

**UNAPPROVED**

**Minutes Rochester Planning Commission  
December 6, 2022  
Rochester Town Office and via Zoom**

**Present:** Chair Dan McKinley (by Zoom); Sandy Haas; Julie Martin; Dave Curtis; Christine Meagher; Doon Hinderyckx, Zoning Administrator; Maya Newroot (by Zoom)

**Guests:** Sarah Wraight, TRORC; Robert Franks, Bethel resident; Jeanine Weir, Rochester resident; Bruce Marshall, Rochester resident

**Call to Order:** Dan called the meeting to order at 6:01 pm

**Approval of Minutes:** Minutes from August, September, October, and November 2022 approved

**Zoning Administrator:** Robert Steventon, 533 Mt Cushman Rd  
Permit for new construction of shed approved  
Dave & Patty Harvey of Hawk North  
>>Would like to change red barn property on School Street, owned by Martin Harvey, from storage to apartment; needs water/septic. Terry Severy will ask DuBois & King about this.  
>>Can be approved if water/sewer connection is approved

**Update to Zoning Bylaws:**

>>As a follow-up to a discussion during the last meeting, Sarah Wraight talked with other staff at TRORC about using legal trails as driveway; consensus there is that it is not recommended unless very clear policies for the long-term are in place.

>>Continued discussion of River Corridor Regulation. Map of this area provided by Sarah. These regulations would not affect any current structures, but building closer to the river would be prohibited. FEMA will be revising how they proceed in case of disaster. Motion made by Dan to defer adopting River Corridor Regulation until FEMA has made its changes, and to focus on the many other tasks demanding attention now. It will not be included in this round of amendments to zoning bylaws. Carried unanimously.>>Discussion of zoning district regulations in bylaws. Sarah wrote explicit purpose statements for each district, previously missing from bylaws. These purpose statements are necessary for conditional

use permits. Each statement was reviewed, some changes in language made, and each was approved with changes.

>>Discussion of TRORC recommendation to rely exclusively on zoning map to define boundaries of each zone. Board decision is to retain narrative description of each zone (including contour lines). Sarah will draft language to address how Board will resolve any questions about which zone a property lies in.

>>Usage lists were discussed, noting TRORC suggestion that any land use not mentioned in the permitted or prohibited list is considered “conditional use”. Language could be changed to prohibit any uses not listed. It was decided to allow conditional use status to stand as is, with clarifying language which encourages landowners to research regulations and bylaws surrounding proper usage, including reaching out to Planning Commission. PC will continue to work on which uses should be prohibited in each zone.

>>List of exemptions found to be fine as is. To be considered is whether any exemptions should be added. The very lengthy exemption list in Pomfret’s bylaws was cited as an example; discussion of whether a list of that size is too much. Dan offered his own list of exemptions culled from the Pomfret list. This discussion was tabled pending further action.

**>>Action:** Dan will send a copy of his list to Sarah for incorporation into the next draft

>>Dan raised the question of how effectively the time with Sarah was being used, as little progress toward stated goal was made in this meeting. The decision was made that Sarah will not attend the January meeting, but will instead send a discussion guide and related documents to all commission members by December 25. All commission members should read and consider this information before the next meeting, at which the commission will discuss these items together. Sarah will then need a copy of the meeting minutes, and she will attend the February meeting of the commission to further the discussion.

**Public Comment:** Dan informed all present that each guest will be allotted 3 minutes for comments.

Robert Franks, Bethel, raised questions about the statutes supporting the Chair’s right to do this; also expressed doubt as to veracity of minutes approved at start of meeting.

Jeanine Weir, Rochester, spoke of alleged ongoing violations at Lyman Hill property [formerly Quarry Hill Community] and expressed concern around zoning for duplexes being weakened or removed altogether.

Bruce Marshall, Rochester, raised questions about the lateness of the minutes submitted, violations of state and federal law, and inaccuracies in the minutes.

Both Jeanine and Bruce stated their intention to submit a letter to the PC, necessary for proceeding in a legal matter.

Dave Curtis asked about a permanent easement for the culvert at the edge of his property and potential effect to his well.

As a final note, Sandy Haas informed the PC that they have received the 45-day notice about the microgrid solar project on Brandon Mtn Rd from North Hollow Farm (Mike Bowen) at the former Severy gravel pit.

**Adjourn:** at 8:28.

Next meeting on January 3, 2023.

Respectfully submitted,

Maya Newroot

Recording Clerk