



# PLANNING COMMISSION MEETING

Tuesday, September 26, 2023 at 6:30 PM

Chris Letourneau Meeting Room and via Zoom

## AGENDA

---

### Zoom Details:

<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWLzVadz09>

Meeting ID: 616 584 3896 | Passcode: 5243524

Dial by your Location: 1 929 205 6099 (New York)

1. **CALL TO ORDER - 6:30 PM**
2. **ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA**
3. **DISCUSSION**
  - A. Development Regulation Review- Definitions
4. **APPROVAL OF MINUTES**
  - A. Planning Meeting Minutes 9/12/2023
5. **PLAN NEXT MEETING AGENDA**
  - A. Planning Meeting October 10, 2023  
Town Plan Meeting
6. **OTHER BUSINESS**
7. **DELIBERATIONS**
8. **ADJOURN**

Posted to the Town website, four designated places within the Town of Georgia (Town Clerk's Office, Georgia Public Library, Maplefields & Georgia Market), and e-mailed to the local media.

Signed: Douglas Bergstrom, Zoning Administrator, Planning Coordinator

Phone: 802-524-3524 | Fax: 802-524-3543 | Website: [townofgeorgia.com](http://townofgeorgia.com)

#### Definition of Farm:

Farm means a parcel or parcels of land owned, leased, or managed by a person and devoted primarily that meets the threshold criteria as established in Section 3 of the RAPs, provided that the lessee controls the leased lands to the extent they would be considered as part of the lessee's own farm. Indicators of control may include whether the lessee makes day-to-day decisions concerning the cultivation or other farming-related use of the leased lands and whether the lessee manages the land for farming during the leased period.

Section 3. Item #A.

#### Definition of Farming:

Section 2.16 of the Required Agricultural Practices (RAPs) states that "farming" means:

- (a) the cultivation or other use of land for growing food, fiber, Christmas trees, maple sap, or horticultural, viticultural, and orchard crops; or
- (b) the raising, feeding, or management of livestock, poultry, fish, or bees; or
- (c) the operation of greenhouses; or
- (d) the production of maple syrup; or
- (e) the on-site storage, preparation, and sale of agricultural products principally produced on the farm; or
- (f) the on-site storage, preparation, production, and sale of fuel or power from agricultural products or wastes principally produced on the farm; or
- (g) the raising, feeding, or management of four or more equines owned or boarded by the farmer, including training, showing, and providing instruction and lessons in riding, training, and the management of equines.

#### Definition of Principally Produced

Principally Produced means that more than 50% (either by weight or volume) of raw agricultural products that are stored, prepared, or sold at the farm are also grown or produced on the farm.

#### Definition of a Farm Structure

Farm Structure means a structure that is used by a person for farming, including a silo, a building to house livestock or raise horticultural or agronomic plants, or customarily used to carry out the agricultural practices defined in Section 3.2 of this rule. A farm structure includes a barnyard or waste management system, either of which is created from an assembly of materials, including the supporting fill necessary for structural integrity, but excludes a dwelling for human habitation. A farm structure also must be used by a person who can demonstrate meeting the minimum threshold criteria as found in Section 3.1 of the RAPs.

#### Definition of an Accessory On-farm Business

Accessory on-farm business means activity that is accessory to a farm and comprises one or both of the following:

- (I) The storage, preparation, processing, and sale of qualifying products, provided that more than 50 percent of the total annual sales are from qualifying products that are principally produced on the farm at which the business is located.
- (II) Educational, recreational, or social events that feature agricultural practices or qualifying products, or both. Such events may include tours of the farm, farm stays, tastings and meals featuring qualifying products, and classes or exhibits in the preparation, processing, or harvesting of qualifying products. As used in this subdivision (II), "farm stay" means a paid, overnight guest accommodation on a farm for the purpose of participating in educational, recreational, or social activities on the farm that feature agricultural practices or qualifying products, or both. A farm stay includes the option for guests to participate in such activities.

) "Campground" means any lot of land containing more than three campsites occupied for vacation or recreational purposes by camping units, such as: tents, yurts, tepees, lean-tos, camping cabins, and recreational vehicles, motor homes, folding camping trailers, conventional travel trailers, fifth wheel travel trailers, truck campers, van campers, and conversion vehicles designed and used for travel, recreation, and camping. There shall be no distinction made between noncommercial (no charge, no service) and commercial operations.

DWELLING, DUPLEX: A detached building containing two (2) dwelling units, designed for occupancy by not more than two (2) families.

DWELLING, MOBILE HOME: A detached dwelling unit designed for transportation on streets or highways, on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like. A mobile home is designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems. A travel trailer is not considered as a mobile home.

DWELLING, MODULAR: A dwelling unit constructed in accordance with the codes and standards set forth in Chapter Four of the Colchester Code of Ordinances for site-built homes, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. This definition shall include manufactured homes.

DWELLING, MULTI-FAMILY: A building, designed for or occupied by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

DWELLING, SEASONAL: A dwelling unit that is not approved for year-round occupancy or that lacks one or more of the basic amenities or utilities required for year-round occupancy. A summer seasonal dwelling is occupied from April 1st through October 31st. A winter seasonal dwelling is occupied from November 1st through March 31st.

COLCHESTER DEVELOPMENT REGULATIONS SUPPLEMENT 43

Article Twelve - Page 12

DWELLING, SINGLE FAMILY: A detached dwelling unit designed for and occupied by one (1) family.

DWELLING, TEMPORARY EMERGENCY, CONSTRUCTION, OR REPAIR: A residence (which may be a mobile home) that is: (i) located on the same lot as a residence made uninhabitable by fire, flood or other natural disaster and occupied by the persons displaced by such disaster, or (ii) located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed, or (iii) persons having construction or security responsibilities over such construction site.

DWELLING UNIT: One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single household.

DWELLING, YEAR-ROUND: A dwelling unit continuously occupied from January 1st through December 31st.

## Retail Cannabis

Prior to a cannabis retailer or the retail portion of an integrated licensee operating within a municipal Section 3. Item #A. ity shall affirmatively permit the operation of such cannabis establishments by majority vote of those present and voting by Australian ballot at an annual or special meeting warned for that purpose. A municipality may place retailers or integrated licensees, or both, on the ballot for approval.” 7 V.S.A. § 863(a)(1).

(Cite as: 24 V.S.A. § 4430)

### § 4430. Capital budget and program

(a) A capital budget shall list and describe the capital projects to be undertaken during the coming fiscal year, the estimated cost of those projects, and the proposed method of financing. A capital program is a plan of capital projects proposed to be undertaken during each of the following five years, the estimated cost of those projects, and the proposed method of financing. A capital project is any one or more of the following:

- (1) Any physical betterment or improvement, including furnishings, machinery, apparatus, or equipment for that physical betterment or improvement when first constructed or acquired.
- (2) Any preliminary studies and surveys relating to any physical betterment or improvement.
- (3) Land or rights in land.
- (4) Any combination of subdivisions (1), (2), and (3) of this subsection.

(b) The capital budget and program shall be arranged to indicate the order of priority of each capital project and to state for each project all the following:

- (1) A description of the proposed project and the estimated total cost of the project.
- (2) The proposed method of financing, indicating the amount proposed to be financed by direct budgetary appropriation or duly established reserve funds; the amount, if any, estimated to be received from the federal or State governments; the amount, if any, to be financed by impact fees; and the amount to be financed by the issuance of obligations, showing the proposed type or types of obligations, together with the period of probable usefulness for which they are proposed to be issued.
- (3) An estimate of the effect, if any, upon operating costs of the municipality.

(c) The planning commission may submit recommendations annually to the legislative body for the capital budget and program, that shall be in conformance with the municipal plan. (Added 2003, No. 115 (Adj. Sess.), § 97.)

## Cemetary

In Vermont, a cemetery is “any plot of ground used, or intended to be used, for the burial or disposition permanently of the remains of the human dead in a grave, a mausoleum, a columbarium, a vault, or other receptacle.” 18 V.S.A. § 5302(2). A community mausoleum is a structure or building used for permanent disposition of human remains in crypts or spaces. 18 V.S.A. § 5302(5). A columbarium is room or other space in a building or structure that is used to contain cremated human remains. 18 V.S.A. § 5302(4).

(a) If a municipality establishes a development review board and appoints members to that board, the development review board in that municipality, until its existence is terminated by act of the legislative body, shall exercise all of the functions otherwise exercised under this chapter by the board of adjustment. It also shall exercise the specified development review functions otherwise exercised under this chapter by the planning commission. In municipalities that have created development review boards, the planning commission shall continue to exercise its planning and bylaw development functions and other duties established under this chapter. In situations where this chapter refers to functions that may be performed by a development review board or a planning commission or functions that may be performed by a development review board or a board of adjustment, it is intended that the function in question shall be performed by the development review board if one exists and by the other specified body if a development review board does not exist.

“Basement” means any area of a building having its floor elevation below ground level on all sides, including crawlspaces.

Bedroom: A room located within a housing unit that is used primarily for sleeping purposes by human occupants and that contains at least seventy (70) square feet of floor area.

Bedroom means a room located within a dwelling that the residents use primarily as private sleeping quarters or that was designed for such use and has at least one window, one closet, one interior door that allows the room to be closed off from the remainder of the dwelling, and a floor area of at least 80 square feet.

BEDROOM: Any room with a window and a closet, and which is physically separated from other rooms.

Building: A structure designed, built or used as a shelter for persons, animals or property. Buildings shall include lunch wagons, travel trailers and mobile homes when sited in such a manner that they are not readily moveable.

BUILDING: A structure designed to be used as a place of occupancy, storage or shelter.

Building Envelope: The location(s) on a lot within which a structure may be permitted to be built, the area outside of which may not be built upon because of these or other Regulations.

BUILDING ENVELOPE: The area delineated on an approved final plat plan of a project as meeting the approved minimum setbacks from lot lines, natural features, and any other restricted areas such as planned unit development buffers. All principal buildings and septic systems, shall occur within the building envelope.

Casual Sale: The occasional (not more than six (6) days per year) sale of goods on one’s own residential property. Casual sale includes garage sales, yard sales, lemonade stands, and the like.

DAY CARE FACILITY, HOME-BASED: A state registered or licensed family child care home serving six (6) or fewer children as referenced in 24 V.S.A. Section 4412(5) as amended from time to time. A home-based day care facility shall be considered to constitute a permitted single-family residential use of the property. COLCHESTER DEVELOPMENT REGULATIONS SUPPLEMENT 43 Article Twelve - Page 10 DAY CARE FACILITY, INTERMEDIATE: A state registered or licensed family child care home serving no more than six (6) children full-time and four part-time children as referenced in 24 V.S.A. Section 4412(5) as amended from time to time. An intermediate day care facility shall be subject to site plan approval. DAY CARE FACILITY, LARGE: An establishment operated as a business or service on a regular or continual basis, whether for compensation or not, to provide care, protection, supervision and/or education for children under the age of 16 outside their homes for periods of fewer than 24 hours a day by a person other than a child's own parent, guardian or relative. A day care facility that is not registered or licensed by the state or serves seven (7) or more children full-time or more than ten (10) children combined shall constitute a large day care facility. A large day care facility excludes home-based and intermediate day care facilities. This definition encompasses facilities generally known as child care center, day care center, pre-school, nursery school, and similar programs and facilities for infants and children, but does not include schools as defined herein. All centers shall be licensed and operated in accordance with applicable law.

Easements are agreements regarding certain property rights that landowners can sell or donate to other parties. Easements may remain with the property in perpetuity or may be a right that is extinguished at some future time.

Fences that are shorter than four (4) feet do not require a permit. Fences between four feet and eight feet require a zoning permit. Fences shall be erected within but not on property boundaries.

FRONTAGE: That boundary of a lot which abuts on a public street or way. The Interstate and public waters shall not be considered frontage.

GARAGE, PUBLIC: A structure owned or operated by a local or state government used primarily for the parking, storing, and servicing of vehicles. Vehicle servicing within a fully enclosed building and gasoline storage and dispensing are customary. Storage of sand, salt, and materials employed in municipal or state maintenance of infrastructure and municipal services is customary.

Ground Floor means the floor of a building that is most closely aligned with the sidewalk, or if no sidewalk the finished grade along the building's front facade that provides convenient public access to the building.

Residential Care Home or Group Home: A state licensed or registered residential care home serving not more than 8 persons who are handicapped or developmentally disabled as defined in 9 V.S.A. §4501. In accordance with the Act [§4412G], such a group home shall be considered by right to constitute a permitted Single-Household residential use of property, except that no such home shall be so considered if it is located within 1,000 feet of another such home within the Growth Center. For the purposes of these Regulations, a group home shall also include an emergency shelter for up to 8 adults and/or children.

Heavy industry is a type of business that involves large-scale undertakings, big equipment, large areas of land, high cost, and high barriers to entry. It contrasts with light industry, or production that is small-scale can be completed in factories or small facilities, costs less, and has lower barriers to entry. Common examples of heavy industry include:

- Aerospace.
- Shipbuilding.
- Mining.
- Machine tool building.
- Locomotive manufacturing.
- Oil and gas.
- Steel production.
- Chemical production.



**Dwelling, Accessory:** An efficiency or one bedroom apartment located within or appurtenant to a single-household dwelling, that is clearly subordinate to the single-household dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and 76 sanitation. See Section 6.1. [See also Use, Accessory].

**Dwelling, Multi-Household:** A structure containing three or more dwelling units, including units that are located one over the other and units in a row separated by one or more vertical common fire resistant walls.

**Dwelling, Seasonal:** A dwelling unit (including a hunting camp and seasonal camp) not used as a principal residence that may be occupied weekends and for brief periods during the year. Seasonal dwellings must meet all requirements of these Regulations pertaining to year-round dwellings.

**Dwelling, Single-Household:** A structure containing one dwelling unit. Mobile homes and modular or pre-fabricated housing meeting this definition shall be considered single-household dwellings.

**Dwelling, Two-Household:** A structure containing two single-household dwelling units. A singlehousehold dwelling unit with an accessory dwelling is not a Two-Household Dwelling.

**Dwelling Unit:** A building or portion thereof, designed, occupied, or intended for occupancy by residents as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of its residents.

**DWELLING, DUPLEX:** A detached building containing two (2) dwelling units, designed for occupancy by not more than two (2) families.

**DWELLING, MOBILE HOME:** A detached dwelling unit designed for transportation on streets or highways, on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like. A mobile home is designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems. A travel trailer is not considered as a mobile home.

**DWELLING, MODULAR:** A dwelling unit constructed in accordance with the codes and standards set forth in Chapter Four of the Colchester Code of Ordinances for site-built homes, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. This definition shall include manufactured homes.

**DWELLING, MULTI-FAMILY:** A building, designed for or occupied by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

**DWELLING, SEASONAL:** A dwelling unit that is not approved for year-round occupancy or that lacks one or more of the basic amenities or utilities required for yearround occupancy. A summer seasonal dwelling is occupied from April 1st through October 31st. A winter seasonal dwelling is occupied from November 1st through March 31st.

**DWELLING, SINGLE FAMILY:** A detached dwelling unit designed for and occupied by one (1) family.

**DWELLING, TEMPORARY EMERGENCY, CONSTRUCTION, OR REPAIR:** A residence (which may be a mobile home) that is: (i) located on the same lot as a residence made uninhabitable by fire, flood or other natural disaster and occupied by the persons displaced by such disaster, or (ii) located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed, or (iii) persons having construction or security responsibilities over such construction site.

**DWELLING UNIT:** One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single household.

**DWELLING, YEAR-ROUND:** A dwelling unit continuously occupied from January 1st through December 31st.

A historic site or heritage site is an official location where pieces of political, military, cultural, or social history have been preserved due to their cultural heritage value. Historic sites are usually protected by law, and many have been recognized with official historic status. A historic site may be any building, landscape, site or structure that is of local, regional, national, or global significance. Usually this also means the site must be at least 50 years or older.[1]

HOME BUSINESS: An occupation carried on within a dwelling unit which is incidental and secondary to the primary use of the building for dwelling purposes which does not change the character of the neighborhood, it employ up to three (3) onpremises employees who are not residents of the dwelling. At least one person involved in the business shall be a resident of the dwelling. Automotive repair and automotive accessory installation shall not be considered home business uses.

Section 3. Item #A.

HOME OCCUPATION: An occupation carried on within a dwelling unit which is incidental and secondary to the primary use of the building for dwelling purposes, is not visible or noticeable in any manner or form from outside the walls of the dwellings, and which does not change the character thereof which it may employ up to two (2) onpremises employees who are not residents of the dwelling. At least one person involved in the business shall be a resident of the dwelling. Automotive repair and automotive accessory installation are not home occupations.

Household - 32 VSA § 6061 - Vermont Laws for any individual and for any taxable year, the individual and such other persons as resided with the individual in the principal dwelling at any time during the taxable year.

Vehicle Fueling Station -- Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of liquid or gaseous vehicular fuels including gasoline, diesel, kerosene, ethanol, ammonia, methane (including natural gas), propane, or hydrogen. For liquid or gaseous vehicular fuels, there must be no more than two pumping islands allowing for a maximum of eight vehicles pumping to receive liquid or gaseous fuel at one time. In addition, Vehicle Fueling Stations must offer at least one Level 2 (240 V AC output) or DC Fast Charger electric vehicle charging station with a Society of Automotive Engineers (SAE) Combo (also called CCS for “Combo Charging System”) connector for public use. If a Vehicle Fueling Station has two or more DC Fast Chargers, in addition to at least one with a CCS connector the Vehicle Fueling Station may offer a Tesla proprietary and/or ChAdeMO connector. The free or retail dispensing of electricity as vehicle fuel within approved on-street or off-street parking spaces, or incidental to the use to a structure, shall not constitute a Vehicle Fueling Station. Customary accessory uses for Vehicle Fueling Stations include the retail sales of vehicle accessories, food and beverages prepared for off-premises consumption, and other convenience store items. DC Fast Charger – Is a battery charger designed for use with commonly available electric vehicles that are capable of receiving direct current (DC) electricity. A DC Fast Charger complies with SAE standard J1772 and Underwriters Laboratory standard 2251 and is rated at a minimum of 50 kilowatts electric power output.

“Salvage yard” means any place of outdoor storage or deposit for storing, keeping, processing, buying, or selling junk or as a scrap metal processing facility. “Salvage yard” also means any outdoor area used for operation of an automobile graveyard. It does not mean a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs. - Junk Yard

Lodging establishment” means a place where overnight accommodations are regularly provided to the transient, traveling, or vacationing public, including hotels, motels, inns, and bed and breakfasts.- Short Term Rentals?

manufactured home - add - A mobile home as defined in 10 V.S.A. § 6201

Chapter 117 [§4303] now helps communities with this approach by providing the following three definitions:

- Nonconforming lots or parcels means lots or parcels that do not conform to the present bylaws covering dimensional requirements but were in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a lot or parcel improperly authorized as a result of error by the administrative officer.
- Nonconforming structure means a structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer.
- Nonconforming use means use of land that does not conform to the present bylaws but did conform to all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a use improperly authorized as a result of error by the administrative officer.

24 VSA § 4303 “Nonconformity” means a nonconforming use, structure, lot, or parcel.



The Vermont Agency of Agriculture, Food and Markets (VAAFMM) as authorized by 6 V.S.A., Chapter 206, Sections 4021-4031, and the Vermont Regulations Related to the Inspection of Nurseries, requires any person who sells or installs nursery stock in this state to annually apply for and receive a nursery license. Registrations are valid from May 1 through April 30. Any person soliciting orders for, offering for sale, or distributing nursery stock shall have in his or her possession a copy of a current nursery license issued by the Secretary. A person selling \$1000.00 or less of nursery stock in a year shall be exempt from the requirement to obtain a license.

“Nursery grower” means any person engaged in growing, propagating, or production of nursery stock for commercial gain.

“Nursery dealer” means any person who sells or distributes nursery stock for commercial gain.

“Nursing home” means an institution or distinct part of an institution that is primarily engaged in providing to its residents any of the following:

- (A) skilled nursing care and related services for residents who require medical or nursing care;
- (B) rehabilitation services for the rehabilitation of persons who are injured, have a disability, or are sick; or
- (C) on a 24-hour basis, health-related care and services to individuals who, because of their mental or physical condition, require care and services that can be made available to them only through institutional care.

(1) “Assisted living residence” means a program that combines housing, health, and supportive services for the support of resident independence and aging in place. Within a homelike setting, assisted living units offer, at a minimum, a private bedroom, private bath, living space, kitchen capacity, and a lockable door. Assisted living promotes resident self-direction and active participation in decision making while emphasizing individuality, privacy, and dignity.

(2) “Facility” means a residential care home, nursing home, assisted living residence, home for persons who are terminally ill, or therapeutic community residence licensed or required to be licensed pursuant to the provisions of this chapter.

A parking facility is generally defined as any building, structure, land, right-of-way, equipment or facility used or useful in connection with the construction, enlargement, development, maintenance or operation of any area or building for off-street parking of motor vehicles.

Vermont law defines pesticides as economic poisons, all of which require state registration prior to sale, use, and/or distribution in the State. 6 V.S.A. § 911

A building, structure, or defined space used for religious devotion, including but not limited to churches, synagogues, and mosques.

The Planning Commission is charged with setting the overall policy and goals for land development and use in town. The primary functions of the Commission are to prepare and amend the Town Plan and the Land Use Regulations. The Commission may also engage in other activities related to planning matters, including holding public hearings, discussion forums, and surveys to determine future needs of the town; conducting planning reports and studies; and educating the public about current issues facing the municipality. State law provides planning commissions with broad authority to plan for the future needs of their communities including on matters of downtown and village revitalization, transportation, economic and social development, and conservation of energy and the development of renewable energy resources. The powers and duties given to municipal planning commissions by the State Legislature are stated under Title 24 V.S.A. §4325, and the Legislature’s purpose and goals for planning and development in Vermont are stated under Title 24 V.S.A. §4302.

“Survey plat” means a map or plan drawn to scale of one or more parcels, tracts, or subdivisions of land, showing, but not limited to, boundaries, corners, markers, monuments, easements, and other rights.

Required Agricultural Practices (RAPs) are standards to which all types of farms must be managed to reduce the impact of agricultural activities to water quality. The RAPs include required practices and management strategies, some of which apply to all farms and some of which are specific to certain sizes of operation or to certain environmental factors.

recreational vehicle - “All-terrain vehicle” or “ATV” means any nonhighway recreational vehicle, except snowmobiles having not less than two low pressure tires (10 pounds per square inch, or less); not wider than 64 inches wheel ATVs having permanent, full-time power to both wheels; and having a dry weight of less than 2,500 pounds, when used for cross-country travel on trails or on any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland, and natural terrain

Section 3. Item #A.

30 V.S.A. § 8002-8005 establish a renewable energy standard (RES) that Vermont electric distribution utilities (DUs) are required to meet. Under the RES, Vermont’s DUs must procure a defined percentage of their total retail electric sales from renewable energy. The requirements of the RES are broken into three categories, or tiers, as follows:

#### Tier I

Tier I requires that Vermont DUs procure a defined percentage of their retail electric sales from any source of renewable energy. Under Tier I, this defined percentage starts at 55% in 2017, the first year the RES is in effect, and increases by 4% every three years, eventually reaching 75% in 2032.

#### Tier II

Tier II requires that Vermont DUs procure a defined percentage of their retail electric sales from new distributed renewable generation. For purposes of the RES, distributed renewable generation is defined as electric generation facilities that have a plant capacity of 5 MW or less and are directly connected to a DUs subtransmission or distribution system, or have been identified in an approved plan to defer transmission upgrades, or net-metering systems, provided the DU owns the environmental attributes associated with the system. In order to qualify as new under the RES, facilities must have commenced operation after June 30, 2015. DUs are required to procure 1% of their annual retail sales from Tier II-eligible facilities starting in 2017, increasing by three-fifths of a percent each year until reaching 10% in 2032.

#### Tier III

Tier III requires that DUs either procure additional new distributed renewable energy consistent with the requirements of Tier II, above, or acquire fossil-fuel savings through energy transformation projects. Energy transformation projects are those that reduce the fossil-fuel consumption of a DU’s customers and the greenhouse gas emissions associated with that consumption. Under Tier III, DUs must procure either the amount of distributed renewable energy or fossil-fuel savings equivalent to 2% of their annual retail sales in 2017, increasing by two-thirds of a percent each year until reaching 12% in 2032.

“Renewable Energy” means energy produced using a technology that relies on a resource that is being consumed at a harvest rate at or below its natural regeneration rate.

(A) For purposes of this definition, methane gas and other flammable gases produced by the decay of sewage treatment plant wastes or landfill wastes and anaerobic digestion of agricultural products, byproducts, or wastes, or of food wastes shall be considered Renewable Energy resources, but no other form of solid waste, other than silvicultural waste, shall be considered renewable.

(B) For purposes of this definition, no form of nuclear fuel shall be considered renewable.

(C) The only portion of electricity produced by a system of generating resources that shall be considered renewable is that portion generated by a technology that qualifies as renewable under this definition.

(D) The Commission by rule may add technologies or technology categories to the definition of “Renewable Energy” provided that technologies using the following fuels shall not be considered Renewable Energy supplies: coal, oil, propane, and natural gas.

(E) In this rule, Renewable Energy refers to either “Existing Renewable Energy” or “New Renewable Energy.”

A right-of-way (ROW) is a right to make a way over a piece of land, usually to and from another piece of land. A right of way is a type of easement granted or reserved over the land for transportation purposes, this can be for a highway, public footpath, rail transport, canal, as well as electrical transmission lines, and oil and gas pipelines. A right-of-way can be used to build a bike trail. A right-of-way is reserved for the purposes of maintenance or expansion of existing services with the right-of-way. In the case of an easement, it may revert to its original owners if the facility is abandoned.

Riparian areas are ecosystems comprising streams, rivers, lakes, wetlands, banks, and floodplains that form a complex and interrelated hydrological system. Riparian” is defined as the land along the bank of a river or lake. Ecosystems comprising streams, rivers, lakes, wetlands, banks, and floodplains that form a complex and interrelated hydrological system. Because of the diverse and dynamic nature of riparian ecosystems, they support a wide variety of plant and animal communities, including insects, reptiles, amphibians, fish, waterfowl, songbirds, bats, mink, and otter. Many species are dependent upon healthy riparian ecosystems. An intact riparian area functions as both a buffer and a corridor. By providing habitat and filtering runoff, a riparian area buffers the water body from the impacts of adjacent land uses. Riparian areas also act as a travel corridor to provide movement and dispersal routes for wildlife and plants on your land. When planning riparian conservation and restoration strategies, you should consider both the buffer and corridor functions of riparian areas.



# PLANNING COMMISSION MEETING

Tuesday, September 12, 2023 at 6:30 PM

Chris Letourneau Meeting Room and via Zoom

MINUTES

### Zoom Details:

<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWLzVadz09>

Meeting ID: 616 584 3896 | Passcode: 5243524

Dial by your Location: 1 929 205 6099 (New York)

## 1. CALL TO ORDER - 6:30 PM

## 2. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA

### BOARD PRESENT

- Chair Suzanna Brown
- Greg Drew
- Jared Waite
- Tony Heinlein

### BOARD ABSENT

- Emily Johnson

### STAFF PRESENT

- Doug Bergstrom, Zoning Administrator
- Kollene Caspers, Zoning Clerk

### SPECIAL GUEST

- Michael Allen, ReGrowth Planning

## 3. DISCUSSION

### A. ReGrowth Planning - Michael Allen

- Michael Allen introduction, will be representing ReGrowth for the Georgia Town Plan
- Coordination items and approach in a nutshell for the Georgia Town Plan Project:

-Start with an Open House, a public meeting, to let people know that Town of Georgia is updating the Town plan and to get some input from community members on what they think is important, what concerns do they have, how would they like to see the Town of Georgia grow?

- ReGrowth and the Planning Commission will design a survey to go out to a wider audience to touch on issues to address and encourage discourse from community members.
  
- “Community Discussion” will be a large part of the Town Plan, Planning Commission will base decisions made on the wants/desires of community members.
  
- Collecting data from the surveys will help to identify key topics to focus on during one or two other community meetings to discuss these issues. Together with all of the above, ReGrowth will draft a town plan, present drafts to public, revise, edit and re-present the draft Town Plan to the Planning Commission and Selectboard.
  
- The Planning Commission will be the forefront committee for ReGrowth to work with. S. Brown will be main point of contact with copy email to Zoning Administrator.
  
- ReGrowth will mostly meet with Planning Commission via Zoom, but once a month be in person for any public event.
  
- ReGrowth has reviewed the 2017 Georgia Town Plan, has toured the town, taken photos, and is setting up a dedicated website for the project. This website will be a sub-page off the ReGrowth website, and can be found by web address, QR code on advertising materials as well as a link from the Town of Georgia’s website.
  
- ReGrowth will provide advertising materials and maps for this the first community public meeting, tentatively scheduled for October 24<sup>th</sup> or 25<sup>th</sup> in early afternoon to early evening. In addition to asking for discussion topics, ReGrowth will have some base maps and arial maps for basis of discussion.
  
- The Planning Commission will review the 2017 Town Plan with ReGrowth on a detailed level to identify which existing plans should be carried through, scrap out-of-date or unwanted plans, and to update those plans that may need to be changed due to the growth of Georgia over the last six years.
  
- ReGrowth will Zoom a coordination meeting with the Planning Commission soon to plan the public meeting in late Oct, giving 5-6 weeks to prepare agenda for the meeting and advertise to the community.
  
- Options to hold the public meeting includes Firehouse, GEMS Small Gym and library. Planning Commission will look into options and follow up with availability and times. Benefit of Firehouse is a kitchen, in case we want to host snacks and drinks.
  
- The initial public meeting will field questions; then ReGrowth will host one or two public meetings to draft plans and ideas for public review, and can probably get the draft completed for review by June/July 2024.



- At least two public hearings are necessary to present the draft Town Plan for review. One meeting with the Planning Commission and one or two meetings for the public at large. Selectboard can be another meeting, also open to the public.
- How do we attract people into discussion for Town Plan data collection? Ideas shared included a digital (QR code) flier for Fall fest, postings at Georgia Market, library, GEMS. Can also place sandwich boards with information out front of Town Hall, Historical society, fire department. As well as targeting some of the local favorite Facebook pages. Can also tap into existing groups like GCEC, exercise groups, any public Georgia group pages. ReGrowth can also reach out to media outlets like St. Albans Messenger, 7 Days and VT Digger for articles; as well as Front Porch Forum & LCA TV.
- Once survey questions are collated and organized, advertising will get the word out to distribute digital and paper surveys to the community. Survey will be available on the Town of Georgia website and paper copies will be available at Town Hall and Georgia Public Library, etc.
- ReGrowth will be in charge of collecting surveys, collating information and presenting end results to the public. Best overall for an impartial party. Overall they will lead the community into discussion on what the town as a whole wishes to move forward. ReGrowth will present to the town but it is up to Planning Commission to make the final decisions of what will go into the new Town Plan.
- Any developers or investors who have current sketch plans, preliminary or final plats can be invited to any of the public meetings held for the Georgia community to get their Point-of-View for how the Town Plan will effect growth in the different Zoning Districts in the Town of Georgia.
- There is a desire for economic expansion in the Town of Georgia, however it's a quagmire to getting proper permits, properly timed, and affordable for the residents. Town of Georgia's revenue generators include the Industrial Parks, the 2 wind turbines, and the Town owns one cell tower. All other town revenue relies on taxes.
- What things have changed in Georgia since the last Town Plan? Short term rentals and 2nd home rentals are becoming a problem in certain areas of Georgia.
- Permits for the largest septic system allowance are requested and builders build accordingly, so only larger homes are being built here in Georgia. Though not housing some of the people who want to stay here in town. Georgia used to be a local farming community but is becoming a bedroom community of Burlington. Some residents are clinging to the idea that it's still only rural and want to vote/regulate accordingly.
- Some residents only live in Georgia, but are invested more in the communities where they work or where their kids go to school.

- Planning Commission concern/issue is the state of Vermont requiring a ViewShed, this issue can be hot topic, discussion over "current use" (farmland, forest land, etc.) and residential areas that may burden community resources.
- How do Solar Panels work into the Town Plan? Since Solar Panel regulations are a State run initiative, it's a different consideration for the Town but should be addressed in the Town Plan. Georgia has a couple larger scale, not private, solar projects. Mill River, large parcel of prime agriculture/farmland.
- Density Max and Density Bonus discussion, in terms of new Act 47 and future of Town Plan.
- Other factors to consider include South Village master plan, sewer feasibility study, other studies for ReGrowth to review before going forward with drafting Town Plan or questioning the community members for Town Plan.
- Historic Village or Town Center designation would benefit the Town of Georgia, help us move forward with available grants. Town of Georgia would need a Village Designation in order to get grant money for things such as municipal water, municipal sewer. And another problem is not having a post office/zip code solely for Georgia, VT.
- Establishing the South Village as a new Town Center (designated growth center) in the Town Plan to get grants for infrastructure would be key. We would also need at least a plan for both municipal water and sewer systems.
- Permitting will become easier for growth/developers to develop in SV once public water is introduced.
- Discussion potential- moving Town office and Town library to SV, residents may want drive-throughs, commercial spaces, strip malls, larger community meeting spaces, etc.
- Discussion with ReGrowth on Development Regulations drafting as well as Planning and Town Plan drafting.
- ReGrowth and the Planning Commission will need to work with Regional Planning Commission to complete Town of Georgia's Town Plan.
- Data-collection versus data-gathering; will ReGrowth seek out its own data, or will they use existing data available from resources such as Regional Planning or US Census? The Planning Commission does not want to include any data that's approximated. Only data that has been independently collected from here in Georgia should be included in the Town Plan.
- Demographic info can be gathered by school data, voter data, second homeowners, etc.

- Georgia Elementary and Middle School and Franklin West Supervisory Union will have to play a part in the planning to assist in Town of Georgia growth potential and future needs.
- Layout design of Town Plan should adhere to Planning Commission and community recommendations, such as presenting the Town Plan in more of a “magazine” type format instead of “user-manual” type layouts. Appearance of the Town Plan will come later in the process after drafting has started.
- ReGrowth will start with advertising materials for Fall Fest and will work together to come up with first data collection public meeting Oct 24th or 25th. They will touch base on Oct 10th meeting for preparation for Town data gathering meeting.

**4. APPROVAL OF MINUTES**

A. Planning Meeting Minutes 8/8/2023

Reviewed Planning Meeting minutes from 8/8/2023

Motion to approve with no changes.

Motion made by Drew, Seconded by Waite.

Voting Yea: Chair Brown, Drew, Waite, Heinlein

**5. PLAN NEXT MEETING AGENDA 9/26/2023**

- Review and redrafting of Town of Georgia Development Regulations. Staff has started review of Definitions portion of the old development regulations.
- Anything recommended by Michael Allen for Town of Georgia Town Plan to get discussion started or initial data collection meeting information disseminated.

**6. OTHER BUSINESS**

- Municipal Planning Grant paperwork, signing and discussion.
- Design Regulations Grant information shared as well, Planning Commission has to identify an ask the Town is trying to achieve, example- affordable housing, etc. Will add to agenda for next Planning Commission meeting.
- Motion to authorize application for Grant for drafting new Development Regulations through the State of Vermont.

Motion made by Waite, Seconded by Drew.

Voting Yea: Chair Brown, Drew, Waite, Heinlein

**7. DELIBERATIONS**

**8. ADJOURN**

Motion to adjourn meeting at 9:25 p.m.

Motion made by Drew, Seconded by Chair Brown.

Voting Yea: Chair Brown, Drew, Waite, Heinlein

**Posted to the Town website, four designated places within the Town of Georgia (Town Clerk’s Office, Georgia Public Library, Maplefields & Georgia Market), and e-mailed to the local media.**

**Signed: Douglas Bergstrom, Zoning Administrator, Planning Coordinator**

**Phone: 802-524-3524 | Fax: 802-524-3543 | Website: [townofgeorgia.com](http://townofgeorgia.com)**

