

*Minutes of the East Montpelier Development Review Board*

**APPROVED 5/7/19**

April 9, 2019

DRB Members Present: Steve Kappel (Vice Chair), Alice Dworkin, Norman Hill, Kim Watson, Jeff Cueto, Steve Justis, Mark Lane (7:30pm)

DRB Members Absent: Rich Curtis

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Craig Chase, Pauline Coburn, Wendi Coburn, Jeff Laquerre, Joey Laquerre, Greg Western, Alan May, Toni May

**Call to Order:** 7:01pm

**Public Comment:** None

**Additions to Agenda:** None

**Final Plan Review of Application #19-009 – Pauline Coburn**

The Vice Chair opened the hearing at 7:02pm by reading the warning: “Final plan review of Application #19-009, submitted by Pauline Coburn, for a 2-lot subdivision of her property located at 139 Daggett Road. This proposal will divide the 79.49-acre parcel into 2 lots: Lot 1 of 60.79 acres and existing structures with a combined 1,350 feet of frontage on VT Route 14N and Daggett Road; and, Lot 2 of 18.7 acres served by an access easement over Lot 1. The property is in Zone D – Rural Residential/Agricultural District, where the minimum lot size is 3 acres.” The applicants and representatives for all hearings were sworn in at 7:03pm. Mr. Chase noted that the wastewater amendment has been submitted; test pits have been done on Lot 2, but there is no planned development at this time. Lot 2 is a non-frontage lot so there is an easement over Lot 1. The SB has approved the expansion of the curb cut on Daggett Road.

**Motion: I move to approve Application #19-009 as presented.** Made: Mr. Justis, second: Mr. Cueto

**Vote on Motion:** Passed 6-0

**Final Plan Review of Application #19-011 – Jeffrey Laquerre**

The Vice Chair opened the hearing at 7:11pm by reading the warning: “Final plan review of Application #19-011, submitted by Jeffrey Laquerre, for a 2-lot subdivision of his property located at 15 Mays Way. This proposal will divide the 10.15-acre parcel into 2 lots: Lot 1 of 3.02 acres and existing home; and Lot 2 of 7.13 acres and existing garage and camp with 395 feet of frontage on VT Route 14N. Both lots will be accessed by an existing easement over the land of Marc Fontaine. The property is in Zone D – Rural Residential/Agricultural District, where the minimum lot size is 3 acres.” With the subdivision, the applicant plans to sell Lot 1 with the residence, keeping Lot 2 with the garage for personal use. There are two sheds on the property that won’t meet setbacks after the subdivision, so they will be moved or removed. Access to both properties is from Mays Way. There is a possible issue with VTrans over the easement, but the applicants must apply to get an answer. Per the ZA, Mr. Fontaine, as the owner of the land where the road is located, apparently has a concern with the size of the easement as the road has moved over time. The Mays were sworn in at 7:30pm. The Mays are concerned with issues with road maintenance, but the DRB noted that this issue must be dealt with through a maintenance agreement with all landowners. There was a discussion a discussion regarding the primitive camp on Lot 2; the state-regulated definition of a camp is an outdoor shower/outhouse, an indoor wash sink, electricity, no indoor plumbing, lived in less than 60 days in a calendar year. The DRB told the applicants that both of the existing sheds can be moved within the setbacks of 50’; the new locations must be noted before the Mylar is filed.

**Motion: I move to approve Application #19-011 with the condition that the Mylar not be filed until the structures that would be non-conforming are moved or removed.** Made: Mr. Cueto, second: Mr. Hill

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

**Sketch Plan Review – Norman and Carla Messier**

Warning: “Sketch plan review for a proposed reconfiguration & subdivision of the 3-lot, 33.59-acre Messier property located at 440 East Hill Road. The property is in Zone D – Rural Residential/Agricultural, where the minimum lot size is 3 acres.” Mr. Chase noted that the Messiers would like to leave a large lot undeveloped, while carving out one or two additional building lots. The existing lot with the residence will be reconfigured. They are proposing a private road to service three lots. There is a fire pond already on the property. The road will be similar to Captain Kidd Road but shorter, with a hammerhead turnaround. The Messiers would like to keep their current access but they will check with the Road Foreman and SB to see if multiple accesses will be allowed. With the reconfiguration from 3 lots to 4 lots, the DRB would like to see proposed building envelopes; the Vice Chair suggested having another sketch plan review once more details of curb cuts and house sites are worked out. Mr. Cueto noted that it is unfortunate that the driveway easement goes over a dam.

**Conceptual Plan Review – Bailey**

Warning: “Conceptual plan review for a proposed duplex to be located on the 1.58-acre Lot 3, currently owned by Kevin Bailey, of the 2006 Ken Bailey subdivision of the 4243 US Route 2 property. The property is in Zone A, the Commercial District, where all new residential uses require conditional use review.” The ZA brought this to the DRB to ask if they want this proposal for a duplex to come for a conditional use review. In Zone A, residential use is subject to conditional use. The property is located behind Classic Auto on Route 2 and is beside the river, so that the building must be built outside of the river corridor. The property is already approved for single-family residential use. The wastewater permit must be amended from 3 bedrooms to 4 bedrooms and the well must be bigger for two residences. The DRB decides to have the applicant come to the DRB for a conditional use review because it is a duplex.

**Discussion on Cross Vermont Trail Local Permitting**

The DRB held a discussion with Greg Western regarding Cross VT Trail’s new trail project from the bottom of Gallison Hill Road along Route 2. The new trail will connect with the Montpelier Bike Path on the other side of Gallison Hill. Going along the rail bed, there will be a bridge built across the Winooski River at a cost of \$1,000,000; Mr. Western noted they have received grant funds for the project. The trail will connect with the trail on the Habitat for Humanity trail before VT Country Campers. Because 100% of the project is in the river corridor, Cross VT Trails has received a license from the state with the condition that if the trail is ever washed out, it needs to be moved. Part of the project is an accessible trail from a parking lot at the Hidden Dam site down to the water. Because the trail is in the highway ROW, the state permit is conditioned on receiving a town permit or a town exemption.

**Motion: I authorize Cross VT Trails to continue the project as presented without requiring any town permits.** Made: Ms. Watson, second: Mr. Hill

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

**Review of Minutes**

January 8, 2019

**Motion: I move to approve the minutes as amended.** Made: Mr. Lane, second: Mr. Hill

**Vote on Motion:** Passed 6-0-1 (Mr. Kappel abstained)

**ZA Report**

- Thirteen permits in 2019

**Other Business**

- The ZA will put out an announcement for a new DRB member, as Mr. Lange as stepped down.
- Next meeting is scheduled for May 7, 2019.

**Motion to adjourn.** Made by Mr. Cueto, second by Mr. Lane. Passed 7-0. Meeting adjourned at 8:45p.m.

*Respectfully submitted by Kristi Flynn, Recording Secretary*