

Minutes of the East Montpelier Development Review Board

June 19, 2012

FINAL

DRB Members Present: Richard Curtis (Chair), Ken Santor, Mark Lane, Kim Watson, Carol Welch
DRB Members Absent: Betsy Catlin, Steve Kappel, Gray Ricker, Jeff Cueto

Others Present: Mark Bannon, P.E., Bruce Johnson, Roger Clark, Stephen J. Clark, Rich Dividian, Carl Etnier,
Paul S. Guare, Staff: Dina Bookmyer-Baker (East Montpelier ZA)

Call to Order: 7:05pm

Public Comment: None

Additions or Changes to Agenda: None

CLARK Plan Residential Development (PRD)

The Chair opened the hearing at 7:05pm indicating that this meeting was an extension of the recessed meeting from May 15, 2012 which was a warned hearing based on the proposal by Roger and Barbara Clark to create a PRD for the ±76 acre parcel at 820 Dodge Rd. The property is located in Agricultural and Forest Conservation Zoning District E.

The ZA passed out an additional letter and materials that laid out the plan from the applicants on the proposal. These materials were received by the ZA on Monday and were handed out to the DRB members for review.

The Chair suggested that the hearing be recessed to 7/3/12 to give the public time to review the new materials.

Bruce Johnson raised a question to the DRB about these materials and when they were available to the public. Regulations require that materials pertaining to the proposal be available before the warned hearing. He indicated that all applications be complete prior to scheduling a warned hearing and if not available then the hearing should be not be warned. In this case since supporting materials were still being provided to the ZA then he felt the hearing should be rewarned as the application was incomplete. Bruce Johnson indicated that the regulations require that the public must have a full 15 days to review a complete application with all the required documents on file at the town office prior to the public notice.

Application completeness was a concern and it was clear that the proposal should be warned again to ensure that all materials are on file regarding the Planned PRD.

Mark Bannon, P.E. went over the plan for the acreage indicated the location of the houses and the construction of the barn. Lot1 will be homestead, Lot 2 will be for the new home for their son Steve, and the 3rd location would be for their daughter. The remaining acreage would remain in the Roger/Barbara Clark Trust. The town trail that parallels the applicants' property line would remain open to the town.

Members thought it best to review the requirements for the PRD and make sure that all requirements have been met for the proposal and to determine that the completeness of the application. Apparently it was clear that Section 7 of the regulations had not been met by the applicant since there was no written agreement about the remaining acreage and what would happen with that land. Members agreed that Section 7 of the need to be addressed by the applicant to make the application complete.

Based on the discussions the Chair made the following motion, Second Lane

Motion: The project application is being sent back to the ZA/Clarks so the application can be completed that the hearing be rewarned as a new hearing when all application materials are available to the DRB and the public.

Vote on Motion: Passed 5-0

Review of Minutes

June 5, 2012

Motion: I move to approve as amended. Made: Welch, second: Curtis

Vote on Motion: Passed 5-0

ZA Report

5 new permits since last meeting.

Swensons – Yurt constructed on Swenson's property on Fair Road and is being used as a dwelling. The ZA was concerned that the yurt did not have a permit. They ignored the violations and a letter was sent to correct within 7 days. They did come in for a permit as an accessory dwelling. It is a temporary arrangement since the occupant was displaced, by Tropical Storm Irene, from his living arrangements.

Motion to adjourn. Made by Watson; seconded by Lane. Passed 5-0. Meeting adjourned at 9:05p.m.

Respectfully submitted by Kim Watson, Corresponding Secretary

Approved 8/7/12