DRB Memo
May 4, 2021 DRB Meeting

Final Plan Review of Application 21-024; McCoy Proposed Subdivision

- Owners: Margaret Gibson & Patrick McCoy; 964 Bliss Road; 16.0 acres with dwelling (current tax map acreage; new survey showing 15.06 acres will change this next year)
- Zone D (Rural Residential/Agricultural); 3-acre lot minimum; 250 feet road frontage or access by at least a 20'-wide access easement
- The proposal contemplates two lots:
    - Lot 1 of 7.55 acres with existing house and 295.15 feet of frontage on Bliss Road; and,
    - Lot 2 of 7.51 acres with 816 feet of frontage on Bliss Road
- Selectboard approved residential use of the existing forestry curb cut for proposed Lot 2 (Permit 21-025)
- There is an existing (WW-5-8175; issued February 27, 2020) state water/wastewater permit for a new 3-bedroom w/ 1-bedroom apartment structure on the McCoy property; the site plan provided for this subdivision is an altered (to reflect the subdivision) version of the site plan from that permit process

Review of Application 21-021; Howard/Smith Setback Waiver Request

- Owners: Penelope Howard & Jim Smith; 61 Pauls Square; 0.28 acres with dwelling
- Zone C (Residential/Commercial); 1-acre lot minimum; front setback 50 feet from centerline; side/rear 25 feet; this lot does not have a direct connection to Pauls Square, so under LUDR Section 3.8(D) its front setback is 25 feet
- This lot was developed in 1964, before the enactment of zoning regulations
- Applicants want to construct a 16' x 8' addition to the south side of their existing garage; the addition would start at the front edge of the garage and run back 16 feet along the side of the 25-foot-deep garage
- The garage is approximately 10 feet from the rear property line and is considered a LUDR Section 3.10(A) nonconforming, pre-existing structure; as such it cannot be enlarged in a way that increases the degree of non-conformance absent a finding by the DRB that the increase is necessary due to mandated federal or state regulations; such a finding is not requested in this application
- Applicants are requesting a LUDR Section 3.14(A)(3) setback waiver of 6 feet to the rear and 8 feet to the south side; the maximum allowed in either direction is 8.33 feet
- The Pauls Square lots are unsurveyed, so precise measurement is challenging; the properties abutting the rear and south side boundary lines at issue are both fully fenced; to be conservative, the measurements were started at points two feet beyond (closer to the Howard/Smith buildings) the fence line
- Applicants will remove the non-permitted portable shelter located in the approximate location of the proposed addition and currently serving the desired function of lawn care equipment covered storage
- ZA Johnson will be representing the applicants at the hearing

Zoning Activity Report:

- 9 new applications since last DRB meeting; 27 so far in 2021

Next DRB Meeting Date:

- Scheduled June 1, 2021 meeting date
- Potential hearings:
    - M. Bolduc Leasing LLC (Crossroads Auto), 4423 US Rte. 2
        - Applications for a small storage addition for the auto repair business at the end of one of the storage unit buildings, a change of use for the retail store building (Peak Hydroponic Garden Supply) and a sign for the new use
        - Applications have been submitted but are not yet complete
    - R & J East Montpelier LLC (Demers Auto Body; Green Mountain Day Spa), 1528 US Rte. 2
        - Application not yet submitted, but in the works
        - Significant addition/alterations are proposed to existing structure; flood zone issues are involved