

Town of Barre  
Planning Commission  
JUNE 15, 2022

The Town of Barre Planning Commission held a meeting and public hearing on Wednesday, June 15, 2022, beginning at 7:00 p.m. in the Municipal Building at 149 Websterville Road, Websterville, VT.

**MEMBERS PRESENT:**

In person: Byron Atwood, Cedric Sanborn, George Clain, Terry Reil, Chris Violette,  
and Mike Gilbar

**MEMBERS ABSENT:**

Craig Chase

**STAFF PRESENT:**

In person: Chris Violette  
Remote (video) Cindy Spaulding

**OTHERS PRESENT**

In person: Carl Rogers, Town Manager  
Remote (video) Paul White

1) **CHANGES TO THE AGENDA**

Mr. Sanborn called the meeting to order at 7:00 p.m. and asked whether there were any changes to the agenda. There were no changes to the agenda.

2) **APPROVAL OF MINUTES**

March 16, 2022

*On motion by Mr. Atwood, seconded by Mr. Clain, the Planning Commission approved the minutes of March 16, 2022 as written. Vote 6-0-0*

May 18, 2022

*On motion by Mr. Gilbar, seconded by Mr. Reil, the Planning Commission approved the minutes of May 18, 2022 as written. Vote 6-0-0.*

3) **NON-AGENDA PUBLIC COMMENT (if necessary limited at chair's discretion)**

Mr. Sanborn asked whether there were any non-agenda comments – there was none.

4) **REORGANIZATION (Annual)**

*Mr. Clain nominated Cedric Sanborn as Chair. Mr. Gilbar seconded the nomination. Vote 6-0-0.*

*Mr. Gilbar nominated Bryon Atwood as Vice Chair. Mr. Reil seconded the nomination. Vote 6-0-0.*

*Mr. Atwood nominated Cindy Spaulding as Clerk. Mr. Gilbar seconded the nomination. Vote 6-0-0.*

5) **ZONING BYLAW AMENDMENT – Public Hearing**

Hold public hearing for amendments to the Barre Town Zoning Bylaw summarized as follows:

1. Article 2, table 2.1 add cannabis uses to the use chart.
2. Article 3, section 3.17 add cannabis to the general regulation.
3. Article 8 add definitions for different cannabis uses.
4. Article 3, section 3.14 amends to better define a “farm” and “farm structures”.
5. Article 3.15 add accessory on farm business in accordance with State Statute.
6. Article 8, amend definition of accessory dwelling to be in line with State Statute.
7. Numerous spelling, grammatical and formatting errors throughout the document.

*On motion by Mr. Atwood, seconded by Mr. Gilbar, the Planning Commission opened the Zoning Bylaw Amendment Public Hearing at 7:08 pm. Vote 6-0-0.*

**Report – by Chris Violette, Planning Director**

The Barre Town Planning Commission is considering amendments to:

1. Article 2, Table 2.1 add cannabis uses to the use chart.
2. Article 3, Section 3.17 add cannabis to the general regulation.
3. Article 8, add definitions for different cannabis uses.
4. Article 3, Section 3.14 amends to better define a “farm” and “farm structures”.
5. Article 3, Section 3.15 add accessory on farm business in accordance with State Statute.
6. Article 8, amend definition of accessory dwelling to be in line with State Statute.
7. Numerous spelling, grammatical and formatting errors throughout the document.

**Article 2, Table 2.1 add cannabis uses to the use chart**

**Article 3, Section 3.17 add cannabis to the general regulation**

**Article 8, add definitions for different cannabis uses**

The three amendments noted above are related to the regulation of cannabis to the extent that Zoning Bylaws are allowed to by law.

The amendment to Article 2, Table 2.1 places the several different types of cannabis use into the Use Chart and allows placement of them into specific zones. By placing them individually in the Use Chart, we will rely less on trying to match them up with other uses not specifically related to cannabis.

Article 2, Table 2.1 establishes that all cannabis uses are to be reviewed by Conditional Use Review as opposed to being permitted uses. Placing them in this chart establishes that requirement.

Article 3, Section 3.17 adds a general description of cannabis uses and how they are regulated. It also notes that cannabis uses are regulated to the same extent other businesses are regulated in the Barre Town Zoning Bylaw.

Article 8 adds a definition for the different cannabis uses as defined by the Vermont Cannabis Control Board.

**Article 3, Section 3.14 amends to better define a “farm” and “farm structures”.**

Farming (which falls under required agricultural practices) is protected by 24 V.S.A. § 4413 (d) (1) (A). While the Barre Town Zoning Bylaw has always followed the exemptions to farming as required, terminology and specifics had fallen behind current statute. This amendment not only brings the exemption in line with current statute, but it also attempts to clarify for all what qualifies as a farm and maybe more importantly what a farm structure is and when it is exempt from municipal zoning.

**Article 3.15 add accessory on farm business in accordance with State Statute**

Act 143 (became law July 1, 2018) authorized and limited Zoning Bylaws of accessory on-farm businesses. Act 143 allows farmers to diversify operations and revenue streams and increase their ability to market agricultural products and the agricultural experience by welcoming the public to their farms.

This amendment brings the Barre Town Zoning Bylaw into compliance with 24 V.S.A. § 4412 (11) by adding accessory on farm businesses to the general regulation article, defining what they are and noting their exemption from zoning authority.

**Article 8, amend definition of accessory dwelling to be in line with State Statute.**

This amendment adjusts language to match 24 V.S.A. § 4412 (1) (E) that was changed in 2019 by the Vermont General Assembly.

The main change removes the term “efficiency or two-bedroom apartment may be considered as an accessory” dwelling and adds “that is a distinct unit”. It also allows for either the main or accessory dwelling to be the location of where the owner of the property lives and adds a 900 s.f. maximum size of an accessory dwelling.

**Numerous spelling, grammatical and formatting errors throughout the document.**

As always, while reviewing any document, minor spelling, grammatical and formatting errors are found. The Barre Town Zoning Bylaw is no exception. While already working through the process of amending the bylaw for the above items, the Barre Town Planning Commission is electing to correct some of these errors that do not impact the purpose or meaning of any part of or the function of the Barre Town Zoning Bylaw. The specific amendments are too numerous to detail but are all noted within the draft amendment.

This report is concluded by noting that a review of the Barre Town Municipal Plan finds there to be no conflict with any of the proposed amendments. They are all supported in the sense that they allow for controlled and orderly development.

Comments:

Mr. Violette provided an overview of the proposed zoning amendments as stated above. He provided guidance to procedural for closing the public hearing and requirements for the Selectboard would hold two Public hearings by fall.

Discussion participants: White, Rogers, Clain, Violette, Gilbar, Sanborn

Highlights of discussion of proposed amendments:

- Integrated multi use licenses. Not included but likely no necessary
- Very small on-farm cultivators may fall under farming exemptions
- Selectboard should create a local cannabis control board
- Nuisance ordinance may need to be amended as one area of local control to mitigate things like odor etc

*On motion by Mr. Gilbar, seconded by Mr. Reil, the Planning Commission voted to close the public hearing. Vote 6-0-0*

*On motion by Mr. Reil, seconded by Mr. Gilbar the Planning Commission voted to send the proposed amended Zoning Bylaw to the Selectboard for their review and possible adoption. Vote 6-0-0.*

6) **OLD BUSINESS – NONE**

7) **FOLLOW UP - NONE**

8) **ROUND TABLE**

Mr. Clain suggested that the Planning Commission ask the Selectboard to establish a Cannabis Control Commission to review cannabis establishments wanting to locate in town.

*On motion by Mr. Clain, seconded by Mr. Atwood, the Planning Commission recommends the Selectboard establish a Cannabis Control Board. Vote 6-0-0.*

Mr. Clain suggested Planning Commission ask the Selectboard to establish an Energy Committee as outlined in the Town Plan and Energy Plan for multiple reasons but to help collect data on efficiencies and usage. Mr. White suggested that the Planning Commission get information and recommend a charge for an Energy Committee before sending it to the Selectboard.

*On motion by Mr. Atwood, seconded by Mr. Clain, the Planning Commission recommend the Selectboard establish an Energy Committee. Vote 6-0-0 (this recommendation will be sent once information is gathered per discussion above)*

Mr. Clain suggested that the Town of Barre establish city centers or village centers to establish downtown designations. Mr. Atwood mentioned that establishing a downtown designation could have the ability to tap into grant funding.

9) **ADJOURN!**

*On motion by Mr. Gilbar, seconded by Mr. Clain, the Planning Commission adjourned the meeting at 7:57 p.m. Vote 6-0-0.*

Respectfully submitted,

Cindy Spaulding, Clerk

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Cedric Sanborn, Chair

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Mike Gilbar

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George Clain

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Byron Atwood

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Chris Violette

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Craig Chase

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Terry Reil