

Approved November 19, 2014

**CORNWALL PLANNING COMMISSION**  
REGULAR MEETING MINUTES  
September 17, 2014  
Cornwall Town Hall

**MEMBERS PRESENT:** Tracy Himmel Isham, Holly Noordsy, Sarah Pelkey, Jean Terwilliger, Bobbie Carnwath

**MEMBERS ABSENT:** Jim Duclos

**ALSO PRESENT:** Mary Dodge, Dwight Dunning, Marc Lapin

Meeting called to order at 7:05 pm. Quorum established.

**AGENDA REVIEW**

Holly added "Newsletter Submission" to the agenda under New Business

**MINUTES**

*August 20, 2014* – Bobbie MOVED / Holly SECONDED a motion to approve the minutes as distributed. Motion passed.

**PUBLIC HEARINGS**

**Dwight W. and Judy E. Dunning**

Application by Dwight W. and Judy E. Dunning, 43 Bordeau Road, Cornwall, LDR Zone, to subdivide their 29.39 – acre lot into two lots

- Lot #1: 24.52 acres (existing homestead)
- Lot # 2: 4.86 acres.

The matter was classified as a two (2) minor subdivision on May 21, 2014. Application fee has been received and all procedural requirements prior to public hearing for a minor subdivision have been met.

Evidence from Applicant:

- Survey by LaRose Surveys PC, August 11, 2014
- Statement of Conformance

After examining the survey and inquiring about plan details with Mr. Dunning, including plans for a mound septic system and new well for Lot #2, the board agreed that the application meets all requirements of Town regulations.

Sarah MOVED / Holly SECONDED a motion to approve the matter as a two (2) - lot minor subdivision. Motion passed.

The board reminded the applicant of the requirement that a mylar of the final subdivision survey needs to be submitted within 180 days to the Town Clerk to be signed by the CPC and filed in the Town Office.

### **Matt Bonner**

Re-opening of the July 16, 2014 hearing on the Matt Bonner subdivision application for Preliminary Plan Approval under Section 320 of the Cornwall Subdivision Regulations. The proposed subdivision is located at 1683 West Street, Cornwall. Re-opening has been duly warned and adjacent property owners notified.

Tracy announced that this hearing is being recorded. This will allow the CPC member not present tonight to be fully informed about the proceeding of the hearing and therefore eligible to participate in the final decision.

This project was classified by the Cornwall Planning Commission on May 21, 2014 as a five (5) – lot major subdivision, with the following stipulations:

- CPC and Conservation Committee have no issues to be addressed after they walk the parcel;
- Building envelopes for lots are provided;
- Wells, septic system information provided;
- Curb cuts, drives are approved by the Road Commissioner.

#### Evidence from Applicant:

- Statement of Conformance
- Updated Survey Plat by Kevin LaRose, dated May 14, 2014
- Exhibit A: Preliminary Application Details
- Exhibit B: Additional Evidence
- Exhibit C: Septic Plans Sept 1, 2014 Kevin LaRose
- Exhibit D: Natural Resources Atlas, ANR
- Exhibit E: Private Well Report, ANR
- Exhibit F: Letter of Support from Cornwall School
- Exhibit G: Email Letter from Jens Hawkins – Hilke, Vermont Fish and Wildlife Department
- Exhibit H: Letter from Alyssa Bennett, Wildlife Biologist, ANR

#### Evidence from Cornwall Conservation Commission

- 1942 Aerial Photo of this property and surrounding area
- 2012 Aerial Photo of this property and surrounding area
- Bonner Subdivision Proposal, Findings and Recommendations of the Conservation Commission

The Conservation Commission has reviewed the Bonner Subdivision plans and two conservation commissioners walked the site with Matt Bonner and three planning commissioners. CPC has written an interim decision, provided to the applicant.

Tracy reviewed the interim decision with the Applicant. The interim decision addresses concerns regarding:

- mapping of the wetlands and intermittent streams;
- inclusion of map and plan depicting the storm water control plan;
- reconfiguration driveway for Lot 1 so that it is more gently sloping and does not create as much potential for excessive erosion, water quality degradation;
- relocation of building envelope and access roads for Lot 4 so that development infrastructure is not so close to sensitive seepage;
- re-configuration of Lot 5 so that building envelope does not encroach into older forest block.

Marc Lapin discussed the findings of the Conservation Commission and goals of the Town Plan relevant to this application. The main concern of the Town with this application is the protection of water quality and quantity. Marc talked with the Applicant about the benefit of hiring a wetland delineator, because wetland delineation needs to be done on the ground, not from maps. Driveways, structures, and infrastructure are required to be 50 feet from Class 2 wetlands. It was also mentioned that 25 feet is the recommended minimum buffer for non-regulatory wetlands – i.e. Class 3 wetlands.

Matt Bonner provided additional evidence (see Exhibits and updated Survey). The updated Survey shows intermittent streams and culverts for 3 stream crossings. Streams are located along the lot lines. Three building envelopes have been made smaller.

Matt Bonner indicated that the building envelope on Lot 5 is in the youngest part of the forest block. Marc Lapin noted that the septic location for Lot 5 is south of the building lot and appears to be in older, less-disturbed forest. Discussion regarding looking for another septic site farther north, or even a shared site with Lot 4, followed. Options for moving the Lot 5 septic location should be investigated by the applicant.

Jean - Expressed concern about the grade of the access road to Lot 5 and the need for a cut away added to the survey to show construction of the road.

There are no interested parties present to comment or question the Applicant. The CPC agreed that sufficient evidence has been received to make a final decision. Tracy thanked the CCC for walking the site and its' work to educate the CPC and citizens regarding the conservation and protection of natural resources in Cornwall.

Tracy informed the Applicant that conditions for approval are likely to involve:

- Best forest management practices, i.e. bat conservation
- Wetlands delineation
- Moving mound system in lot 5 to the north and closer to building envelope
- Maintenance of the road to be language in the deed
- Proposed storm water systems
- Grading of shared driveway

Holly MOVED / Jean SECONDED a motion to close the hearing. The motion passed.

The board went into recess to deliberate on the decision at 8:50 pm.

At 10:00 pm, the board ended deliberation. Tracy will meet with Jim Carroll to compose the written decision, which will be provided to the Applicant within 45 days.

#### **NEW BUSINESS**

***Newsletter submission*** - Holly suggested that the CPC publicize in the next edition of the Town newsletter, that there is an opening on the Cornwall Planning Commission.

***Recordings at Meetings*** – Holly asked “When a meeting is recorded, what is done with the recording afterwards? Tracy said she would ask Jim Carroll. It was upon his advice that tonight’s meeting was recorded.

#### **OLD BUSINESS**

***VT Gas Pipeline Project update*** – Holly informed the board that ACRPC has approved a MOU with Vermont Gas Systems for Phase II of its’ so-called Addison/Rutland Pipeline Project.

The meeting was adjourned at 10:18 pm.

Respectfully submitted, Sharon Tierra, Clerk of the CPC