

Hardwick Planning Commission  
January 12, 2021  
Via Zoom  
Draft Minutes

HPC Members Present: Joyce Mandeville; Ken Davis; Jim Lewis; and Dave Gross, Chair

Also Present: Kristen Leahy, Hardwick Zoning Administrator (ZA); Shari Cornish, Select Board Member.

Absent: Michael Haveson

Chair Dave Gross opened the meeting at 6:33 pm.

The issue of Retail Cannabis was added to the agenda due to a request from the Select Board. Ken Davis moved to approve the agenda as amended. Joyce Mandeville seconded. All members were in favor.

Joyce Mandeville moved to approve the December 8, 2020 meeting minutes as written. Ken Davis seconded. All members were in favor.

The Select Board requested the opinion of the HPC regarding the timing of the town vote on opting into retail cannabis. Extensive information was provided for the Commission's consideration. Included in the information was a legislative overview from the Vermont League of Cities and Towns; suggested language from VLCT for a ballot vote; legal response from VLCT's staff attorney; a review from Healthy Vermont; and an overview of Act 164 from Prevention Works VT. Retail Cannabis can only be permitted in a municipality if the town votes to "opt-in" to the rules. The retail licenses will not be available until October of 2022, but towns in the region have begun to explore the question this year (2021).

Extensive discussion among the commission members occurred after review of the provided information. There was support for asking the voters' position in the 2021 year (instead of 2022) as the response of the town will provide clarity to any potential retail developers and to the HPC for zoning /regulatory updating. There was recognition that the actual regulations are not currently known (as per the information from Healthy Vermont and Prevention Works VT) but the Commission still wishes to know the will of the voters as soon as possible.

A motion was made to forward the following opinion to the Hardwick Select Board: "The Hardwick Town Plan strongly encourages business development in Hardwick. The Hardwick Planning Commission (HPC) believes that the cannabis questions should be put before the Hardwick voters at the 2021 Town Meeting. A vote in 2021 will allow potential vendors to know whether or not the Town permits this type of development and thus provide time for these vendors to pursue their plans in Hardwick or elsewhere. A 2021 vote will also allow the HPC to make any necessary regulatory modifications if the voters support retail cannabis." Ken Davis moved and Joyce Mandeville provided the second. All members were in favor. The opinion will be forwarded to the Select Board chair (Eric Remick) and Town Manager Shaun Fielder.

The HPC was updated on the status AT&T cell tower request on Buffalo Mountain. The Public Utility Commission was due to conduct a CPG review of the VT PUC Case No. 20-3175 PET: AT&T Hardwick 1061 Cooper Brook Drive. A motion to dismiss was filed by the applicant (AT&T) in December 2020. The Public Utility Commission issued an official notice of closure of the Case No. Prior to the Motion to Dismiss, the HPC

had voted to support Julie Gregonis' Motion to Dismiss. A letter in support was filed on the HPC's behalf at the PUC. Chair Dave Gross suggested that the Commission review the Commission procedures and the language in the Town Plan prior to any future applications for cell towers.

The Inn by the River provided the HPC with a preliminary examination of a proposed net-metered solar project. The project would occur at 223 Mill Street – between the Inn by the River and the current car wash. The current proposal has three rows of fixed solar panels. The lot in question is difficult to develop due to its location but with a solar project installed; the property will help both the business and renewable energy needs. The HPC does not currently have any additional questions for the developer and will wait to see the Section 8010 application prior to issuing an official statement.

The Zoning Office has been receiving multiple requests for enhanced development options in the Rural Residential zoning district. An owner will attend the February meeting to provide their experience and concerns. Meanwhile, the Zoning Administrator will reach out to VLCT, NVDA, and other communities to obtain potential updates that could be included in the Rural Residential zoning district to allow more smart growth to occur. The district could potentially benefit from more flexibility of development in a manner that acknowledges potential future needs.

After meeting with Dave Gross and Town Manager Shaun Fielder, Geoff Sewake has written a Letter of Intent for the Better Connections Grant. The Grant addresses transportation, smart growth, and multi-modal movement. The Letter of Interest is due by January 15, 2021 and the application will be due by February 19, 2021. A member inquired whether the funding could be utilized for the Swinging Bridge repairs. This particular grant is for planning and communication with the community. There was curiosity expressed about the phrase "underserved population." This was clarified by Geoff Sewake after the meeting – "*Underserved can mean many things. Age, race, gender, income, geography, cultural, nationality, orientation, religion. It depends on the location.*"

A motion to approve the submittal of the 2021 Better Connections Grant Letter of Intent was made by Ken Davis. Second was made by Joyce Mandeville. All members were in favor. (*Geoff Sewake was made aware of the motion after the meeting concluded*).

Due to a mistaken belief that the Chair, Dave Gross, was involved in the Swinging Bridge committee, a brief overview was requested. Chair Gross reported that, to the best of his knowledge, the committee was considering replacement versus complete removal. Furthermore, discussions are considering whether to replace with a similar structure or with a more accessible version. The committee reports to the Select Board and the HPC will receive pertinent information once it is available.

Ken Davis moved to close the meeting at 8:00. Jim Lewis seconded. All members were in favor.

The next HPC meeting will be on February 9, 2021 by Zoom.

~ Respectfully submitted, Kristen Leahy, ZA