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GEORGIA PLANNING COMMISSION

MEETING MINUTES
November 12, 2019

(Approved by the Planning Commission Nov. 26, 2019)

Board Members Present: Suzanna Brown, Greg Drew, David Vincent, Lary Martel

Board members absent: Tony Heinlein, George Bilodeau

Staff Present: Larry Lewack, Planning Coordinator.

Others Present: Terry Rooney, Peter Mazurak, Holly & Brian Thweatt, Jeff Hardy, Jim Jones (LCATV videographer)

Commission Chair Suzanna Brown called the meeting to order at 7:04 p.m. and swore in all witnesses.

Public Hearings:

PC-026-19: Preliminary Plat Review for Terry Rooney & Robert Rooney, Owners/Applicants, for a 5-lot subdivision. The property is located at 4141 Ethan Allen Hwy. in the AR-1 and AR-2 Zoning Districts.

Suzanna Brown read the project abstract into the record.

- Peter Mazurak, engineer, and Terry Rooney, applicant presented the project. Mazurak explained the evolution of the project. Current layout of the lots was recently adjusted in a Boundary Line Adjustment approved by the Zoning Administrator. Changed lot configuration to be 14.69 acres; was large before. Pulled location of houses & lots together to cluster them. Now have enough acreage to accommodate all individual lots plus sufficient open space to satisfy town requirements. Placed septic leach fields offsite b/c that's where soils were available. No wetland impacts, beyond existing driveway crossing of wetland that's already there. VTtrans is requiring them to update their permit for existing state road access on Route 7. Plan on applying for state septic permit following this hearing.
- Lary Martell: existing driveway does appear to cross the wetland. Has this been assessed by VT ANR wetland specialists for potential mitigation? Mazurak: yes, they came out & stated there was no problem continuing the current use of the farm road as a driveway to access these two new residential lots. Lary Martel: they still need to upgrade the driveway to town standards.
- Suzanna Brown: is this application for a Planned Unit Development (PUD)? Lary Martell noted this wasn't stated clearly anywhere in the application. Brown noted that PUDs require a 50 ft. setback around the perimeter & this is not shown on the current site plan. Mazurak: yes, that info is there, but that detail is missing from the main sheet, can be restored. Brown also asked about the access for Lot 5; missing from this drawing. Mazurak: will add back in. Martell asked about the standard for the driveway: would require building up to town standard if serving 3 or more lots. Mazurak: Lot 4 served by a separate driveway off main driveway, thus only lots 5 and 6 to be served by this section. That standard would be met up

48 to the ‘hammerhead’ turn-around only. Martel asked about size of houses; Mazurak: would
49 be about 2400 sq. ft. There were additional questions about well locations for each lot,
50 pointed out by Mazurak on site plan. Brown asked about access to Lot 1 (would be
51 eliminated upon approval of this subdivision) & ownership of common land. Mazurak: yes,
52 Lot 1 access would be via existing driveway (which ends at lots 7 & 8), and yes, common
53 land would be shared ownership among all lots. Brown asked about deferral permit for
54 wastewater approval. Mazurak: when original subdivision was approved for lots 2 & 3, this
55 permit was part of that; at that time, there were no plans to develop the rest of that property.

- 56 • Brown: how long is the driveway from hammerhead to current termination point at lots 7 &
57 8? Mazurak: about 800 ft. Brown: any landscaping plan? Mazurak: not at this time, will
58 leave trees along road intact. It will be up to individual homeowners to decide how to plant
59 on their lots. (Some discussion about driveways, possible VTrans road access permit
60 conditions; Mazurak states VTrans will likely insist they close existing horseshoe driveway
61 in front of barn at Lot 4, whose access will be moved to main driveway.)
- 62 • Lary Martell asked about the location of the stream; unclear from site plan & orthophoto
63 printed by staff. Mazurak: stream buffer is shown on their site plan; buffers were addressed
64 in prior approval for Lots 2 & 3. Rooney stated this is not a real stream, it was ‘created’
65 when the town put in a culvert at Route 7. Suzanna said she traced the stream course on her
66 print of the site plan. Martell asked where that stream drains. Rooney & Mazurak claim it
67 just drains into a wetland. (??) Staff stated there are no ANR-identified wetlands on the site,
68 though current site plan shows location of swales around stream buffer.
- 69 • Brown: have they prepared draft Articles for a homeowners’ association, to address needed
70 road maintenance, common lands & septic easements? Mazurak: they did provide sample
71 deed language, but it doesn’t address all those issues; can provide more details for Final Plat.
- 72 • Suzanna Brown summarized the standard criteria for a PUD application & noted that the PC
73 cited these following this project’s sketch plan review, asking: what has been done to address
74 these requirements? Mazurak: earlier draft had larger lots, more spread out. Lots are now
75 more clustered towards the north. Lot layouts avoid digging around gas line. Brown: could
76 you cluster them even more, closer to Rte. 7? Concerned about lots 7 & 8 being separated so
77 far out & traffic across the wetlands on that existing driveway. Lot 7 currently has a wetland
78 buffer very close to the house site. Mazurak: doesn’t feel there’s enough room to add any
79 additional lots closer to the road, given proximity to wetland in south spur of driveway.
80 Martell noted no traffic study will likely be needed for impact on Route 7 traffic.
- 81 • David Vincent asked about the driveway configuration, emergency vehicle access. Fire
82 Chief letter expressed concern about width of driveway, mostly designed for a 12’ width.
83 Noted hammerhead need (that’s now part of site plan), and that he measured driveway length
84 out to lots 7 & 8 at about 1,000 ft., which is the limit of their fire hose length. Requires a 2nd
85 truck & extra time to rig water hoses. Mazurak: can provide widened sections along length
86 of roadway. Brown: can provide a roundabout at end of road. Hammerhead would also
87 provide an adequate turnaround for emergency vehicle turn-around, with a bit of widening.
- 88 • Greg Drew: are lot sizes sufficient to meet AR-2 standard? Brown noted if we’re applying
89 PUD standards, these lots meet minimum lot sizes. Brown also clarified location of septic
90 line easements, not clearly shown on site plan. Mazurak: will add this to next draft.
- 91 • Mazurak: to address concern about visibility of houses on Lots 7 & 8, he produced a
92 rendering (doctored photographs taken from Rte. 7) to illustrate how these houses would look
93 from Rte. 7. Lot 7 house would be small on the horizon, Lot 8 house would be hidden

94 behind existing trees. Martell: asked for down lights to be specified on houses. (Further
95 discussion of views from Route 7 to the west across Lots 3, 4 & 5.) Brown asked about plans
96 for open space. Mazurak: this are will be left alone, can't be disturbed per ordinance.

97
98 **Lary Martel then moved to accept the application as presented & close the public hearing.**
99 **David Vincent seconded, adopted unanimously.** Mazurak & Rooney then left the meeting.

100
101 **PC-016-19: Final Plat Review for Brian Thweatt, Owner/Applicant for a 2-lot minor**
102 **subdivision.** The property is located at 417 Montcalm Rd. within the AR-1 Zoning District.

103
104 Suzanna Brown read the project abstract into the record.

- 105 • Brian & Holly Thweatt, applicants, and Jeff Hardy, surveyor, introduced the project. Hardy
106 noted minor changes to previous site plan. Added location of well, mound system. Suzanna
107 Brown noted an error in references to lot numbers, needs to be corrected for final plat mylar.
- 108 • Lary Martell asked if boundary pins were set yet. Brown asked if applicants have provided
109 other items required following sketch plan review? Larry Lewack said yes, they've provided
110 draft deed, road access permit, Fire Chief letter. Jeff Hardy noted these details would be
111 wrapped up this week. He will hand-deliver mylar tomorrow. Martell: will need to set pins
112 in the ground before a zoning permit can be issued. Hardy: not done yet, will do this week,
113 then change mylar to reflect that this was done.

114 **Lary Martell moved to close hearing, 2nd by David Vincent, approved unanimously.** Jeff Hardy
115 and applicants left the meeting at this point.

116
117 **Draft minutes of October 22, 2019 Planning Commission meeting:** were reviewed. Greg Drew
118 moved to accept minutes as written, seconded by David Vincent, approved unanimously.

119
120 **Review of Rhodes Sketch Letter draft:** Lary Martell asked about the standard requirement for
121 applicant to provide a project review sheet. It's not necessarily indicated for all projects. We can
122 always ask for them & probably should, as a rule. Wording should be changed to say these are
123 standard, not optional. OK as is, otherwise.

124
125 **Review of Nye Sketch Letter draft:** OK as is, with same change as for Rhodes Sketch letter.
126 Martell: do we need to request deeds? Brown: this is standard, probably should remain for a variety
127 of reasons, even though the drafts will be reviewed by attorneys (at some point, later if not sooner).
128 OK as is, otherwise.

129
130 **Review of Cadieux Preliminary Plat decision draft:** Brown noted this was already voted upon,
131 just need to proof-read for errors & correct them, prior to signing the decision. Greg asked his name
132 be corrected. Brown noted need to tweak wording of order #2, to strengthen marking and
133 permanence of buffer boundaries. Staff noted some redundant language included which needed to be
134 edited out, not appropriate for preliminary plat approval. Martell asked if stormwater plan was
135 submitted yet. Staff: there is a wetland assessment from the state in the file, no stormwater plan yet.
136 Approved to make changes, as noted. Final draft will be prepared for Brown's signature this week.

137 **Greg Drew moved that the Commission enter into deliberative session at 8:10,** seconded by
138 Lary Martell. Approved unanimously.

140 **Greg Drew moved that the Commission close its deliberative session at 9:02.** Lary Martell
141 seconded. Approved unanimously.

142
143 *The following summarizes what the Commission discussed & decided during deliberative session:*
144

145 Summary of conditions for Thweatt Final Plat, to be communicated in Decision & Order:

- 146 • Correct note on site plan with incorrect references to lot #s and easements
- 147 • Final mylar to be corrected to show that pins have been placed

148 Final Plat is approved with these conditions. Staff will prepare draft decision for review.
149

150 Summary of conditions for Rooney Preliminary Plat, to be communicated by follow-up letter to
151 applicant, and in draft Decision & Order:

- 152 • Must address PUD requirements specifically, including requesting waivers for reduced lot
153 size and setbacks for AR-2 lots. Staff will provide them a summary of PUD requirements.
- 154 • Driveway must be improved to town standards, per Sec. 7.11.
- 155 • Do not approve current configuration of Lots 7 & 8. Not clustered with other lots per PUD
156 standards; now encroach on wetland buffer (Lot 7) and prime agricultural soils (Lot 8).
157 Would prefer eliminating these lots, or move them closer to Route 7, off south driveway spur
158 & contiguous with reconfigured lots 4, 5 and 6, which can be downsized per PUD standards.
- 159 • Add missing driveway for Lot 5.
- 160 • Need to add landscape plantings (bushes) along Route 7 on edge of Lots 4 & 5.
- 161 • Need to show all easements for utilities, water/septic lines on site plan.
- 162 • Recommend limit building height to 1.5 stories for buildings with lots along Route 7 to
163 enhance views west from Route 7.

164 Staff will prepare a draft decision including these proposed conditions for the Planning Commission
165 to review and decide at a later meeting.
166

167 Suzanna Brown commented that open space requirements in our ordinance need to be revised, to
168 prevent applicants from ‘gaming’ lot size to reduce required/dedicated open space.
169

170 **Lary Martel moved to approve conditions for Thweatt and Rooney applications, as discussed**
171 **during deliberative session. David Vincent seconded, approved unanimously.**
172

173 **Motion made to adjourn the meeting at 9:04 p.m. made by Greg Drew, seconded by David**
174 **Vincent. The ayes were unanimous, the motion carried.**
175

176 **Selectboard Concerns:** (none noted)
177

178 **Next meeting date:** November 26, 2019 at 7:00 p.m.
179

180 Respectfully submitted,
181 Larry Lewack, Planning Coordinator