

**Town of Corinth**  
**Planning Commission Meeting**  
**Minutes – January 4, 2024**

**Members in attendance:** Kerry DeWolfe (Chair), Russ Pazdro, Anne Margolis, and Kim Remillard.

Members of the Public in attendance: Andrew Alexander, Michael Tagliavia and James Guyer.

**The meeting was called to order at 7:17**

**Changes to the Agenda:** None

**Public Comment:** Following is a summary of the comments. Mr. Tagliavia said that Corinth was chartered in 1764 and has never had zoning and questioned why Corinth needs it now. He asked what the purpose was for the Municipal Planning Grant. Mr. Alexander asked about the process for amending meeting minutes. He said that the PC had called him a liar in the October minutes and that the amendments to the October minutes in the November minutes did not correct the situation. He said he felt like he was “crashing a party” when he attended PC meetings. Mr. Guyer expressed the concern that some members of the PC have not attended a meeting in six months. He asked how the notice requirement of the proposed change in the PC Rules of Procedure would work.

**Approval of Minutes:** The minutes of the November meeting were reviewed. RP made a motion to approve the minutes. KR seconded. During the discussion, when asked whether any of their comments had been mischaracterized, the members of the public did not have any objections. The motion passed, the minutes were approved.

**Correspondence:** The Chair received an email Notice from Newbury regarding its Town Plan. She will forward same to members.

**New Business:** The Chair proposed an amendment to the PC Rules of Procedure. There was a discussion about the need for the members to review the rules and consider how they might need to be amended. The Chair will investigate best practices in this area. The motion proposed in accordance with the PC Rules of Procedure was tabled for consideration at a future meeting.

**Old Business:** The Chair advised the PC that she had met with Holly Groschner from the selectboard regarding the revised Dilapidated Building Ordinance that the PC had submitted to the Selectboard in June. The Selectboard proposed a modest change in the existing ordinance, primarily increasing the fines. The Chair presented the PC with a revision of the existing ordinance that was likely to be accepted by the Selectboard. The members were concerned that the minor revisions to the existing ordinance did not address the concerns of the community that had guided the PC’s work revising the ordinance and that the comprehensive revisions that did address these concerns appear not to have been seriously considered. KD made the following motion: The proposed revision, a copy of which is attached to these minutes and incorporated by reference herein, be adopted by the PC and be presented to the Selectboard for its consideration. And, that the revisions submitted in June be held in abeyance. RP seconded the motion. After further discussion, a vote was taken and the motion passed.

The Chair reviewed the recent Vermont Supreme Court decisions involving local planning ordinances in Newbury and Pawlet.

The PC did not receive the Municipal Planning Grant that it applied for in October. The Chair informed the PC that she had spoken to Kevin Geiger from TRORC about services that the organization may be willing to provide going forward. TRORC agreed to lead the community meeting, *pro bono*, that has long been anticipated to discuss the survey, discuss options for land use regulations, and obtain community input about where we go from here. TRORC was available to do this on February 13, 2024, at 7:00. KD made motion as follows: 1) The PC will hold a community meeting on February 13, 2024, to be led by TRORC to discuss the survey, options for land use regulations and gather community input on the next step; and 2) the Chair is authorized to Notice this meeting in the JO and elsewhere and to work with TRORC on organizing the event. The motion was seconded by AM and passed unanimously.

**The Meeting was adjourned at 8:29 pm per motion of KD, seconded by RP.**

**NEXT MEETING: February 1, 2024, 7:00 pm.**

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**Dilapidated Building Ordinance — Proposed Changes:**

**PROPOSED MODIFICATION SECTION IV A (1)b**

*Three (3) business days after deposit in U.S. Mail by certified mail, return receipt requested, postage pre-paid, to the address used for mailing the Town property tax bill for the subject property.*

**PROPOSED ADDITION TO THE FIRST PARAGRAPH OF SECTION IV B**

*... The Building Safety Officer shall issue a Building Safety Order using the form in Attachment B.*

**PROPOSED MODIFICATION TO SECTION IV B (2)**

*Identify the hazardous conditions that cause the building or structure to be a Dilapidated Building and set forth the basis for the conclusion that building or structure is a Dilapidated Building*

**PROPOSED MODIFICATION TO THE FINAL PARAGRAPH OF SECTION IV B**

*The Building Safety Officer shall serve the Building Safety Order on the property owner as follows:*

- 1. By delivering the Order to the property owner personally.*
- 2. By mailing the Order to the property owner, certified mail, return receipt requested, at the address used for mailing the Town property tax bill for the subject property. Proof of mailing shall be proof of receipt.*

*The Building Safety Officer shall deliver a copy of the Order to the Selectboard within 5 days of the date of service of the Order.*

**PROPOSED MODIFICATION TO Section IV D (2) –**

- 1. The penalty for violation of this civil ordinance shall be a fine of \$500 and a fine of up to \$100 per day for every day after the date in the order specifying when the abatement of all hazardous conditions must be completed, that the property owner is not in compliance with the order.  
In determining the amount of any daily fine the Selectboard's discretion shall be guided by consideration the following, non-exclusive, factors: (1) actual or potential impact on public health, safety, and welfare resulting from the hazardous condition, (2) whether the property owner knew or had reason to know the hazardous condition existed, (3) the property owner's record of compliance, and (4) proper level of fines as a deterrent.*

**PROPOSED MODIFICATION TO Section IV C: Change 15 days to 30 days.**

# **TOWN OF CORINTH BUILDING SAFETY ORDER**

(The Dilapidated Building Ordinance is available at [www.corinthvt.org](http://www.corinthvt.org))

## **1. PROPERTY SUBJECT TO ORDER**

a. Name of owner(s):

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b. Mailing address of owner(s):

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c. Owner(s) phone number/email address:

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d. Physical location of property:

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## **2. DESCRIPTION OF EACH HAZARDOUS CONDITION AND BASIS FOR THE CONCLUSION THAT THIS IS A DILAPIDATED BUILDING:**

a. \_\_\_\_\_  
\_\_\_\_\_

b. \_\_\_\_\_  
\_\_\_\_\_

## **3. ABATEMENT ORDER FOR EACH HAZARDOUS CONDITION IDENTIFIED ABOVE:**

a. \_\_\_\_\_  
\_\_\_\_\_

b. \_\_\_\_\_  
\_\_\_\_\_

(Use the other side if additional space is needed)

## **4. DATE BY WHICH ALL ABATEMENT OF ALL HAZARDOUS CONDITIONS MUST BE COMPLETED: \_\_\_\_\_**

**IF YOU DO NOT COMPLY WITH THIS BUILDING SAFETY ORDER:**

1. The Town can impose a fine of \$500. The Town can also impose a fine of up to \$100 per day for every day after the date in Section 4 of this order (specifying when the abatement of all hazardous conditions must be completed), that you are not in compliance with the order.
2. The Town can also seek other monetary and injunctive relief in Court.

## **PROPERTY OWNERS' RIGHT TO APPEAL THIS DECISION**

You have the right to appeal the Building Safety Order to the Selectboard if you believe it is unfair or incorrect for any reason.

1. To appeal you **must** file a Notice of Appeal within 30 days of the date of this order by delivering the Notice to the Town Clerk's Office.
2. The Notice of Appeal **must** be in writing and signed by the owner of the property. It should state why you disagree with the order. A copy of the order **must** be included with your Notice.

If you file a timely Notice of Appeal:

1. The Selectboard must schedule a public hearing within 30 days of your Notice being received.
2. At the public hearing:
  - a. You can be present.
  - b. You can have a lawyer represent you.
  - c. You can present evidence and testimony from witnesses.
  - d. You can ask questions of the Building Safety Officer and any other witness testifying at the hearing.
  - e. You can argue your case.
3. The Selectboard must issue a written decision within 15 days of the close of the Public Hearing upholding, overturning, or modifying the Building Safety Order.

\_\_\_\_\_/\_\_\_\_\_  
DATE BUILDING SAFETY OFFICER print name

METHOD OF SERVICE OF ORDER: \_\_\_\_\_