

DRAFT MINUTES

APPROVED ON: April 19, 2023

**TOWN OF FERRISBURGH
PLANNING COMMISSION
MINUTES
WEDNESDAY February 15, 2023
At Town Offices and on Zoom**

Members Present: Walter Reed; Arabella Holzapfel Gail Blasius; Anne Cohn; Bessie Sessions; Jean Richardson; Bonnie Barnes; Mike Quinn.

Members Absent: Bob Beach

Minute Taker: Jean Richardson

Town staff present: None

Applicants present: Brenna Mead; Kurt Plank; Karen Peterson.

Others present: Craig Heindel, Conservation Commission; JP Seeley; Sarah Harrington; Chloe Teller; Gerry and MaryAnne Racette; Keith Mintz

1. Meeting was called to order at 7:00 pm by Wally, and Quorum determined.
2. Minutes of January 18 were approved on **MOTION** of Gail, seconded by Mike. **VOTE: All in Favor.**
3. **Application 23-001 Boundary Adjustment; 545 Old Hollow Road; applicant(s): Kurt Plank & Karen Peterson; North Ferrisburgh Village (NFVIL-2) district; Parcel ID 18/20/17**

STAFF REPORT: Steve presented the application and supporting documents including the State Wastewater Permit and letters of support from neighbors. Steve stated that the application is complete.

The PC asked for clarification of the Water easement across the land to the Davis' across Old Hollow Road, and the ROW easement of Dustin Hume. PC Reviewed and discussed the wastewater permit.

PUBLIC COMMENT: JP Seely, neighbor, stated that he had no objections to the boundary adjustment or the proposed development.

There were no objections raised.

MOTION: To approve the Boundary Adjustment as presented, made by Anne, seconded by Arabella. **VOTE: All in Favor**

4. **Application: 23-006 Sketch Plan review for a two (2) lot Planned Unit Development (PUD); 189 Four Winds Road; applicant(s): Brenna Mead & Sarah Richardson; Rural Agricultural (RA-5) district; Parcel ID 05/02/11.3**

STAFF REPORT: Steve presented the application materials with attachments. Steve stated that the application is Complete.

The applicant stated that they now have an attorney to help them with correct language for the proposed conservation easement, and that they had already put together most of the documentation needed for Preliminary Plat Application. Applicant expressed appreciation for the help provided by Craig and Steve in explaining PUD requirements. Planning Commission members asked for clarification of the proposed Conservation easement. Applicant described the ecological conservation goals that they are seeking to protect and associated limitations on future development.

PUBLIC COMMENT: Keith Mintz, neighbor stated that the stream the applicants seek to conserve is only seasonal. Gerry Racette asked for clarification of location of easement and if there would be negative impacts on neighborhood. No negative impacts were raised. Craig Heindel further described the conservation easement and the ecological values sought to be protected and voiced support for the application.

There were no objections raised.

MOTION: To approve the PUD Application, as presented, made by Jean, seconded by Arabella.

VOTE: All in Favor.

5. **Old Business: MOTION:** to go into Deliberative Session to discuss: **Application 22-148. Sketch Plan Review for 27 Lot/44Unit PUD at 302 Monkton Road; Applicant Cornerstone Solutions; Rural Agricultural (RA 5) District. Parcel ID 15/01/64** made by Jean, seconded by Bonnie. **All in Favor.**

MOTION: to come out of Deliberation made by Gail, seconded by Bonnie. **All in Favor.**

DISCUSSION: The PC reviewed the written Approval of the Sketch Plan which had been distributed to the PC following the completion of the Sketch Plan Review on January 18. Jean asked that the PC review Item 3 in the Proposed Finding as it relates to requirement of a Bond for each phase. PC unanimously agreed that this is vital to encourage timely construction and to protect the town if the project fails. Construction Bonds are typical for PUD Development of this scale. Wally pointed out that since the initial Sketch Plan application of Cornerstone the Markowski's had completed Subdivision of their Land, and that language approved on September 21, 2022, at the PC Hearing on their Final Plat included Condition 3 that the gravel road along the northern edge of Lot 3, south of the Dollar General store "is a farm road, only for current agricultural use". Wally requested addition of this language to item 6 in the list of Documents required for Preliminary Plat. Several PC members asked for verification that the PC is agreed that the application clearly states that they are only requesting 4 "Business II" lots, and that they are not requesting "Commercial" Lots. All members present agree that only Business II uses are allowed, in conformance with the RA5 District in which the development is located and that is what is being requested.

MOTION: To approve the Sketch Plan and forward to the Applicants the written Approval of Sketch Plan and Request for Documents for Preliminary Plat Application, made by Jean, seconded by Arabella.

VOTE: 7 in Favor; 1 Opposed; 1 Absent.

- 6. Other Business: Village Center Designation.** The PC discussed Town Center Village Designation. This designation had been discussed in previous years. The initial work had been undertaken on the North Ferrisburgh Village, but this had been withdrawn. Town Center is more appropriate. Members agree it is timely to apply. Steve, Jean and Bonnie will organize the necessary materials and contacts.
MOTION: To request the Selectboard to make a Resolution to support this Village Designation Application made by Bonnie, seconded by Gail.
VOTE: All in Favor
- 7. Other Business: PUD Easements.** Bonnie led a discussion on the need for greater understanding of the scope and type of easements for PUD Applications. Jean and Bonnie have been researching a range of approaches to Conservation Easements and Open Space Agreements, both in the Town Records and as used nationally and available as Templates on the Web. Every PUD is different and thus easements must be tailor made but with standard elements included. What errors do we need to anticipate? PC agrees that we should seek legal advice from the Town Attorney.
MOTION: To approve requesting Selectboard approval to consult with Town Attorney, made by Bonnie, seconded by Gail. **VOTE:** All in Favor.
- 8. Meeting Adjourned at 8:30 pm:** on **MOTION** of Gail, seconded by Arabella. **VOTE: All in Favor.**
- 9. Next Meeting:** March 15, 2023, at 7:00pm.