

Minutes Rochester Planning Commission
January 3, 2023
Rochester Town Office and via Zoom

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

Guests: Robert Franks, Bethel resident; Jeanine Weir, Rochester resident; Bruce Marshall, Rochester resident; Corina Gendron, Rochester resident; Vincent & Regina Purcell, owners, Huntington House;

Call to Order: Dan called the meeting to order at 6:19 pm

Permit Inquiries: >>Regina & Vincent Purcell, owners of Huntington House, are applying for a grant to open a brewery above Doc's Tavern. They would like a letter of support from the Town. Their intention is to brew beer for their own business, as well as for any interested area restaurants. They plan to buy holding tanks and not put waste into the town septic. They would not change the footprint of the existing building. Dan says in that case, a brewery is permitted. The use can be approved and the Select Board can support their grant application

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>>Corina Gendron had questions regarding the process of applying for sub-division of parents' land. Sandy Haas noted that an application would need to be in the hands of the PC in the next couple of weeks to warn a hearing for February. It was suggested that she get everything done by the next meeting of the PC (Feb 7th) and bring all info to the meeting. She can then have an informal discussion with the PC about her application, and submit it for a formal hearing in March.

Approval of Minutes: >>There were objections to the December minutes from Rochester residents Jeanine Weir and Bruce Marshall, who stated that the December minutes were not honestly written. They reiterated some of the issues they raised at the December meeting regarding a recorded survey of Lyman Hill property. In order to better assimilate and consider the concerns of Jeanine and Bruce, Dan requested a copy of a letter in which they are outlined. PC was presented with several copies of the letter.

>>Bethel resident Robert Franks also raised some objections as to the completeness of the December minutes. Mr. Franks expressed concern that comments that he made in December were not represented in the notes but when asked did not provide specifics on which comments were not represented.

>>After brief discussion concerning the goal of PC minutes, the board unanimously approved December minutes.

>>Barbara DeHart's Minor Subdivision Application has been postponed.

>>Dan addressed several issues brought to his attention by Robert Franks, regarding specifically the timeliness of minutes, recordings of meetings and the paid position of a clerk to draft PC minutes. Dan stated the PC's goal of meeting the state requirement to have minutes publicly available within 5 days of meeting, and the hiring of a recording clerk to facilitate doing so. Dan noted that the December minutes were posted to the town web site within 5 days. Dan also addressed Robert Frank's concern about recordings of meetings, stating that it is not required but done as a service for any who wishes to use it. Mr. Franks repeated his complaint that the minutes for Aug, Sept, Oct and Nov were not posted in a timely way and questioned the PC's ability to effectively fulfill its role. Mr. Frank stated that he was being discriminated against as a Bethel Resident when his mic was turned off during a Selectboard meeting.

Administrator Officer Report: >>The request of the Purcells, owners of the Huntington House (HH), to brew beer for their Inn and sell to others was discussed. The Board discussed whether there might be a change in use issue if the HH decides to sell their brewed beer to other restaurants. It was agreed to treat this as a change of use application and include the condition that the Purcells haul away waste generated by on-site brewery.

>>Regarding the letter submitted by Jeanine Weir and Bruce Marshall, Sandy informed the PC that the owners of Lyman Hall property had a perimeter survey done of their property and then recorded it in the land records, which any landowner can do. Jeanine and Bruce would like the survey removed from the record because the survey was not approved by the PC. However, PC approval is not needed for a perimeter survey. Jeanine and Bruce would like Lyman Hall declared an illegal subdivision. PC is still not clear how to best address their claims. PC will review the detailed letter provided by Jeanine and Bruce and determine if advice of town lawyer is needed.

Update to Zoning Bylaws: >>The PC began discussion of suggested changes in definitions in Zoning Regulations, sent to board members in December by Sarah Wraight. Feedback from PC follows:

>>Under COMMERCIAL USE: the word "industrial" seems to dangle More discussion is required here

>>Under DWELLING, MULTIPLE FAMILY: this definition should include duplexes, as previously agreed so text should say "2 or more independent dwelling units"

>>Sandy wonders about the state statute concerning group homes. Can group homes up to a certain number of residents be excluded or not?

>>The term RECREATION, PRIVATE OUTDOOR should be changed to RECREATION, COMMERCIAL OUTDOOR

>>Under RETAIL, PRIMARY, the start of the definition should change from “a use” to “a business”

>>Under RETAIL, SECONDARY, please remove the last part of the last sentence, which reads, “...and any individual retail use does not exceed 4,000 square feet.”

>>Under SHORT-TERM RENTAL, please strike “not more than 1 unit of”

It was observed that less progress was made in the discussion of Sarah’s notes than hoped; Sarah will be asked to skip the next PC meeting, in order to continue this work.

Sandy brought up the notification received last month about the North Hollow Farm microgrid solar project. This notification expires 45 days from receipt; recommendations must be made at least 7 days before this deadline.

>>Decision made to do nothing at this time and see what the Project Manager will bring to the board next.

Adjourn: at 8:34.

Next meeting on February 7, 2023

Respectfully submitted,

Maya Newroot

Recording Clerk