

Minutes of the East Montpelier Development Review Board

APPROVED 10/3/17

June 27, 2017

DRB Members Present: Rich Curtis, Steve Kappel, Carol Welch, Ken Santor, Jeff Cueto, Mark Lane, Andrew Greenwald, Kim Watson (7:10pm), Norman Hill
DRB Members Absent: None

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Doug Kievat-Kylar, Andrew Morse, Susan Atwood-Stone, Susan Witham

Call to Order: 7:00pm

Public Comment: None

Additions to Agenda: None

Final Plan Review of Application #17-022 – Susan Witham

The Chair opened the hearing at 7:01pm by reading the warning: "Final plan review of Application #17-022, submitted by Susan Witham, to subdivide Bradley Witham's 11.8-acre residential property located at 1974 Bliss Road. This proposal will divide the parcel into two lots: a new building lot of 5 +/- acres served by an access easement; and, a remainder lot of 6.8 +/- acres and existing structures with frontage on Bliss and Center Roads. The property is located in Zone D – Rural Residential/Agricultural, where the minimum lot size is 3 acres." The applicant was sworn in at 7:02pm. The access is off Bliss Road and has been approved by the SB and the Road Foreman. Ms. Witham also has signatures from the abutters. The only change from the permit application is that the survey shows 11.2 total acres instead of 11.8; the applicant has initialed the change.

Motion: I move to approve Application #17-022 as presented. Made: Ms. Welch, second: Mr. Cueto

Vote on Motion: Passed 8-0

The Chair stamped and signed the plat.

Final Plan Review of Application #17-027 – Susan Atwood-Stone

The Chair opened the hearing at 7:12pm by reading the warning: "Final plan review of Application #17-027, submitted by Susan Atwood-Stone, to subdivide her 29.3-acre residential property located at 504 County Road. This proposal will divide the parcel into two lots: Lot 2, a new building lot of 12.3+/- acres with 745 feet of frontage on County Road; and, remainder Lot 1 of 17.0+/- acres and existing structures with 882 feet of frontage on County Road. The property is located in Zone D – Rural Residential/Agricultural, where the minimum lot size is 3 acres." The applicant was sworn in at 7:13pm. The curb cut access has been approved by the SB and Road Foreman. The state septic plan approval has also been received.

Motion: I move to approve Application #17-027 as presented. Made: Mr. Cueto, second: Mr. Lane

Vote on Motion: Passed 9-0

Setback Variance Review of Application #17-030 – Brooke MacDonald and Andrew Morse

The Chair opened the review at 7:16pm by reading the warning: "Setback variance review of Application #17-030, submitted by Brooke MacDonald & Andrew Morse, to construct a 20' x 12' woodshed on their property located at 930 Brazier Road. The property is in Zone D – Rural Residential/Agricultural District, where the front setback is 75 feet from the road centerline. The applicants request \$7.6 variance relief from the front setback to allow woodshed siting no closer than 27 feet from centerline. The proposed site is outside of the town's road right-of-way." The applicant was sworn in at 7:17pm. The DRB conducted a site visit to the property prior to the hearing. Work on the structure had commenced and the ZA had brought to their attention the need for a permit. Mr. Morse presented to the DRB where the wood was stored by the previous owner in the garage. He stated that he needed a new solution, as the garage is not a good place to dry out the wood and the back of the house is too wet for wood storage. The new shed will be solidly built and aesthetically-pleasing. Mr. Morse is also planning to re-build the stone wall along the property line. The applicants are requesting a variance for the front setback. Mr. Kievat-Kylar is the only abutter in attendance and was sworn in at 7:32pm. He has no concerns about the placement of the woodshed. He feels there is a fire safety issue with the wood stored in the garage. He feels that Mr. Morse's solution is the best one to solve the problem. Mr. Morse noted that the shed will have a metal roof and no sides.

Section 7.6 review:

- 1) Unique circumstances – part of the property is wet, there are woods and a ditch along the north side of the driveway

Motion: I move that the property is limited enough to meet unique physical circumstances. Made: Mr. Hill, second: Ms. Welch

Vote on Motion: Passed 9-0

- 2) Reasonable use of property

Motion: I move to accept finding of fact in favor of the applicants. Made: Ms. Welch, second: Mr. Lane

Vote on Motion: Passed 8-1 (Kappel)

- 3) Created by appellant – the garden is on the sloped area up to the flat area by the house; Mr. Kievet-Kylar noted that the DRB can impose conditions if they would like to

Motion: I move that the need for the variance was not created by the appellant. Made: Mr. Curtis, second; Mr. Hill

Vote on Motion: Passed 8-1 (Kappel)

- 4) Character of the neighborhood – given the size of the structure, it won't affect the character; the DRB agrees that screening is not necessary

Motion: I move that the structure fits in with the character of the neighborhood. Made: Ms. Watson, second: Mr. Hill

Vote on Motion: Passed 8-1 (Greenwald)

- 5) Least deviation from the plan – some on the DRB felt that the applicant could have moved the structure farther from the road; the corner of the garage is at the 75' setback

Motion: I move that the variance will represent the minimum that will afford relief and will represent the least deviation possible from these regulations and from the plan. Made: Ms. Welch, second: Ms. Watson

Vote on Motion: Passed 7-2 (Kappel, Hill)

Motion: I move to grant the variance for Application #17-030 subject to the condition that the structure is only used for wood storage and that the structure has no sides. Made: Mr. Cueto, second: Ms. Watson

Vote on Motion: Passed 7-2 (Kappel, Greenwald)

Review of Minutes

June 6, 2017

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

Vote on Motion: Passed 9-0

ZA Report

30 permits in 2017

Other Business

Mr. Greenwald announced that this was his last meeting on the DRB; he and his family are moving to Arizona. The Chair thanked him for his service to the DRB.

Motion to adjourn. Made by Mr. Kappel; seconded by Mr. Curtis. Passed 9-0. Meeting adjourned at 8:20p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary