

CORNWALL PLANNING COMMISSION

REGULAR MEETING MINUTES

August 18, 2010

Cornwall Town Hall

(approved October 20, 2010)

Present: Jim Bolton, Jean Terwilliger, Tracy Himmel Isham, Geoff Demong, Holly Noordsy, Annie Wilson

Also Present: Kathleen Davis, Eric Davis, Jim Duclos, Jeremiah Parker, Rita Glidden

The minutes of this meeting, once adopted, constitute the final order of the Planning Commission.

The meeting was called to order at 7:06pm. Quorum established.

MINUTES

It was moved/seconded to approve the minutes of July 21, 2010, as distributed. The motion carried on voice vote.

NEW BUSINESS

Public Hearing: JBP Properties LLC, Robbins Road

Application of JBP Properties LLC for a minor 2-lot subdivision of 56.9 acres on Robbins Road. All notices of this hearing have been properly served, posted and advertised by State law. Jeremiah Parker presented the application and map, which includes areas numbered 1-9 based on a previous plan for a 9-lot PUD. Due to the current real estate market, Jeremiah has replaced the former PUD plan with this plan for a 2-lot subdivision. Suggested build zones within the two lots are outside of class 2 wetlands and buffers. Jeremiah P. stated that areas on the map numbered 2, 8, and 9 are no-build zones. #2 is a no-build zone because of its proximity to an adjoining property owner. Areas numbered 8 and 9 are no-build zones in the conserved area adjacent to Route 30. Jeremiah P. said that because of the size of each lot, there are multiple locations for building envelopes. Jim Bolton said that if more than one building envelope is within each lot, it be made clear that these are alternative sites, and that only one primary home is to be built on each lot. Accessory dwellings, such as a mother-in-law apartment above a garage, are allowed by right, but they must be secondary structures to the primary home.

Although it would be possible for the new owner to create access from Route 30, Jeremiah P. stressed that he believes the safest access is from Robbins Road and would work with the new owners to locate Robbins Road access to the lots. Jim Bolton said that sight lines are the main concern of the State and that Mr. Parker needs to consult with Stu Johnson, Road Commissioner regarding recommended location driveway access to be put on the final plat.

Tracy Himmel Isham pointed out that areas #7 and #1 are forested areas. Annie expressed her concern about preservation of the sugarbush in area #7. The property contains an important resource for connectivity for wildlife. Jeremiah said that he is aware of that and has been working with the local Audubon Society to identify such resources. Jim Bolton added that Marc Lapin of the Cornwall Conservation Commission is happy with the work Mr. Parker has done with this application in respect to conservation issues.

Eric Davis, neighbor and interested party, expressed his two main concerns. He is concerned about further development of the property, after the two lots are sold to new owners, and about the issue of access. Mr. Davis would like to see the speed limit on Route 30 lowered in the

center of Cornwall, as it has been done with success on the outskirts of Manchester. Mr. Davis stated his belief that the safest access to these two proposed lots is from Robbins Road.

Jim Bolton replied that Town regulations have frontage, setbacks, and uniform lot requirements that affect further development. Jean Terwilliger added that the best restrictions are the setback requirements and lot shape requirements. All parties should be aware that future owners of these two lots do have the right to further subdivide in accordance with Cornwall subdivision regulations. Regarding the issue of access, Jim Bolton said that part of the plan for making a village center is to advocate with the State for lowering the speed limit in this region of Route 30.

Katherine Davis, neighbor and interested party, said that the property has not been mowed and asked Jeremiah P. what the plan is for mowing. Jeremiah said that he plans to mow the land every 3 years, until sold.

It was moved/seconded to approve the minor two - (2) lot subdivision with building envelopes, easement area, setbacks, division boundary, suggested access, and possible curb cuts added to the final plat as per attachment #1. The motion carried on voice vote.

Jim Bolton reminded Jeremiah Parker that he is now required to have a surveyor prepare a Mylar of the final subdivision Survey which Mylar will be signed by the Planning Commission and filed in the Town Clerk's office. Per 24 VSA Section 4463 (b) all subdivisions plats must be recorded in the office of the Town Clerk within 180 days of the date of final plan approval or the approval expires.

Informal Hearing for Classification and Discussion: Estate of Margaret Payne Robbins, West Street Applicant did not appear.

OLD BUSINESS

Fee Structure

The board discussed the possibility of an update to the fee structure for subdivision applications, boundary line adjustments, and building permits. There is no fee for a boundary line adjustment at this time and the fee for a minor subdivision is \$90. Jim Duclos thinks that the fees are fine. It was agreed to table the board decision until the October meeting.

Town Plan Re-adoption Timeline

Jim B. said that before a re-adoption hearing can be held, all adjoining towns must be notified and duly warned of the hearing. Jim B. will warn the hearing for the October meeting.

Audet Property Boundary Adjustment

Jim Duclos, Zoning Administrator, reported that Joan Audet is ready to proceed, and has asked Jim D. to look at the survey. The board confirmed that it is within the authority of the Zoning Administrator to approve and sign a boundary line adjustment.

Gardon Septic System Violation Update

Jim D. informed the board that the deadline for Vincent Gardon to come into compliance with his septic system has passed on August 13 and that the Selectboard has approved funds to initiate a case in Environmental Court.

Bingham Subdivision Question

Tracy and Sue did research on the question of the sale of triangle section of land as a separate piece of land without a subdivision. The triangular lot in question is surrounded by three town roads, which made this triangle a functionally separate piece of land.

The meeting was adjourned at 9:10pm. Respectfully submitted, Sharon Tierra, CPC Secretary