

Planning Commission
Town of Ferrisburgh, Vt.

FINAL – Minutes for meeting of May 15, 2019; approved June 19, 2019.

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

Town official present: Bonnie Barnes, zoning administrator.

Visitors present: Joe Blasius, Kristin DeBellis, Katra Kindar, Lois Luczai, Dean Pepperine, Lindsey Pepperine, Mona Schreck, Thomas Tintle.

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

Approval of minutes: The commission determined it did not have quorums available to vote on the minutes for the meetings of November 28, 2018, or February 20, 2019.

Application No. 19-037 by Katra Kindar and Thomas Tintle for modification of the building envelope on Lot 2.2 at Braeside Place. The 2.7-acre lot, part of a five-lot subdivision, is in the Rural Agricultural District (RA-5) and identified in Town of Ferrisburgh tax maps as parcel 01/01/8.26.

Bob Beach opened the discussion at 7:05 p.m. Katra Kindar and Thomas Tintle were present to speak for the application. Their application involves moving the approved building envelope on their lot 50 feet to the east. They say this will allow them to take advantage of the natural topography; require less soil displacement; reduce the length, slope and impact of the driveway; reduce the overall visibility of the home; and allow for increased passive solar gain. The lot is part of a five-lot Planned Residential Development approved by the Ferrisburgh Planning Commission in 2004. Neighboring property owners appealed the approval in a case that went to the Vermont Environmental Court. In a decision filed on January 13, 2006, the court confirmed the commission's decision in favor of the PRD but added some restrictions.

After a brief discussion about the history of the PRD and the resulting court case, Gail Blasius said she thought it made sense for the commission members to visit the site so they could better understand the effects of moving the building envelope. Blasius made a motion to recess the hearing until the Planning Commission's next meeting, on June 19, and schedule a site visit for 6 p.m., one hour before the meeting. Arabella Holzapfel seconded. All voted in favor. **Motion approved.**

Bob Beach asked that Kindar and Tintle have the current and former sites of the building envelope staked out in advance of the site visit, and the applicants agreed, saying it was already mostly done.

Other business: Several property owners from Gilson Lane in North Ferrisburgh, off Long Point Road, attended the meeting to discuss their concerns about a 46-acre parcel jointly owned by the homeowners and designated for agricultural use. The property owners all own lots in a subdivision created in 1989 by the Ashley family. The development included the creation of

several lots, with parts of each designated as a homesite and the rest of each lot left open, to be used for agriculture. A grant for use of the open land is now held by John DeVos, who is leasing the land to another farmer. The landowners are concerned about the management of the open land, which they say is now being used to graze about 200 head of cattle. Speaking for the group, Dean Pepperine said the parcel is being damaged by overgrazing, damage exacerbated by this spring's wet weather. He also reported a large number of cows had recently broken through the fence separating the open land from his yard. And he worries about the health of a large oak tree on the pasture land, which he's been told is the largest white oak in the state.

Commission member Gail Blasius is one of the property owners affected. She and Pepperine said the property owners are seeking to have a change made to the open land agreement that created the subdivision, such that the homeowners' association would have control over the use of the parcel. Because the land is in current use, they said, it would most likely continue to be used for agriculture. Commission members noted that the subdivision and the open land agreement, approved by the Planning Commission, ultimately was approved and signed by the selectboard.

Mike Quinn made a motion to ask the selectboard to review the concerns of the landowners and the terms of the open land agreement, approved by the selectboard in 1989. Bessie Sessions seconded. Bob Beach, Al Chamberlain, Anne Cohn, Arabella Holzapfel, Mike Quinn and Bessie Sessions voted in favor. Gail Blasius abstained. **Motion approved.**

Ferrisburgh resident Kristin DeBellis attended the meeting to express her interest in filling a vacancy on the Planning Commission. DeBellis has been volunteering in the town offices, including work on election days, and also serves as the town's deputy health officer. Most of her experience is in healthcare administration, though she noted she worked as a paralegal early in her career. Bob Beach made a motion to recommend that the selectboard appoint Kristin DeBellis to fill the vacancy on the Planning Commission. Arabella Holzapfel seconded. All voted in favor. **Motion approved.**

Bonnie Barnes told commission members about a planning and zoning conference being offered by the Vermont League of Cities & Towns at Lake Morey Inn in Fairlee, Vt., on June 18. She thought Arabella Holzapfel, in particular, might be interested in attending since she is chairing the town's Land Use Regulation Update Committee.

Adjournment: Gail Blasius made a motion to adjourn the meeting at 8:18 p.m. Arabella Holzapfel seconded. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells