

Minutes of the East Montpelier Development Review Board

May 15, 2012

FINAL

Site Visit – 200 Fitch Road, Farnham

DRB Members Present: Rich Curtis (Chair), Ken Santor, Jeff Cueto, Mark Lane, Steve Kappel, Gray Ricker, Betsy Catlin, Jean Vissering (alt)

DRB Members Absent: Carol Welch, Kim Watson

Others Present: Denis Farnham

Regular Meeting

DRB Members Present: Rich Curtis (Chair), Ken Santor, Jeff Cueto, Mark Lane, Steve Kappel, Gray Ricker, Betsy Catlin, Jean Vissering (alt)

DRB Members Absent: Carol Welch, Kim Watson

Others Present: Dina Bookmyer-Baker (East Montpelier ZA), Kristi Flynn (Recording Secretary), Denis Farnham, Gerald Papineau, Howard Norman Hill, Paul Guare, Conrad Ormsbee, Helen M. Clark, T. Wayne Clark, C. Bruce Johnson, Carl Etnier, Barbara Clark, Roger Clark, Austin Cleaves, Shawn Davidian, Richard Davidian, Richard Meleady, Georgiana O. Miranda, Gary Butler, Stephen Clark, Peter Shumlin

Call to Order: 7:05pm

Public Comment: None

Additions to Agenda: None

Application #12-015, a proposal by Denis & Ruth Farnham - continued

The Chair re-opened the hearing at 7:07pm by reading the warning: “Application #12-015, an appeal and variance request by Denis and Ruth Farnham to construct an attached garage for an existing non-conforming single-family dwelling at 200 Fitch Road. The property is located in Agricultural and Forest Conservation zoning district E.” The applicant was sworn in at 7:08pm and there were no interested parties. Cueto noted that the well is in front of the house at the SW corner and the septic and leach field are located to the east of the house. The east side has a large porch that would make it difficult to add a garage there. The lot was created in 1978 as a non-conforming lot.

Motion: I move to grant the variance for Farnham because the house was built before zoning and the location is the only logical place to build the garage. Made: Cueto, second: Kappel

Vote on Motion: Passed 8-0

Application #12-001, a proposal by T. Wayne Clark

The Chair opened the hearing at 7:17pm by reading the warning: “Application #12-001, a proposal by T. Wayne Clark to create a four-lot subdivision of the 226.7+/- acre parcel at 628 Codling Road. The property is located in Residential and Commercial zoning district C, and lies partly in Conservation Overlay Aquifer Protection Area S.” The applicant and interested persons were sworn in at 7:18pm. The applicant received preliminary approval on 2/21/12, but needed access permits from SB and well shields were located on neighboring properties. There will be 4 lots: Lot # 1 is the remaining property with the existing residence, Lot #2 will be accessed off Codling Road, Lot #3 will be accessed off Wheeler Road and Lot #4 will be accessed by a ROW off Codling Road. The remaining property is in current use; Lot #4 is being taken out of current use. No development is being proposed in the conservation overlay aquifer protection area S. IP Papineau is in full support and has no problem with the subdivision. IP Hill would like to thank the Clarks for allowing the land to be used for trails. Etnier from the SB noted that agricultural use may be harder in the future with Lot #4 carved out. He asked the DRB what tools they have to guide applicants in subdivision configuration. The DRB responded that the regulations don’t address this issue and the DRB’s job is to approve or disapprove the applications before them; the DRB doesn’t often get applications before the survey is done.

Motion: I move to approve the subdivision as presented. Made: Lane, second: Cueto

Vote on Motion: Passed 8-0

Mylar was stamped and signed by the Chair

Application #12-022 a proposal by Roger and Barbara Clark

The Chair opened the hearing at 7:50pm by reading the warning: “Application #12-022, a proposal by Roger and Barbara Clark to create a PRD for the 76+/- acre parcel on Dodge Road. The property is located in Agricultural and Forest Conservation zoning district E.” The applicants and IPs were sworn in at 7:51pm. The PRD is being proposed to preserve the property. The new home will be built between the re-built barn and the town trail. The existing home will be re-built with a new foundation. The applicants have 49 acres in forest management; the forest is cut every 10 years. The surveyor did not show up with the plat map, so the DRB will recess the hearing to the 6/19 meeting. The applicants agreed to provide a plat map prior to the 6/19 meeting. Bruce Johnson noted that the lots must be subdividable and require an access permit.

Motion: I move to recess the hearing to the 6/19 meeting. Made: Curtis, second: Ricker

Vote on Motion: Passed 8-0

Sketch plan review of application #12-028, a proposal by John & Ellen Rozsa Riley and Peter Shumlin

The Chair opened the sketch plan at 8:16pm by reading the warning: “Sketch review of application #12-028, a proposal by John and Ellen Rozsa Riley (landowners) and Peter Shumlin (applicant) to create a 2-lot subdivision from the 212 acre +/- parcel on 545 Foster Road. The property is located in Agricultural and Forest Conservation zoning district E.” Cueto recused himself. The applicant was sworn in at 8:17pm. Gov. Shumlin noted that the goal is to subdivide into 2 lots and keep the farm intact and both lots will be kept in current use. The lots will be divided along a cliff and river where it can’t be farmed. Lot #1 will be approximately 27 acres along Foster Road and Lot 2 will be the remaining property. The applicants would like a variance to not survey the remaining property. There is no desire to create a 3-lot subdivision. Lot 1 is divided by a road; the final plat map should note that Lot 1 cannot be developed separately. The hearing will be warned for the 6/5 meeting.

Motion: I move to approve the waiver request on the remaining Lot 2. Made: Ricker, second: Kappel

Vote on Motion: Passed 7-0; Cueto recused himself

Review of Minutes

April 17, 2012

Motion: I move to approve as amended. Made: Kappel, second: Lane

Vote on Motion: Passed 9-0

ZA Report

11 new permit applications since last meeting.

Update on purple yurt on Towne Hill Road: recently had open house; owners say they are not conducting yoga classes; the house is located on the Montpelier side; owners say the yurt is being used for a greenhouse; state wastewater department wants to get a baseline to tell if there are any changes in the future.

Next meeting is 6/5 at 7pm.

Motion to adjourn. Made by Mr. Lane; seconded by Mr. Curtis. Passed 8-0. Meeting adjourned at 8:50p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary

Approved 6/5/12