

Town of Sharon, Vermont
Planning Commission
Doug Jones
Videoconference Meeting
Minutes
October 13, 2020 (**FINAL**)

The meeting was publicly warned in conformance with H.681 authorizing temporary amendments to Vermont's open meeting law to protect the health and safety of the public, board members, and town employees during the state of emergency declared due to COVID-19. Links were provided for public participation by videoconference software or by conventional phone.

Attending via Zoom:	Subdivision Applicant Doug Jones
Planning Commissioners:	Ira Clark, Paul Kristensen, Sue Sellow, Lee Simek, John Roe
Staff Present:	Margy Becker, taking minutes; TRORC Staff Victoria Littlefield as initial Zoom host

Ira Clark convened the meeting at 7:00PM.

Initial Subdivision Review: Doug Jones – Fay Brook Road

It is noted that Doug Jones' telephone connectivity with the zoom meeting was very poor. Doug Jones had difficulty hearing and responding to Planning Commissioners directly.

Doug Jones owns parcel R17342R on Fay Brook Road comprised of 15.75 acres. He has recently torn down a mobile home. The mobile home site was situated along Fay Brook Road and had the E911 address of 3600 Fay Brook Road. Doug plans to sell this parcel to a person who will install a new mobile home.

Initial application materials include only a hand drawn sketch with linear dimensions as walked and measured with tape by applicant. Frontage along Fay Brook Road = 725 linear feet. Brook shoreline measurements = 80 + 1400 linear feet. The site appears to be almost rectangular and > than one acre.

Doug Jones stated his opinion the stream is a subdivision boundary. Mapped imagery from the Vermont E911 viewer, as submitted by Lister Galen Mudgett, illustrates the brook pinches the site downstream, below the mobile home site. But it does not pinch the parcel at the upstream proposed boundary at its intersection with Fay Brook Road.

Doug Jones' initial application includes evidence the State of Vermont has approved removal and replacement of the structure with continued use of the existing septic system in accordance with Exemption 1-302, Chapter One, of the Environmental Protection Rules pertaining to the Drinking Water and Groundwater Protection Rules.

The state imposes limits on replacement of the structure. The new mobile home must be within 50 feet of "any outside wall of the previously existing building or structure that is being replaced", the replacement building or structure must connect to the existing "water service line or water service pipe and existing sanitary sewer line", and the replacement mobile home "may not increase the design flow or modify other operational requirements of the existing potable water supply or wastewater system".

Planning Commissioners identified many concerns with regards to the suitability of the existing site for continued occupancy. Planning Commissioners also indicated more substantive application materials will be required for subdivision review to proceed.

Concerns about the proposed subdivision:

1. Status of flood hazard review:
Applicant was asked to contact AO Geo Honigford to confirm replacement of the mobile home at the current location is consistent with the flood hazard bylaw;
2. Status and locations of existing leach field and septic tank:
Applicant must identify the location of the leach field relative to the septic tank. Records from the Listers' office indicate the septic tank may date back to c. 1990.
3. Planning Commissioners indicated replacement leach field set-aside areas for mobile home and the house located on the parcel may be required by the state of Vermont;
4. Ira Clark noted that the VLCT staff attorney's response to Margy's inquiry included excerpts from two cases indicating that natural features do not constitute subdivision of a property. Therefore, on its own, Fay Brook would not be considered a subdividing feature unless designated as such as part of a regular subdivision process;
5. Planning Commissioners requested confirmation of the acreage of the lot to be conveyed;
6. Applicant was informed a boundary survey by a licensed surveyor is required before further review of this application will be considered. Doug Jones indicated he is working with Robert Townsend to perform a survey. Records from the Listers' office indicate a survey of "Land of Doug Jones" was completed and recorded at Map Book 1 page 58 in 2005, but it was not performed by a licensed surveyor – as the surveyor's stamp is crossed out.

7. Applicant was advised to have a representative or agent represent him in further proceedings to help streamline communication on technical matters.

Town Plan Revisions: Chapter XI: Natural Resources

Commissioners completed discussions on review of the Natural Resources Chapter. Items touched on in discussions included

- Watershed protection goals/objectives were reviewed.
- Priority No. 1 in the TRORC River Basin study is the main stem of the White River
- References to the Ompompanoosuc River Watershed will be added where previously missing.
- Goals/policies for the White River were reviewed.
- Commissioners agreed to retain the recommendation for town consideration of a future Riparian Buffer bylaw, a stand-alone bylaw.
- Commissioners noted goals/policies needed to reflect the River Corridor Management Plan that TRORC completed 10 years ago.
- Language that was redundant to the Flood Chapter language will be deleted.
- Language regarding minimization of use of rip rap along streams/rivers will be added to the Groundwater & Surface Water section.
- Commissioners inquired whether the State has actually mapped groundwater recharge areas. Tory Littlefield indicated she thought maps and geology reports pertaining to groundwater recharge areas are published.
- Wetlands language was reviewed and agreed to.
- John Roe provided comments during review of 'Flora, Fauna, and Natural Communities' with respect to forest connectivity as relates to resilience in the face of climate change. Tory indicated 'community resilience' is a new requirement for the Land Use Chapter.
- Upon Sue Sellev's suggestion Commissioners agreed to add language regarding policies/objectives to minimize spread of invasive species. Tory will insert language based on the Town of Corinth's town plan. Commissioners noted the Town is presently doing little to manage or discourage the spread of invasive species.
- John Roe suggested insertion of references to the ANR Conservation Plan c. 2015 where relevant in the section entitled 'Habitat Protection'. At John's further suggestion, it was agreed language regarding protection of 'vernal pools' will be added.
- When reviewing 'Land Protection Strategies' there was discussion of how the Plan could address carbon sequestration in forests. It was agreed language needs to be inserted somewhere in the Plan.
- The question was raised as to whether the town plan should advocate for enrollment in the Current Use Program for landowners owning more than 27 acres + house. Commissioners agreed the town plan should promote Current Use Program enrollment.

The next town plan chapters scheduled for review are Chapter XII. Historic and Archaeology Resources and Chapter XIII. Agriculture and Forestry.

Town Plan Survey Discussion:

Sue Sellew presented the 9/25 quote from Quality Mailing House LLC to print and mail surveys to all households. In order to reach every household, the USPS will require delivery to every mailbox, because postal delivery routes meander across town boundaries. Some non-residents would receive the survey. An alternative approach is 1st class delivery to 25 – 30 residents. Further savings (\$158) on the cost of the mailing can be achieved by printing the survey in the town offices. Suggested edits were discussed and agreed to. Sue agreed to check the PDF format to make sure it was consistent. It was agreed an announcement should be made on the Listserv that the Town Plan surveys are forthcoming.

November Meeting Schedule:

The SPC will meet next on November 10. A second meeting on November 17 will occur, should town plan review fall behind due to subdivision application reviews on November 10th.

Approval of Minutes:

Motion by Sue Sellew to **approve the minutes of July 14, 2020 with changes** presented by Ira Clark to note 1) “Tory Littlefield informed the SPC that TRORC has received additional \$1300 in planning grants with no required match”, 2) Sue Sellew made the motion, and Peter Anderson seconded, the motion confirming SPC’s favorable position regarding the Sharon Trading Post Act 250 application’. Paul Kristensen seconded the motion. The motion carried 3-0-2 with Lee Simek and John Roe abstaining.

Motion by Sue Sellew to **approve the minutes of August 11, 2020 with one correction**. The motion was seconded by Paul Kristensen and carried 3-0-2, with Lee Simek and John Roe abstaining.

Motion by John Roe second by Sue Sellew to **approve the minutes of September 8, 2020 as submitted**. The motion carried 4-0-1 with Ira Clark abstaining.

John Roe made the motion to adjourn at 9:06PM. The motion was seconded by Paul Kristensen and carried unanimously.

Submitted by,
Margy Becker