

*Minutes of the East Montpelier Development Review Board*

**APPROVED 6/7/16**

May 17, 2016

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

DRB Members Absent: Carol Welch

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Kathy Clark, Marianne Perchlik, Isaac Chavez, Nick Van Den Berg, Laura Stone, Pete Richards, Rachael Richards, Erica Zimmerman, Kianna Bromley

**Call to Order:** 7:00pm

**Public Comment:** None

**Additions to Agenda:** None

The regular DRB meeting was called to order after a site visit at 6:30pm to the proposed daycare location.

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

The Chair re-opened the hearing at 7:01pm 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 Interested Persons (IPs) from the 5/3 hearing were reminded they were still under oath; new IP was sworn in at 7:02pm. Changes were made to the application: the parking area is now 50' from the property line instead of 15'. Lower level will not be used for woodworking classes. The DRB received mailed testimony from 3 neighbors addressing their concerns: Laura Stone on 5/13, Nick Van Den Berg on 5/17 and Pete & Rachael Richards on 5/17. Ms. Clark noted that the kids walking from the school would be using a trail from the school across their property and just crossing Coburn Road at the daycare's driveway. Mr. Hill expressed his concern with the sight distance before the crossing site and the potential problem with getting in and out of the driveway.

Neighbor's concerns:

**Rachael & Pete Richards**

Concerned with their boys walking the road from the bus stop; addition of snow makes the road narrower. Trying to fit a square peg into a round hole; feels that OVWS has plenty of land on which to build another outbuilding on their property. Deb Reed had spoken with them last year, but the project was a part-time preschool used for overflow from the main campus.

**Laura Stone**

She wondered about additional lighting planned for the project.

Comments in favor of the project:

**Isaac Chavez**

Mr. Chavez noted that the daycare is the main part of the project, not the schoolkids crossing Coburn Road.

**Erica Zimmerman**

Lives in town and has a child at Orchard Valley. Feels there is a shortage of infant childcare and there has been tons of interest at OVWS open houses. It would be nice to have the daycare based at the school and the community seems eager for it. Understands the safety concerns, but expects the road crossing to be as safe as possible.

**Kianna Bromley**

She recently moved to Montpelier from Burlington and hopes to bring her 17-month-old daughter to the daycare. This is an important piece to attract families to the area.

Rebuttals from applicants:

**Marianne Perchlik**

She feels the road safety concerns need to be addressed regardless of the use of this property. The use is not dis-similar to other in the area, i.e., childcare. The school has been looking for a home setting for the daycare for nearly 2 years. They want to help new mothers and families. OVWS is willing to stagger pick-up and drop-off times to ease the possible traffic congestion. There is no plan for additional lighting at this time.

**Kathy Clark**

She felt Deb Reed (previous principal) had talked with the neighbors and hadn't gotten any negative feedback.

**Motion: I move to go into deliberative session to discuss Application #16-010.** Made: Mr. Kappel, second: Mr. Hill  
**Vote on Motion:** Passed 8-0

The DRB entered deliberative session at 7:50pm; the DRB exited deliberative session at 8:24pm.

**Motion: I move to deny Application #16-010 based on the fact that it doesn't qualify as a permitted or conditional use and does not meet the minimum standards of being similar in scale, intensity and potential impact as other uses allowed in Zone D – Rural Residential/Agricultural.** Made: Mr. Hill, second: Mr. Santor  
**Vote on Motion:** Passed 8-0

### **Review of Minutes**

May 3, 2016

**Motion: I move to approve as presented.** Made: Mr. Greenwald, second: Ms. Watson

**Vote on Motion:** Passed 8-0

### **Other Business**

#### ZA Report

- 7 new permits
  - Already busier than last year
- Administrative Amendment questions – can they be used in the following cases
  - Brian Phillips wants to remove an existing barn and replace it with a larger pole barn
    - DRB agreed that this could be done through an administrative amendment
  - Ellery Packard wants to put a free-standing roof over a group of 4 storage containers; as it is a structure, it has to come to the ZA
    - DRB agreed that this could be done through an administrative amendment

**Motion to adjourn.** Made by Ms. Watson; seconded by Mr. Lane. Passed 8-0. Meeting adjourned at 8:55p.m.

*Respectfully submitted by Kristi Flynn, Recording Secretary*