

October 1, 2019

DRB Members Present: Steve Kappel (Chair), Jeff Cueto, Steve Justis, Glenn Weyant, Clarice Cutler, Mark Lane, Lauren Oates

DRB Members Absent: Norman Hill, Kim Watson

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Alex Aldrich, Sue Aldrich, John Flannery, Sandra Flannery

Call to Order: 7:00pm

Public Comment: None

Additions to Agenda: None

Conditional Use Review of Application #19-048, submitted by GOALASKA LLC

The Chair opened the hearing at 7:01pm by reading the warning: "Conditional use review of Application #19-048, submitted by GOALASKA LLC on behalf of Maurice & Barbara Brown, to change the use of the parcel located at 2641 US Route 2 from single-family residential with an accessory dwelling to a combination of professional office space and single-family residential use. The proposed §4.11 mixed use of the parcel, located in Zone C – Residential & Commercial District, require conditional use." The applicants were sworn in at 7:02pm. The Aldrich's and their partners have purchased the Brown residence after listing it for two months and plan to move their Coldwell Banker office to the house and rent out the second floor as a residential apartment. One access will be removed on the north side and 3-4 parking spaces will be added to the south side of the house. The applicants plan to keep the character of the house. An ADA-compliant back entrance will be added in the future. Eight real estate agents are rarely in the office. The office manager will be there daily from 7am-4pm. GOALASKA LLC is the owner as of the closing 10/1/19. No trees will be removed to add parking. VTrans has required that the bottom 20' of the remaining driveway entrance be paved and widened to 24' for entry and exit; one existing curb cut will be abandoned. A sign permit is included with the application. The applicants plan to place it where the 'For Sale' sign was at the front of the property, being careful of the septic system. The lighting will be on a timer to go off by 10pm; the lights will be focused downward.

Conditional Use Review

Section 5.5, (C) General Standards

- 1) Facilities – no additional impact
- 2) Character of neighborhood –
 - Want to keep the same historic architectural character of the house
 - Addition of sign will change the character slightly
- 3) Traffic – There should be no increase in traffic, possibly less
- 4) By-laws – conforms with bylaws
- 5) Renewable resources – doesn't interfere with neighbors' ability to install renewable energy solutions; hope to add solar in the future

Section 5.5, (E) Supplemental Standards

- 1) Nuisances – not applicable
- 2) Open Spaces – not applicable
- 3) Adverse impact – not applicable
- 4) Landscaping – not applicable
- 5) Signs – will be an old-fashioned-type sign, blue and white
- 6) Water and Septic – no issues
- 7) Periodic Review – not necessary

Motion: I move to approve Application #19-048 as presented, including the sign as proposed. Made: Mr. Justis, second: Mr. Cueto

Vote on Motion: Passed 7-0

Review of Application #19-052, submitted by John & Sandra Flannery

The Chair opened the hearing at 7:30pm by reading the warning: "Review of Application #19-052, submitted by John & Sandra Flannery, to construct a 24' x 24' garage on their property located at 2100 Center Road. The applicants are requesting an 18-foot §3.14 front setback waiver. The property is located in Zone E – Agricultural/Forest Conservation District, where the front setback requirement is 75 feet from road centerline." The applicants were sworn in at 7:31pm. The applicants would like to build a two-car garage with easy access to their house. It will be a low-profile structure and the location is taking into consideration the site of the septic system and leach field. The proposed location will leave the house's southern

exposure open to the sun. The applicants noted that the house is small and the existing garage might be used for living space for a larger family in the future. A setback waiver is required because the garage will be closer to the road. There will be minimum impact to the land and a buffer of trees along the road. The DRB agrees the restrictive topography applies in this case.

Motion: I move that a setback waiver be granted for Application #19-052 subject to §3.14 in the Town's zoning regulations based on the topography of the site. Made: Mr. Lane, second: Mr. Justis

Vote on Motion: Passed 7-0

Conditional Use Review of Application #19-046, submitted by the Town of East Montpelier

The Chair opened the hearing at 7:44pm by reading the warning: "Conditional use review of Application #19-046, submitted by the Town of East Montpelier, to remove the existing, non-conforming 18.5' x 12' concession shed and install and 12' x 24' concession shed in a new location on the town's recreation field complex located at 555 Vincent Flats Road. The applicant is requesting a 14-foot §3.14 front setback waiver to move the shed closer to the road and a 16.67-foot §3.14 side setback waiver to allow the shed to stay at the same distance as the existing shed from the EMES property line. The property, subject to DRB regulation as a §4.13 protected public use, is in the Agriculture & Forest Conservation District (Zone E), where the front setback requirement is 75 feet from road centerline and the side setback is 50 feet." The applicant (the ZA) was sworn in at 7:45pm. The ZA noted that the Recreation Board received approval to move the non-conforming shed four years ago but the project was never completed. Now, the existing structure will be removed and will be replaced with a pre-fabricated shed that is 12' x 24'. The shed will be within the side setback and needs a 16.67-foot waiver. The drainage project on the property will be continued after the soccer season ends. More work will be done on the tree line, fencing and entrance, which should be done by the end of the year.

Conditional Use Review

Section 5.5, (C) General Standards

- 1) Facilities – no impact, this is a community facility
 - 2) Character of neighborhood – no change
 - 3) Traffic – no change
 - 4) By-laws – conforms with bylaws
 - 5) Renewable resources – no effect
- Section 5.5, (E) Supplemental Standards** – not applicable

Motion: I move that a setback waiver be granted for Application #19-046 subject to §3.14 in the Town's zoning regulations. Made: Ms. Cutler, second: Ms. Oates

Vote on Motion: Passed 7-0

Review of Minutes

September 3, 2019

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

Vote on Motion: Passed 7-0

ZA Report

- 12 new permits, 56 total in 2019
- Nothing new on the cell tower issue
- 11/5 meeting could be busy, but currently just have the Casella biennial review
- SB vacancy
- Wrightsville board vacancy

Motion to adjourn. Made by Ms. Cutler, second by Mr. Lane. Passed 7-0. Meeting adjourned at 8:15p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary