

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

May 1st, 2023 6:30pm

Remote Meeting by Live Internet Video Stream and Telephone

Members Present:

Dr. Michael Klemens (Chair)
Cathy Shyer (Vice Chair)
Allen Cockerline (Regular Member)
Robert Riva (Regular Member)
Debra Allee (Alternate Member)
Dr. Danella Schiffer (Alternate Member)

Staff Present:

Abby Conroy (Land Use Director)
Miles Todaro (Land Use Technical Specialist)

1 **Brief Items and Announcements**

2 1. Call to order / Establish quorum

3 Chair Klemens called the meeting to order at 6:30pm. All Commission members were present.

4

5 2. Approval of Agenda

6 Chair Klemens requested that the agenda be amended to include after item 2: an introduction
7 of the new Land Use Technical Specialist (LUTS) and a discussion of an issue regarding buffers.

8

9 **Motion:** To approve the agenda as amended.

10 Made by Cockerline, seconded by Riva

11 Vote: 5-0-0

12

13 2.a. Land Use Technical Specialist Introduction.

14 Chair Klemens introduced the New Land Use Technical Specialist (LUTS) Miles Todaro. LUTS
15 Todaro provided an overview of his background for the Commission.

16

17 2.b. Buffer Discussion

18 Chair Klemens directed attention to a letter he wrote. The letter was written in response to a
19 proposal to the Inland Wetlands and Watercourses Commission (IWWC) by a local attorney and
20 IWWC Commissioner John Harney. The proposal was to provide tax relief in exchange for
21 wetland buffers. Chair Klemens' letter was written in opposition of the proposal. He explained
22 that he supports incentivizing property owners in the Lake Protection Overlay District to have
23 buffers, but believes tax relief is the wrong approach for a number of reasons. The letter
24 outlined his issues with the proposal including the implication that homeowners have the right
25 to pollute the lake and should be compensated for not doing so, the lack of fundamental
26 fairness, and others. Chair Klemens explained that he would like the Commission's approval to

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

May 1st, 2023 6:30pm

Remote Meeting by Live Internet Video Stream and Telephone

27 update and send the letter to the IWWC. Commissioner Cockerline answered that he would like
28 to read the letter on his own outside of a meeting before approving it. Chair Klemens supported
29 waiting two weeks to approve the letter and added that it could also be shortened or sent with
30 a cover letter. LUD Conroy explained that she has expressed her concern with the proposal to
31 IWWC. She does not fully support the idea of policy being written independent of the
32 Commission. Tax incentives have not yet been suggested by the IWWC during their regulation
33 rewrite process. Chair Klemens added that he believes the POCD being written currently
34 includes a section on incentivizing buffers. Chair Klemens added that there was strong support
35 for a slight mill rate increase, which he believes should not be accompanied by tax relief for a
36 certain group of people. He suggested buffers improving the lake could allow for more
37 developability, which would be an incentive.

38 Vice Chair Shyer commented that she's been to 25 years of Lake Association meetings. She has
39 observed that most property owners support buffers and often look for better ways to
40 implement them, yet she has never heard tax incentives for buffers suggested. She supports
41 reviewing the letter and approving it at the next meeting.

42 Alternate Member Schiffer expressed that she believes the attorney's role as a real estate
43 attorney and John Harney's role on the IWWC create a conflict of interest.

44

45 *Items 3 – 18 were skipped*

46

47 **Other Business**

48 19. POCD Discussion

49 LUD Conroy explained that the Strategies section is not complete. Chair Klemens explained that
50 they'll review the POCD page by page, and that they're primarily looking for structural
51 comments, not editorial. The Commission deliberated the rephrasing of a number of lines.

52 Commissioner Cockerline suggested describing the Rail Trail as "roughly maintained" rather
53 than "poorly maintained." The Commission deliberated the use of "Rail Trail" versus "Railroad
54 Ramble." Alternate Member Schiffer suggested making it clear that incentivizing commercial
55 businesses refers to small-scale local businesses as opposed to big box stores. Commissioner
56 Cockerline supported making this distinction clear. The Commission deliberated how to
57 rephrase this section of the chapter.

58 The Commission discussed whether to call attention to suggestions from the previous POCD
59 that have since been determined unfeasible. Specifically, burying utility wires (as suggested in

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

May 1st, 2023 6:30pm

Remote Meeting by Live Internet Video Stream and Telephone

60 the 2011 POCD) was since determined to be cost prohibitive. It was decided to explain this
61 decision in the infrastructure chapter.

62 Commissioner Cockerline questioned the inclusion of Lime Rock in a statement about
63 recommendations from the 2011 POCD to improve pedestrian circulation in village centers. The
64 statement points out these issues have not been addressed, which Chair Klemens suggested
65 should be changed when the results of the Collier's Study become available. The Commission
66 also discussed if and how property taxes are tied to age and income.

67 Alternate Member Schiffer suggested softening the phrasing of some statements. Vice Chair
68 Shyer suggested restructuring the Comprehensive Planning chapter. She believes leading with
69 planning successes would be the best way to introduce the chapter. The Commission also
70 decided to move this chapter after the Governance and Administration chapter. Alternate
71 Member Schiffer expressed that she wasn't sure the proposed Town Administrator should
72 report to the Board of Selectmen. To explain the reasoning behind this, LUD Conroy compared
73 the Town Administrator idea to her own role as the Principal Staff Person to an elected Board.
74 Commissioner Cockerline suggested prefacing the Town Administrator section with an
75 explanation that Salisbury needs to explore new governance options. He explained that he's not
76 sure he supports the concept of a Town Administrator, but he does support exploring various
77 governance possibilities.

78 Alternate Member Schiffer floated the concept of a governing board made of all the Chairs of
79 the Town's Commissions and the Board of Selectmen. Commissioner Cockerline did not support
80 this, but he reiterated his support of looking into alternative options. Chair Klemens supported
81 the idea of improving communication between Commissions and Boards, but not in the form of
82 another separate board. Commissioner Riva supported Commissioner Cockerline's suggestion
83 to keep this section broad and exploratory, rather than focusing too much on a specific
84 recommendation. The Commission deliberated the phrasing and structure of this section.

85 Chair Klemens emphasized the importance of the section recommending a Human Resources
86 Manager. The possibilities of outsourcing this resource and sharing with other local
87 governments through the Council of Governments were discussed. Commissioner Riva noted
88 that Human Resources responsibilities often constitute a full-time role. The Commission agreed
89 on restructuring this section to include the possibility of outsourcing a Human Resources
90 Manager.

91 Secretary Whalen informed the Commission that his discussion with Salisbury's First
92 Responders made it clear that recruiting and retaining new members has been a serious
93 challenge. The Commission discussed recommending that the tax incentive for volunteering be
94 increased. Secretary Whalen was not confident that an incentive would help engage enough
95 community members. LUD Conroy suggested that safety concerns and internal personnel

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

May 1st, 2023 6:30pm

Remote Meeting by Live Internet Video Stream and Telephone

96 conflicts could be part of the issue. The Commission generally agreed that a tax incentive would
97 be a good start, and should be recommended.

98 The Commission shifted attention to the Comprehensive Planning Chapter. The phrasing of the
99 section on Underlying Zoning was discussed. The practicality of the “Buildable Square” and
100 Salisbury’s parking regulations was also discussed.

101 It was noted at 8:25pm that Alternate Member Schiffer has been having connectivity issues
102 with the Zoom meeting.

103 Vice Chair Shyer suggested that the section on the Zoning Board of Appeals (ZBA) be softened.
104 The Commission deliberated if and how this section should be reworded. It was agreed to
105 change it to make the reasoning behind the suggestions clearer. LUD Conroy observed that
106 often the ZBA is treated like an entry-level role, but she believes it should be treated more
107 seriously.

108 Alternate Member Schiffer suggested softening the wording in a section of some of the Board
109 of Selectmen’s practices. Chair Klemens felt that this section will likely be backed up by the
110 upcoming Collier’s Study, but agreed on some wording changes. The Commission deliberated
111 how to reword this section.

112 Vice Chair Shyer questioned whether or not the included history of the Zoning Maps was
113 needed. LUD Conroy suggested that it could be separated out from the body text as a case
114 study. The Commission reviewed technical grammar changes for the rest of the section.

115 The Commission moved on to the Strategies section. Alternate Member Schiffer suggested that
116 for many residents, financial penalties are not sufficient as deterrent from defying the
117 Regulations. The Commission discussed citations and fines as an additional method of
118 enforcement. Vice Chair Shyer asked if citations could be issued to the contractors in the case
119 of a violation. LUD Conroy and Chair Klemens answered that in terms of Planning and Zoning,
120 the property owner is responsible for what happens on their property. Contractors are acting
121 on behalf of the property owner.

122 Commissioner Cockerline provided an example of an alternative to fines from a different Town,
123 regarding trees being illegally cut. Their language was changed from a \$1,000 fine per tree to a
124 requirement that the trees be replaced with like-kind trees. The cost of replacing large trees
125 made it no longer worth it for many to attempt illegal clearing. Commissioner Cockerline
126 acknowledged that this is narrowly applicable, but felt it was a relevant example. Vice Chair
127 Shyer suggested that the Commission find out what other Towns have done.

128 Chair Klemens drew attention the section on the performance of Commissions, and pointed out
129 that some Commissions have problems with absences. He views this as a problem associated
130 more with appointed Commissions than elected ones. LUD Conroy added that appointed

SALISBURY PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

May 1st, 2023 6:30pm

Remote Meeting by Live Internet Video Stream and Telephone

131 Commissioners have no defined parameters for performance. Elected Commissioners can be
132 voted out if the electorate is unhappy with their performance.

133 Vice Chair Shyer thanked Chair Klemens and LUD Conroy for their work putting together the
134 POCD. Chair Klemens and LUD Conroy thanked the Commission for their input. Chair Klemens
135 acknowledged that per Alternate Member Schiffer's comments, there are certain areas where
136 the language needs to be softened. Chair Klemens then reviewed the next steps for the
137 document.

138

139 **Adjournment**

140

141 **Motion:** To adjourn the meeting at 9:08pm

142 Made by Cockerline, seconded by Shyer

143 Vote: 5-0-0

144

145 Respectfully Submitted,

146 Miles Todaro

147 Land Use Technical Specialist