

Town of Sharon, Vermont  
Planning Commission and Development Review Board Draft Minutes  
April 11, 2023  
(As approved 4/23/2023)

*The meeting was publicly warned in conformance with the January 2022 amendments to the Vermont Open Meeting law requirements for remote and/or telephonic meetings.*

**Attending:** Ira Clark, John Roe, Sue Sellew, Paul Kristensen, Andrea Morgan (SPC/DRB Clerk, taking notes, in person)

**Visitors.** In person: Doug Moore, Dee Gish, Robert Farnsworth, Joseph Johnson, Laura Johnson, Richard and Lydia Johnson, Alden Gray. Via Zoom: Peter Johnson, H. Falk, Terri Demond and Robert Thomas.

**Future Meeting Dates – Mark Your Calendar**

- Sunday April 23<sup>rd</sup> 9AM Special Meeting of SPC-Town Plan edits.
- Sunday May 7<sup>th</sup> 9AM site visit Thomas subdivision, 2037 & 2039 Rt. 132
- Tuesday May 9<sup>th</sup> 7PM SPB/DRB Regular Meeting: Public Hearing Thomas subdivision.

Ira Clark convened the Development Review Board meeting at 7:07 PM and opened the public hearing for the **Johnson subdivision**.

Ira explained that the DRB had just arrived from the site visit to the Johnson property on Beaver Meadow Road. The site visit was attended by DRB members Ira Clark, Sue Sellew, Paul Kristensen and John Roe. In addition, Laura, Joseph, Richard and Lydia Johnson were present and the Johnson's surveyor Robert Farnsworth. Abutting landowner Jon Hughes and Dan Smith also attended. The DRB members viewed the posted legal notice, flagged lot boundaries, and the proposed drive, septic and house locations.

Ira asked the participants if there were any questions or issues with the 3 -acre lot that this subdivision proposes to create. There were no additional questions or comments about the 3-acre lot.

Ira reviewed a discussion that started at the site visit regarding survey conventions as they relate to the survey of the Johnson's entire property. This survey prepared by Robert Farnsworth lists the metes and bounds on either side of Beaver Meadow Road separately but does not describe Lot 1 and 2 separately. Ira asked Mr. Farnsworth if it is his position that it is up to the lawyers, listers and other professionals involved in the transfer of property to isolate and describe the 3-acre lot? Mr. Farnsworth said that was correct. John felt it might be more consistent to describe the 3-acre lot in addition to the land on either side of the road because it is shown on the survey. John recognized that this was not

required but it would make it more convenient when creating a deed. Paul asked if the subdivision regulations specify how a property is described on a survey and it was agreed that they do not.

There was lengthy discussion of roads, rights of way and surveys. Mr. Farnsworth explained that this goes back to how Class 3 roads came about. In the 1930's the State of Vermont legislated that the majority of the State's roads were "3 rod roads". Paul said it was his understanding that the Town has a right of way through the property but does not own it. Mr. Farnsworth pointed out that there are liability and tax issues for landowners if they own the land on which a road is located but agreed that the Town is claiming a right of way through the land owned by the Johnsons. John pointed out that the acreage shown on the survey does not include the acreage under the road so there is a discrepancy. Ira asked if the deed listed the property as 191 acres. Laura responded that the 191 acre total resulted from Mr. Farnsworth's survey and not the deed. The tax records had previously listed the property at 217 acres. Mr. Farnsworth explained that acreage is often adjusted after a survey.

Ira asked if the Johnsons file this survey as a representation of their property, will they be giving up some acreage under Beaver Meadow Road. Mr. Farnsworth asked if the SPC was suggesting that the landowners should have to pay taxes on the Town's right of way because the listers will use the acreage on the survey for their calculations. Andrea noted that a survey completed by Mr. Farnsworth and recorded with the Town in 2021 shows the Johnson property having a total of 191 acres. Andrea did not have a copy of that survey at the meeting and could not confirm if the metes and bounds were described in the same manner as the most recent version. Paul asked why this earlier version of the survey was recorded with the Town before this subdivision application. Joseph Johnson answered that it was because the acreage amount needed to be readjusted after the land was surveyed.

Ira asked if the Johnson family wanted to maintain the survey as drawn and previously recorded, with the land under the road carved out of their acreage and if they are comfortable proceeding without clarifying that the land under the road belongs to them. The Johnsons indicated that they would like to proceed with the plan as presented. There were no other comments or questions from meeting participants.

John Roe moved to accept the Johnson's subdivision as presented. Paul Kristensen seconded the motion and all approved.

John moved to close the Johnson hearing. Sue seconded the motion and all approved.

At 7:37PM Ira opened the DRB public hearing for the **Moore subdivision**.

On Saturday April 8<sup>th</sup> at 9AM there was a site visit to the Moore's property on Broad Brook Road. This visit was attended by DRB members Ira Clark, Paul Kristensen, John Roe and Sue Sellev. Applicant Doug Moore and abutting landowner Dee Gish were also

present. Participants viewed the lot boundaries and existing single family yurt and septic location.

Doug Moore described the subdivision which will create a 3-acre lot for a single-family dwelling (Lot 1). The Moore's original residence is located on the remaining 28 acres (Lot2).

Paul Kristensen moved to accept the Moore's subdivision as shown. John Roe seconded the motion and all approved.

Sue Sellew moved to close the Moore subdivision public hearing. John Roe seconded the motion and all approved.

**Terri Demond Thomas and Robert Thomas** came before the DRB for the preliminary review of the Thomas subdivision. Terri and Robert represent Ronald and Nina Thomas on this application. The Thomas property is located on Rt. 132 and is 11.56 acres. The proposed subdivision would create 2 lots. Lot 1 would have 4.11 acres and Lot 2 would have 7.45 acres. Terri and Robert plan to remove an old trailer from Lot 2, build a new home and keep the existing barn. Terri explained that the survey work and septic design have been completed, and the wastewater permit has been submitted to the State but they have not received their permit yet. Lot 2 will use the existing right of way.

A date of May 9<sup>th</sup> at 7PM was scheduled for the public hearing on the Thomas subdivision with a site visit planned for Sunday May 7<sup>th</sup> at 9AM.

John moved to close the Thomas preliminary review. Sue seconded the motion and all approved.

John moved to adjourn the DRB and open the SPC meeting. Sue seconded and all approved.

**Ray Rodriquez** submitted a form to the SPC from Community Capital. Ray resides on Kenyon Hill Road and has an arborist business that is based at his home. He will be parking a chipper machine at his residence and then taking it off site for work. Community Capital requires signatures from the Town to assure that the applicant is not violating a town's zoning or town plan. Ray's business appears to be compatible with the Town Plan's Home Business chapter. Ira signed the form.

**Town Plan:** The SPC needs to compile feedback it received from the public at the hearing and from subsequent emails as well as review the Town Plan draft for typos and other minor corrections. Ira explained that the draft that the SPC is now going to edit and pass on to the Selectboard will be labeled as the "transmittal draft" with the date. When the SB holds its hearing, the draft will be renamed "Selectboard Hearing Draft" with the date. Dee Gish asked if the SPC is still accepting comments and Ira confirmed that it is.

Sue has been reviewing the plan and making edits. She will pass on her edits to other SPC members by the end of the week. Possible changes to a sidebar in the Energy Chapter based on Ryan Haac's input at the hearing were briefly discussed. The SPC discussed scheduling two Special Meetings to tackle additional work. A special meeting was scheduled on 4/16 at 9AM to review candidates to join the SPC to make a recommendation to the SB before their 4/17 meeting. A possible second special meeting could be held on Sunday 4/23 at 9AM to work on edits to the Town Plan draft. Andrea will warn the 4/16 special meeting and SPC members will confirm their availability for 4/23.

**Minutes:** John Roe moved to make three changes the 2/14/23 minutes to accurately list the acreage of the Johnson property. Sue Sellew seconded the motion and all approved. John Roe moved to accept the 3/14/23 minutes as edited by Ira. Sue seconded and all approved. The review of the minutes from the Town Plan Hearing was postponed to a future meeting.

At 8:47PM Paul moved to adjourn the meeting. John seconded the motion and all approved.