

Planning Commission *Town of Ferrisburgh, Vt.*

DRAFT – Minutes for meeting of December 18, 2019

Members present: Bob Beach (chair), Gail Blasius, Al Chamberlain, Anne Cohn, Kristin DeBellis, Mike Quinn, Bessie Sessions, Walter Reed. **Absent:** Arabella Holzapfel. **Town official present:** Bonnie Barnes, zoning administrator.

Visitors present: Mike Magoon, Jean Richardson.

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

There was a brief discussion of green burial permits. Green burials, which are becoming increasingly popular, do not involve a burial vault or embalming. Bodies are simply wrapped simply and buried, usually in somewhat shallower graves than normal, and allowed to decompose. In some jurisdictions, green burials are allowed in private family cemeteries, but are not permitted in public cemeteries. Kristin DeBellis, who is the deputy health officer in Ferrisburgh, says town health officers are beginning to get questions about green burial practices, and that the questions will end up coming to zoning boards and planning commissions, too. She wondered whether the town wanted to consider coming up with rules, perhaps as part of its effort to rewrite zoning bylaws. Commission members thought that made sense.

Report from the Land Use Regulation Update Committee (LURUC). Jean Richardson, representing LURUC, began a report on progress the committee has made in drafting new zoning bylaws and subdivision regulations. She said LURUC members and others interested in the process had brainstormed about changes needed to the bylaws, pooling their ideas in an effort to come to consensus. The draft that has so far emerged includes sections from the existing bylaws; ideas about needed changes from committee members and others; parts of rules proposed back in 2007 when the town considered a bylaws rewrite; new definitions, including diagrams; and a great deal of material gathered by consultant Brandy Saxton, who worked with the committee on many of the more technical aspects of the zoning rules.

The commission paused this discussion at 7:12 p.m. to tackle the only application on its agenda.

Application 19-121 for a boundary adjustment between land owned by Brandon Hammond at 428 Middlebrook Road and a lot owned by Chris Hill at 508 Middlebrook Road. The properties are in the Rural Agricultural (RA-5) District and identified on Town of Ferrisburgh tax maps as parcels 23/20/20.1 (Hammond) and 23/20/21 (Hill).

Bob Beach opened the hearing at 7:12 p.m. Mike Magoon, land surveyor and consultant, was present to speak for the proposed boundary adjustment. The adjustment involves Chris Hill, owner of a 2.7-acre lot, purchasing 1.6 acres from Brandon Hammond, who owns a 37-acre parcel that surrounds Hill's lot. The adjustment would add land to the east, west and south of Hill's current parcel; Middlebrook Road is the northern boundary of both parcels. A portion of the 1.6-acre addition would be a narrow panhandle area to the east of Hill's lot and on the western border of a lot (23/20/22) owned by Brian Struhammer. This section also has frontage on Middlebrook Road.

Commission members had no concerns about the boundary adjustment. As it happened, the warning for the application that appeared in the newspaper had referred to the Planning Commission meeting as scheduled for Wednesday, December 19, rather than the correct date of Wednesday, December 18. That meant abutters and other interested parties might not have gotten the correct date for the meeting.

Rather than starting over and re-warning the hearing, commission members decided to act on the application, with the understanding that Bonnie Barnes, zoning administrator, would be present on Thursday, December 19, at 7 p.m. at the town offices to see if any of the abutters or other interested parties showed up to comment on the adjustment.

Gail Blasius made a motion to approve the application as submitted, with the understanding that if interested parties showed up on December 19 and wanted to be heard by the Planning Commission, the meeting would be reposted and the application discussed at a future meeting. Kristin DeBellis seconded. All voted in favor. **Motion approved.**

[NOTE: Bonnie Barnes, zoning administrator, reported no interested parties had shown up on December 19. So the vote of the Planning Commission on December 18 stands as the final decision.]

Report from the Land Use Regulation Update Committee (continued). Jean Richardson, resuming her presentation, said the zoning and subdivision rules had not been updated for some time: the last zoning update was in 2010, and the subdivision rules were still those adopted in 1980. She said LURUC had decided to combine the zoning bylaws and subdivision rules into one document, which might be called either “Land Use Regulations” or “Unified Development Bylaws.”

In addition to updating language, the goal was to create a shorter, crisper document, and the current draft is about 30 pages shorter than the existing bylaws. Richardson pointed out that the committee had not really tinkered yet with the Planned Unit Development section of the bylaws. She said consultant Brandy Saxton had analyzed the current regulations and identified places where there was a lack of consistency. Richardson also said Saxton’s draft sections on several of the more complex aspects of land use regulation, involving flood hazards, river corridors and shoreland protection, as well as wetlands and riparian buffers, involved quoting at length from state regulations, and the draft bylaws instead refer readers to the state rules, to keep the bylaws from being overly long and to ensure the rules don’t need to be amended every time new state laws are adopted.

Bob Beach said there had been a great deal of detailed information on state statutes presented in Saxton’s thorough analysis, and thought scaling that back in the bylaws themselves, sending people to state statutes, made good sense. He advised the Planning Commission members to spend some time with the draft document and pass on their thoughts to Jean Richardson, emphasizing that nothing was yet final.

Bonnie Barnes reported on the \$9,000 municipal planning grant that the town had recently received. The grant will be used for helping the town learn how to deal with the issue of increased development density, and what parts of town, if any, might be appropriate for such development. That will also help inform the work that needs to be done in rewriting the rules on Planned Unit

Developments. Barnes said the grant will help with outreach, allowing the town to hire a facilitator and hold public forums around town.

Barnes said the recent proposal to close the Ferrisburgh Central School, and the overwhelming vote from townspeople against that proposal, is now informing the conversation about land-use planning. She said LURUC hopes the school issue will bring more attention to the zoning bylaws rewrite. Committee members reported good attendance and a lively discussion at an open LURUC meeting on December 11 to discuss zoning issues.

Anne Cohn said Eric Blair, a planner and designer from Cornwall who had attended the December 11 meeting, presented a lot of interesting ideas, and the reaction to them at the meeting showed that others are interested in helping push things forward. Gail Blasius said Blair had talked specifically about how good planning and increased density can help create community.

Jean Richardson said ideas are being floated about the possibility of increased development density in two areas of town, the section north and south of the town hall, surrounding the intersection of Route 7 and Little Chicago Road, and in the Route 7/Old Hollow Road section of North Ferrisburgh.

It was pointed out that septic and water availability are always limiting factors when it comes to development, and that there might be an opportunity for some sections of Ferrisburgh if Vergennes decided to extend its sewer and water lines. With a new city manager and talk about a new city plan in Vergennes, there might be an opportunity for additional cooperation.

Mike Quinn asked about subdivisions where landowners simply wanted to divide lots for possible future sale, without doing anything about infrastructure. Bonnie Barnes said the town should not create barriers for people who just want to sell a parcel, but that at least some minimal site review would make sense to ensure lots being created can support future development.

Bob Beach asked commission members to let Jean Richardson know what they do and don't like about the subdivision regulations. It was suggested the rules should include a list of exactly what information a homeowner needs to include in a subdivision application.

Approval of minutes: Mike Quinn made a motion to approve the minutes of August 21, 2019, as submitted. Anne Cohn seconded. All voted in favor. **Motion approved.**

Adjournment: Kristin DeBellis made a motion to adjourn the meeting at 8:09 p.m. Gail Blasius seconded. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells