

September 1, 2015

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

DRB Members Absent: Betsy Catlin

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), David Heller, Pierre Lachausse, John Gay, Brad Millenaton

Call to Order: 7:05pm

Public Comment: None

Additions to Agenda: None

Continuation of Dimensional Variance Review of Application #15-012 – James Shanley and Kim Kendall

The Chair re-opened the hearing at 7:06 pm. by reading the warning: “Continuation of dimensional variance review of Application #15-012 submitted by James Shanley & Kim Kendall to construct a 13' x 25' garage on their property located at 950 Sparrow Farm Road. The proposal is to remove an existing, fully non-conforming due to setback, garage with a new structure within the same ground footprint but with greater volume. The property is located in the Agricultural/Forest Conservation District – Zone E., which requires a 75-foot front setback from road centerline. The leading edge of the existing garage is 26 feet from centerline.” The ZA received a letter from the applicants requesting a withdrawal of their permit application.

Motion: I move to close the hearing for Application #15-012. Made: Mr. Curtis, second: Ms. Welch

Vote on Motion: Passed 7-0-1; Watson abstained

Final Plan Review of Application #15-021, submitted by David Heller

The Chair opened the hearing at 7:07pm by reading the warning: “Final plan review of Application #15-021, submitted by David Heller, to amend Subdivision Permit #08-013 which authorized a 3-lot subdivision of his property located at 1912 VT Rte. 14N. The amendment request increases the size of Lot 2 to 3.81 acres, decreases Lot 1 to 24.51 acres, and shifts the location of the access easement. Lot 3 of 3.09 acres is unchanged. The property is located in Zone D – Rural Residential/Agricultural, where the minimum lot size is 3 acres.” Mr. Heller was sworn in at 7:08pm. The applicant is requesting an amendment to permit #08-013 to change two lot sizes because of wetland reclassification. Lot 2 is increased to account for the Class 2 wetlands and to allow for the easement to Lot 3. The state has approved the curb cut access and abutters have been notified. The DRB noted that the map needs to include the measurements along the new boundary between lots 1 & 2. There are new zoning rules state that any easements must be discounted from the lot size.

Motion: I move to approve Application #15-021 with the condition that the missing information on the new lot boundary line be included on the final mylar. Made: Mr. Curtis, second: Mr. Hill

Vote on Motion: Passed 8-0

Biennial Review of Permit Compliance – Casella Waste Management

Joe Gay and Pierre Lachausse discussed the following topics with the DRB:

- Casella reports a quarterly tonnage report with the state which is available to the public
- 50,000-60,000 tons per year; recycling has increased
- Compost/food waste – state ban on food scraps starts in 2020; Casella does not plan to take food waste as there are other facilities to deal with organic waste
 - Green cone on your property is ideal
 - CVSWMD collects food waste
- Methane – with no food waste, methane gas production will be reduced at some point; on Casella’s and WEC’s radars
- Town road trash – the town’s account is still set up as no charge, the Road Foreman just needs to mention this to the person manning the scales
 - Town has been credited for the two loads that were charged
- Muddy Brook Road – Casella has a flag in their system when daily tonnage is reached
 - An employee is responsible for litter pick-up along Route 2 and Muddy Brook
- Covered loads – haulers are generally very good about covering their loads; can be given warnings and may be pulled over
- Fall – Casella planning road construction on main road

- Spring – concrete work inside the transfer station
- A developer is looking at the land at the back of the transfer station along Muddy Brook
- Landfill – still doing groundwater testing after 20 years; have a 5-year extension on monitoring; the surrounding streams are clear

Discussion on Required Setback from Property Line Between East Montpelier Elementary School and Town Recreation Field

The concession stand currently barely meets the setback of 75 feet; the setback will be 60 feet if moved where the Recreation Board wants to move it. The Rec Board also wants to clear out the tree line of buckthorn. The concession stand would need a permit (fee would be waived) for a variance. The movement will make the stand further from the town line but closer to Vincent Flats Road. The boundary line has not been surveyed. Check Section 3.14(A)(3) for a possible variance.

Other Business

Court case updates –

- Wells won his appeal – he can build an accessory dwelling at Cutler Heights; he is bringing in new plans
- Sanfacon/Pollock – both got motions for contempt; Sanfacon is continuing to clad trailers and Pollock is banned from the property

ZA Report

4 new permits since last meeting

Review Minutes

August 4, 2015

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

Vote on Motion: Passed 7-0-1; Watson abstained

Next meeting 10/6 – possibly for Recreation Board, Habitat for Humanity

PC Update – met with DB on 8/31 to discuss zoning amendments. The SB is looking at Section 7.4 and Article 9. Section 7.4 is the Certificate of Compliance, a form of self-attestation and the SB is not convinced that Article 9 is worth inconveniencing a number of citizens.

Motion to adjourn. Made by Mr. Kappel; seconded by Ms. Watson. Passed 8-0. Meeting adjourned at 8:30p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary