

Select Board Members
 John Krezinski,
Chair
 Thea Schwartz,
Vice Chair
 Dick Alderman
 Steve Martin
 Barry Bolio

MINUTES
MIDDLESEX PLANNING COMMISSION
Wednesday, May 18, 2016
7:00 PM
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES
Myron Dorfman Permit Application Number 16-08 Public Hearing

PRESENT: John Krezinski, Chair; Thea Schwartz, Vice-Chair, Member Steve Martin, Dick Alderman, and Barry Bolio, Zoning Administrator Cindy Carlson, Applicant Myron Dorfman, and the following members of the public: John Haynes, Lisa and Kerry Kirkpatrick, Kathy Leach, Kim Johnson Giroux, and Renee Carpenter.

John called the meeting to order at 7:15p.m., following a site visit at the Dorfman property at 6:00 pm.

John explains the purpose of the hearing and asks those present if everyone has an idea of the project's scope. Those present acknowledged that they did.

Myron Dorfman is asked to explain any part of the proposed project that he feels wasn't covered at the site visit. Myron explains that he plans on installing a septic system to service 3 small housing units. The units would be rented to a farm manager and to an employee of the business. The plan is to start a small husbandry farming business and hold small-scale educational workshops.

John explains that the purpose of this process is to review the 3 single buildings that are part of a planned unit development. If plans change in the future, the project would be reviewed again. The agricultural piece of the proposal will fall under the State's agriculture program and is not part of this review process.

Myron is reminded that the permit would be for 3 structures and no further residential buildings in the future. Myron confirms this. John states that this is the beginning of the process and that if anyone wants a full copy of the permit application, the Town will email it to them. Myron states he does not want to subdivide the property; instead, if approved, this project will help his family remain on the property. He feels that the project complies with the Town's plan to develop clustered housing without subdividing land into spaghetti-type lots.

Questions from the public:

1. The hearing is only for the 3 homes. Will there be a public hearing on the agriculture part of the plan? The PC does not know if the State would hold a public hearing.

2. The project seems to be larger than what is being presented tonight. Myron states that his impression was that the permit would be open ended until the project was completed and that he was asked by the Zoning Administrator to present the plan as the entire project. It is clarified that the permit has a one-year life and it can be extended to 2 years. But if the 3rd house isn't built at the end of the 2nd year, he would have to apply for another permit when he is ready to build it. Cindy discusses the allowance for "substantially complete" under the regulations and if smaller buildings were not built within the time frame, perhaps an additional permit would not be needed.

3. Myron further explains the site plan and locations of other farm related buildings that don't fall under this review hearing.

4. Will the buildings be year round residences and will the development have any impact on the school system, roads and other infrastructures? Will it increase the neighbors' property values? Dick Alderman states that it is hard to predict what effect Myron's PRD would have as it depends on the outcome. The value of the property will increase and the taxes will increase which will create additional tax renew to the Town. Due to the number of bedrooms in each dwelling, it would have minimal effect on the school system.

5. What is the use of the multi-use pavilion? Agriculture and land-based workshops will be held there. It will be open space, perhaps with one wall, posts and a roof. The space would be 40' x 80' with a height of 18'.

6. What is expected for class size? Myron is projecting 10 people for a weekend. Will there be special events held there? Myron is not expecting to hold special events, concerts, fairs or festivals, etc.

7. Will there be any logging done on the property? Myron's land management plan does not call for any major logging, only selective cutting. He is not getting into the lumber business.

8. Is there a maximum number of people for camping? The camping will only be used for workshops and will not be open to public camping.

9. Concern is expressed about the farm stand being on the road side and not on the other side of the bridge. Concern about traffic, people walking along the edge of the road, etc. Myron states he is proposing a small building, 8 x 10, and he understands that he has to gain permission from the Department of Agriculture. Would the stand be portable? Myron hopes that it doesn't have to be taken down. If he is allowed to put the stand near the road, there would be safe parking provided.

The Commission reviewed emails from Harry Cotterill and Heather Katz who expressed concerns about the following:

What would any delay do to the timeline? Myron is hoping to begin the work as soon as possible due to the short building season. It will be hard for him to start the project if the permit doesn't get issued in a timely manner.

Will the bridge accommodate construction equipment? Yes it will hold a fuel truck, fire truck etc.

Will the buildings be rented or sold – and at what price point? There is no intention to sell the buildings; he is trying to keep the 80 acres intact as a single parcel. They will be rented at a subsidized rate to people who work on the property.

How much would the population increase on a seasonal basis and permanent basis? There will be six bedrooms max. No seasonal use; the dwellings are designed for permanent housing.

What is the provision for facilities (cooking, laundry, bathroom, shower) for the seasonal residents? There will not be any seasonal residents, the proposed dwellings would be self-contained units.

How many tent platforms being proposed? One, but maybe 6 – see plan for the sites

Mention is made of an office. This would be an agriculture building for the agriculture use.

Would like to see more detailed plans for the buildings. The Town only requires the footprint dimensions.

What are provisions for parking? There will be a driveway going to the houses, but the primary parking spaces will be at the lower level where the current driveway is. There will be a walking path up to the houses.

Myron is asked about plans to finish this plan so the Town won't see a started project and not be completed within the timeline of the permit. Is there a funding plan in place to complete the project? He has spoken to his bank and has funding lined up to complete 2 of the 3 dwellings in this building season. He does not want to invest funds until he has approved permits in place.

Is an Act 250 permit needed? The project is restricted to 6 acres and the use falls below the Act 250 requirements. The pavilion and other agriculture buildings fall under the Department of Agriculture. Myron will pursue this process and look into the requirements for Act 250.

Dick Alderman asks how members present feel about the project:

Several people said there are no concerns about the dwellings being proposed, but added that there is not enough information about the agriculture side of the project. Myron confirms that he will be working with the State and other state resources will be consulted with this side of the project. Myron states it will be low-impact and small-scale. The orchards will be maintained and they will grow berries to use for private use and small farm sales. There is no plan to have large herds of cattle, but they will use ducks and sheep, and gardens for sustainable use and small farm sales.

John Haynes, who is not a neighbor but is a friend of Myron's, states that he feels Myron will not operate a large farm operation. It will be small scale.

Thea disclaims that she is an attorney for the Department of Agriculture and confirms that farm buildings are not regulated by the Town. The farm stand will need to be reviewed the State, but the pavilion may fall under agribusiness. The Planning Commission will need specific use of the building to determine if it is agriculture. The use is described in the permit application.

The project falls under Medium Density district.

The public hearing portion of the meeting adjourns at 8:20 pm.

In light of the lengthy public hearing, the Planning Commission postpones its regularly scheduled hearing for the night until 5/26/2016 at 6:30 p.m., during which the Commission will deliberate Myron's permit application.

Respectfully submitted,
Cindy Carlson, Zoning Administrator