

*Minutes of the East Montpelier Development Review Board*

**APPROVED 11/20/12**

October 16, 2012

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

Others Present: Kristi Flynn (Recording Secretary), Bruce Johnson (Interim Zoning Administrator), Seth Gardner, Jon Deerfield, Dina Bookmyer-Baker

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

**Public Comment:** Seth Gardner spoke to the DRB regarding the interim ZA position. He noted that Bruce Johnson has been serving the position since Dina left, the VLCT says it is legal and there is no conflict of interest. Bruce will step down as Chair of the SB and not run for re-election on March. This situation will help with efficiencies in the office and save the town money in the budget. Bruce is experienced and interested in serving the town. The SB hopes to make a final decision at their 11/19 meeting.

**Additions to Agenda:** None

**Election of Officers**

Chair – **Motion: I move to nominate Rich Curtis.** Made: Santor, second, Lane. Vote on Motion: Passed 7-0

Vice Chair – **Motion: I move to nominate Carol Welch.** Made: Watson, second: Cueto. Vote on Motion: Passed 7-0

**Continuation of Hearing on Application #12-048, a proposal by John & Phyllis Sanfacon**

The Chair opened the hearing at 7:10pm by reading the warning: "Hearing on Application #12-048, a proposal by John & Phyllis Sanfacon to conduct enclosed storage of equipment and supplies on their 10.8-acre parcel on Wheeler Road. The property is in Residential and Commercial zoning district C." There is a scheduled site visit by John Brabant on 10/23 at 1:00pm. The applicant requests a continuance to the 11/20 DRB meeting. No DRB member needs to be present as the ZA will be present at the request of the DRB.

The DRB had a discussion of Bill Pollock's letter to the DRB:

1. Attendance should be at the discretion of the applicant and Attorney Cusick should be contacted; the Chair will contact Mr. Pollock
2. It is not the purview of the DRB to say the ZA cannot be part of the Sanfacon proceedings
3. Photos and another site visit are not necessary; DRB feels they would be interim because the clean-up is not complete
4. The DRB agrees a recording of the hearings are not necessary, but the public is welcome to record the hearing

The Chair would like an opinion from the SB that Bruce does not have a conflict of interest. The Chair will send a response to Mr. Pollock and send a copy to the applicant and his attorney, as well as the others copied.

**Motion: I move to continue the hearing for Application #12-048 to the 11/20 DRB meeting.** Made: Ricker, second: Kappel

**Vote on Motion:** Passed 7-0

**Continuation of Hearing on Application #12-043, a proposal by Chris Wong**

The Chair re-opened the hearing at 7:30pm by reading the warning: "Continuation of hearing on Application #12-043, a proposal by Chris Wong to construct an addition for an existing dwelling at 4017 U.S. Route 2. The property is located in Commercial zoning district A, the Conservation Overlay Protection Area S, and lies partly in the Special Flood Hazard Area."

**Motion: I move to recess the hearing on Application #12-043 to the 11/20 DRB meeting.** Made: Cueto, second: Curtis

**Vote on Motion:** Passed 7-0

**Review of Minutes**

August 7, 2012

**Motion: I move to approve the minutes as amended.** Made: Cueto, second: Gray

**Vote on Motion:** Passed 7-0

**Other Business**

**Discussion of Swenson Amendment to Building Permit #12-035 and cure of Notice of Violation (NOV)**

Jon Deerfield built the yurt and lived there, but has since moved out. The yurt is used for storage currently. The ZA checked and noted the change of use. The NOV will be withdrawn if the change of use is accepted by the DRB.

**Motion: I move to accept the withdrawal of the Swenson appeal.** Made: Cueto, second: Watson

**Vote on Motion:** Passed 7-0

**Review of Fontaine #12-012 Subdivision Plat**

The plat that was approved has been changed (the lot sizes are different). The DRB didn't see the usual plat map for approval. Water and wastewater permits have been received for Lot #2. The road maintenance agreement runs with the deed with Fontaine responsible.

**Motion: I move that the final plat meets the intention of the original decision.** Made: Curtis, second: Kappel

**Vote on Motion:** Passed 7-0

Next meeting is 11/20 at 7pm.

**Motion to adjourn.** Made by Mr. Kappel; seconded by Mr. Ricker. Passed 9-0. Meeting adjourned at 8:00p.m.

*Respectfully submitted by Kristi Flynn, Recording Secretary*