

Town of Sharon, Vermont
Planning Commission
Minutes
July 9, 2019 FINAL

Commissioners Present: Paul Kristensen, Ira Clark, Sue Sellew (arrived at 7:15PM)

Commissioners Absent: Peter Anderson

Staff Present: Margy Becker (taking minutes)

Visitors: Richard W. Johnson, Laura Johnson, Dean Goulet

7:15PM Quorum achieved with arrival of Sue Sellew.

Ira Clark, as temporary chair, convened the meeting.

Pre-Application consultation: Richard Johnson

Mr. Richard Johnson of Hartland, VT and his daughter Laura Johnson, met with Commissioners. The Johnson family members currently own over 200 acres on Beaver Meadow Road, including a house, barn, and pond. Family members are exploring options for future ownership of the parcel and potential construction of one or more family homes.

Discussions with the Johnson family representatives concluded with Planning Commissioners advising the following:

1. Beaver Meadow Road may constitute a subdivision boundary. Paul Kristensen represents that prior legal opinions from Paul Gillies, Esq. indicate the proximity of the house and barn to the road factor into whether or not a town highway constitutes a legal subdivision boundary, but the legal opinion solicited in the prior subdivision case was not clear-cut and still requires interpretation.
2. If the intent is to partition the parcel to create lots with different owners, a subdivision will be required.
3. The subdivision regs do not prohibit building a second home on a lot.
4. If the property remains jointly owned as represented in the current deed a house could be built on the west side of Beaver Meadow Road without triggering a subdivision. A driveway access permit would be required (to be obtained from the Selectboard). State approval would be needed for septic and wastewater systems.
5. The location of a curb cut for a new home on the west side of Beaver Meadow road would be under the jurisdiction of the Selectboard. The Road Foreman would inspect the proposed access point for sight distances.
6. A subdivision will require a survey by a licensed surveyor of the whole parcel.

WindsOrange, LLC (applicant):

Dean Goulet, acting as applicant's representative, met with Planning Commissioners to discuss answers to questions posed by Margy Becker's initial review of WindsOrange LLC's subdivision application received July 8th. Margy Becker has not yet deemed the application complete for initial review.

Dean Goulet presented maps, sketch plans, and a warranty deed illustrating purchase by NewVistas Foundation of a ±117-acre parcel formerly owned by the Herzbergs which has frontage on Fay Brook Road and Clifford Farm Road. The deed references two parcels. The deed also expressly merges the two parcels into one parcel.

A second warranty deed has been submitted with the application which indicates WindsOrange, LLC acquired another 2.1 acres from "Too Much Stuff, LLC". The confusion regarding how to outline the boundary of the subdivision stems from the fact that both the Board of Listers and Current Use Program administrators combine parcels in similar ownership for their own particular ends. NewVistas Foundation also acquired additional acreage adjacent to these two properties. Thus the Sharon grand list indicates parcel R17219L2 is 169.50 acres.

After discussions and review of sketch plans and location maps, it was agreed that the intent of the subdivision application is to subdivide the 117+ acres acquired from the Herzbergs, exclusive of 2.1 acres acquired from 'Too Much Stuff, LLC' (formerly the Benjamin property). Dean Goulet agreed to correct the application.

It was also agreed that Dean Goulet will submit the missing warranty deed reflecting the conveyance of the subject property from NewVistas Foundation to WindsOrange, LLC – which is the applicant cited on the subdivision application.

Dean Goulet reported American Consulting Engineers has been hired to survey the property. Mr. Goulet will return at the next meeting, when the Planning Commission will conduct its formal "initial review".

Town Plan Revisions/Planning Grant:

Ira Clark and Margy Becker have begun reviewing TRORC's draft municipal planning grant application. There is agreement that the application needs more refinement. They will continue their individual reviews and communicate suggested changes via email. A potential special meeting to further discuss the application may be warranted.

Minutes of June 11, 2019:

Motion by Paul Kristensen, second by Sue Sellew, to approve the minutes of June 11, 2019 with corrections. The motion carried.

DRB Findings of Facts and Conclusions in re: Walter Radicioni

Planning Commissioners met briefly at 8:50PM as the DRB in deliberative session. The DRB exited deliberative session at 9:00PM.

Adjournment:

Sue Sellew made the motion to adjourn at 9:00PM. Paul Kristensen seconded. The motion carried.

Submitted by Margy Becker