

May 3, 2016

DRB Members Present: Rich Curtis (Chair), Carol Welch, Norman Hill, Jeff Cueto, Steve Kappel, Ken Santor, Kim Watson, Mark Lane, Andrew Greenwald

DRB Members Absent: None

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Gary Santy, Wayne Davis, Norman LaPerle, Claire LaPerle, Bob Onne, Jeanne Malachowski, Kathy Clark, Linda Weyerts, Marianne Perchlik, Isaac Chavez, Nick Van Den Berg, Laura Stone, Erik Esselstyn, Pete Richards, Rachael Richards, Andrew Perchlik

Call to Order: 7:00pm

Public Comment: None

Additions to Agenda: None

Review of Application #16-005, submitted by Robert Onne & Jeanne Malachowski

The Chair opened the hearing at 7:01pm by reading the warning: "Review of Application #16-005, submitted by Robert Onne & Jeanne Malachowski, to construct a 24' x 20' shed on their residential property located at 2720 Towne Hill Road. The applicants are requesting a 15-foot §3.14 side setback waiver. The property is in Zone D – Rural Residential/Agricultural, where the side setback is 50 feet." The applicants were sworn in at 7:02pm. The applicants would like to construct a 2-bay shed, and because of the topography of the land, on the only easily-accessible spot from the driveway. They have spoken to the neighbor on that side, Dennis Hawkins. There is a steep drop-off on the other side of the driveway/parking area.

Motion: I move to approve the waiver request for Application #16-005 under Section 3.14A3 for the location of the shed. Made: Ms. Watson, second: Mr. Cueto

Vote on Motion: Passed 9-0

Conditional Use Review of Application #16-007, submitted by the Town of East Montpelier

The Chair opened the hearing at 7:14pm by reading the warning: "Conditional use review of Application #16-007, submitted by the Town of East Montpelier, to construct a park 'n ride/bus stop facility of town property located at 110 VT Rte. 14N, the former Washington Electric Cooperative garage parcel. The existing structure will be removed. This is a brownfields site (Washington Electric, SMS Site #2011-4192) with an approved remediation plan. The property is in Zone C – Residential/Commercial, and is subject to DRB regulation as a §4.13 protected public use." The applicant's representatives and the Zoning Administrator were sworn in at 7:15pm. The town would like to build a park 'n ride with a 100% grant from the state, with a remediation plan approved by ANR. There will be 27 parking slots, a bus shelter, bike rack; the 4 light poles will have Level 1 charging stations, and a Level 2 standalone charging station is included. The DRB asked about pedestrian access and the applicants are willing to have the discussion to add sidewalks connecting to the Old LaPerle Farm property. There will be limited excavation and the site will be raised to close to the current Route 14 level. An Interested Person (IP), Erik Esselstyn, was sworn in at 7:22pm. The green areas around the facility are grass only and will be maintained by the town like the park is. The existing building will be torn down and the concrete basement will be broken up. It will be a paved lot and the water will flow into a new culvert built by the state.

Conditional Use Review – Section 5.5

(C) General Standards

- (1) Facilities – no impact
- (2) Character – will be an improvement
- (3) Traffic – will be an improvement, won't generate more traffic but will be safer
- (4) By-laws – no impact
- (5) Renewable resources – no effect

(D) Site Plan –

- there is good parking and a place for bikes
- no landscaping is planned until a decision is made on the adjoining Old LaPerle Farm property
- lighting – 4 light poles are 18 1/2 feet high with LED's pointing down and away from the neighbor, LaPerle's, property
- grass is about 30' wide by the LaPerle's

(E) – Supplemental Standards

- There is a sign package included in the plans

Motion: I move to allow the construction of the Park 'N Ride facility with the condition that consideration is given to including pedestrian connection to the Village. Made: Mr. Hill, second: Ms. Watson

Vote on Motion: Passed 9-0

Conditional Use Review #16-010, submitted by Orchard Valley Waldorf School

The Chair opened the hearing at 7:37pm by reading the warning: "Conditional use review of Application #16-010, submitted by Orchard Valley Waldorf School on behalf of Mawema LLC (Andrew & Marianne Perchlik), to change the use of the property, located at 174 Coburn Road, from residential to school. OVWS intends to lease the property, which abuts the school's main campus across Coburn Road, for a child care center and other educational uses in line with the school's mission. The parcel is in Zone D – Rural Residential/Agricultural, where conditional use review is required for a school use similar in nature to other allowed uses." The applicants and IPs were sworn in at 7:38pm. Orchard Valley would like to lease the home owned by the Perchliks for child care for 0-3-year-old children. Mr. Perchlik apologized to the neighbors for not contacting them directly. The change of use is needed because home child care can only have a maximum of 10 kids and OVWS would like 18 kids. They are no longer planning to use the lower level for woodworking as written in the application. The garage would be used for woodworking classes with 8-10 kids at a time, in grades 4-8, who would walk supervised from the main campus. The DRB asked about safety precautions for crossing Coburn Road. Woodworking is done using hand tools only so noise will not be a factor.

The septic is approved for up to 31 occupants. The school currently has an Act 250 permit, which may need an administrative amendment. The lower level may be used for gross motor skills areas and administrative offices. The driveway will be widened so that 2 cars can pass. The parking area near the garage will be widened but there is probably not enough room for an emergency vehicle to turnaround. The applicants are open to discussing moving the parking area to below the house, with the understanding that many parents will have infants in car seats to carry. No bus service is planned. No one will reside in the house after hours; the house is currently used as a home daycare.

Neighbor's Concerns:

Rachael & Pete Richards

Their property abuts the proposed parking lot. They have had no issues with the school but are concerned with having a commercial business in a residential area. They feel this will increase traffic on Coburn Road and are concerned as their children get off the bus at Route 14 and walk home down Coburn Road. They have no issues with the current in-home daycare. They wondered if this use can be approved under the current regulations as it is not a specific permitted use.

Nick Van Den Berg & Laura Stone

They are the abutting neighbor on the other side towards Route 14 and are also concerned with an increase in traffic. They wonder if the road can handle the additional traffic as it just meets the minimum standards now. They are concerned with the schoolkids walking down the road

Isaac Chavez

Mr. Chavez is a town resident and has kids that go to OVWS. He feels that this proposed daycare is a benefit to the community as there is a definite need for 0-3 childcare in Washington County. He feels that the landowners are willing to work with the neighbors to come up with a resolution.

Ms. Watson suggested scheduling a site visit. The DRB decided to recess the hearing to 5/17 and schedule a site visit for 6:30pm. They asked the applicants to flag the proposed driveway and parking areas.

Motion: I move to recess the hearing for a site visit on 5/17 at 6:30pm and reconvene the hearing afterward at the Town Clerk's Office. Made: Mr. Cueto, second: Ms. Watson

Vote on Motion: Passed 9-0

Review of Minutes

February 2, 2016

Motion: I move to approve as presented. Made: Mr. Cueto, second: Mr. Hill

Vote on Motion: Passed 9-0

Other Business

ZA Report

- 16 permits so far this year

Ms. Watson invited the DRB to the PC meeting on 5/5 for a discussion on wastewater in the Village.

Motion to adjourn. Made by Mr. Kappel; seconded by Ms. Watson. Passed 9-0. Meeting adjourned at 8:50p.m.