

## MINUTES

APPROVED ON: Dec. 21, 2022

**TOWN OF FERRISBURGH  
PLANNING COMMISSION  
MINUTES  
WEDNESDAY November 16, 2022  
At Town Offices and on Zoom**

**Members Present:** Bob Beach (Chair); Walter Reed (Vice Chair); Gail Blasius; Anne Cohn; Bessie Sessions; Arabella Holzapfel; Jean Richardson; Bonnie Barnes.

**Members Absent:** Mike Quinn

**Minute Taker:** Jean Richardson

**Town staff present:** Steven True, ZA.

**Applicants present:** Diane Shortsleeve; Heather Crowley; Lucy Thayer.

**Others present:** Craig Heindel, Conservation Commission; Guy Miller; Anna Ouellette; Randy Ouellette; Elias Erwin; Robin Decker; Lynda Bolduc; Bridgette Bolduc.

1. Meeting was called to order at 7:00 pm by Bob, and Quorum determined.
2. **MOTION to Amend the Agenda** made by Jean, seconded by Anne to add Item under Other Business for Approval of Grant Application for Trails Committee; AND to review the Crowley application at the same time as the Shortsleeve application as they are for the same tax parcel. **All in favor.**
3. Minutes of October 19 were approved, with correction, on **MOTION** of Gayle seconded by Arabella. **All in Favor.**
4. **Application #22-135 Final Plat application for a two (2) Lot Subdivision; 771 Robinson Road; Applicant: Diane Shortsleeve; Rural Agricultural (RA-5) District. Parcel ID: 05/02/53**

Jean and Bonnie indicated that the proposed Final Plat appears to include a non-conforming third lot, does not indicate the access for Lot 1, does not indicate the building envelope for Lot 1, (5.2 acres), and indicates that Lot 2 "other lands of Shortsleeve Trust" is only 61.3 acres (144.200), and does not indicate the entire parcel of 05/02/53 on the Location Plan (inset). Parcel 05/02/53 is 225.4 acres (144.200). Because these issues require a corrected Final Plat, they suggest that both the Crowley and Shortsleeve application be reviewed together because they are both 2 lot Subdivisions of the same parcel, 05/02/53, total 224.5 acres all owned by Diane, and both on the same PC Agenda.

Diane was present and asked that her Final Plat be considered separate from Heather Crowley's Sketch Plan Application, and further, that they are using different surveyors to draft their Plats and time is of the essence. Diane also indicated that because Robinson Road bisects parcel 05/02/53 that the PC only consider land west of Robinson road. A majority of the PC agreed.

Diane provided an updated proposed Final Plat dated October 11, received yesterday by Town. This Plat includes contours and Lot numbers for Lots 1 and 2.

However, the plat still includes a 2.7-acre lot delineation adjacent to the 1.5 acre home residence Lot which is parcel 05/02/55 (76.303) also owned by Diane (Shortsleeve Trust). The PC requests that the Final Plat be modified prior to Recording the mylar to delete this 2.7-acre

Lot and the associated merger annotation language which would expand the home lot parcel 05/02/55 to 4.2 acres. This is a 5-acre zoning district, and the PC cannot approve a non-conforming Lot.

Approval of this 2 lot Subdivision will result in Lot 1 of 5.2 acres, and Remaining lands of tax Parcel 05/02/53 of 220.2 acres. However, the Final Plat will only indicate Lot 2 being a total of 64 acres, "other lands of Shortsleeve" on the west side of Robinson Road.

There was no public comment.

Following discussion, a **MOTION** was made by Gayle, seconded by Bonnie to approve the Final 2 Lot Subdivision on the following Conditions:

- 1) That the 2.7 acre lot lying north of the home lot (05/02/55) be deleted, and that the north south boundary line of 495.37 feet be deleted; and that the language stating "2.7 acres to be combined with Shortsleeve (Reynolds) 76.303" be deleted.
- 2) That the acreage of Lot 2 be increased by 2.7 acres to 64 acres 144.200, "other lands of Shortsleeve"
- 3) That the Access for Lot 1 be indicated on the Plat
- 4) That the building envelope for Lot 1 be indicated on the Plat

**VOTE: All in Favor.**

**5. Application 22-137 Sketch Plan Review for a two (2) Lot Subdivision; 1079 Robinson Road Applicant Heather Crowley; Rural Agricultural (RA-5) District; Parcel ID# 05/02/53**

Heather was in attendance and presented her application. Diane Shortsleeve, owner of parcel 05/02/53, was also present and stated her approval of the proposed 2 lot Subdivision. The Subdivision requested is for a Lot of 22.7 acres which lies north of the property of Cohn, and west of Robinson Road.

Craig Heindel speaking for the Conservation Commission, asked that the Final Plat indicates "a 25 foot no cut line of shrubs" along the north and south boundaries to provide screening to neighbors and maintain wildlife corridors. Heather agrees.

There was no other public comment.

**MOTION** was made by Jean and seconded Bessie to approve the Sketch Plan on condition that the Final Plat indicate the 25 foot no cut buffers, and that the road access and building envelope be indicated on the Surveyor's Final Mylar.

**VOTE: All in Favor.**

**6. Application #22-130 for Final Plat Application for a three (3) Lot Subdivision; corner of US 7 and 22A, east of Park and Ride Facility; Applicants: Todd Hardie and Debra Townsend; Industrial (IND-2) District; Parcel ID # 15/01/22.**

The Applicant was represented by Lucy Thayer, technical consultant, present on zoom.

STAFF REPORT: Steve indicated that the issues of the missing Municipal Subdivision raised at the last PC meeting have been reviewed by the Town Attorney who has provided the applicant

with recommendations for language to be added to the final plat to correct errors made in 2008 when the land was transferred by the State to the Town.

Lucy stated that the recommendations made by the Town attorney will be made on the Final Plat for this 3 Lot Subdivision, and she requests a continuance to the December meeting.

**PUBLIC COMMENT:**

Guy Miller, adjacent land owner of the Church parcel which lies north of parcel 15.01.22 asked about easements and access which might impact the Church property. Lucy shared screen on zoom and answered Guy's questions.

Bridgette Bolduc and her mother, adjacent landowners to the west, asked to have the proposed Subdivision explained and expressed their desire that the property be developed with careful attention to conserving wetlands and open space. The process of Subdivision and future zoning applications was discussed.

There being no further public comment a **MOTION** was made by Jean, seconded by Bessie to approve the request for Continuance to the next regular PC meeting on December 16.

**VOTE: All in Favor.**

**7. Other Business:**

**7 (a) Application 22-084 H. Curth, 2 lot Subdivision - Final Plat- Sign Mylar for Recording.** Bob reviewed and signed the Mylar.

**7 (b)** Anna Ouellette and Elias Erwin asked the PC for clarification that their Cornerstone PUD Sketch Plan application had been approved on June 15, 2022. PC responded yes that the Sketch Plan had been approved on Motion to allow the Sketch Plan to proceed to Preliminary Plat (see Minutes of PC for June 15) and that the PC had sent the Applicants the 9 page "Response from Planning Commission, June 15, 2022 and Request for Documentation". This response includes an explanation of requirements for Preliminary Plat for this large and complex PUD proposal. Anna and Elias agreed that they had received this and were working on getting documents. They understand that they must now reapply for Sketch Plan Review because more than 180 days will have elapsed before the December 21<sup>st</sup> PC hearing to submit Preliminary Plat Application. PC concurred that Ferrisburgh does not have a mechanism for extending the 6 months and that a new Sketch Plan must be submitted.

Anna and Elias state that they will present a new Sketch Plan in December.

**7 (c) Emergency Response:** Chief Wager made a presentation concerning the difficulty that the Emergency crews have in responding to emergencies when roadways become overgrown over the years and when applicants for building and subdivision permits fail to adequately address present and future needs for safe and rapid Emergency Response. Following discussion, it was agreed that Bill and Steve would draft a Checklist that could be used for ensuring improved Emergency Access.

**7(d) ZA Review of Parcel 18/20/71.** Steve provided an overview of the permit history of the parcel at the corner of Old Hollow Road and Route 7. Steve asked whether the PC wants to review the numbers of uses in connection with the present Sketch Plan Application for a 2 Lot

subbdivision. The PC determined that this was not the correct venue for making changes to numbers of uses on parcels.

**7(e) Review of updated revised Application Forms.** Revised and updated Application Forms for Boundary Adjustment, Sketch Plan Review, Preliminary Plat Application for Major Subdivision or PUD, Final Plat Application for Minor or Major Subdivision and Final Plat Application for PUD had been circulated to the PC a few weeks ago and edits received. The PC discussed each Checklist form. Final edits were made. Bonnie suggested that we work with these for a few months and make sure that they meet our needs to help applicants understand what documents are needed and then we could further revise as needed.

**MOTION** was made by Bonnie and seconded by Bessie to approve all the Checklist forms as edited.

**VOTE: All in Favor.**

**7 (f) Approval of Trails Committee Application for a Municipal Planning Grant.** Anne and Steve requested the approval of the PC for a grant that they are working on. **MOTION** was made by Anne, seconded by Bonnie for the Planning Commission to support this grant application.

**VOTE: All in Favor**

**7 (g)** Bonnie provided information on a Planning Workshop.

8. **Meeting Adjourned at 9.15 pm:** on **MOTION** of Arabella, seconded by Bessie. .

**VOTE: All in Favor.**

9. **Next Meeting:** December 21 at 7:00pm.