of the Regional Plan, changes could be made.

Huntington asked how decisions were made. Gregory stated he would send the standards that TRORC used.

Carver suggested that TRORC do an amendment to the plan. Gregory stated that they were doing amendments for housing and energy and it might be possible to do an amendment related to Land Use.

Unkles pointed out that the Select Board previously did not agree with two zoning districts for the lower plain and expected this would be true with the plan. He asked how a compromise could be achieved.

Carver asked if TRORC would require two districts. He indicated that they would not but that they would need stronger language than is currently in the plan.

Gregory suggested that Carver reach out to continue the discussion and she agreed.

- 8. Inclusivity:** Carver updated Commission that SB opposed adopting the Inclusivity statement and expressed a concern that it could open the town up to being sued.

- 9. Subdivision Waiver language:** Carver explained that the ZA and/or the DRB interpreted the Waiver language in the Subdivision regulation as applying to the DRB board being allowed to waive any item in the bylaw that they felt was unnecessary. Although I explained to the ZA and the DRB that this was not an accurate interpretation and that it was contrary to all previous actions, they continue to believe that they can do this. Unkles suggested and Carver agreed to ask the DRB if the Planning Commission members could attend a DRB meeting to discuss this and any other questions they might have.

- 10. Town Plan:** Reviewed changes in Flood, Childcare and Elderly Housing and approved. Hearing notice will be placed in the JO for the November 15th hearing.

C

Carver adjourned the meeting at 8:49pm pm

Respectfully Submitted,
Marcey Carver
Clerk

Marcey Carver
Signature of Chair

11/1/22
Date of Approval