

**Readsboro Planning Commission
Town of Readsboro
Readsboro, Vermont 05350**

September 5, 2017

To: Readsboro Selectboard

RE: Recommendations are based on the Public Hearing information gathering session held on July 10, 2017, in response to a Petition received by the Planning Commission from a group of Readsboro voters on March 21, 2017, to repeal the Zoning Bylaw in its entirety.

Summary of Public Hearing:

It is important to note that the Bylaw in and of itself is not the issue at hand, but that the administration of the Bylaw lacks credibility, and is viewed as being bias, with lack of follow through and with minimum or no support from the Planning Commission, Development Review Board and Selectboard.

The ongoing publicity in the media regarding zoning in Readsboro may lead many people to believe that the process is not working as intended, however, the Planning Commission strongly believes that this is a matter of opinion and not fact, as no appeals have been submitted to either the Development Review Board or Planning Commission regarding decisions made by the Zoning Administrator or the Development Review Board. The appeal process would allow the complainant, applicant and Development Review Board the opportunity to objectively respond to issues as they arise and an appropriate final decision made based on facts presented.

It is difficult to totally understand the extent of the issues presented since only 5 of the 34 people who signed the Petition were at the Public Hearing and a total of 14 people were present and included (Deerfield Valley News Reporter, Zoning Administrator, and 3 Members of the Planning Commission).

Issues unresolved according to paperwork submitted by Larry Hopkins:

- dissatisfaction with processing of applications
- long time frame to process applications
- no follow through to be sure application requirements have been met
- no response when violation is reported
- more support from Planning Commission and Selectboard
- same issues different result

Other issues submitted by John Whitman:

- Posting of minutes as required
- Development Review Board information/process not up-to-date
- Posting of minutes for Planning Commission and/or Development Review Board as required by the Open Meeting Law
- Documentation in Zoning files not sufficient
- Selectboard has responsibility for making sure all Boards are following proper rules and procedures.

Response by current Acting Zoning Administrator, Helyn Strom Henriksen:

Based on information provided by the current Acting Zoning Administrator, the following action has been taken to respond to issues of process:

- Files have been combined and coded with appropriate land identification (Tax Id)
- Zoning Administrator has processed old issues presented since the June 2014 Public Hearing
- Legal advice sought on old issues and those decisions cannot be changed without sufficient new information
- Selectboard has responded to the issue of non-posting of minutes in a timely manner to Web site (individual boards cannot post to web site so they must depend on Town Employees to post)

Suggestions made at Public Hearing:

- Suggestion was made at the hearing to hire a clerk to take minutes of all Boards and see to that they are posted as required
- It was also suggested that the Board Chair should follow up to make sure minutes are in fact posted as required

If we are unable to come to some common ground, issues and credibility of the Boards will continue to cloud the zoning process in Readsboro, and could lead to a successful vote to repeal the Bylaw.

1. Who interprets the Bylaw? This is not the easiest to answer. At times the Planning Commission in discussion with the ZA may respond to inquiries about the language (as the Planning Commission writes the Bylaw). (It should not be misconstrued that the Planning Commission tells the ZA what to do but does provide a sounding boarding when the language is in question). No record of these discussions other than in minutes of Planning Commission meetings, are kept for the next time such an issue may arise (it should be noted that the issue may appear to be the same but location and other factors may result in a different end result/decision). Each Zoning Application is processed on its own merits and decisions based on known facts.

2. The part-time, low pay of the Zoning Administrator position is still a negative factor. The Zoning Administrator position requires independent judgment that is constantly being questioned second guessed, but no formal appeal is filed. This is the avenue that should be taken when an individual, group or the Municipality disagrees with a decision by the DRB or Zoning Administrator.
3. Planning Commission and Development Review Boards are not at full strength leaving a few to do the work of several. Having Boards at full strength provide better services and allows these important boards to work at full capacity to better meet the needs of the community.

Planning Commission makes the following recommendations:

- Require training for all Development Review Board members including alternates, Planning Commissioners and Selectboard
- Review salary/compensation for Zoning Administrator
- Streamline application process (include a checklist) and other documents that will help applicant/Zoning Administrator
- Monitor postings to website of all Board/Commission Agendas and Meetings
- Seek new members so that boards/commission is at full strength
- Be sure that all Current Manuals, Directories or reference materials are available at the Town Office
- Establish a “complaint form” and follow up with response/action
- Planning Commission, Development Review Board and Zoning Administrator work more closely together.

Finally, the Planning Commission is committed to the Bylaw and its purpose and does not believe that its repeal will benefit the Town of Readsboro.

Planning Commissioners looks forward to your public hearing and looks to share as much information as possible with Selectboard and any other interested parties.

Respectfully submitted,

Susan Bailey, Chair
Readsboro Planning Commission

Attachments: Summary of Zoning Issues since February 2014 (Hopkins)
Zoning Report, July 2017 (Strom Henriksen)