

...of bicycle path study continued: Tim Mishkit asked why should Recreation Fund money, which should be used for the whole town, should be used for this--those interested should study on their own time. C. Ferreira replied that each year, when retreatment of the roads includes widening of some roads, such as the road out front of the School, as part of Town expense, a four-foot shoulder is added on one side or the other for biking or walking. A study would help to prioritize the roads. Elizabeth Bassett noted that a study would assess the specifics of the paths: what trees would be saved, what allowances would have to be made. Norman Pellett asked if this would be an engineering study. R. Mack responded that the study will pinpoint the roads that have the capacity to be widened. Without a study, the project won't get off the ground. Judy Tuttle answered that the study would show placement, grading for the entire town, costs, priorities.

March 7, 1989

ANNUAL TOWN
MEETING 1989

Voice vote was split. A division of the house was called by Dennis Delaney. A standing vote resulted in 84 yeas and 37 no. Sub-article was carried.

Voice vote for the entire Article totalling \$12,000 was in the affirmative. Article 5 was carried.

Article 6: Will the Town vote to establish a Conservation Commission under the authority of 24 VSA 4501 for the purposes of maintaining an inventory of the Town's natural resources, receiving gifts of land for conservation purposes, assisting the Planning Commission on natural resource issues, and promoting public understanding of local natural resources?

Motion was made by Teena Flood moved the article and seconded by Elizabeth Bassett.

Discussion: Peter Bergh asked how the Commission would be selected? R. Mack replied that the Selectmen would decide. Dean Leary stated that this would be very helpful to the Planning Commission, helping to decide appropriate uses for conservation lands. Kate Bortz (chairperson of the Planning Commission) noted that there was a handout in the lobby that answers some of the questions about the Conservation Commission. The Commission would be a big help to the Planning Commission particularly with inventory of lands; it would be an advisory not a regulatory body. The Planning Commission supports this Article.

No further discussion.

The question was moved by Dean Leary and seconded by George Reynolds. Voice vote was in the affirmative. Then Article 6 was carried.

Article 7: Will the Town vote to require the Selectmen to publish annually in the Town Report a listing of all road construction or modification projects (beyond routine road maintenance) proposed for the coming year, and to require that no unlisted project may be undertaken without first conducting a warned hearing on the matter?

Motion was made by Teena Flood and seconded by D. Palmer.

Discussion: Richard Bernstein stated that it won't cost the Town a thing. The purpose is be kept informed of changes, especially impactful projects. Frank Thornton when does this become effective? What do you mean by a warned meeting? R. Bernstein assumed it would take effect immediately. If the list were part of the agenda of the Selectmen's meetings, that would suffice for a warned hearing.

Moderator Anderson noted that the next Town report won't be until July 1990, so it can't be listed until then. F. Thornton stated that the Article should be clarified.

Motion to amend the Article was made by Frank Thornton to read "...annually 'beginning in the 1990' Town Report..." and "...conducting a 'publicly' warned hearing...". Seconded by D. Leary.

Discussion on the amendment: Teena Flood asked how are construction projects initiated. M.A. noted that discussion should be limited to the amendment. T. Flood responded that this was relevant and asked if projects planning occurred on a yearly basis or on an "as need" basis. There would be projects that come up between Town reports. R. Mack replied that in past years, it was project by project as need occurs. The Selectmen support public hearings.

Vote on the amendment was unanimous in the affirmative

Voice vote on the amended Article unanimous in the affirmative. Article 7 was carried.

Article 8: Will the Town vote to establish a capitol fund of \$50,000 annually, for the purchase of fire and rescue apparatus.

The Vermont Statutes Online

The Statutes below include the actions of the 2024 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 24 : Municipal and County Government

Chapter 118 : Conservation Commissions

(Cite as: 24 V.S.A. § 4505)

§ 4505. Powers and duties of conservation commissions

Any conservation commission created under this chapter may:

- (1) make an inventory and conduct continuing studies of the natural resources of the municipality including:
 - (A) air, surface and ground waters, and pollution thereof;
 - (B) soils and their capabilities;
 - (C) mineral and other earth resources;
 - (D) streams, lakes, ponds, wetlands, and floodplains;
 - (E) unique or fragile biologic sites;
 - (F) scenic and recreational resources;
 - (G) plant and animal life, especially the rare and endangered species;
 - (H) prime agricultural and forest land, and other open lands;
- (2) make and maintain an inventory of lands within the municipality which have historic, educational, cultural, scientific, architectural, or archaeological values in which the public has an interest;
- (3) recommend to the legislative body of the municipality the purchase or the receipt of gifts of land or rights thereto, or other property, for the purposes of this chapter;
- (4) receive appropriations for operating expenses including clerical help by appropriation through the budget of the legislative body;
- (5) receive money, grants, or private gifts from any source, for the purposes of this chapter. Grants and gifts received by the trustee of public funds shall be carried in a

conservation fund from year to year to be expended only for purposes of this chapter;

(6) receive gifts of land or other property for the purposes of this chapter, by consent of the legislative body or by the affirmative vote of the municipality;

(7) administer the lands, properties, and other rights which have been acquired by the municipality for the purposes of this chapter;

(8) assist the local planning commission or zoning board of adjustment or the District Environmental Commission, by providing advisory environmental evaluations where pertinent to applications made to those bodies, for permits for development;

(9) cooperate with the local legislative body, planning commission, zoning board of adjustment, road committee, or other municipal or private organizations on matters affecting the local environment or the natural resources of the municipality;

(10) prepare, collect, publish, advertise, and distribute relevant books, maps, and other documents and maintain communication with similar organizations; and encourage through educational activities the public understanding of local natural resources and conservation needs;

(11) make a brief annual report to the municipality of its finances and transactions for the year just passed, and its plans and prospects for the ensuing year. (Added 1977, No. 250 (Adj. Sess.), § 1.)

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Title 24 : Municipal and County Government

Chapter 117 : Municipal and Regional Planning and Development

Subchapter 010 : APPROPRIATE MUNICIPAL PANELS

(Cite as: 24 V.S.A. § 4464)

§ 4464. Hearing and notice requirements; decisions and conditions; administrative review; role of advisory commissions in development review

(a) Notice procedures. All development review applications before an appropriate municipal panel under procedures set forth in this chapter shall require notice as follows.

(1) A warned public hearing shall be required for conditional use review, variances, administrative officer appeals, and final plat review for subdivisions. Any public notice for a warned public hearing shall be given not less than 15 days prior to the date of the public hearing by all the following:

(A) Publication of the date, place, and purpose of the hearing in a newspaper of general circulation in the municipality affected.

(B) Posting of the same information in three or more public places within the municipality in conformance with location requirements of 1 V.S.A. § 312(c)(2), including posting within view from the public right-of-way most nearly adjacent to the property for which an application is made.

(C) Written notification to the applicant and to owners of all properties adjoining the property subject to development, including the owners of properties which would be contiguous to the property subject to development but for the interposition of a highway or other public right-of-way and, in any situation in which a variance is sought regarding setbacks from a State highway, also including written notification to the Secretary of Transportation. The notification shall include a description of the proposed project and shall be accompanied by information that clearly informs the recipient where additional information may be obtained, and that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal.

(2) Public notice for hearings on all other types of development review, including

administrative officer under this subsection may be appealed as provided in section 4465 of this title.

(d) Role of advisory commissions in development review. An advisory commission that has been established through section 4433 or chapter 118 of this title and that has been granted authority under the bylaws, by ordinance, or by resolution of the legislative body to advise the appropriate municipal panel or panels, applicants, and interested parties should perform the advisory function in the following manner:

(1) The administrative officer shall provide a copy or copies of applications subject to review by the advisory commission and all supporting information to the advisory commission upon determination that the application is complete.

(2) The advisory commission may review the application and prepare recommendations on each of the review standards within the commission's purview for consideration by the appropriate municipal panel at the public hearing on the application. The commission or individual members of the commission may meet with the applicant, interested parties, or both, conduct site visits, and perform other fact-finding that will enable the preparation of recommendations.

(3) Meetings by the advisory commission on the application shall comply with the Open Meeting Law, 1 V.S.A. chapter 5, subchapter 2, and the requirements of the commission's rules of procedure, but shall not be conducted as public hearings before a quasi-judicial body.

(4) The advisory commission's recommendations may be presented in writing at or before the public hearing of the appropriate municipal panel on the application, or may be presented orally at the public hearing.

(5) If the advisory commission finds that an application fails to comply with one or more of the review standards, it shall make every effort to inform the applicant of the negative recommendations before the public hearing, giving the applicant an opportunity to withdraw the application or otherwise prepare a response to the advisory committee's recommendations at the public hearing. Advisory commissions may also suggest remedies to correct the deficiencies that resulted in the negative recommendations. (Added 2003, No. 115 (Adj. Sess.), § 104; amended 2007, No. 75, § 29; 2009, No. 154 (Adj. Sess.), § 236; 2023, No. 47, § 10, eff. July 1, 2023; 2023, No. 181 (Adj. Sess.), § 58, eff. June 17, 2024.)

Table 6.2 Subdivision Application Requirements (cont.)

(C) Supporting Information & Documentation	Preliminary Plan	Final Plan
1. Engineering reports (water and wastewater systems); wastewater disposal plan (plan and section views) shall be presented at a minimum scale of 1" = 100 ft, although a scale of 1" = 30 ft. is preferred	√	√
2. Existing and proposed traffic generation rates, volumes*	Estimated	Documented
3. Road profiles; road, intersection and parking area geometry and construction schematics (or as shown on the plat)*	Draft	√
4. Proposed landscaping and screening*	√	√
5. Off-site easements (e.g., for water, wastewater, access)*	Draft	Final
6. Proposed phasing schedule*	Draft	Final
7. Proposed covenants, easements, conserved land agreement, road maintenance agreement, roadway waiver, wastewater system maintenance agreement, wastewater waiver, fire pond agreement, trail easement and offer, and other associated deed restrictions, in both paper and electronic formats (Microsoft Word® preferred)*	Draft	Final
8. Proposed homeowner or tenant association or agreements*	Draft	Final
9. Proposed performance bond or surety*	Description	Final
(D) As may be required by the Development Review Board:		
1. Stormwater and erosion control plan	As required under sketch plan approval	As required under sketch plan or preliminary approval
2. Grading plan (showing proposed areas of cut and fill)		
3. Shoreland management plan (for any proposed shoreline improvements)		
4. Proposed driveway and trail locations		
5. Conservation and Agricultural Land (open space) management plan		
6. Site reclamation plan (for subdivisions involving extraction)		
7. Traffic impact analysis (current and proposed traffic volumes, capacities, levels of service, proposed improvements)		
8. Fiscal impact analysis (analysis of fiscal costs and benefits to the town)		
9. Environmental assessment (analysis of potential environmental impacts, proposed mitigation measures)		

* Upon written request, may be waived by the Development Review Board.

TABLE 6.3 SUBDIVISION DESIGN GUIDE

Step 1. Identify Areas of High Public Value. The applicant shall clearly identify and delineate the boundaries of all Areas of High Public Value, as defined in Table 7.1, from maps, orthophotos, and site investigation. Appropriate management strategies shall be identified to ensure their preservation to the extent feasible. The Charlotte Conservation Commission and other appropriate organizations should be consulted with regard to determining which management strategies are most appropriate for particular resources.

Step 2. Identify Potential Development Areas. The applicant will identify potential development areas that minimize impact on Areas of High Public Value.

Step 3. Identify Building Envelopes. Building envelopes, to include all areas to be set aside for structures and parking areas, shall be identified. See Section 7.2(E)

Step 4. Identify Connecting Roads, Pedestrian Paths, Trails & Utilities. See Section 7.3(D).

Step 5. Identify Lot Lines (Boundaries). See Section 7.2(C).