Town of Panton Chartered 1761

3176 Jersey Street • Panton, VT 05491-9331
Ph: 802.475.2333 • Fax: 802.475.2785

DEVELOPMENT REVIEW BOARD / PLANNING COMMISSION MINUTES

June 12, 2025

In Attendance: Kyle Rowe, Clerk/Treasurer; Jamie Dayton, DRB Member Gretchen Bailey, DRB member; Catherine Hays, DRB member; Dennis Mueller, DRB member; Abby Matsen, DRB member; Danelle Birong, Community Planner at Addison County Regional Planning Commission; Charles Kennett, Kathy Kennett, Robert DeGraaf, Sharon Ashcraft, M'Lissa Dayton, David Martini, Tom Saltus, Mary Rudd, Donna Oliver, Assistant Town Clerk

On Zoom: Deb Hartenstein

Kyle Rowe, Clerk/Treasurer, called the DRB portion of the meeting to order at 6:01 p.m.

1. The committee began with the election of officers. Catherine made a motion to nominate Jamie as chair; Gretchen seconded. The motion passed by a vote of 5-0. Dennis made a motion to nominate Gretchen as vice-chair; Catherine seconded. The motion passed 5-0. Dennis made a motion to nominate Catherine for secretary; Abby seconded. The motion passed 5-0. The secretary will provide assistance with special documentation, but does not take minutes. The assistant clerk should still take minutes for the committee.

2. The committee did not have a chance to review minutes of the May meeting, so approval of the minutes was tabled.

3. The committee then began the hearing on the Home Occupation III Permit request by Mr. Thomas Saltus of 2212 Panton Rd. He operates the business as a mobile repair operation with employees parking to pick up repair trucks and traveling to customers' locations. His employees will essentially not be on site. David explained that we need to be sure he complies with all zoning regulations (Section 355) and that the conditional use or development will not result in an undue adverse impact on character of the area or traffic patterns. There are no objections from neighbors and the town approves. Questions were raised regarding signage. The sign must not be in the right of way and should be 33 feet from the road center. Mr. Saltus stated that any signage would not be larger than his previous sign (in the window of his van). His business is doing well; he does not intend to grow the business. There were no other questions or concerns.

   Mary Rudd explained that the committee has the right to either make a motion now or caucus privately. Abby suggested the conditional use be approved pending screening of materials and number of employees. Mr. Saltus was comfortable with that. Catherine made a motion to accept the application for conditional use on the fulfillment of screening materials. Gretchen seconded.

All approved. The hearing on the matter was adjourned. Mr. Saltus will get a copy of the decision.

4. There was no public comment, other than complaints about audio quality of the meeting.

5. David gave his report as Zoning Administrator. In the last month, he had granted approval of extension of a front porch and had served a cease and desist order to halt construction of a basketball court on Staton Drive. The order has been appealed; there will be a hearing at the next regular meeting. They applied for a zoning permit about four years ago and it was rejected based on a setback issue and lakeshore protection.

   Catherine asked about an outstanding noise complaint on Arnolds Bay Road. David reported they have completed the work and are voluntarily in compliance. Catherine noted this would be taken up in the Planning Commission portion of the agenda.

6. There being no further business to discuss, Jamie made a motion to adjourn the DRB portion of the meeting. Gretchen seconded. All in favor.

Planning Commission minutes

1. The first order of business was the election of officers. Jamie called for a motion to nominate the chair of the PC. Gretchen nominated Jamie for chair; Catherine seconded. All in favor. Dennis nominated Gretchen for vice-chair; Jamie seconded. All in favor. Gretchen nominated Catherine for secretary; Abby seconded. All in favor.

2. Approval of the May minutes was tabled until the next meeting.

3. Danelle Birong was in attendance to provide updates on municipal planning grants. Although Panton was not awarded a planning grant this spring, there will be opportunities for mini planning grants in the fall. She is not sure what other funding might be available.

4. She presented Panton's Future Land Use (FLU) map. Act 181 is a revision of Act 250, allowing more flexibility and more leniency in future planning. Danelle reviewed the tiers within Act 181 and the colors associated with the tiers. Tier 1 allows for development of over 50 units; Tier 1B is for areas of less than 50 units; Tier 3 is undefined, but natural resource focused. Tier 2 is very similar to Act 250. Several questions were asked. Kathy Kennett asked how the boundary issue between Vergennes and Panton will affect this. Danelle said nothing had been determined yet. Sharon Ashcraft asked how housing targets are determined. Danelle said the State has laid out housing targets across the state, looking at a few different matrices.
   She suggested that Panton may be able to opt into Tier 1B, with the benefit of a village designation. A lot has to do with Vergennes planning. Their planned growth area is in the northeast corner, which may bleed into Panton. There was much discussion regarding South Road Trail.
   Catherine asked for clarification of the town center. Danelle said that Panton doesn't really have a defined center. The town gets to choose where the high-density areas are. She also pointed out that the map doesn't make zoning changes, just opportunities. If Panton opts for Tier 1B those areas would be exempt from Act 250. The committee agrees this was a lot to digest and wants time to consider their options. Danelle said that nothing is in stone until the committee passes or approves the town's plan.
   The committee discussed the need to meet again in July to discuss this further. Agreed that they should hold a special meeting on July 10th at 6pm. Deb asked who bears the cost of the

remapping. Danelle said the Addison County Regional Planning Commission is covering costs. Since Panton's town plan is currently set to expire in 2027, we have two years to outline a new town plan. With no further questions this portion of the meeting ended.

A man who identified himself as Claudico said he was married to Alexis Lowenstein came forward to ask about creating a subdivision on their land. Mary Rudd then explained that he should work with the Zoning Administrator to process this request. The DRB will oversee any changes to their land.

The Commission then began a hearing to discuss the proposed changes in the noise ordinance and enforcement provisions for zoning violations. Kyle reviewed the documents he had distributed with the proposed changes. David explained that in the past we could only go to court to enforce penalties. The enforcement ordinance was on the floor. Dennis asked for examples of the types of violations we have seen. There have generally been 2-3 per year. And those that we've had have been egregious and ongoing. There are fines, but they must be enforced by the Selectboard. When asked why these have not been enforced, David said he couldn't speak for the board. Dennis also pointed out that there were several instances in the document where the change to Administrative Officer had not been made. Jamie asked what model was used to create this document and how this compares with other communities. David said this was taken from language used in Vergennes and the penalties are consistent with other jurisdictions. Catherine asked David if this language was satisfactory, he said it was. David was asked to define 'public property'.

David said that driveway or lawn area is what is generally understood. It was noted that the courts made the determination, and they aren't exactly clear. David stated that he only considers violations when complaints are made, and that generally, exterior evidence is enough to make a determination. It was generally noted that the ZA has broad authority to make sure issued permits are complied with, including measuring and examining buildings.

The general consensus of the PC was to vote on this ordinance in the July meeting of the DRB/PC.

The PC then began discussion on the Noise Ordinance. It was noted that the Town currently has a noise regulation in the zoning regulations, but this would be an ordinance adoption that would strengthen this noise regulation. It was noted that the state also has some measure of noise regulations, but that these weren't enforceable by a Town ZA. David stated that this wasn't concerned necessarily with a single property in the town, there are generally several noise complaints in a year. Dennis stated the town has a relatively simple regulation now, do we need a more complicated one? Has any research been done on this issue?
It was noted that the ZA would make any original determinations, but if a noise complaint was cited, and the previous enforcement ordinance adopted as well, the DRB would have the final say on the issue. It was suggested that "excessive" with accompanying definitions be added to the regulations to make the issue more clear. Additionally, it was mentioned that holiday exceptions could be made a part of it, as well as agricultural exemptions.
It was generally agreed to take this issue up at the July DRB/PC meeting for a vote, after the board had time to review the matter.

Jaime motioned to end the hearing, Dennis seconded, All in Favor.

Robert DeGraaf provided the board with a sketch of the proposed location of some above ground gas tanks he would like to install at BJ's. David mentioned that the DRB would have to grant Conditional Use for those to be considered. It was generally agreed that Robert should continue to investigate this option and present to the board at a future date.

Seeing no other business, Jaime motioned to adjourn, All in Favor. The PC adjourned at 8:05 p.m.

Respectfully submitted,
Donna Oliver
Assistant Town Clerk