

Approved _____, 2017

Cornwall Development Review Board (DRB)

Cornwall Volunteer Fire Department • Route 30 Station

April 5, 2017 • 7:00—9:18pm

MEMBERS PRESENT: Matt Bonner, Bruce Byers, Joe Severy, Barbara Greenwood, Annie Wilson; Gary Barnett, Alt.

ALSO PRESENT: Ashar Nelson, Joe Brown; Jared Moats, Eric Blair;

1. CALL TO ORDER: 7:00pm

2. QUORUM: Established.

3. AGENDA:

Barbara MOVED / Bruce SECONDED to approve the Agenda as presented. **Motion passed** (5 in favor, 0 opposed.)

4. MINUTES: March 1, 2017

Joe MOVED / Bruce SECONDED to approve the March minutes as presented. **Motion passed** - (5 in favor, 0 opposed).

OLD BUSINESS:

5. Board Composition

- The DRB's composition has varied from 5 members with 2 Alternates, to seven with no Alternates, now back to 5 with Gary as Alternate. The Selectboard is checking with Town Counsel to determine if two Alternates are required or if one will suffice.

6. Brown Hearing

- Matt opened the Hearing with a reading of the *Warning* as published.
 - He then inquired if there were any potential conflicts of interest on the DRB—*None*
 - An explanation of "Interested Person" status was given and all those seeking same advised to sign the check-in sheet.
- After confirming that all interested parties had signed-in, Matt administered the oath to Ashar Nelson, Landscape Architect, and Joe Brown, property owner.
- The application concerns installation of a grass airstrip on the east side of applicant's property on Robbins Road.
 - *Ashar* presented a map/sketch of the proposed location, noting that several changes had been made since the March 1 information session.
 - Originally, strip was to start at northern boundary of property, has been moved further south per request of neighbor. The move will necessitate some minor land leveling and drainage (100' culvert), but will provide more space at each end of the strip.
 - A tie-down area placed, per neighbor request, along west side of strip, near south end.
- Agricultural use (hayland) will remain unhampered, strip will be grass-covered.
- *Joe*—Recap of reasons for application and anticipated use:
 - Personal use only, no multi-aircraft "meets"
 - Anticipates flying in 8–12 times/month, roughly 6 months of the year (all is weather dependent); Would like to be able to invite friends to fly in a few times during the year.
 - When asked about a review period or a cap on number of fly-ins, Joe indicated a preference for a review period, but is open to pretty much any such condition.
 - No night flights.

- **Questions/Comments**—[**Bruce**] noted that conditions might be subject to DRB review if infractions occurred. [**Joe**] When asked if permit would be permanent (i.e. goes with the property or goes with the owner) indicated he thought it better to go with owner—a new owner would need to revisit and seek a new permit. [**Barney Hodges**] Noted that Conditional Use permits issued to-date have never included a review period. [**Joe**] In response to a question regarding landing entrance, explained that landing could be at either end, but expects most would be north-to-south. He explained angles of entry and effects on audible noise. [**Bruce**] If strip's length is 1,600', how much is needed for landing? [**Joe**] Roughly 400–600'. [**Bruce**] Regarding the safety zone—how far away is the neighboring house to the west? [**Ashar**] About 1,500' west of the strip. [**Bruce**] Are any structures to be installed? [**Joe**] No structures, possibly a wind-sock. [**Barney**] Urged that no restrictions be added that would negatively affect safety (e.g. a wind sock). [**Barbara**] What planes will his visitors be using? [**Joe**] Same type as his—back-country aircraft, 4 cylinder engines. [**Bruce**] What about Fire/Rescue access? [**Ashar**] Current farm road accesses strip, but has a steeper slope that could prove tricky in wet weather; in general, if ground too wet for vehicles to access, also would be too wet for landing/take-off. [**Joe S.**] Might be good to check with Fire Chief. [**Jeff Fifield**] Pastures heifers in field north of airstrip, concerned about effect on heifers, will the planes spook them? [**Joe**] Noted that the Park Service had created a study to determine the effects on wildlife of ATVs, planes, etc. within the park system. No negative impacts were found. [**Pete Laframboise**] No impact on his cows ever noted. [**Gary**] Questioned whether a condition for review could be ongoing or must it have a finite period? [**Barney**] Indicated it can be set however the DRB wishes. [**Bruce**] Referencing §509 of the *Zoning Regulations*, What does Joe need to obtain from State/Federal authorities? What do they require to be advised of? [**Joe**] The Federal authorities do not require any more extensive development for this type of landing strip than does the town. There are several forms he will file with State/Federal agencies—mostly on an FYI basis—and he will provide copies to the DRB. [**T Tall**] Sees no issue with Fire/Rescue access, they are equipped for such things; feels a review period should have a time limit; wonders if FAA has limitations. [**Joe**] In general, no; there might be instances where he would file an informational form. [**Stan Grzyb**] suggested that the permit restrict or prohibit fly-ins over a specified number of planes, fears eventually an egregious number of meet-up fly-ins could occur. [**Joe**] Noted that he would be checking with neighbors to see if any objections to a friend's visit and if yes, he would not do it. [**Rusty Harding**] Asked if any impact on his swamp lot access. [**Barney**] Swamp lot access is between swamp lot owner and surrounding property owner(s) and not pertinent to this application. He feels permit should run with the property, and that a well-written permit should cover all exigencies. [**Todd Kincaid**] Noted he was pleased with the manner in which Joe has gone about contacting neighbors. [**Joe**] Noted that he had received several letters of support from other neighbors. The letters can be provided if needed.
- **Matt**—If the Board feels it has sufficient information, the Hearing will be concluded. Bruce MOVED/Joe S. SECONDED, that the Brown Airstrip Hearing be adjourned and the Board enter into its Deliberative Session. **Motion passed.** (5 in favor, 0 opposed) 8:00pm

7. **Brown Subdivision—Sketch Plan**

- Matt opened the review of the purpose for this sketch plan session, to determine if the proposed project is a major or minor subdivision.
- **Ashar**—With a sketch of the property, the proposed division was located and explained. The parcel to be cut off lies to the north of the main house and garage, and amounts to 4.2 acres with a 2,000sqft guest house, and 300' of frontage on Robins Road. An access “right-of-way” will provide access from the main parcel drive across the parent parcel. If the smaller lot is sold, there is sufficient frontage on Robbins Road for access. There will be a boundary

adjustment between the parent parcel and the Terwilliger/Kincaid property in preparation for seeking of a discontinuance of Robbins Road about .015mi past the Terwilliger/Kincaid property, turning the discontinued end of the road into a drive for the Brown property. The discontinuance process with the Selectboard has, in fact, begun.

- Matt suggested that a curb-cut permit be obtained for Robbins Road for the new parcel, though not immediately needed.
- **Questions/Comments**—It was noted that two items are needed for this project: the subdivision permit, and a building permit. This meeting does not include the building permit. Short discussion about the road discontinuance. And the boundary adjustment. [**Barbara**] Will the survey show the new lot as being in compliance? [**Ashar**] yes—pending discontinuance of the road.
- **Matt**—Does the Board have sufficient information to classify this subdivision? Bruce MOVED/Barbara SECONDED, that the subdivision application presented by the Browns, as depicted, be classified as minor. **Motion passed.** (5 in favor, 0 opposed)

8. Franklin Setback Waiver—Application Hearing Continuation

- Matt reopened the continued Hearing, then administered the oath to Jared and Eric.
- Matt then recused himself, turning the meeting over to Bruce.
- **Eric**—Subsequent investigation found that the parcel in question had already been subdivided from the 25-acre main parcel. Additionally, two neighbors were found to have been unintentionally omitted from the notifications. This has been remedied. Mail receipts and an annotated tax map brought to the Board.
- On the site map, the well and septic systems are indicated, as requested.
- Short discussion recapping plans for the house (about 2/3 of the original building was salvaged)
- The 2 lot subdivision shares one parcel ID, when one of the lots is sold it will get a separate ID number.
- The owner is listed as Churchill Franklin Bread Loaf Realty.
- This permit is for a building that will be a conforming use of a non-compliant building, but there will be no increase in the existing non-conformance.
- The project will improve both the visual impact and useful housing of the Medium Density District in which it is located.
- The property value to the town will be increased as well.
- Bruce MOVED/Joe SECONDED that a setback waiver be granted as requested for 325 Ridge Road, Parcel ID #050142, under §§380-384 of the *Cornwall Zoning Regulations*, and as depicted by the site plan map submitted April 5, 2017. **Motion passed** (4 in favor, 0 opposed, 1 recusal [Matt])
- Bruce closed the Hearing and returned the chair to Matt 8:50 pm

OTHER BUSINESS: None

NEXT MEETING: May 3 at 7:00pm, Town Hall

ADJOURNMENT: Joe MOVED / Barbara SECONDED to adjourn the meeting at 9:18pm.. **Motion passed** (5 in favor, 0 opposed)

Respectfully Submitted,
Robin Conway
DRB Secretary

Matt Bonner, Chair, Cornwall Development Review Board