

Approved July 20, 2011

**CORNWALL PLANNING COMMISSION**  
REGULAR MEETING MINUTES  
June 15, 2011  
Cornwall Town Hall

**PRESENT:** Annie Wilson, Jim Bolton, Geoff Demong, Jim Duclos, Tracy Himmel Isham, Holly Noordsy, Jean Terwilliger

**GUESTS:** Willem Jewett, Richard Brusco, Larry Clark, Arlyn Foote

Meeting called to order at 7:02. Quorum established.

**MINUTES**

**Minutes May 18, 2011** – Jim B. MOVED/Annie Wilson SECONDED a motion to accept the minutes as distributed. Motion carried.

**NEW BUSINESS**

**Public Hearing: Final Plan Application – A. Walker Bingham, III**

Walker Bingham, III, of 18 North Bingham Street, Cornwall, requests final plan approval of his application to subdivide his 23 +/- acre lot abutting Route 74, Evergreen Road, and Clark Road into two (2) lots: Lot 1: 11.58 acres and Lot 2: 11.72 acres.

The matter was classified by the Cornwall Planning Commission on July 21, 2010 as a major subdivision. The preliminary plan was approved with conditions at the Public Hearing on November 17, 2010. Tonight's hearing was duly warned to the public.

Attachments:

- Utility Access Between Arthur W. Bingham, III and CVPS, April 9, 2011
- Letter fro Cornwall Fire Department Assistant Chief, Sean Stearns
- Vermont AOT letter regarding VT Route 74 access
- Survey by Tim Short dated April 13, 2011
- Proposed language concerning wildlife corridor

Willem Jewett, Attorney for Arthur W. Bingham, III, presented information how the final application addresses the nine conditions:

**Condition #1:** *Utilities for lot # 2. Contact CVPS to understand whether they will require underground. Show any easement on the plat.*

Since there is no utility access to Lot #2 from Route 74, solution is to run utilities underground 900 feet. See arrangement with CVPS provided in packet.

**Condition #2:** *Get a fire dept letter from Chris Dayton.*

See letter from Assistant Chief Sterns. Chief Chris Dayton out of town, when letter requested.

**Condition #3:** Show the Route 74 access approved by the state (preferably fairly tight to the easterly boundary of the lot).

See letter from AOT regarding Route 74 access.

**Condition #4:** Show the 50 foot and 400 foot buffers on the plat.

**Condition #5:** Show the driveways (or at least the entries) on the plat. (The commission expressed a desire to keep the Rt 74 driveway close to the boundary so as not to cut into the Ag land.)

Buffers and delineated driveways are shown on the final plat. See Survey Plat dated April 13, 2011.

**Condition #6:** Shrink the building envelopes.

Building envelopes have been shrunk to 50'. See Survey Plat dated April 13, 2011.

**Condition #7:** Provide proposed language for the "wildlife corridor".

A voluntary "wildlife corridor" 250 feet on either side of Beaver Brook has been designated and protected with the following proposed language, approved by Amy Sheldon. "Vegetation and other management of this area will not result in an undue adverse impact to the quality of the existing wildlife corridor."

**Condition #8:** Identify Beaver brook on the plat.

The location of Beaver Brook is included in the final plat. See Survey dated April 13, 2011.

**Condition #9:** Identify the Clay Plain Forest on the plat.

"Clay Plain Forest" has been identified as such. See Survey Plat dated April 13, 2011.

**CPC Question/Comments:**

*Tracy H. I.:* Are there any wetlands to be considered:

*Willem J.:* Amy Sheldon worked on that issue. She felt comfortable that the wetlands in the building area are not "regulatory." It is a seasonal wet meadow. Not a class II.

*Jim B.:* We need to see the numbers for the size and setbacks of the building envelopes. These are not yet shown on the survey.

*Holly N.:* We need to make sure there is sufficient frontage, setbacks.

*Jean T.:* There is plenty of frontage on Clark Road and Evergreen Road.

*Jim D.:* The access is from Clark Road and that meets our requirements for frontage. One roadway is all that is needed for setback. This application meets all our requirements.

*Jean T.:* Is the wastewater disposal in the wildlife corridor?

*Willem J.* I am not sure. I believe it is in the building envelope and on the edge of the corridor. Looks like an in ground system so it would not change the topography. It will have an effect while being built but none thereafter.

*Holly:* In the future, the CPC needs to further clarify the definition of “frontage.” in the regulations.

**Question/Comments from the Public:**

Richard Brusco: I represent the Evergreen Cemetery. Part of Lot #2 (little jog of land in the northwest section of Lot #2) actually belongs to the Cemetery. Board fence is not where it is supposed to be. There should be a deed from Walker to the Evergreen Cemetery Association. Ralph Foote did the work sometime in the late 90s.

Fence caps that may back up the validity of this claim were noted on the survey plat.

Willem will research the issue of the above mentioned deed, which was not found as a recorded deed by Tim Short when he did the survey. Willem will notify CPC of his findings.

Jim B MOVED/ Holly SECONDED a motion to continue the hearing until the boundary line is resolved. The motion carried.

**OTHER BUSINESS**

***Town Plan Update Process-*** CPC plans on providing information on the process at the upcoming Strawberry Festival.

***Survey-*** The School is planning on conducting a separate survey. Tracy will talk with the School Board to request that some questions on the school be included in the CPC survey, since the Town Plan scope includes the school.

The meeting was adjourned at 8:20 pm.

Respectfully submitted, Sharon Tierra, CPC Secretary