

GREENSBORO PLANNING COMMISSION (GPC) PUBLIC MEETING

August 21, 2013, - Collier Room, Town Hall

Present: Phil Gray, Kristen Leahy, Diana Griffiths and Mark Snyder. There were nine members of the public in attendance. This meeting was an informal gathering to give summer residents a chance to make comments and ask questions about the proposed By-law, scheduled, if approved by the voters of Greensboro, to take into effect in March 2014 following the Town meeting.

.Phil Gray, GPC Chair, opened the meeting by providing background on the current effort to amend the Town By-law, and then asked for questions/comments from the audience.

John Reynolds asked why do we need this legislation – does this solve problems that exist? GPC members answered that we want to keep the lake clean although we are not able to intervene in matters involving agricultural runoff. We are trying to protect the shore line by ensuring that all reconstruction following teardowns is set back at least 150 ft per Article 8..

Linda Ely asked the reason for the current By-law revision. Phil responded that the state legislature, responding to pressure from the Agency for Natural Resources (ANR), had been working this past session on legislation which would greatly strengthen standards for protecting shorelines of all of Vermont's lakes. By using the Model By-law drafted by the Vermont League of Cities and States (VLCT), we hope to anticipate any mandatory requirements regarding lake protection which the legislature may impose.

Andy Dales commented that Caspian Lake does not suffer from all the same problems as other lakes in Vermont. Our lake is considered a pristine lake and although its quality could be improved, we need to be careful how we attempt to reach the next 2% improvement. The 1979 measured quality of water is better than ever; by 2012 it had continued to improve. The biggest issue is what flows into the lake from agricultural and road run-off which this By-law will do little to impact. Andy expressed his concern that the Model By-law represented an “overreaching.” He admitted, however, that if we do not pass a strong amended By-law in 2014, the law probably to be passed by the legislature in its next session could impact us. Andy also noted that the tree cutting provisions in the new By-law were not easy to comprehend and could prove difficult to enforce.

Larry Hewes said he thought that by passing the revised By-law we would have our own strong zoning in place, and would thus be protected from any harsh provisions in the coming legislation.

Ken Johnston noted that . Service under Article 8, Section would be paid by the applicant – The language regarding apparent violation of shoreland protection provisions could be clearer. People might feel that they were at risk of receiving a heavy fine. Perhaps there could be a limitation on what the town could bill a landowner. Ken asked if a current owner application for, say, reconstruction is approved before the new By-law is implemented, would such owner have to reapply. The By-law should say something about such owners being ‘grandfathered in’. Ken also noted that the grid for allowing tree cutting needed a little “tweaking”.

It was noted that the Greensboro Land Trust is looking into how various residue contributions to the lake are affecting it.

Jennifer Lucas asked how the proposed set back compared with what the state is proposing. The answer is that the GPC is not sure of the answer, inasmuch as the House proposed law has yet to be approved by the Senate.

It was noted that all septic systems now fall under State of Vermont jurisdiction. However, the state is not interested in the size of the septic tank, but rather in the quality of the leach field.

A question was asked concerning rebuilding: how is the distinction to be made between a house being totally or only partially damaged. Kristen responded that Millie Archer, Vermont League of Cities and Towns (VLCT), who drafted the new Model By-law, is currently on holiday, but Kristen will ask her to respond to this. It was noted that rebuilding a house 50 feet from the lake would probably have polluting consequences.

Linda noted the new additional requirement for reconstruction, i.e. that instead of just complying with footprint requirements, such new building must meet square footage conditions as well.

Andy suggested that the new Article 8 be analyzed in terms of what differs between the old and the new. Administrative Office Kristen agreed to do this.

The need was expressed to clarify the language defining the new Lakeshore Protection District. .

GPC members made clear that applications that are submitted before the revised By-law takes effect and are pending when this occurs will come under the current By-law, and thus will qualify for the 'grandfathering in' provisions of the current regulation.

Phil noted that the GPC would welcome written comments, either in hard copy or by e-mail, on the draft By-law.

Meeting closed at 8.10pm

Respectfully submitted by Diana Griffiths, Secretary and Phil Gray, GPC Chair