

# GEORGIA PLANNING COMMISSION

## MEETING MINUTES

June 23, 2020

**Board Members Present:** Suzanna Brown, Greg Drew, David Vincent, Emily Johnson, Maurice Fitzgerald, and Edward Simon.

**Board Members Absent:** None.

**Staff Present:** Lary Martell, Planning Coordinator and Cindy Deyak, Zoning Administrator.

**Others Present:** Buddy Meilleur, LCATV videographer, and Katlin Hayes, of Vermont Agency of Agriculture.

Planning Commission Chair Suzanna Brown called the meeting to order at 7:00 p.m.

### **Public Hearing:**

**No Public Hearings.**

Katlin Hayes, of Vermont Agency of Agriculture, joined the meeting to give the planning commission an overview of the Agency of Agriculture, Accessory On-Farm Business, policies, and discuss how the new policies affect town regulatory policies.

*The following is a summary of the discussion by zoning administrator Cindy Deyak;*

*Discussion with Kaitlin Hayes, Vermont Department of Agriculture, Water Quality Division  
Accessory on Farm Businesses*

*As of July 1, 2018, municipalities with zoning regulations cannot prohibit accessory businesses in the same location as a farm. A business meeting the definition of an “accessory on farm business” can only be reviewed by the local municipality under site plan review and require the business to meet performance standards for similar commercial uses.*

*Kaitlin began by explaining that the Vermont Agency of Agriculture has sole jurisdiction over Vermont farms that meet the thresholds/criteria set forth in the Required Agricultural Practices (RAPs). Unlike farm businesses and farm structures, which are devoted wholly to farming activities and are under the jurisdiction of the Vermont Agency of Agriculture, AOFBs may need municipal AFOB permits and can be subject to municipal site plan review if the municipal regulations so require. It is the Agency of Agriculture which determines whether a business is a farm and whether a structure is a farm structure. In order to qualify for an AOFB permit, the property must FIRST be deemed a farm by the Agency of Agriculture. However, the Agency of Agriculture cannot determine if an activity qualifies as an AOFB, that is the municipality’s purview. The agency only determines whether activities are “farming” or a structure is a “farm structure.”*

*An AOFB is defined as:*

1. *The storage, preparation, processing, and sale of qualifying products (those products wholly grown, raised, or produced on any farm), where more than half of the total annual sales of the AOFB is from qualifying products principally produced (50% of materials originate on the farm where they are sold or prepared) on the farm where the business is located; and/or*
2. *Educational, recreational or social events that feature agricultural practices or qualifying products as defined. AOFB events may include farm tours, farm stays, tastings, farm dinners, classes, etc. Weddings, private parties, etc., are not considered an AOFB unless the event features “qualifying products” as defined.*

*Kaitlin provided myriad materials which discuss AOFBs in greater detail. Particularly helpful is the sample zoning regulation drafted for the Town of Waltham which provides an overview as well as detailed explanations for AOFBs and how a town may regulate them. The actual statute may be found at 24 VSA Section 4412(11).*

The Accessory On-Farm Business was created to support Vermont farms business by allowing more versatile farm related business and uses of farm properties.

There was general discussion concerning the purpose and guidelines of the Accessory On-Farm Business, and how it affects town regulations.

Following discussion of the outline, Katlin Hayes thanked the planning commission for allowing her to address the board and left the meeting at 7:45 pm.

For more information regarding the Accessory On-Farm Business program, contact the planning office at [planning@townofgeorgia.com](mailto:planning@townofgeorgia.com) .

**7:45 pm the planning commission continued reviewing and amending the draft regulation updates.**

**The following is a list of changes provided by Cindy Deyak.**

1. **Article 10 - Definitions Recreation – page 209:** Move “Recreation” to new line.
2. **Article 10 – Definitions Renewable Energy – page 210.** Add “not be limited to” after “generation rate and shall include...” Add “hydro and micro hydro” after “energy crops...”
3. **Article 10 - Definitions Restaurant, Take-out – page 211.** Add “/delivery” after “as take-out...”
4. **Article 10 - Definitions Retail Store – page 211.** Add “motor vehicle sales” after “and excluding...”
5. **Article 10 - Definitions Service, Social – page 213.** Remove “daytime” from definition.
6. **Article 10 - Definitions Streetscape – page 214.** Add “sidewalks” after “street furniture...”

**7. Article 10 - Definitions Structure, Agricultural – page 215.** Remove “Agriculture in this section. Replace with “the Vermont Department of Agriculture”.

**8. Article 10 - Definitions Subdivision– page 215.** Suzanna has different language for this section. She will provide members with this language and the commission will review this section again.

**9. Article 10 - Definitions Use, Mixed– page 218.** Lary will check to see if language is provided in the South Village design criteria which precludes residential use on the first floor.

**10. Article 10 - Definitions Use Principal – page 218.** Add definition for Use, Principal.

**11. Article 10 - Definitions Wildlife Corridor– page 219.** Add definition for “wildlife corridor”. Suzanna has sample language and will supply.

**12. Article 10 - Definitions.** Suzanna has other definitions that she would like to include in Article 10 and will provide members with copies for review.

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**1. Article 9 – Flood Hazard Regulations – page 170:** Section 9.3(A)(1)(b) change “feet” to “foot” x3.

**2. Article 9 – Flood Hazard Regulations – page 173.** Subsection 7. Add “physical but not chemical” prior to “removal of invasive...”

**3. Article 9 – Flood Hazard Regulations – page 176.** Section B(1)(c). Add “(does not include chain link fence)” at the end of the sentence.

**4. Article 9 – Flood Hazard Regulations – page 178.** Section 1(a)(iii). Change “practicable” to “practical.”

**5. Article 9 – Flood Hazard Regulations – page 178.** Section 1(b). Eliminate entire paragraph beginning “For development that is either below grade or will not result....”

**6. Article 9 – Flood Hazard Regulations – page 178.** Section 2(a)(ii). Remove “lateral” from sentence.

**7. Article 9 – Flood Hazard Regulations – page 179.** Section 2(a)(vii). Remove dash between “land” and “ward”. Suzanna will provide a specific definition of “landward” to be included in the definitions section.

**8. Article 9 – Flood Hazard Regulations – page 180.** Section III. Add “and included in any deed of conveyance” at the end of the sentence.

**9. Article 9 – Flood Hazard Regulations – page 183.** Section b(i). Add “open” prior to “fences”.

**10. Article 9 – Flood Hazard Regulations – page 183.** Section B(3)(b). Add “The existing structure must be removed” at the end of this section.

**11. Article 9 – Flood Hazard Regulations – page 184.** Section C(iii). “This standard does not apply to lawns and landscaped areas in existence as of the effective date of these Regulation.” Suzanna and Lary will check on this and fix this language if possible.

**End of Discussion. Next discussion meeting July 14, 2020. Will continue Article 9 – Flood Hazard Regulations.**

**The review continued until 9:15 pm. Cindy Deyak left the meeting.**

**Greg Drew motioned to move into deliberative session at 9:15 pm; Emily Johnson seconded the motion. The vote was unanimous.**

**Buddy Meilleur left the meeting at 9:15 pm.**

**Maurice Fitzgerald stated he was not present during the June 9<sup>th</sup> hearing and was excused at 9:15 pm.**

**Greg Drew made the motion to come out of deliberative session at 9:20 pm; seconded by David Vincent. All were in favor.**

**Greg Drew moved to approve Sandy Birch Road, LLC draft Preliminary Plat decision application with changes; Emily Johnson seconded the motion. All were in favor.**

**Selectboard Concerns: None**

**Next meeting: July 14, 2020.**

**David Vincent moved to adjourn the meeting at 9:26 p.m. Greg Drew seconded. Approved unanimously.**

Respectfully submitted,  
Lary Martell, Planning Coordinator