

Approved December 19, 2012

CORNWALL PLANNING COMMISSION
REGULAR MEETING MINUTES
November 14, 2012
Cornwall Town Hall

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

GUESTS: Jonathan M. Stebbins, Richard Foote, Carol Tillman, William Warren, Janet Warren, Bruce Hiland, Joseph Severy, Mary Dodge

Meeting called to order at 7:00pm. Quorum established.

MINUTES

Minutes October 17 – Jean MOVED/ Geoff SECONDED a motion to approve the minutes as distributed. Motion passed.

INFORMAL HEARING FOR CLASSIFICATION AND DISCUSSION

Triple E Farms LLC

Application for subdivision of 432 acres of property on Snake Mountain Road into two (2) lots of approximately 68 and 364 acres. Jon Stebbins, representative of the buyers, is here to answer questions. Mr. Stebbins clarified that the acreage of the smaller lot is actually 72.38 acres and that both lots will remain in the current use program.

Jim D. MOVED/Tracy SECONDED a motion to classify the application as a minor two (2) lot subdivision. Motion passed.

PUBLIC HEARING:

Request for approval of a Final Plan Application by A W Foote Trust Estate

to subdivide approximately 152 acres of land on Hamblin Road into two (2) lots of approximately 54 and 98 acres. This matter was classified by the Cornwall Planning Commission on October 17, 2012 as a minor two (2) lot subdivision. The above application was duly warned to the public.

Dick Foote, Trustee of the A. W. Foote estate stated that Tim Short has not completed the survey. He confirmed that MALT will buy the property and Vermont Land Trust will hold the easement. Tracy H-I asked how the survey will identify the natural areas. The CCC has been charged with conducting an inventory of natural areas in Cornwall, so identification of such areas on surveys is very helpful. Jim D. expressed concerns about the non-conforming structures on the property and (because Dick is not familiar with the property and did not know about these structures) offered to help Dick locate them. Dick will make sure that they are removed.

Tracy MOVED / Jean SECONDED a motion to approve the above application for a two (2) lot subdivision, on the condition that the survey is received and that the following recommendations of the CCC (in letter to the CPC dated October 30, 2012) are followed:

Any trails that might in the future be constructed should only be done so if they do not present a threat of degradation to the ecological values of the property. Therefore, any trail construction or improvement to what one might consider existing trails should only be undertaken after site visits and approval by a qualified botanist and wildlife ecologist. Such review should include identification and mapping of special wildlife habitat such as bobcat denning and sunning sites and bat roosting trees. Additionally, botanical review should be done since rare and uncommon species are known or suspected on The Ledges. We understand that the biota at that site can tolerate some levels of human presence and disturbance, but nonetheless we felt it important to minimize degradation and avoid direct destruction (of rare and uncommon plants, for instance). Unrestricted public access, including hunting, will be allowed.

The motion passed.

PUBLIC HEARING: *Adoption of a new Cornwall Town Plan*

The Hearing was duly warned per 24 VSA § 4447.

The following comments, questions and concerns about the proposed update to the Cornwall Town plan were heard tonight and will be incorporated as changes and/or included as an attachment to the Town Plan sent to the Selectboard for approval.

Joe Severy: Generally approves of the Plan – contains a “lot of good stuff.” However, he wonders about the odd definition of agriculture on page 91 and how did the board come by that?

Tracy Himmel Isham: That definition of agriculture relates only to the Cornwall village area.

Joe Severy: Is satisfied with that answer and said that makes sense for the village area. Would also like to know if the CPC has considered going to the DRB (Development Review Board) system.

Tracey Himmel Isham: Lately the CPC work load has been light, due to recession, with sufficient time both for planning and development review functions under the current system, but going to the DRB system is certainly something that could be considered.

William Warren: Most of the zoning districts allow home based businesses. I noticed some inconsistencies in different districts regarding the mention about noise – shouldn't this be uniform to all districts? I am also concerned about the use of taverns in West Cornwall in the current zoning regulations.

In response to William Warren's concern about mention of noise in the Town Plan, the board agreed that mention of hours and noise would be reviewed again and made consistent to all districts in the final draft sent to the Selectboard for approval.

Jim Duclos: I don't see anything about taverns per se. Restaurants (that may serve alcohol) are a conditional use. There would have to be a public hearing before a restaurant was approved.

Mary Dodge: Regarding Goal #2 on page 108, what would that look like and who would be doing that?

Tracy Himmel Isham: We have been requiring on the surveys for major subdivisions that natural features and building envelopes be include, and requesting that natural features and building envelopes be included in surveys for minor subdivisions. What about part B?

Holly Noordsy: To address part B of Goal #2, on page 66, we talk about the river watch and the testing. CPC has brought in a 3rd party to review roadway development for majors. Do you have other suggestions for how to advance Goal #2?

Mary Dodge: The issues can really be addressed as the zoning regulations are updated. Consider how to effectively mitigate flooding in collaboration with the Road Commissioner, Conservation Commission. As the CCC inventories natural resources, we will be looking at flood related issues.

Janet Warren: I am grateful for all the conservation content in the Town Plan –

Holly Noordsy: I am concerned that the Town Plan lacks a position regarding commercial energy projects.

Bruce Hiland: I suggest you draft something.

Holly Noordsy: Is our language strong enough regarding the "character" of the town. Recently a judge ruled that Ferrisburgh did not have language strong enough in their Town Plan regarding the "character" of the Town to prevent a certain large-scale enterprise from being built on Route 7.

William Warren: I think the issue is not so much that the language about the character of the Town was not “strong” enough, but that it was not “specific” enough.

Bruce Hiland: Please don’t feel rushed to get the Town Plan to the Selectboard, if you want more time to develop the language in certain sections.

Holly Noordsy: As I reviewed our draft one more time, I realized I have a concern about scenic view valuation. Refer to page 70, the scenic resources section. By naming certain streets, we may be implying that some views are more valuable than others. I think we should take out the names of roads that are given as examples.

All members of the CPC agreed with Holly.

The meeting was adjourned at 9:05 pm.

Respectfully submitted, Sharon Tierra, CPC Secretary