

HEARING OF THE MIDDLESEX PLANNING COMMISSION  
Wednesday, August 11, 2021  
6:00 PM

Meeting held at the Middlesex Town Clerk's Office and remotely via Zoom

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DRAFT MINUTES

**Public Hearing to Review Zoning Permit #21-34**  
**A Subdivision Request by Catherine and Stephen Scribner**

**Call to Order:**

The hearing was called to order at 6:06 pm by Planning Commission (PC) vice-chair Elias Gardner.

**Roll Call:**

PC members Elias Gardner, Theo Kennedy, Phil Comen and Mitch Osiecki were present; Sandy Levine was absent. Mitch Osiecki was physically present at Town office; other members attended remotely. Also present were Kevin Thompson, Zoning Administrator; Stephen Scribner, Applicant; Chris Austin, consultant representing the applicants; Ronald Brown, Kathy Brown, Stuart MacBeath, Iris MacBeath, and Stanley Scribner.

Elias Gardner explained the purpose of the hearing and introduced PC members. Other attendees introduced themselves.

Elias asked any attendees who wish to be recognized as interested parties to identify themselves. Chris Austin, Stephen Scribner and Iris MacBeath asked to be so identified. Elias read the oath and swore in Chris, Stephen and Iris.

**Hearing:**

Documents submitted for this hearing include:

- Permit Application #21-34;
- Site Plan;
- Overall Site Plan;
- Vermont Natural Resources Atlas Topographical Image of Site;
- VTrans jurisdictional opinion letter from Craig Keller;
- Supporting email from Ed Pierce, also of VTrans

In addition to these documents (attached), Chris Austin added that a State Wastewater Permit has also been approved, a copy of which will also be amended to these minutes.

Chris Austin presented the details of the application request, which seeks a 3-lot subdivision:

- Lot 1: will be ± 1.8 acres and will include the existing single-family dwelling,;
- Lot 2: will be ± 21.5 acres of undeveloped land;
- Lot 3: will be ± 6.9 acres of undeveloped land.

There are currently no plans to develop lots 2 & 3, but Chris noted that while each lot has significant acreage that lies within the FEMA Floodway and ANR 100-year floodplain, each lot does have ample developable land that lies outside the flood hazard area.

Question from Mitch Osiecki:

Just to be clear, the lot containing the former Settlement Farm is a separate lot, not part of this subdivision?

Chris: Correct. The Settlement Farm lot is separate ± 2 acre lot created many years ago.

Elias Gardner asked whether the applicant wished to request a deferral of review of development standards, based on stated plans to continue the current agricultural use of the land.

There was a brief discussion of the purpose and consequences of the request for a deferral.

Chris: As provided in Section 6.4 of the zoning regulations, applicant wishes to request a deferral of the review of development of Lots 2 & 3 under Section 6.5 (A) (5).

Chris noted that during the application process, some confusion arose about the address of this lot. He asked that the record reflect that the dwelling is in fact at 731 US Route 2.

Elias asked if PC members had any additional questions.

Mitch noted that applicant has received a jurisdictional opinion from VTrans stating that no highway access permit is needed, as well as a wastewater permit.

No further questions were put forward by members of the PC.

**Motion:** Mitch Osiecki moved to close the PC hearing and enter deliberative session; Theo Kennedy seconded. **Motion carried, 4-0-0.**

The Planning Commission adjourned at 6:47 pm.

Respectfully submitted,  
Mitch Osiecki  
Planning Commission secretary