

Approved on: January 19, 2022

Planning Commission
Town of Ferrisburgh, VT

Minutes for meeting of December 15, 2021

Note: This meeting was conducted both in-person and remotely. Some participants joined the meeting through a Zoom online meeting, while others were in-person.

Members present: Bob Beach, Jr. (Chair), Gail Blasius, Anne Cohn, Walter Reed II, Bessie Sessions, Michael Quinn, Arabella Holzapfel, Kristin DeBellis **Members absent:** Al Chamberlain

Town official present: Bonnie Barnes, Zoning Administrator, Robyn King, Minute Taker, Craig Heindel, Conservation Commission

Participants present: John DeVos, Cheryl DeVos, Anna Charlebois-Ouellette, Levi Irving, Randy Ouellette, Betsy Etchells, Chad Hawkins Steady, Rick White, Audrey White John Brooks, Jean Richardson, Stephanie Lowe, Shannon Warden, Marvin Morley, Steven North, Cairn Cross, Scott Cousino

Application #21-170 for final plat approval for 2-lot subdivision; 523 Ashley Road; applicants Cheryl and John DeVos; Rural Agricultural (RA-5) and Conservation (CONS-25) Districts; tax map id no. 04/01/15.11

Walter Reed II called the meeting to order at 7:04 pm and introduced the first application for a 2-lot subdivision on 523 Ashley Road. John DeVos explained the application and noted that it pertained to the piece of property that included a farmhouse. Walter Reed II confirmed that they were keeping the large part of the farm and Anne Cohn confirmed that part of the property was to be sold to the Vermont Department of Fish and Wildlife. There was further explanation of the boundaries of the proposed subdivision and the areas which were earmarked for the Vermont Department of Fish and Wildlife. Craig Heindel explained where the conservation zone boundary was on the map that was presented. Craig Heindel asked if there were any proposed roads or buildings in the conservation zone, and Mr. DeVos noted there were no roads planned. The pre-existing bridge and buffers were discussed.

There being no comments from the public, ***Gail Blasius made a motion to close the public hearing, which was seconded by Michael Quinn and the motion passed unanimously. The public hearing closed at 7:12 pm.***

In discussion, Bonnie Barnes clarified that the proposal was not for the creation of a separate five-acre lot and was not for a boundary adjustment but was for a subdivision that would create two separate lots. Bonnie Barnes explained that the second lot, which is not next to the house would be adjoined with the other land and this would all be within the conserved land. Bonnie Barnes suggested that there may be a condition that addresses the land trust arrangement.

Approved on: January 19, 2022

Gail Blasius noted this should be a condition, and Bessie Sessions asked if the arrangement with the Vermont Department of Fish and Wildlife was in writing, and Bonnie Barnes explained that it has not been provided yet. Walter Reed II asked if there was an interest in making a motion that explained that the five acres separate from the conserved lot would be added and that within a certain timeframe, there would be written documentation of the arrangement with the Department of Fish and Wildlife.

Anne Cohn made a motion to approve the 2-lot subdivision provided that the 5 acres that is attached to the larger lot that's in the conservation district would be merged into one parcel and there would be a letter from the Department of Fish and Wildlife regarding the acquisition within 90 days of this approval.

Michael Quinn asked about the evolution of the proposal and confirmed that with this proposal, it was two lots with five acres each. There was clarification on the split between the two zones within the proposal.

Michael Quinn seconded the motion made by Anne Cohn and the motion passed unanimously, with Gail Blasius abstaining.

Application #21-177 for final plat approval for 2-lot subdivision; 62 Hawkins Bay Lane; applicants Linda Hawkins Property LLC and Chad Hawkins Steady; Rural Agricultural (RA-5) District; tax map id no. 04/01/27.3

It was explained that there would be 12 acres subdivided from a 115-acre parcel by Walter Reed II and this is a fairly square and simple lot. Chad Hawkins Steady noted that there would be no change to the right-of-way or any of the roads. Gail Blasius asked if the remaining land in the proposal would be in the land trust. Ms. Etchells explained that this was the final plat review of the proposed subdivision and that the plan follows what was presented at the preliminary sketch review that occurred in October. Ms. Etchells noted that it would be a 12.25-acre parcel that would be separated, and this was surveyed by Kittredge and Ms. Etchells presented the final survey.

Ms. Etchells noted that the house site is as described, with the water and wastewater sites identified and the power easement identified. It was noted that there were no changes in access or driveway off Hawkins Bay Lane. Ms. Etchells noted that Mr. Steady would own the house site and the remainder would be owned by Linda Hawkins LLC and it would amount to 103 acres. Ms. Etchells explained some of the background of the site, noting the Linda Hawkins left the entire parcel to Chad Hawkins and Lance Hawkins. Lance Hawkins had sold his part of the parcel, but Mr. Steady wanted to retain his part of the property. Mr. Steady became interested in reducing property taxes, but both Hawkins wanted to conserve the parcel to the extent possible. Ms. Etchells noted that she had spoken with a representative from the Vermont Land Trust, and they were working together to preserve the land in the name of Linda Hawkins, and it's been assessed that this land would be important for conservation. Ms. Etchells noted her appreciation of the written comments from the Conservation Commission and

Approved on: January 19, 2022

concluded that the sons of Linda Hawkins wanted to honor their mother with this conservation effort.

It was noted by Commission Members that they appreciated the project. Craig Heindel asked if there was a status on the wastewater permit and it was noted that there was an existing septic system shown on the map. Craig Heindel noted that the state would likely want to know that the existing system hadn't failed as well as the location or replacement area if it had and Ms. Etchells explained that everything related to wastewater was displayed on the survey map.

Gail Blasius asked that if approved, if the land would be owned by the land trust and left as-is. Mr. Steady explained that the land to be subdivided would be farmed to the best of his knowledge. Craig Heindel noted the Conservation Commission would be accepting of the subdivision even if the end use of the subdivided land ended up not being actively farmed. Ms. Etchells noted that the Vermont Land Trust has shown interest in this parcel, and Craig Heindel noted that conserving this land is important from a wildlife point-of-view.

Walter Reed made a motion to close the public hearing at 7:32 pm and the motion passed unanimously. Anne Cohn made a motion to accept the subdivision of the 12.25 acres from the 115-acre parcel. Gail Blasius seconded the motion and the motion passed unanimously.

Application #21-167 for sketch plan review of 53 lot commercial/residential PUD; 462 Monkton Road; applicant Cornerstone Solutions; Rural Agricultural (RA-5) and Highway Mixed Use (HMU-2) Districts; tax map id no 15/02/12 & 15/02/37.12

There was the introduction of Anna Charlebois-Ouellette, Levi Irving, and Randy Ouellette who were present to speak to the application. Mr. Irving showed the audience and the Commission members the plans, pointing out the intersection at Monkton Road. Ms. Charlebois-Ouellette noted the curb cut that went to Peter Markowski's barn. Mr. Irving pointed out the agricultural fields, wetlands, and wooded area and explained that there had been an assessment of the infrastructure that may be able to support residential units in this area including a soils assessment. Mr. Irving explained that Ms. Charlebois-Ouellette and Randy Ouellette put together a planned unit development (PUD) proposal that included several residential lots in the back fields and along the Route 7 corridor there would be commercial development in accordance with the zoning map as this area is commercially zoned.

Mr. Irving noted some features on the map and pointed out the siting of the residential units, commercial components, the land to be conserved, as well as the potential septic layout. Mr. Irving explained that they were able to calculate capacities and create the proposal for a prescriptive mass system which would be tucked up into the woods and out of site from Route 7. Mr. Irving explained that part of the proposal was plans to dispose of the effluent and wastewater and pointed out the layout on the map and the corresponding connections to a mound system. Mr. Irving pointed out that each residential unit would have its own septic tank.

Approved on: January 19, 2022

Mr. Irving noted that there were five pump stations in the proposed layout and that the commercial plans have its own collection system which would be discharged to a mound with a 120-employee capacity.

Mr. Irving went on to explain plans for the water system and noted that there had been a discussion with the Vergennes/Panton water department who estimated that there was adequate capacity to serve the residential and commercial units. Mr. Irving pointed out the water main on Monkton Road and per discussions with the Vermont Department of Environmental Conservation, there is a planned loop system to connect to all of the commercial sites and a line and loops to the residential sections. There was a question raised about planning for the event of fires, and Mr. Irving noted there were 9 fire hydrants noted on the site plan and explained the 500-foot radius for each hydrant.

Walter Reed II asked about the size of the serving line, and Mr. Irving noted that it would be a 12-inch line and the maps showed the capacity to serve the components and lots with a spur to serve the commercial development. Gail Blasius asked about the acreage of the residential lots, and Ms. Charlebois-Ouellette noted that they would all be about .6 acres, with a little difference in size. Gail Blasius confirmed that they would essentially be half-acre lots and Ms. Charlebois-Ouellette noted that there are wetland buffers but there was roughly the same amount of building lot and buildable space. Walter Reed II asked about the 13 lots that appeared to be overlaid on wetlands. Ms. Charlebois-Ouellette showed the wetlands and explained they had been in touch with the Vermont Department of Wetlands, and it had been confirmed that so long as there is a 50-foot buffer with plantings, these would be considered as a no-build zone within the building lots. Ms. Charlebois-Ouellette noted that this meant no buildings, driveways, or any kinds of roads within that zone on the lots.

Walter Reed II asked if there were any dimensions proposed for the residential lots regarding the wetlands space. Michael Quinn asked how much buildable space was on each lot, and if it was close to 50%. Ms. Charlebois-Ouellette noted that the commercial lots are closer to an acre lot or more. Michael Quinn asked about building envelopes, and Ms. Charlebois-Ouellette noted that this was all on the proposed plans, near the very end of the planning documents. Ms. Charlebois-Ouellette noted that the intent was to build a development that would benefit the community and would provide more opportunity for jobs and for places for families to settle. Water Reed II asked if the job creation was due to the creation of 53 new lots or if there was other intent. Ms. Charlebois-Ouellette noted that the commercial lots can create jobs, and there would also be ancillary jobs created from landscaping and other activities on the site. Ms. Charlebois-Ouellette noted that they were not sure who may be interested in purchasing the commercial lots yet. Randy Ouellette explained that there was observed growth in neighboring towns, such as Bristol, and this would be a great opportunity for local contractors, and other makers who may want to settle in Ferrisburgh.

Anne Cohn asked about walkability and plans for sidewalks. Ms Charlebois-Ouellette explained that there were plans for walking trails. Mr. Irving noted that the sketch plan did not have all the details as they were seeking feedback but there were plans for sidewalks and rights-of-way that

Approved on: January 19, 2022

were highlighted. Mr. Irving noted that there were some trails that were sketched out in the conserved area and the idea was to promote compact development for more conservation options.

Michael Quinn asked about stormwater and Mr. Irving noted that this was a big component of the project, and they would be proposing a wetland treatment system. Mr. Irving pointed out plans for catch basins and a wetland treatment with gravel. Mr. John Brooks from the audience explained that there was a need for housing and asked if this development would be planned for high-end housing. Ms. Charlebois-Ouellette noted that the intent was for there to be affordable housing not comparable to the \$500,000 houses that could be found in Vergennes. There was discussion of the need for affordable housing, and Mr. Irving pointed out that the residential lots are small and would likely support more modest homes.

Kristin DeBellis asked about Act 250 and asked about the removal of the existing communications line. Kristin also asked about the handling of effluent and the capacity of the lots to house larger homes. Ms. Charlebois-Ouellette explained that the septic capacity would allow for larger homes, but this would not lend itself to more affordable housing being built. Mr. Irving explained that this development would be subject to Act 250 and this process would likely be concurrent with state wastewater, and stormwater but there was a desire to start with the local permitting process first to assess what will be approved. Bonnie Barnes noted that Cairn Cross asked about the existing communications line. Mr. Irving noted that it's located on the property, and it's not believed to be used but if it were, they would bury the line as it's currently an overhead line.

Rick White from the audience noted that in the springtime, there tends to be running water in the ditch and asked what would happen with runoff. Mr. Irving noted that they would need to accommodate for off-site runoff and there would be measures installed to divert this, so it does not need to pass through treatment. Mr. Irving pointed out the existing ditch and explained that management would be necessary. There was a discussion of a development being managed in Waltham, which was deemed as not related to this proposal.

Craig Heindel noted that there would be the encouragement of conservation with this proposal and pointed to local regulations and state regulations on water supply and wastewater permits. Craig Heindel continued to note that the compactness of the proposal is appreciated as is the conservation but noted that development in the ag land as opposed to the forested area may be a better fit. Craig Heindel pointed to the sections of the town zoning regulations on erosion control, stormwater, and wetlands. Craig Heindel discussed the septic testing and pointed towards state regulations on indirect discharge permits.

Audrey White asked about traffic mitigation and pointed out that travelers often do not follow speed limits and there may be some anxiety for folks crossing the road. Mr. Irving noted that the population being close to the intersection may slow traffic down and Ms. White explained that this may not have any impact and there were several accidents at the intersection. Mr. Irving noted that he understood the concern but there was proposed lighting, signage, a median

Approved on: January 19, 2022

separated entrance, and that if this is a busier intersection there could be a slowing. Mr. Irving also noted that adding residential development will help people delineate this area as a populated area instead of open. Ms. White expressed continued concern.

Jean Richardson noted that she could not find lots 1, 2, and 3 on the map and it was explained that Lot 1 will be about 125 acres of open land, that Lot 2 would go to the Markowski's as would Lot 3 and these would be for the home and for the barn and would be 10 acres and 5 acres respectively. The acreages and their depictions were clarified. Jean Richardson asked who would hold the rights to the 125 acres of conserved land and Ms. Charlebois-Ouellette noted that that had not been finalized yet, but it would not be part of an HOA.

John Brooks asked about opportunities for public transit and pointed to the challenges of affordable housing. Mr. Brooks asked about integrating solar and efficiency as well as recycling into the development and that these kinds of connections should be examined. Bonnie Barnes noted that Mr. North who joined via Zoom was interested in knowing more about pavement and drainage. Mr. Irving confirmed there would be measures in place such as the diversion swale to manage this stormwater.

Scott Cousino asked about the viability of pedestrian access to school, and stores given the proximity to Route 7. Mr. Irving noted that the intent was for connectivity but that this would need to be addressed with VT Trans and the federal government through the Act 250 permitting process. Walter Reed II noted there had been a discussion on trams going into town with the site previously. Kristin DeBellis noted that the Town Plan has a desire for energy efficiency and asked how they may plan for this with the development. Mr. Irving noted that the Act 250 permit would require that they reach out to Efficiency Vermont, which they were planning on doing.

There was discussion amongst the Commission Members on the need for another site visit, and the density of the site was noted. Mr. Irving noted that this proposal represented condensed development to minimize impact. It was confirmed that this development may take 5 or 10 years to complete, and it would be done in phases. Ms. Charlebois-Ouellette noted that they would likely start building on spec and see how quickly the demand grows, and Mr. Irving confirmed that the development may be based on the wastewater systems and their construction. Stephanie Lowe asked how the wastewater disposal fields would affect adjacent properties and it was confirmed by Mr. Irving that they would need to establish isolation from potable water with Bonnie Barnes noting that they would need to manage any runoff created. Arabella Holzapfel asked about the number of lots, questioning why there were 53 proposed. Mr. Irving noted that this was based off of capacity for wastewater, the capacity of the site, the interest in conservation, and examining other area town density.

There were questions raised from audience members on utilities and phasing of construction and it was noted that the infrastructure would be built out and that it would be a mix of spec housing and individual lots sold. There was confirmation that Vergennes had been approached for connecting this development to the sewer, but that it had been noted that the Town of Ferrisburgh would need to be consulted. There were additional questions on infrastructure,

Approved on: January 19, 2022

pertaining to road building and the communications line that went through neighboring properties. It was noted that not all roads would be built at once, given the phased approach, and that the developers would work with neighboring properties regarding the communications line as they were still investigating ownership. There was a question raised on planning for the 125 acres and it was confirmed by Ms. Charlebois-Ouellette that separate from the Makowski lot, there was roughly 178 acres up for discussion on development.

Walter Reed II presented a summary of the discussion and noted that this was the starting point for discussion and encouraged those who participated to continue participating at upcoming meetings. Bonnie Barnes encouraged participants to share email addresses so that she may keep them up to date. Walter Reed II confirmed that they would continue the sketch plan hearing at the January meeting.

Minutes from the November 17 Meeting. Walter Reed II asked if Planning Commission Members had the opportunity to review the minutes. ***There being no edits or modifications requested, Gail Blasius made a motion to accept the November 17 Meeting Minutes, which was seconded by Bessie Sessions and the motion passed unanimously. Kristin DeBellis abstained.***

Discussion and Other Business

After discussion and confirmation that the Planned Unit Development proposal heard at the meeting would be a major subdivision, ***Arabella Holzapfel made a motion that the Commission continue the sketch plan review at the January meeting, which was seconded by Michael Quinn and the motion passed unanimously.***

There was general discussion of the proposal, with topics on connectivity, impact, wetlands, and permitting mentioned. There was general agreement that more information would need to be gathered throughout the consideration of the proposal. Bonnie Barnes confirmed that the proposal should be shared with Fire Chief Wager.

Adjournment

Arabella Holzapfel made a motion to adjourn the meeting, which was seconded by Gail Blasius and the motion passed unanimously. The meeting adjourned at 9:01 pm.