

MINUTES

APPROVED ON: March 20, 2024

**TOWN OF FERRISBURGH
PLANNING COMMISSION
MINUTES
Wednesday, February 21, 2024
At Town Offices and on Zoom**

Members present: Bessie Sessions, Bonnie Barnes, Jean Richardson, Mike Quinn, Arabella Holzapfel

Members Absent: Bob Beach, Walter Reed, Anne Cohn, Gail Blasius

Minute taker: Bonnie Barnes

Town staff present: Steven True

Applicants present: Scott Hardy, Jonathan Couture

Members of the Public present: Clark Hinsdale

Meeting was called to order at 7:00 pm by Jean, and quorum determined.

1. Minutes of January 17 were approved on MOTION of Bessie, seconded by Mike. Motion carried.
2. **Application 23-078:** Subdivision Amendment and Request for Waiver, Lot 10, Atkins Farm Road; Applicant Scott Hardy; Ferrisburgh Town Center (FTC-1) Zoning District; Parcel ID # 20/20/15.10.

STAFF REPORT:

- This Application was submitted to the Town on July 5, 2023;
- Scott Hardy sold the entire property to Lea and Jonathan Klock on August 7, 2023
- The Subdivision Hearing opened on August 16, 2023, with permission of Klocks for Scott to continue with application. Hearing was continued to allow Applicant time to address a list of 12 issues identified by the PC (See Minutes of Aug. 16)
- Applicant provided a proposed Plan for Septic and Water for Lot 12, but has not provided required written approval from the state.

Applicant presented an engineer’s plat showing the location of a proposed new onsite wastewater system. He reported that he had contacted the state to seek approval under the old permit, but that the state would require review and audit of the current system, which seemed too costly.

Planning Commission reiterated that Subdivision Potable Water Supply and Wastewater Permit # WW90663, dated December 20, 2007, requires written approval from the State: *“(3). ..No other means of obtaining potable water shall be allowed without prior review and approval by the Division of Wastewater Management”. And “ (6). No other method or location of wastewater shall be allowed without prior review and approval by the Division of Wastewater Management”*

The PC stated that they cannot approve the Subdivision amendment for Lot 12 without a written approval from the State. Applicant agreed that he would seek this approval.

PUBLIC COMMENT – None

Hearing was continued pending written approval from State.

- 3. Application 24-013:** Sketch Plan Review for a 3-Lot Subdivision; Applicants Irene Pierce and Jonathan Couture; Highway Mixed Use (HMU-2), Conservation (CON-25), and Rural Agricultural (RA5) Zoning Districts; Parcel ID# 05/01/44.11.

STAFF REPORT

- Irene Pierce owns 138 acres spanning Lewis Creek. The Applicants would like to subdivide the acreage north of Lewis Creek (approximately 85 acres) and develop two commercial lots with access to Route 7, with eventual plans to further subdivide the remaining acreage (Lot 3) for residential development while conserving ecologically important lands bordering Lewis Creek..
- Applicants provide a Sketch Plan of the 3 lots proposed north of the Creek (Exhibit 1); a written statement of Septic availability (Exhibit 2); Proof of Deeded ROW (Exhibit 3); and a Plat dated January 3 2023 showing relocation of ROW easement (Exhibit 4).

Jonathan provided a letter, dated January 8, 2024, signed by Irene Pierce, landowner, and Clark Hinsdale who has an option on part of the property, allowing Jonathan to lead this development plan. He described the long-term and short-term concepts for the entire parcel of 138 acres. There would be at least 3 phases over time. Phase 1 would be the creation of two small commercial lots (lots 1 and 2), leaving the remainder of the parcel (Lot 3). This is the current application. Phase 2 would be a new subdivision application to develop part of the remaining lands north of Lewis Creek for residential use, and Phase 3 would be the conservation of Lewis Creek frontage and wetlands which Clark is working on.

Clark described the conservation groups that he is working with to conserve the Lewis Creek riparian areas, including the Conservation Commission, Vermont Land Trust, and Lewis Creek Association.

The parcel is subject to Act 250, and Act 250 application will take place concurrently.

The acreage of this 3-Lot Subdivision would be approximately 7.5 acres for Lot 1; 4 acres for Lot 2 and the remainder, about 127 acres, for Lot 3.

The PC discussed access, and wastewater system location. PC agrees that the long-term concept for the 138 acres conforms with the Town Plan and that this application is a 3-lot subdivision.

PUBLIC COMMENT: None

Motion to classify the application as a Minor Subdivision requiring one hearing, made by Bessie, seconded by Arabella. Motion passed.

- 4. Other Business:**

Town Plan Updates. PC discussed progress on updating the Town Plan. Bonnie and Jean reported that proposed edits are being submitted by the various town committees. There will be a Public Meeting on March 7 to share suggested changes and review maps which they hope to receive soon from Regional Planning. Bonnie noted that she had attended a seminar on the state's new Municipal Vulnerability Index, a tool designed to help Vermont communities identify and prepare for the potential impacts of climate change. It should be available in April 2024, and may provide useful information for the town plan revision.

8. Meeting adjourned at 8:05pm on motion of Arabella, seconded by Mike. Motion passed.

7. Next meeting: March 20, 2024

Respectfully Submitted,

Bonnie Barnes