

Planning Commission
Town of Ferrisburgh, Vt.

FINAL – Minutes for meeting of March 21, 2018; approved April 18, 2018

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

Visitors present: Jason Barnard, Lacy Couture, Bernard Dam, Jeff Kelley, Bernard Perron, Dorothy Perron, Joe Rivers, Patrick Whitley.

Town official present: Bonnie Barnes, zoning administrator.

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

Approval of minutes from October 18, 2017: Gail Blasius made a motion to approve the minutes of October 18, 2017, as submitted. Bessie Sessions seconded. Bob Beach, Gail Blasius, Walter Reed, Bessie Sessions and Keith Wagner voted in favor. Al Chamberlain and Mike Quinn abstained. **Motion approved.**

Approval of minutes from January 17, 2018: Walter Reed made a motion to approve the minutes of January 17, 2018, as submitted. Mike Quinn seconded. Bob Beach, Gail Blasius, Mike Quinn, Walter Reed and Bessie Sessions voted in favor. Al Chamberlain and Keith Wagner abstained. **Motion approved.**

Resubmission of mylar for a three-lot subdivision approved on July 18, 2017. The application, No. 17-076, by Donald H. Cameron was for a three-lot subdivision totaling about 6.5 acres on the east side of Route 7 in the Highway Commercial District (HC-2). The property is identified in Town of Ferrisburgh tax maps as parcel 05/01/11.1.

Bob Beach opened the proceedings at 7:05 p.m. Applicant Don Cameron was present. The application had been approved on July 18, 2017, but the final mylar for the project had not been received before the deadline, so the applicant had been asked to resubmit that mylar. Gail Blasius made a motion to approve the final mylar as submitted. Keith Wagner seconded. All voted in favor. **Motion approved.** Bob Beach said he would sign the mylar after the meeting.

Application No. 18-006 by Joseph and Jackie Rivers for a two-lot subdivision located at 3838 Sand Road. The parcel is in the Rural Agricultural District (RA-5), and identified in Town of Ferrisburgh tax maps as parcel 08/01/12.2.

Bob Beach opened the hearing at 7:15 p.m. Jason Barnard of the consulting firm Barnard & Gervais and property owner Joe Rivers were present to speak for the application. There was a brief discussion of the applicant's plans for the property, including the location of the building envelope and septic system on the newly-created lot, the northern half of the 10.6-acre parcel. Board members suggested that any house on the new lot be located so as few trees as possible would have to be removed. They also asked that the site plan include a

building envelope and the location of the septic system, as well as the position of a required curb cut on Sand Road, which will have to be approved by the Highway Department. Joe Rivers said he was not sure whether he would be developing the property himself or leaving that up to the purchasers.

Bessie Sessions made a motion to close the hearing at 7:20 p.m. Mike Quinn seconded. All voted in favor. **Motion approved.**

Bessie Sessions made a motion to approve the two-lot subdivision as presented, with the condition that the final mylar include the building envelope, septic system location and curb cut position. Gail Blasius seconded. All voted in favor. **Motion approved.**

Application No. 18-008 by Bernard Dam for sketch plan review of a four-lot subdivision on the east side of Button Bay Road. The application involves creating three new lots of just over 5 acres each. The parcel is in the Rural Agricultural District (RA-5) and is identified on Town of Ferrisburgh tax maps as parcel 13/01/29.

Bob Beach opened the sketch plan review at 7:25 p.m. Bernard Dam was present to speak for the application. He plans to create three 5-acre lots from a slice of his property that runs from Webster Road north along Button Bay Road. There is an existing mound system on one of the lots that serves a lakeshore lot across the road. New mound systems would be built on each lot. He said lots would be for single-family houses and that the homes would not include trailers.

A neighboring property owner who was unable to attend the meeting sent a letter asking questions about several issues, including: surface water and erosion management; the impact on traffic on Button Bay Road, which is part of the Lake Champlain Bikeway; and whether the development of this property is in keeping with the new Ferrisburgh Town Plan. Another neighbor at the meeting also expressed concern about run-off issues.

Al Chamberlain said board members might want to visit the site to see what the issues are and how they could be managed. Bob Beach suggested that in developing the lots, which are now part of a cornfield, more permanent vegetation would be planted and the lots would be landscaped, which might lesson run-off. Walter Reed said the Planning Commission could make plantings a condition for approving the application. Mike Quinn said the site plan should identify building envelopes, septic system locations and curb cuts. Walter Reed said one curb cut, for the southernmost lot, could be located on Webster Road.

Bessie Sessions made a motion to classify the development as a minor subdivision requiring one more hearing. Gail Blasius seconded. Bob Beach, Gail Blasius, Al Chamberlain, Mike Quinn, Bessie Sessions and Keith Wagner voted in favor. Walter Reed abstained. **Motion approved.**

Board members said that before the next hearing, the applicant should develop more detailed site plans that locate building envelopes, septic systems and curb cuts and include

topographic features of the lots. The applicant should also be ready to address run-off and traffic issues raised by neighbors.

Application No. 18-010 by Bernard and Dorothy Perron for review of the sketch plan for a four-lot subdivision at 2437 Middlebrook Road. The 50-acre parcel involved is in the Rural Agricultural District (RA-5) and identified in Town of Ferrisburgh tax maps as parcels 10/01/55.

Bob Beach opened the sketch plan review at 7:55 p.m. Dorothy and Bernard Perron were present to speak for the application. They said it was their hope to divide their 50-acre parcel into four lots: one, where their home is located, would be about 11 acres; one, which they hope to pass on to their son, would be about 25 acres; and the two others — would be 5.6 and 6.4 acres.

During a discussion of the application, Bessie Sessions said it appeared a significant portion of the parcel is not in the RA-5 District but in the Conservation District (CON-25), which has a 25-acre minimum lot size for development. While the proposed 25-acre lot would be allowed, portions of the three smaller lots might also be affected by the CON-25 requirements, since they appear to be partly in the Conservation District.

The applicants were asked to go back to their surveyors and have the firm work with the town's zoning administrator to determine the boundary of the Conservation District as it affects the parcel. Board members said it might be possible to subdivide the parcel into four lots as long as the smaller lots were almost completely within the Rural Agricultural District. Town bylaws say that a lot in two districts will be governed by the more restrictive rules if it encroaches on that district by more than 30 feet.

Bessie Sessions made a motion to continue the sketch plan review to a future meeting, after the applicants have had a chance to review the Conservation District/Rural Agricultural District boundaries on the parcel. Mike Quinn seconded. All voted in favor. **Motion approved.**

Application No. 18-011 by Town & Country Homes Inc. for a two-lot subdivision of land owned by Paulette McNary at 1908 Route 7. The parcel is in the Rural Agricultural District (RA-5) and is identified in Town of Ferrisburgh tax maps as parcel 15/01/6.1.

Bob Beach opened the hearing at 8:15 p.m. Jeff Kelley, Lacy Couture and Patrick Whitley were present to speak for the application. The plan is to subdivide a 22.63-acre parcel into one 5-acre parcel, which would be retained by Paulette McNary and would include her current home and the adjacent SunCommon solar field; and one 17.63-acre parcel, which would be purchased by Town & Country Homes, now based in Vergennes, for use as a modular and mobile home sales lot. The Town & Country lot would include much of the land previously used for the Ferrisburgh Driving Range. The lot would run east of Route 7 from the large barn on the north to a point opposite the junction of Route 7 and Route 22A on the south.

There was a brief discussion of septic easements, wetland issues and the location of the sales lot on the property. Patrick Whitley said the office and sales lot would be generally where the current parking lot, mini-golf course, putting green and golf hut are located.

Walter Reed made a motion to close the public hearing at 8:25 p.m. Gail Blasius seconded. All voted in favor. **Motion approved.**

Al Chamberlain made a motion to approve the two-lot subdivision as presented. Mike Quinn seconded. All voted in favor. **Motion approved.**

Other Business

Board members discussed the proposed rewrite of the town's zoning bylaws. Arabella Holzapfel, the Planning Commission member who has taken the lead on this project, was not able to attend the meeting. Board members talked about grant money that may be available to the town to help pay for the work on updating the bylaws. They wondered what the best use of that grant money might be. Some members said the town might not need a complete rewrite, but rather just had to button up a few things. Bonnie Barnes, zoning administrator, said she felt some significant issues needed to be addressed, and required someone with specific expertise in writing zoning regulations. She also suggested that all parts of the bylaws have to work together, so that making piecemeal changes can be problematic. She said she would be willing to help coordinate the process, but believed the town would be best served by spending any possible grant money on someone with experience reworking zoning bylaws.

Bob Beach said he would contact Arabella Holzapfel to get her thoughts; she had envisioned a first phase that involved outreach to gather ideas from various individuals and constituencies. He will also be in touch with Addison County Regional Planning Commission and the Vermont League of Cities and Towns to see what assistance they might be able to offer.

Adjournment

Bessie Sessions made a motion to adjourn the meeting at 9 p.m. Mike Quinn seconded. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells