

May 7, 2013

DRB Members Present: Rich Curtis (Chair), Carol Welch, Ken Santor, Jeff Cueto, Steve Kappel, Mark Lane, Betsy Catlin, Kim Watson, Gray Ricker
DRB Members Absent: None

Others Present: Kristi Flynn (Recording Secretary), Char Anderson, Kate Taylor, Cliff Hickman, Zachary Sances, Camille Johnson, Josephina Sances, Deborah Fillion, Ross Hazel, Cherie Staples, Bob Bisson, Nancy Bisson, Bella Sances, Tracy Phillips, Norman Hill, Tom Pierce

Call to Order: 7:00pm

Public Comment: None

Additions to Agenda: None

Conditional Use Review of Application #12-058, submitted by Charlene Anderson and Catherine Taylor

The Chair opened the review at 7:01pm by reading the warning: "Conditional use review of Application #12-058, submitted by Charlene Anderson and Catherine Taylor, to construct a barn on their residential property located at 479 Stoney Corners Road. The property is located in Zone C – Residential/Commercial and is in the Conservation Overlay Area S, the aquifer protection zone, where accessory structures require conditional use review." The applicants were sworn in at 7:03pm. The applicants want to build a 32' x 40' barn to house a woodworking shop and possibly some animals in the future. The property is two lots combined, but there will be only one house and the barn built. The barn will have a toilet, running water and electricity; it will connect to the existing septic that was approved for four bedrooms (they only have two bedrooms). The barn will be well out of the flood plain, built on a slab foundation and closer to the road than the house.

Motion: I move to approve Application #12-058 as presented given the fact that waste generated will be disposed of on-site. Made: Cueto, second: Welch

Vote on Motion: Passed 9-0

Conditional Use Review of Application #13-011, submitted by Tracy & Brian Phillips

The Chair opened the hearing at 7:14pm by reading the warning: "Conditional use review of application #13-011, submitted by Tracy & Brian Phillips, to construct an in-ground swimming pool on their residential property located at 2075 VT Rte 14S. The property is located in Zone C – Residential/Commercial and is in the Conservation Overlay Area S, the aquifer protection zone, where accessory structures require conditional use review." The applicant was sworn in at 7:15pm. The in-ground pool will be located in the open land beside the house. A powered safety cover that is activated from the house will be installed instead of a fence. The pool will be 16' x 36'.

Table 2.6 – there are no natural features to protect and the proposed use will not result in pollution of the ground. There was some discussion regarding draining the pool; there are no concerns with pollution of the aquifer. The pool meets all setback requirements.

Motion: I move to approve Application #13-011 as proposed and, in addition, to approve the use of a safety cover instead of a fence. Made: Catlin, second: Watson

Vote on Motion: Passed 9-0

Conditional Use Review of Application #13-010, submitted by Trustee Tom Pierce on behalf of The Old Meeting House

The Chair opened the hearing at 7:50pm by reading the warning: "Conditional use review of Application #13-010, submitted by Trustee Tom Pierce on behalf of The Old Meeting House, to construct an addition to an existing shed on its property located at 1620 Center Road. The property is a §3.10 pre-existing, non-conforming use in the Rural Residential & Agricultural District [Zone D] subject to DRB regulation as a §4.12 protected public use. The applicant requests a §3.14 setback waiver of 2 feet or, in the alternative, a §7.6 variance of the side setback requirement." Mr. Cueto recused himself. Zone D has 50' setbacks and The Old Meeting House was given the benefit of the residential setback of 25'. The DRB needs to decide if the structure is non-conforming and okay to receive the residential allowance given by a former Zoning Administrator. The DRB would like to see a site plan with specific dimensions.

Motion: I move to recess this review until after the next (EMSLI) hearing. Made: Curtis, second: Ricker

Vote on Motion: Passed 9-0

Continuation of conditional use review of Application #13-001, submitted by EMSLI

The Chair re-opened the hearing at 8:05pm by reading the warning: Conditional use review of Application #13-001, submitted by Ross Hazel, president of the East Montpelier Senior Living Initiative (EMSLI), to construct a 16-unit senior housing facility on undeveloped property owned by Anthony & Jean Cassani located just behind 2537 US Route 2 (across from the East Montpelier Home Center). The property is located in Zone C – Residential/Commercial, where multi-family dwellings require conditional use.” Applicants were sworn in at 8:06pm. Changes from the last hearing:

- Some interior and exterior aspects
- Adding lighting detail
- Oriented towards SE, back of the building set into land by 10’, front raised 10’
- Added elevator
- Smallest setback is 28’, along the back line
- Rear serviced by ramps
- Handicap parking by center entrance
- Reduced grade, will bring in fill for swales

The group needs seven different permits and the DRB is the first one. There will be 16 units with 20 bedrooms; landscaping will generally hide the building.

Questions/concerns:

- As building is centered on the property, concern with filling and leveling; applicant noted building require swales to be filled in
- Concern with storm water run-off: applicant states run-off will be mitigated; will have system professionally engineered
- Water; hope to link into Crystal Springs, if not would drill a well; the land is approved for six wells
- Where are the solar panels; planned for the south-facing slope
- Lighting; no lighting planned in the ROW; plenty of trees to screen neighbors
- What is the rationale for locating in the village; the applicants noted that surveys have showed that people want to be in the village

Section 5.3 – Site Plan

(C)(1) Access – driveway grade is 10% up to the corner; EMFD wanted a minimum 50’ turning circle; line of sight should be at least 390° and AOT will determine what is sufficient

(2) Circulation – seems to be planned out well; walking path is planned for the future; model for the development is Westview Meadows

(3) Parking – space planned for 1 vehicle per unit in covered parking and 1 for uncovered parking; there is storage in the parking level; each unit will also have one storage locker outside the unit; there are 18 spaces in the front parking lot

(4) Landscaping – plan to preserve as much existing vegetation as possible; some neighbors expressed concern about the loss of lupines; 2 of the 3 neighbors opposed the project

(5) Layout – grade of the land prompted the move NE, which should lessen the impact on the Sances property

(6) Lighting – there will be minimal lighting along the road; lighting could be on for certain hours then on motion detectors; some of the neighbors feel single family homes would have less impact

Section 5.4 – Conditional Use Review

(C)(1) Facilities – make sure there is adequate emergency access, DRB would like to see a letter from EMFD, however, a state fire & safety permit is already required

(2) Character – not sure what color, barn red is a possibility; the planting plan needs to be reviewed and revised if necessary; plan to keep as much open land a possible

(3) Traffic – won’t adversely impact the highways; some concern was expressed regarding the speed of cars on Route 2, no traffic study has been done yet

(4) Bylaws – no impact

(5) Renewable resources – hope to heat with water source heat pump and add solar panels

Signs – suggestion for Lupine Lane; Sances and project would have separate 911 addresses. No building sign is proposed and informational signs are exempt.

The Chair recessed the hearing until later in the meeting.

Conditional Use Review of Application #13-010, submitted by Trustee Tom Pierce on behalf of The Old Meeting House

The Chair re-opened the hearing on Application #13-010 at 9:35pm. The applicants are proposing an 8’ x 10’ addition, which leaves a 28’ setback from the boundary line. The DRB considers this a conforming structure and a waiver is no longer needed.

Section 5.3 – Site Plan

There are no questions from the DRB. The parking lot is right next to the shed for easy access

Motion: I move to approve the revised site plan for the addition to the utility shed for The Old Meeting House. Made: Watson, second: Ricker

Vote on Motion: Passed 8-0, Cueto abstained

Motion: I move to enter a deliberative session to consider the EMSLI project. Made: Curtis, second: Welch

Vote on Motion: Passed 9-0

DRB entered deliberative session at 9:45; DRB exited at 10:15pm

Motion: I move to accept the 16-unit senior housing project with the details shown on site plans, pages 1-6, dated 4/23/13 and revisions dated 5/7/13. Made: Santor, second: Lane

Vote on Motion: Passed 9-0

Review of Minutes

April 2, 2013 – tabled to next meeting

Other Business

PC would like to meet with the DRB. They are working on the Town Plan action items, which include a review of the zoning regulations and would like suggestions from the DRB.

Definition Interpretation – the ZA would like the DRB's thoughts on the degree of non-compliance definition; the DRB felt it should be used on a case-by-case basis.

ZA Report

- 6 new permits since last meeting

Motion to adjourn. Made by Ms. Watson; seconded by Mr. Lane. Passed 9-0. Meeting adjourned at 10:30p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary