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# GEORGIA PLANNING COMMISSION

## MEETING MINUTES

October 22, 2019

*(Approved by Planning Commission on Nov. 12, 2019)*

**Board Members Present:** Suzanna Brown, Greg Drew, David Vincent, Tony Heinlein, George Bilodeau, Lary Martel

**Staff Present:** Larry Lewack, Planning Coordinator.

**Others Present:** Brad Ruderman, Jeff Nielsen, Richard Hamlin, Carrie Lewis, Cindy Nye, Don Vickers, Sara Nye Vester, Edward Lowe, Anne Marie Lowe, Jim Jones (LCATV videographer)

Commission Chair Suzanna Brown called the meeting to order at 7:01 p.m. and swore in all witnesses.

### Public Hearings:

**PC-018-19: Sketch Plan Review for John Rhodes Trust, Owners/ Applicants, for a 2-lot subdivision.** The property is located at 2044 Georgia Shore Rd. in the L1 and L2 Zoning Districts.

Suzanna Brown read the project abstract into the record.

- Rick Hamlin, engineer, introduced the project. Main goal of this application: separate existing residence ('Farmhouse') from the larger lot. Seeking input, wants to hear and answer our questions. Residence has a functioning leach field, site plan identifies replacement disposal fields for both lots. They have applied for water & wastewater permits for lot 6, though there's no current plan to develop that lot. Both lots meet lot size, frontage & setbacks for L-1 and L-2 districts. Would like major/minor subdivision determination.
- Lary Martel asked: why does the existing wellhouse on the property line not have an easement? Suzanna noted it was pre-existing, nothing we can do about that. Hamlin noted this is a surface well that produces non-potable water for the shop building, and it's temporary (they are applying for a state water supply permit to drill a permanent well for later development). Lary asked if this 2-lot subdivision (likely to be designated as a minor subdivision) triggered our Sec. 3.5 (B) requirement of considering recent, adjacent other subdivisions of the property (e.g. Harriet's View) totaling 4 or more lots within 5 years, which would require its consideration as a PUD-major subdivision. Larry Lewack checked the ordinance & members agreed it appears this provision does not apply in this case. (There is another lot in between Harriet's View & this property.)
- Tony Heinlein asked if site plan on easel could be moved so members of the public in attendance can better see it. Suzanna asked Hamlin to rotate the display, and also invited those individuals to get up & move if they need a better view.
- Suzanna invited members of the public to ask questions, if any. Edward Lowe asked if new well would be drilled anytime soon; Hamlin said not at this time; they're going to present to state DEC as a deferral lot. Lary Martel commented that they would have to come back to Planning Commission for site plan approval at that time. Mr. Lowe also asked about the

47 power line easement shown on the map. Hamlin noted they drew the lot line for Lot 6A to  
48 skirt the VELCO easement, in case there was ever a need to move it.

- 49 • Lary asked if the Champ View Lane covenants & road maintenance agreement would need to  
50 be adjusted to add access for Lot 6A. Mr. Nielsen noted their attorney would look into this &  
51 they will address at final plat, if needed. May also need to address lake access for Lot 6A.

52  
53 **Lary Martel then moved to accept the application as presented & close the public hearing.**  
54 **Tony Heinlein seconded, adopted unanimously.** Hamlin, Nielsen & neighbors left the meeting.

55  
56 **PC-020-19: Sketch Plan Review for Pauline Nye, Owner/Applicant for a 2-lot subdivision.** The  
57 property is located across from Pattee Hill Farm within the AR-1 and AR-2 Zoning Districts.

58  
59 Suzanna Brown read the project abstract into the record.

- 60  
61 • Brad Ruderman, engineer, introduced the project on behalf of the applicants, with 2 family  
62 members (Sara Nye Vester and Cindy Nye) present, and reviewed elements of the proposed  
63 site plan. He reiterated that Lot 1 is to remain unchanged, with Lot 2 also being unchanged  
64 for now, as a deferral lot. They believe Lot 2 is exempt from a need for state water &  
65 wastewater permits because it's more than 500 ft. from existing dwellings to new property  
66 lines. Class II wetlands on Lot 2 were delineated with ANR oversight.
- 67 • Suzanna Brown & Lary Martell asked about the ANR orthographic photo print; where are the  
68 lot lines for new Lot 2? Ruderman drew proposed lot lines on the map, clarified for all.
- 69 • Ruderman asked about the staff report, identifying a failed culvert on Pattee Hill Rd. Donald  
70 Vickers, a neighbor at 144 Pattee Hill Rd., noted culvert location, and how it fails to drain  
71 Nye land above Pattee Hill Rd., which backs up accumulated water into his property &  
72 causes problems with mosquito infestation. He has brought this to the attention of the town  
73 staff, but nothing has been done to fix it. He feels strongly this should be repaired by town or  
74 developer if Lot 2 is developed. He also suggested the town consider paving Pattee Hill Rd.  
75 if it's more intensively developed. There are health implications for inaction, as well as  
76 safety hazards due to unpaved, twisting road in that area.
- 77 • David Vincent asked if there was a state requirement to repair nonfunctioning culverts. Other  
78 members and Ruderman chimed in that, given the existing agricultural use and presence of a  
79 wetland, the town does not have jurisdiction to mandate a repair. The town has limited  
80 authority to do this repair, even if there was political will, given these constraints.
- 81 • Carrie Lewis, neighbor, asked about the timeframe for approving this plan, and whether there  
82 would be opportunities to address future development plans. Lary Martel stated it would  
83 require a minimum of two months to complete our review on this application. Our current  
84 scope is limited to deciding if Lot 2 can be subdivided without further development at this  
85 time. Greg Drew noted that once granted, approval will be good in perpetuity. Lary said  
86 adjoining property owners will receive mailed notification of future hearings.

87 **David Vincent moved to close hearing, 2<sup>nd</sup> by Greg Drew, approved unanimously.** Brad,  
88 applicants and neighbors left the meeting at this point.

89  
90 **Draft minutes of October 8, 2019 Planning Commission meeting:** were reviewed, corrected and  
91 discussed. Greg Drew moved to accept corrected minutes, seconded by David Vincent, approved  
92 unanimously (except for Lary Martel, who abstained).

93 **Joint meeting with Selectboard:** George asked to confirm date of joint meeting with Selectboard to  
94 discuss sidewalk policy. It's now been confirmed for Nov. 11 at 7:00, immediately following our  
95 special meeting (*see below*).

96 **Lary Martel moved that the Commission enter into deliberative session at 7:40,** seconded by  
97 Greg Drew. Approved unanimously.

98  
99 **Lary Martel moved that the Commission close its deliberative session at 7:55.** David Vincent  
100 seconded. Approved unanimously.

101  
102 The following summarizes what the Commission discussed during its deliberative session:

103  
104 Summary of conditions for Rhodes Trust, to be communicated by follow-up letter to applicant:

- 105 • Accept as a 2-lot minor subdivision, proceed to Final Plat
- 106 • Covenants & deed restrictions for Champ View Rd. neighbors who share access for  
107 maintenance may need to be addressed in Final Plat; consult attorney & provide amended  
108 deed language, if needed
- 109 • Provide state water and wastewater permits, once received

110  
111 Summary of conditions for Nye, to be communicated by follow-up letter to applicant:

- 112 • Accept as a 2-lot minor subdivision, proceed to Final Plat
- 113 • Must return for site plan approval to develop deferral Lot 2

114  
115 **Lary Martel moved to approve conditions for Rhodes and Nye applications, as discussed**  
116 **during deliberative session. David Vincent seconded, approved unanimously.**

117  
118 **Changes to draft decision & order on Grace Church:** Members discussed errors in draft & noted  
119 corrections needed. Larry will correct the draft & prepare for Suzanna's final approval & signature.

120  
121 **Other business:** The town received an invite to a meeting convened by FEMA next week to gather  
122 local stakeholder input on clarifying floodplain issues in the northern Lake Champlain basin.  
123 Suzanna agreed to represent the town at this meeting in Burlington on Oct. 29.

124  
125 Suzanna Brown announced that we have scheduled a special meeting for Nov. 11 at 6:00 p.m. to  
126 consider sketch plan and final plat approval for town's proposed land acquisition from Gilmond for a  
127 new town garage. This will take place immediately before the Commission's meeting with the  
128 Selectboard on sidewalk policy at 7:00 that same evening. David asked if the town will be applying  
129 for permits for water & wastewater service to the new town garage; Larry noted these have been  
130 applied for & received as of today, even though no buildings have been proposed yet. There was  
131 discussion about prior issues with projects proposed by the town; Larry said the staff will work hard  
132 to ensure we prepare a solid application & apply our standards fairly before & after the hearing.

133  
134 **Motion made to adjourn the meeting at 8:35 p.m. made by Lary Martel, seconded by David**  
135 **Vincent. The ayes were unanimous, the motion carried.**

136  
137 **Selectboard Concerns:** (none, other than planned Special Meeting on Nov. 11<sup>th</sup> noted above)

138  
139 Respectfully submitted,  
140 Larry Lewack, Planning Coordinator