TOWN OF WARREN
PLANNING COMMISSION
MINUTES OF MEETING
MONDAY JUNE 11, 2012

Members Present: Craig Klofach, Mike Ketchel, Don LaHaye, Jim Sanford, Randy Graves, Dan Raddock and Lisa Miserendino.

Others Present: Marilyn Miller, Sue Carter, Liza Walker, Margo Wade, Kate Wanner, Damon Reed, Jim Edgcomb, Miron Malboeuf and Ruth Robbins.

Agenda: Call the meeting to order, 7:30 pm.

1. Meeting with Conservation Commission
2. FEH - July 9th Meeting
3. Town of Warren public facilities, location & status.
4. Review & sign minutes from May 29th, 2012
5. Other & New business:

Mr. Klofach called the meeting to order at 7:34 pm.

The first item on the agenda was a presentation by the Conservation Commission regarding the proposed transfer of development rights for the Eaton parcel to the Vermont Land Trust as a permanent conservation easement. Though the Select Board makes the actual decision on the transfer, the Conservation Commission is seeking a positive recommendation from the Planning Commission to the Select Board on their request.

Ms. Wade, a former Conservation Commission member and Chair, submitted a Summary of the Conservation Easement prepared by the VT Land Trust as well as two letters of support from a teacher and a student at the Warren Elementary School. Ms. Wade then spoke to the history of the Eaton parcel and how the CC has arrived at this juncture.

Ms. Walker with the Vermont Land Trust, explained how the Land Trust works and how they should be viewed as a resource. They are a non-profit that has been around since 1977 with its main goal to preserve land. Ms. Wanner, a Conservation Commission member also works for the VT Trust for Public Lands and told the PC about the grant they had acquired in order to facilitate this process. She also noted that they were aware of the Commission's desire to "not tie the hands" of future Select Boards or Planning Commissions. However, she emphasized that the parcel contained important features that should be preserved.

While members of the Planning Commission expressed that future leaders should be trusted to make the right decision and that stewardship of the property could be looked at in a different way, the presenters countered that the protection of the natural habitat should be put above the tinkering of men and women and that future leaders might be tempted to use the asset to help offset town liabilities as has been proposed several times in another town. The PC asked if the exclusion areas were the right ones and in the interest of flexibility were there other areas that might also be good for other uses and thus considered for exclusion.

The discussion shifted to the particulars of the grant which the PC was told was in the amount of $14,000 and would be used to cover the legal costs of the transfer, any mapping and or survey work that was deemed necessary, VT Land Trust staff expenses and a contribution to the endowment that funds the stewardship of the land. They also touched on some of the particulars in the wording of the agreement and the PC members were told that it was a template that could

be modified and that they wanted to know of any specific language issues in the document. With there being no other questions, comments, the PC chair told those in attendance that the Commission would consider the action and make their feelings known to the Select Board.

The Planning Commission next discussed the proposed FEH regulations and the upcoming Public Hearing slated for Monday July 9th. Staff confirmed that the basement level of the Town Hall was reserved for the meeting and that the letters to all affected land owners would go out next followed by a formal notice in the Valley Reporter. The "In My Opinion" letter created by Mr. Graves was published in the Valley Reporter the previous week and so far no one had heard of or received any comment.

Since Ms. Wade was in attendance she changed "hats" from that of a former Conservation Commission member to that of a Sugarbush Resort employee to answer some questions the PC members had regarding the Sugarbush snowmaking pond and the FEH. The PC members expressed concern about how the pond may have changed, how it was repaired after T.S. Irene, and what might be expected if another rain event of any magnitude were to occur and how the structure would react. Ms. Wade addressed some of the members concerns but did not have all the information at hand but assured them that the repairs have made the structure stronger than before. She noted for the Commission that there were several different divisions of the VT Agency of Natural Resources that had regulatory prevue over the snowmaking pond: Water Quality, Act 250, Army Corp or Engineers and Dam Safety. Ms. Wade told the PC that once she had reviewed the proposed regulations she would let them know of any questions/concerns.

The members reviewed and made a small edit to the minutes which were then signed. They then had a discussion regarding the potential relocation of the Town garage facility. Mr. Sanford reported that he had a conversation with three of the Warren Select Board members so that he could get a better handle on what the PC's assignment was. Despite the legal impediment, all three of the Select Board members indicated that in a perfect world the town gravel pit site would be their first choice for the Town garage operations. However, since that is currently unavailable as an option they told Mr. Sanford to press forward in investigating other possibilities. That led to a conversation with Mr. Simpson, majority owner of the Bobbin Mill. Mr. Simpson indicated that at this time he had some other plans for his property and did not want to consider this as a potential site for the Town garage. Mr. Simpson, like the Select Board members spoken with, thought the Town gravel pit site would be the ideal location. As the members traveled up and down Rte 100 any even remote possibility presented some sort of stumbling block including those owned by the Town of Warren.

With there being a deed restriction on the Town owned parcel known as the gravel pit site, the PC members thought that maybe they should get one more legal opinion as to what the options might be. The PC asked staff to check on possible attorneys, ones with fresh eyes, to take a look at this issue. It was also suggested that both the CVRPC and VLCT might have some suggestions of attorneys.

The Planning Commission members then returned to the topic of the Conservation Commission's proposal to have the Eaton Parcel put into a permanent conservation easement that would be managed by the VT Land Trust. Mr. Sanford put forth a motion to move the question, take a vote on what the PC would recommend to the Select Board on this proposal. Mr. Sanford's motion was seconded by Mr. Graves and all voted in the affirmative.

Mr. Sanford then made a motion that the Planning Commission recommend to the Select Board that they [the Select Board] do not enter into an agreement with the Vermont Land Trust for a conservation easement of the Eaton parcel. This motion was seconded by Mr. Graves and all seven members of the PC voted in the affirmative.

Mr. Ketchel made a follow-up motion that called for the PC to send a letter to the Select Board that tells them that the PC is in favor of the conservation of the Eaton parcel but that the PC feels the Eaton Forest Management Plan dated December 16, 2008 does an excellent job of managing the property in accordance with the wishes of the town residents and that the Select Board continue to maintain the plan under the advisement of the Conservation Commission. A second was made by Mr. Sanford and in discussion, Mr. Ketchel said he would draft the letter stating the above to the Select Board. The vote was taken and all were in favor.

Mr. Klofach adjourned the meeting at 9:52 pm. The next meeting of the Planning Commission is scheduled for Monday June 25th at 7:30 pm.

Respectfully Submitted,

Ruth V. Robbins
DRB/PC Assistant

Planning Commission

Dan Raddock date

7/9/12
Mike Ketchel date

7.9.12
Craig Klofach date

07/09/12
Randy Graves date

7/9/12
Don LaHaye date

7.9.12
Jim Sanford date

7/9/12
Lisa Miserendino date

TOWN OF WARREN, VT
Received for Record 7/10 2012
at 11:58 o'clock A M and Received In
Vol 217 Page 95-97

TOWN CLERK