Plainfield Planning Commission Minutes

Monday August 4th 2025

Present: Will Colgan, Karen Storey, David Scheckman, Charlie Cogbill, and Lorraine Banbury

Will called the meeting to order and asked for a motion to approve the minutes of the last meeting. David made the motion and Karen seconded it. The motion was approved.

Will introduced Lorraine Banbury from the Central Vermont Regional Planning Commission and who is also the Zoning Administrator for Marshfield. He had asked Lorraine for some advice on getting a definition of "applicant" for our subdivision amendments. Will suggested a definition for discussion would be the applicant would be the owner of the land or the person authorized to represent the land owner. The permit will be issued to the current or future land owner.

He asked Charlie if this definition addressed his concerns. Charlie said a previous discussion in front of the Development Review Board (DRB) had an applicant who did not have a clear relationship to the owner. The form for the DRB permit application indicates the owner is the applicant. He said the owner needs to be the applicant and can have an agent be a representative. But the owner is the applicant and should get the permit.

Karen said historically the town has allowed the applicant to be the developer who has the permission of the landowner. Will said he thought stating that the permit goes with land is good. He wondered if the CVRPC had sample language for "applicant" the way the proposed definition of Person is the same as the Act 250 language. Having tested language could avoid legal issues in the future.

David said he had reviewed other towns definitions and said they were all different. He said some towns use subdivider and some use applicant and he felt ultimately it didn't make a difference as long as both had authorization from the land owner.

Charlie said the receiver of the subdivision permit has to be the owner. The preliminary sketch plan for the East Village Expansion was presented by a person with no formal standing to the ad-hoc committee presenting the project. The only connection was the presenter was part of the committee and a letter from one land owner. He thought this was not appropriate. He said that there is an opportunity to correct the previous problematic procedure.

David said the proposed definition should help and having the sketch plan be a warned hearing will improve the process.
Charlie related another instance involving the CVRPC applying for a retention pond on the Health Center property without a letter for authorization so the situation is not unique.

Karen said the DRB decisions runs with the land. She had examples of permits where the owners changed but the permit is always attached to the property. It has to stay with the property the same as a conditional use stays with a building.

Will asked for some appropriate language examples for "applicant". Karen said permit runs with the land and that should be in the definition. Will suggested more common language might be better and will work on it.

He asked Lorraine if the CVRPC could make some suggestions. She said she has some of the same problems in Marshield. She said she would ask at the regional planning commission but suggested the best advice would be for the town to seek legal council for the zoning revisions when in doubt.

David mentioned that the Marshfield regulations had the provision that if the DRB had to consult with an attorney on a permit issue the applicant would cover the cost. It was agreed that this is a good idea.

Karen noted that in the Village Expansion meeting there were three tiers of possible applicants which made the situation more confusing than most of the permits she has issued.

Will bought up an agenda item from the last meeting concerning the 0 foot side setback for townhouses and how that impacts condominium ownership verses fee simple ownership and the financing options. He said he felt if there were no downsides to the 0 foot setback and it can help financing options it should be allowed. He had seen other zoning regulations with it but couldn't access them with the Zoom recording in progress.

David says there shouldn't be a problem with the financing as he has experience with it. Normal financing for a townhouse on one piece of property is no problem. He said as long as there are not certain types of restrictions in the HOA there can be FHA financing. He said it was a good thing to have an HOA with very dense building designs. Karen agreed. David felt writing regulations to avoid having an HOA is something he's not comfortable with. Will said since it's a complicated subject for now we should move on to the next item.

He sent out a draft letter to the PC members saying the Planning Commission is in favor of increasing the Goddard NDA boundary to include all of the property once the Water and Wastewater commission approves the expansion. Any new lines will be paid for by Goddard and utilize up to the existing capacity Goddard already has. It was originally understood that all of Goddard would be in the NDA but because the interaction between the Water and Wastewater ordinance and the Village District zoning allows some 2 acre parcels in the village without mandated sewer connections only a small area of the campus could meet the NDA criteria. The approval to serve the entire campus will allow the boundary to include the entire campus. Both David and Karen endorsed the letter.

Will said he was working on setting up a meeting with a representative from the Creative Campus at Goddard to finish the permit process for the different uses on the camps. He said he and Karen will work to get this done as soon as possible. Karen said because there are so many uses on a single property it's something the town hasn't dealt with before but it should be able to be worked out reasonably.

There was some discussion on how long the DRB could take to make a decision. A recent hearing has been continued for each of the last few months waiting on more information. Will thought that as long as the hearing had not be concluded that the time limit on the decision could be extended.

The meeting adjourned at 8 pm