

Planning Commission
Town of Ferrisburgh, Vt.

Approved - Minutes for meeting of July 19, 2017

Members present: Bob Beach (chair), Mike Quinn, Walter Reed, Bessie Sessions, Keith Wagner. **Absent:** Gail Blasius, Al Chamberlain, Anne Cohn, Arabella Holzapfel.

Visitors: Debbie Allen, Terry Allen, Don Cameron, Carl Cole, Judith Giusto, Jim Ouimette, Nora Wright.

Bob Beach, chair, opened the meeting at 7 p.m.

Approval of minutes from June 21, 2017: Mike Quinn made a motion to approve the minutes from June 21, 2017, as submitted. Bessie Sessions seconded. All voted in favor. **Motion approved.**

HEARING No. 1

Application 17-076. Application by Donald H. Cameron for a three-lot subdivision. The 6.6-acre property is located at 7056 Route 7 in the Highway Commercial District (HC-2) and is identified in the Town of Ferrisburgh tax maps as parcel 05/01/11/1.

Bob Beach opened the hearing at 7:05 p.m. Don Cameron was present to speak for the application. At its meeting on June 21, 2017, the board approved the application's sketch plan as a minor subdivision requiring one public hearing. There was a brief discussion of screening, parking, and the placement of new buildings on the lots; one lot already includes a large barn that has been converted into office space. Cameron mentioned that the property has a pre-existing Act 250 permit.

The public hearing was closed at 7:11 p.m. Bessie Sessions made a motion to approve the application as submitted. Mike Quinn seconded. All voted in favor. **Motion approved.**

Bob Beach told Don Cameron that Ken Wheeling, Ferrisburgh zoning and planning administrator, is taking a leave of absence, so Cameron should submit the final drawings of the subdivision as approved by the Planning Commission to the town, and let Beach know when they have been submitted so that he can sign off on them.

HEARING No. 2

Application 16-155. Application by Debbie and Terry Allen to reconfigure the map of their property to add 10 feet to the width of an existing 50-foot right of way. The 24.02-acre parcel is in the Rural

Agricultural 5-Acre (RA-5) District and is identified in the Town of Ferrisburgh tax maps as parcel 11/01/17.

Bob Beach opened the hearing at 7:15 p.m. Debbie and Terry Allen were present to speak for the application. The Allen's had received a building permit for the property from the zoning administrator, but the decision to issue the permit was appealed to the Zoning Board of Adjustment by neighboring property owners. They argued that the building lot did not have either road frontage or a 60-foot right of way, at least one of which is required by the town's zoning bylaws. The zoning board upheld the appeal at its meeting on February 1, 2017, and suggested the Allen's and their neighbors work together to resolve the issue. The Allen's reported that the plan for the lot has now been reconfigured to widen the right of way, the appeal has been withdrawn, and the Allen's have received all required state and federal permits.

Walter Reed made a motion to approve the application for reconfiguration of the property as presented. Keith Wagner seconded. All voted in favor. **Motion approved.**

Bob Beach suggested that the Allen's submit their request for a new building permit, along with new drawings and permit information, to town officials. It was noted that Pam Cousino, assistant town clerk and assistant town treasurer, had been designated to serve as interim zoning administrator during previously scheduled zoning office hours from 2-4 p.m. on July 20, 2017.

Other Business

Carl Cole and Judith Giusto were present to speak to Giusto's application to subdivide a 42-acre piece of property, identified as parcel 10/01/15 in the town's tax maps, into one 20-acre lot and two 11-acre lots. They said they wanted to clear up some issues with the sketch plan for the project presented at the June 21, 2017, meeting, including that a section of the original parcel includes a no-build zone; there would be two 11-acre lots, rather than one 22-acre lot; and existing septic easements needed to be marked. A revised sketch plan was submitted to address the issues.

Keith Wagner made a motion to approve the revised sketch plan for the three-lot minor subdivision requiring one public hearing. Mike Quinn seconded. All voted in favor. **Motion approved.**

Carl Cole said he would provide information on an easement affecting the property and other documents in advance of the August 16, 2017, meeting of the Planning Commission, when a public hearing on the subdivision will be held.

At 7:34 p.m., Bob Beach reopened application 17-028 by David Shlansky, recessed at the June 21, 2017, meeting. Carl Cole was present to speak for the application. On behalf of Shlansky, Carl requested that the Planning Commission recess the hearing until its next meeting on August 16, 2017. Bessie Sessions made a motion to recess the hearing. Keith Wagner seconded. All voted in favor. **Motion approved.**

At 7:36 p.m., Jim Ouimette addressed the board, saying he was the attorney representing Julia Laughlin, who owns an 81.6-acre parcel off Robinson Road, identified in the town's tax maps as parcel 10/01/09. The property can only be reached via a right of way (ROW) that also leads to the Ferrisburgh Town Forest. The ROW appears in versions of town maps over the years as Buckwheat Road and other names. The ROW is said to be three rods wide, or 49-1/2 feet. Ouimette said his client wanted to make sure that the ROW would satisfy the town's zoning bylaws, since there had been recent cases involving rights of way that suggested 60 feet was the minimum width. The ROW to the property is about 300 feet long. There was a discussion about the large number of three-rod rights of way in the town, all of which pre-date the 60-foot minimum.

Ouimette drafted and signed a request to the Planning Commission, also signed by Carl Cole as a representative for Julia Laughlin. The request asks the commission to approve having the discontinued town highway known as Buckwheat Road, three rods wide, serve as right of way to parcel 10/01/09. If the owner were to subdivide the property, requiring an extended right of way to additional lots, that ROW would be 60-feet wide, or whatever width was called for by town regulations.

Bessie Sessions moved that the request be approved as presented. Mike Quinn seconded. All voted in favor. **Motion approved.** All Planning Commission members present at the meeting signed the agreement.

Adjournment

At 8:20 p.m., Bessie Sessions made a motion to adjourn. Keith Wagner seconded. All voted in favor. Motion approved.

— Respectfully submitted,

Tim Etchells