

Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250
Planning Commission Meeting March 17, 2021
Minutes

Board Members Present: Sheila Kearns, Chair; Caroline Kimball, Joe Nolan, Rob Viglas (via teleconference).

Board Member Absent: Brad Kessler

Others Present: Bill Henry, Zoning Administrator; Kelley Berliner, The Archaeological Conservancy; Sally Manikian, The Conservation Fund; and Tyge Rugenstein, Crown Maple.

1. The meeting was called to order by the Chair at 7:05 pm.
2. The agenda was reviewed and it was agreed by unanimous consent to postpone the review of the minutes of previous meetings until after we had heard from the representatives of the Conservation Fund and Crown Maple.
3. No members of the public were present that wished to offer comment so the Board proceeded with the agenda.
4. Sally Manikian, of The Conservation Fund (CF) and Kelley Berliner of The Archaeological Conservancy presented the preliminary sketch of a proposal to subdivide the 2,239 acres on Egg Mountain. The property is owned by The Conservation Fund through Bly Hollow LLC. The sketch is appended to the minutes as an image labelled Bly Hollow LLC Preliminary Sketch. That image shows the 2,739 acre property with topographic contour line, an outline of the proposed 93 acre subdivision and the outline of an "inholding" property shown on Town of Sandgate 2018 Zoning Map as Parcel Number 501000-0R0.

Ms. Manikian stated the while the initial intent of the CF was preservation of the property but that the discovery of the historical significance of the area known as Shea's Settlement led to their partnering with The Archaeological Conservancy, a national non-profit dedicated to preserving archeological sites across the country, to permanently preserve this area of the property. The subdivision of the property is a step in the plan for the Archeology Conservancy to become the permanent owner of the archaeological site for the purposes of protection and preservation.

Bill Henry introduced a copy of the Town of Sandgate Zoning Maps showing a second inholding shown on Town of Sandgate 2018 Zoning Map as Parcel Number 605300-0L0 and asked the presenters about it. The presenters stated that they believed that the status of that parcel had been resolved and that it represented an error on the map that needs to be

corrected. Bill noted that documentation of the error was not available and would need to be addressed. Sheila Kearns indicated that as the survey in support of the requested subdivision proceeds there should be efforts made to make sure that the Parcel Number 501000-0R0 inholding issue be resolved in cooperation with the landowner. Sally Minikian stated that they would be happy to do whatever was necessary to resolve the issue with the Town.

Bill Henry noted that unlike to usual request for a subdivision that involves some sort of development, the request before us is aimed at keeping the property as is and asked if there would be an objection to our stating that in whatever decision that the ZBA reached in this matter. As potential owners, Kelly Berliner indicated that her organization would not object to such a statement.

After further discussion, a motion was made by Caroline Kimball to classify the planned subdivision to be a minor subdivision as defined in Section 5.01 of the Sandgate Subdivision Regulations. Joe Nolan seconded the motion and it was approved unanimously by the Board. Additionally Caroline Kimball made the motion that the Board accept the map presented and our subsequent discussion as meeting the purposes of the Sandgate Subdivision Regulations Joe Nolan seconded the motion and it was approved unanimously by the Board.

The applicant will now proceed with a survey of the property in order to file an application for final plat approval under Section 5.06 of the Sandgate Subdivision Regulations.

5. Tyge Rugenstein of Crown Maple presented information about the Notice of Intent to Build an Agricultural Building that was filed with the Zoning Administrator on March 9, 2021. The structure will be built on Parcel Number 139500-00B owned by Madava Manchester, LLC in Forest Zone 2 on Sandgate Road. The notice describes the structure to be built as a 30' X 60' pole barn on a concrete slab with a metal roof and siding. As an agricultural building the structure does not require a building permit from the Town but the Town may require the owner to obtain a written waiver from the Vermont Secretary of Agriculture if the structure does not meet the setback requirement established in the Zoning Bylaws. The Board asked how this structure would be situated in relation to the storage containers now on the property and Mr. Rugenstein stated that the proposed building would replace those storage containers.

Joe Nolan stated that the plan to replace the storage containers seemed a reasonable use of the property and made the motion that the Board accept the setbacks shown in the Notice of Intention in order to alleviate the need for Madava Manchester, LLC to seek a waiver from the VT Secretary of Agriculture. Rob Viglas seconded the motion and the

board approved the motion unanimously.

6. The Board reviewed and approved the draft minutes from the October 21, 2020 Planning Commission Meeting, the November 24, 2020 Zoning Board of Adjustment Decision, the January 20, 2021 Planning Commission meeting and February 17, 2021 Planning Commission meeting.
7. Zoning Administrator, Bill Henry presented his report that is appended to these minutes
8. At 7:58 pm Caroline Kimball made a motion to adjourn. The motion was seconded by Joe Nolan and was approved unanimously by the Board.

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.

Addendum to Sandgate Planning Commission Minutes March 17, 2021.

If you are experiencing accessibility issues with the content this addendum, please contact Sandgate Town Hall at 802-375-9075 to request accommodation.

Figure 1 Bly Hollow property with outline of the proposed subdivision and showing one inholding

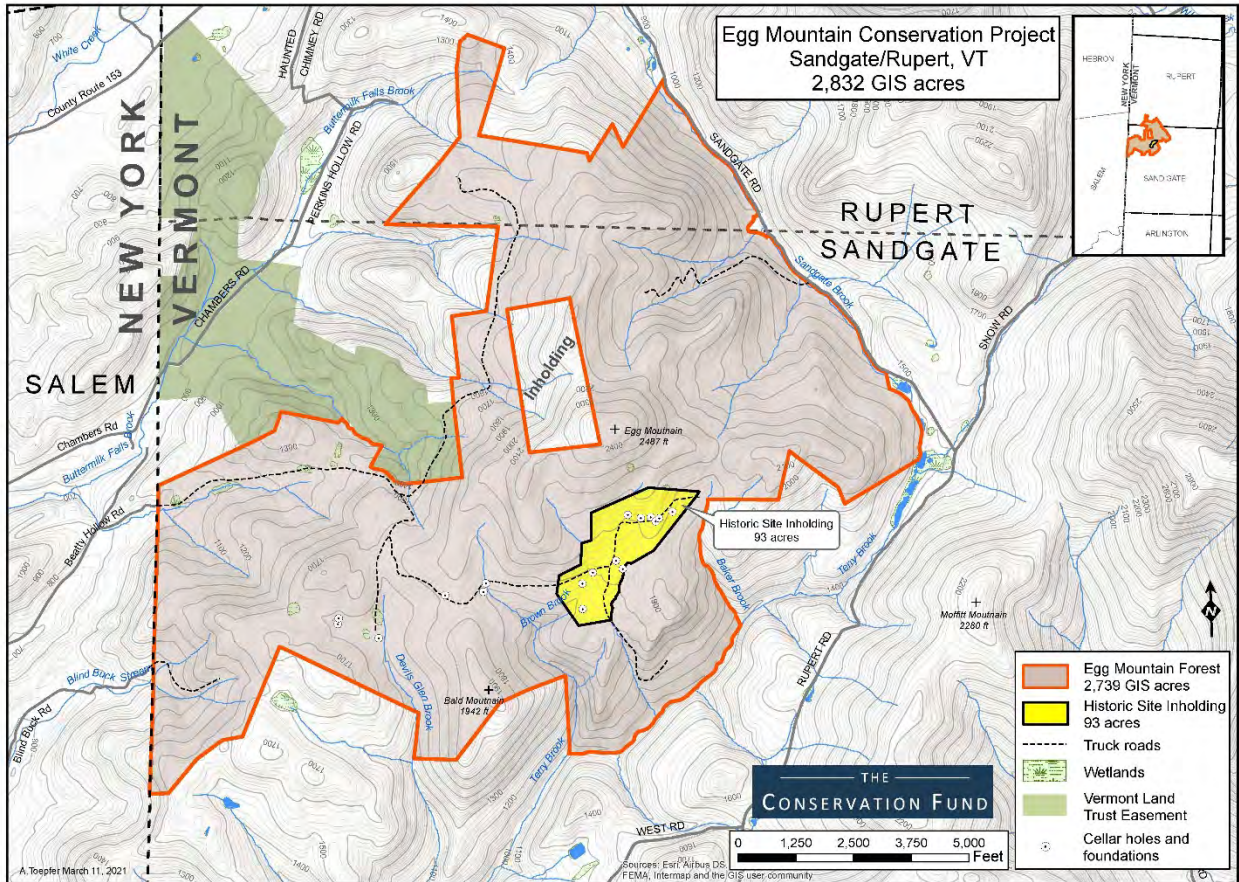
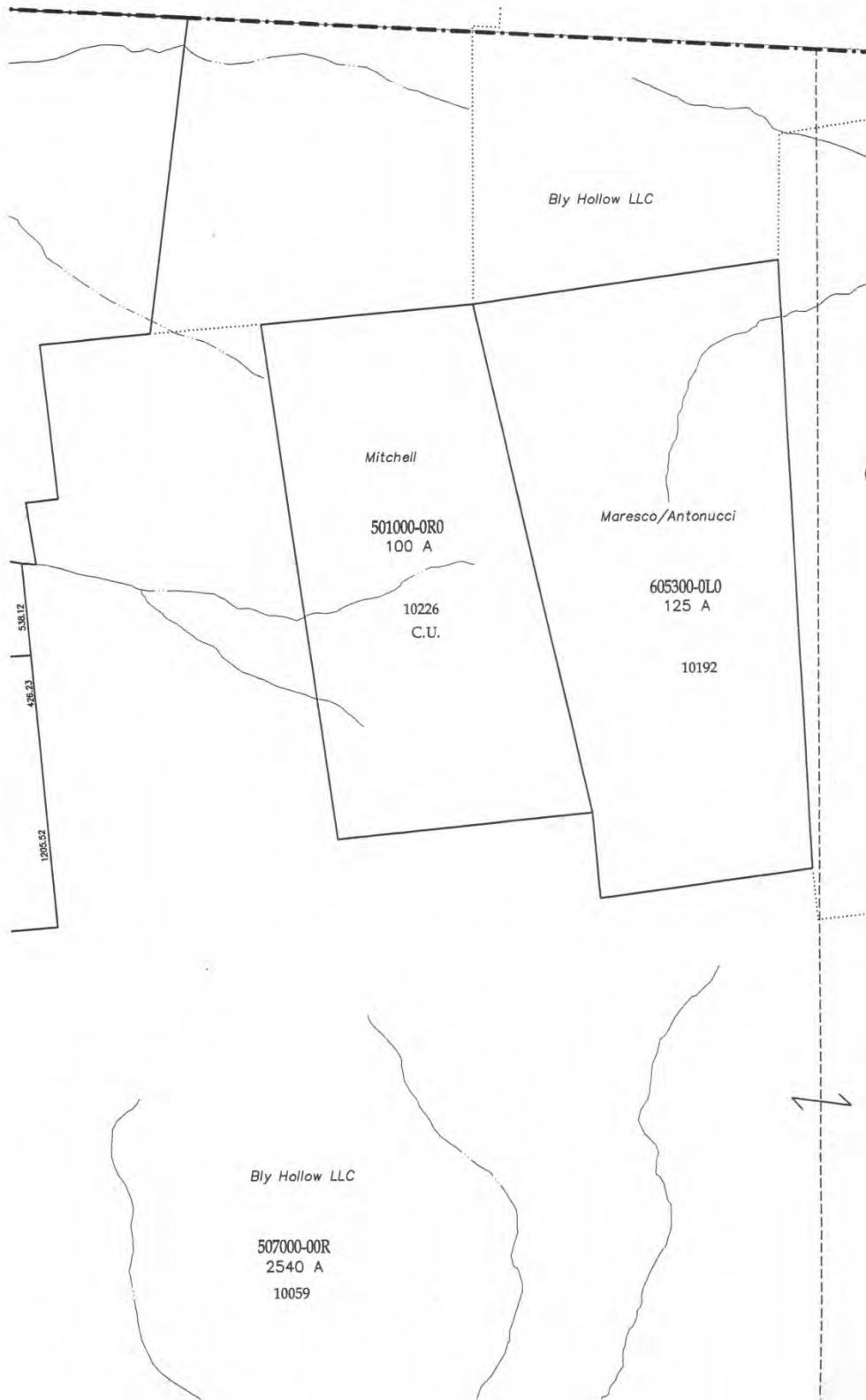


Figure 2 Town of Sandgate 2018 Zoning Map showing Bly Hollow property with two inholdings.



Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250
Phone: (802) 375-9075



NOTICE OF INTENT TO BUILD AN AGRICULTURAL BUILDING

Name: MADAVA MANCHESTER, LLC Map/Lot # 3/139500-008
Daytime Phone: 845-877-5142 Evening Phone: 845-915-0177
Email: TYGE@CROWNMAPLE.COM
Mailing Address: 47 McCourt Rd, Dover Plains, NY 12522
Location of property: BEARTOWN ROAD, SANDGATE, VT
Type of structure: POLE BARN w/ MASON SLABS AND METAL ROOF! SIDING
Size of structure: 30' x 60'

Description of how proposed structure meets state definition of farm structure.
(See back to view the Farm structure definition)

UTILITY BUILDING TO SUPPORT
MAINTENANCE AND STORAGE OF MARE STAMP PRODUCTION EQUIP.

Zoning District FOREST 2 Setbacks met? Yes No

Please provide a sketch indicating: existing & proposed structures and distance to property lines, top of stream bank or edge of pond or wetlands.

- This property is is not in a Flood Plain area.
- This property is is not near ponds, streams or wetlands.

By signing this notice of intent information sheet, I certify that the building meets the requirements of a farm structure. (See definition on back.) I understand that when the structure no longer meets these requirements, I will be required to obtain a zoning permit.

Tyge Ruyter, COO
Landowner's Signature

3/9/21
Date

- If the structure does not meet the required setbacks a written waiver response of waiver will be required from the Secretary of Agriculture please call 802-828-2426.
- A permit from the Department of Environmental Conservation may be required. Please contact the permit specialists at 802-885-8850.

ZONING ACTIVITY REPORT - 2021

March 17, 2021

- 1) R. Lapointe, 420 West Road - State Water Supply and Wastewater System Permit was received and permit issued for a new residence.
- 2) B. Audy, 57 Rupert Road - Permit application received for a new residence and barn; pending receipt of a State Water Supply and Wastewater Supply permit. System has been designed and submitted to State.
- 3) R. Hanson, Sandgate Road - would like to build a bridge over the Green River to access his camp. Referred to Josh Carvajal, State River Management Engineer, to start the process.
- 4) Schonberg, 3622 Sandgate Road - Permit issued for a re model/ alteration. Fifteen-day notice period expires March 25, 2021.
- 5) Koscinski violation - discussed enforcement status with Patrick Lowkes, State Environmental Enforcement Officer . He raised an issue whether there is an environmental violation when there is no formal water source, despite the violation of living in a camp full-time: "no water in, no water out". The passing of Koscinski ended this enforcement action, but the issue remains and Patrick is pursuing clarification of this conflict at the State.
- 6) Country Creek Estates, Christo Papamichael, Swearing Hill - ZBA denied variance application for a camp.
- 7) Kastner, 342 Weldon Drive - variance appeal- pending.

Other:

- 1) S. Beman, 3122 Rupert Road, inquired about expanding his house to live there. There is confusion over whether the septic and well were ever approved as the deed and transfer document refers to a camp. Beman claims they existed when purchased in 2010. Still investigating.
- 2) Draft Zoning Administrator Report was submitted for inclusion in the Sandgate 2020 Annual Report.
Bill Henry

Sandgate Zoning Administrator