

Minutes Rochester Planning Commission
March 7, 2023
Rochester Town Office and via Zoom

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

Guests: Pam and Scott Mitchell

Call to Order: Dan called the meeting to order at 6:08 pm

Permit Inquiries: Pam and Scott Mitchell, of Corporation Road, want to open a home-based business selling cannabis they grow. They requested that an opt-in vote for the town be scheduled, which, if approved, would allow cannabis sales in Rochester. They had sent some information to Julie earlier, but the PC needed more detail on exactly what the Mitchells' business might look like. Scott informed the PC that they would be running a "very small" business, selling only their own product; they would most likely also have an online component to their business, and they would sell to other retailers. It was determined that the Mitchells are in the Agricultural- Residential District, which allows only secondary retail. It was noted that the state does not consider cannabis to be an agricultural product. There was lengthy discussion about whether or not the Mitchells' proposed business would be primary or secondary retail, finally concluding with the decision that the Mitchells' would need a conditional use hearing with the PC. The opt-in vote would be the business of the SB; there would need to be a special town meeting and a warning for that meeting.

>>Doon will look into how far in advance a meeting must be warned. He also recommended that the Mitchells get on the agenda for the next SB meeting.

>>Dan will send the Mitchells info from the proposed bylaws about primary and secondary retail.

After the Mitchells left, there was further discussion of the difference between primary and secondary retail; questions about business-related traffic on Corporation Rd; what, if any, changes to the immediate neighborhood might result from the presence of this business.

Sandy pointed out that a primary retail business is usually a "middle man", so it seems that the Mitchells would, indeed, have a secondary retail business, as their primary activity would be growing cannabis.

Approval of Minutes: February Minutes approved as written with a motion by Julie and unanimously carried.

Administrator Officer Report: >>White River Supervisory Union is looking to build a new outbuilding at the elementary school, 220 S Main St. The new structure will be a silo for pellets for the new heating system. Approved.

>>Frank Landry, 543 Oak Lodge Rd, would like to build an addition to his house; the plans meet setback requirements. Approved.

Continued Discussion of Updates to Zoning Bylaws:

Commercial-Ag District

Dimensional Req

Residential

Density: change to:

“A single family dwelling or a duplex will be allowed on a 1 acre lot; for each lot larger than one acre, one additional dwelling unit within the same building will be allowed for each additional ¼ acre.”

Delete “Coverage” category

Non-residential: Delete “Coverage” category

Ag-Res District

Permitted Uses

Change “Public outdoor recreation facilities” to “Commercial outdoor recreation facilities”

Prohibited Uses

Delete “Lodging”

“Contractor Yard”

“Health Care Facility”

“Group home” entry: please add “not protected under state law”

Dimensional Req

Residential

Delete “Density”

Delete “Coverage” category

Non-residential

Delete "Coverage" category

Conservation-Res District

Prohibited Uses

Delete "Private outdoor recreation facilities"

"Lodging" **????**

Delete "Educational, cultural, and religious establishments"

"Group home" entry: please add "not protected under state law"

Dimensional Req

Residential

Delete "Density"

Delete "Coverage" category

Non-residential

Delete "Coverage" category

Adjourn: at 8:19

Next meeting on April 4, 2023

Respectfully submitted,

Maya Newroot

Recording Clerk