

**TOWN OF WAITSFIELD, VERMONT**  
**Planning Commission Meeting Minutes**  
**Tuesday, February 6, 2024**

**Members Present:** Kevin Anderson, Beth Cook, Bob Cook, Emma Hanson, AnnMarie Harmon, Jonathan Ursprung

**Members Absent:** Alice Peal

**Staff Present:** JB Weir, Planning and Zoning Administrator

**Others Present:** Robin Morris (Water Commission)

**II. Regular Business.**

**1. Call to Order**

The meeting was called to order at 7:02 pm by Kevin. The meeting was held in person at the Town Offices and remotely via Zoom.

**2. Review agenda for addition, removal, or adjustment of any items.**

No adjustments were made to the agenda.

**3. Public Forum.**

Nobody present requested time to address the Commission.

**4. Groundwater Protection Overlay**

Robin Morris explained that the water system's Source Protection Plan is basically a recommendation, and doesn't provide the Town with any recourse regarding land use impacts in the area of the water supply. Options to allow better management include an ordinance prohibiting certain activities, purchase of the land or easements on the land that sits over the source. Robin indicated that the key thing to be controlled is the placement of wastewater fields, particularly as they are a potential source of PFAS (per- and polyfluoroalkyl substances). He noted that Waitsfield's supply is one of the few sources in Vermont with no PFAS detection to date.

The Water Commission has been studying existing ordinances and related state templates; previous GIS mapping has outlined three zones related to the aquifer, each with a different level of impact on the water supply. Robin has worked with JB to look at the underlying zoning regulations in those three zones to determine what activities are allowed which could potentially put the water supply at risk (i.e. gas stations). Robin explained that the ordinance would not be designed to halt existing uses, but rather to have property owners be thoughtful going forward. A primary goal is to have no leach fields developed in either Zone One or Zone Two of the aquifer area.

JB then went through some of the details in the proposed overlay regulations, which include:

- No residences in Zone One, which is a 200-foot radius around the source
- Zone One limited to a minimal number of uses, with no structures allowed, no manure spreading permitted
- Conditional Use Review required for all proposed development in Zone Two
- A list of prohibited uses

- Inclusion of a ‘two-year time of travel’ clause for septic disposal systems; this is something that is outlined by EPA, and related language is included in Vermont’s Wastewater and Potable Water Supply Rules
- Performance standards to be met for any development within the Overlay
- Definitions

JB indicated that it is generally large parcels which currently exist in the overlay area, and that the restrictions are necessary due to there being no opportunity to connect to a central wastewater system. It was noted that Zone Two has a more direct impact on the aquifer, although the zones do not move out concentrically from the source point.

Kevin suggested including a Town Plan reference in a purpose statement for the overlay district, and defining ‘conservation zone.’

JB will request a review by the Town’s attorney, and then bring the draft back to the PC for further consideration. He noted that he will refine the maps to include parcel lines and to present them in a way that is more similar to others in the Plan and Regulations.

## **5. MPG RFQ**

AnnMarie discussed the potential makeup of a steering committee; this group will review applications and interview candidates for the Irasville Master Plan work, and serve to oversee the project. She noted that the following people have either volunteered or have been suggested as members:

- Sean Lawson has volunteered to be part of the committee.
- AnnMarie intends to be on the committee.
- A member of the Selectboard; it was noted that Brian Shupe has a long-term interest in this work.
- A representative of Downstreet – Kaziah Haviland was mentioned.
- Another PC member; there were no volunteers for full-time committee membership, but some expressed interest/willingness to assist with certain aspects of the work.
- Luke Foley of Friends of the Mad River was suggested as a member.
- JB will also be participating in the committee meetings.

AnnMarie left the meeting at this point.

JB then reviewed the RFQ that AnnMarie had drafted, noting that the document included much of the material included in the grant application. He asked that the PC determine some of the dates to be included in the timelines which were outlined. It was agreed that the selection process will follow this time frame:

- Interviews and presentation/review of proposals may be part of the same step
- Initial interest due from candidates due by March 15
- Selection of those to be interviewed due by March 22
- Interviews and presentations of proposals completed between April 15 – 19
- Selection of consultant by April 22
- JB will look into what is required regarding Selectboard approval of the chosen consultant
- Start date by May 8

The timeframe for completion of the work was then discussed, with the following timing of work segments agreed upon:

- Work to commence on May 8
- Existing conditions analysis: May – July 2024
- Community development goals: July – August 2024
- Wetland enhancement opportunities: August – October 2024
- Provision of at least three opportunities for community engagement
- Design work: Winter 2024 – August 2025
- Strategic recommendations finalized by November 1, 2025

The project end date is already established via grant requirements as November 30, 2025.

Kevin pointed out that ‘Environmental Engineer’ included in the document’s heading should be changed to ‘Environmental Consultant’

It was agreed that JB will incorporate this information, and send a draft to PC members for further review and feedback.

Kevin noted that he had met with Dave Sellers and Jim Sanford, and that they have some interesting ideas developed on paper that should be shared with the PC. He also emphasized that well thought out information should be presented to DEC regarding wetland conceptual work and proposed alternatives.

## **6. NDA Designation Application**

JB reviewed the application materials, explaining that Sam Robinson (MRVPD) had done the mapping work and assisted with composing the cover letter. Joshua Schwartz has also reviewed the application materials. Kevin suggested that the materials include a specific reference to the MRPA’s scoping study approved for the proposed Route 100 multi-access path. It was agreed that JB will add this information, and then provide Amy Tomasso (ACCD) with a copy of the draft and ask if she is available to meet with the PC at their February 20<sup>th</sup> meeting for a preliminary review of the application. Typically, this is the protocol followed before submission to the Downtown Review Committee, who will review the application at their March meeting, at which Town representation is required.

**MOTION:** *Emma made a motion to authorize JB to submit the completed NDA Application for pre-review, with the addition of information related to the MRPA feasibility study as mentioned. The motion was seconded by Jonathan. All voted in favor.*

## **7. Wastewater Planning Project Recap**

JB noted that the bond vote is now scheduled for June 11, as there is potential for more successful funding requests on the horizon, and a positive bond vote is necessary for these applications. Public outreach and information dissemination is gearing up for this new timeline, and Bob noted that engineering and field work activities are also ramping up, with visits to high priority parcels taking place.

## **8. Approval of Minutes**

The minutes of January 16, 2024 were approved.

**9. Other Business**

No other business was taken up by the PC.

**10. Adjournment**

The meeting adjourned at 8:52 pm.

Respectfully submitted,  
Carol Chamberlin, Recording Secretary