

**Town & Village of Waterbury
DEVELOPMENT REVIEW BOARD
Approved General Meeting Minutes
Date: August 5, 2015**

IN ATTENDANCE:

Board Members Present: Jeff Larkin, Chair; Dave Rogers, Nat Fish, Martha Staskus, Mike Bard

Staff Present: Ryan Morrison, Zoning Administrator; Steve Lotspeich, Community Planner

Public: Greg Rabideau, Rabideau Architects; Deborah Sherman, Larkin Development

Jeff Larkin convened the meeting at 6:30 pm.

6:30 p.m. Application #20-15-V, Ted Brunell, for a Special Flood Hazard Area Overlay District Permit to import fill into the 100-year floodplain for a future home site at 12 Lincoln Street, Waterbury, VT 05676 (Tax Map #19-068.000). Ryan Morrison introduced the project. The applicant seeks to import fill into the 100-year floodplain for a future home site on a property that lies within the VR Zoning District, SFHA Overlay District and 100-year floodplain. The project was approved two years ago. There are no changes to the project that was previously approved. Rebecca Pfeiffer with the state did not have any additional comments. Since the applicants did not appear for the hearing with the certified letters that were to be sent to the adjacent landowners, the Development Review Board was not able to take action on the review.

The hearing was continued to August 19th at 6:45 p.m. by the Chair.

6:40 p.m. Application #32-12-V, Thatcher Hill LLC
The permit expires on August 12, 2015, the date that is two years from the date of the ACT 250 Land Use Permit approval. Greg Rabideau, the project architect, requested an extension on their permit to November 1st. in order to complete construction of the Fairfield Inn.

MOTION:

Mike Bard moved to extend expiration date for the permit #32-12-V, Thatcher Hill LLC to November 1, 2015. Dave Rogers seconded the motion and it was approved unanimously.

6:50 p.m. Application #21-14-T, Paul Reed
The Development Review Board reviewed the final plat for the Knolls at Moulton Farm subdivision.

MOTION

Dave Rogers moved and Mike Bard seconded the motion to approve the final plat for Application #21-14-T, Paul Reed.

VOTE:

The motion was approved unanimously.

- 7:00 p.m. Application #45-15-T, Martha Staskus**, for a Zoning Permit and Ridgeline, Hillside, Steep Slope Overlay District Permit to construct a new single family residence located off the south side of Ring Road, approximately 2,700 feet from the intersection of Ripley Road and Ring Road, Waterbury Center, VT 05677 (Tax Map #14-047.000).

See attached minutes and decision for the application.

- 8:05 p.m. Site Plan Review Waiver Request for Application #26-15-V, Village of Waterbury**, for a new 12 sf sign/kiosk at the new dog park location at 546 River Road, Waterbury, VT 05676 (Tax Map #16-009.000). Ryan Morrison described the proposed sign/kiosk for the Dog Park that is to replace the smaller sign that was previously approved by the Development Review Board.

MOTION:

On behalf of the Development Review Board, Dave Rogers moved and Nat Fish seconded the motion to waive site plan review for Application #26-15-V, Village of Waterbury, for a new 12 sf sign/kiosk at the new dog park location at 546 River Road, Waterbury, VT 05676 (Tax Map #16-009.000).

VOTE:

The motion was approved unanimously.

APPROVAL OF MINUTES & DECISIONS:

MOTION:

Nat Fish moved and Dave Rogers seconded the motion to approve the DRB general minutes of July 15, 2015 as drafted.

VOTE:

The motion passed unanimously.

OTHER BUSINESS:

There was no other business conducted.

ADJOURNMENT:

The meeting was adjourned at 8:15 p.m.

 , Chair

Date: 8-15-15

THESE MINUTES WERE APPROVED ON AUG 8 15

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

**Town & Village of Waterbury
DEVELOPMENT REVIEW BOARD
Approved Hearing Minutes & Decision, #45-15-T
Date: August 5, 2015**

IN ATTENDANCE:

Board Members Present: Jeff Larkin, Chair; Dave Rogers; Nat Fish; Mike Bard

Staff Present: Ryan Morrison, Zoning Administrator; Steve Lotspeich, Community Planner

Jeff Larkin opened the review for Application #45-15-T at 7:00 p.m.

INTRODUCTION:

Ryan Morrison gave an overview of the proposed house. The property is just over 1200 feet in elevation so it is a minor review. Application to construct a new single family residence on a 76+/- acre property within the Low Density Residential and Conservation Zoning Districts, and within the Ridgeline, Hillside, Steep Slope Overlay District.

Permit Application #:	45-15-T
Applicant:	Martha Staskus
Landowner:	SAME
Location of Project:	510 Ring Road, Waterbury, VT

PRESENT AND SWORN IN:

Martha Staskus, Applicant/landowner
Carl Haasper, adjacent landowner
Nicole Vita
Frank Piazza, adjacent landowner
Linda and Bob Kasvinsky, adjacent landowners

EXHIBIT LIST:

Exhibit A	Permit Application #45-15-T
Exhibit B	Site Plan
Exhibit C	ANR Atlas maps of property
Exhibit D	Notice of Public Hearing, dated July 16, 2015
Exhibit E	Notice to Adjacent Landowners, dated July 15, 2015
Exhibit F	Letter from Carl Haasper dated August 4, 2015

TESTIMONY:

Martha Staskus recused herself from the review as a member of the Development Review Board since she is the applicant and landowner.

The property is located approximately a half mile from Ripley Rd. The house will be approximately 2,200 sq. ft. in size. The area below the house is a red pine plantation that screens the house as viewed from the west.

The letter from Carl Haasper was introduced as Exhibit F and was discussed. The permit sign was removed from the property and Mr. Haasper stated that he did not remove it. He is concerned that the smaller size of the house will be out of character with the neighborhood. He is concerned about the location of the septic system and its possible impact on the wells in the area. The design of the septic system requires proper separation distances from the wells and the leach field for the proposed house. Mr. Haasper stated that his main concerns, as stated in the letter, are open space, water, traffic on Ring Road, and the plowing of the driveway through the right-of-way. He is concerned about having to share a driveway.

Martha Staskus stated that she hired an engineer to design a separate driveway for Mr. Haasper. She also offered to pay for the construction of this separate driveway.

The steepness of the driveway was discussed and how it might be dealt with. Maintenance of the shared driveway would need to be agreed to.

The topic of septic easements on the two properties was discussed. Martha is interested in removing an easement for a replacement field along with constructing the proposed driveway for Mr. Haasper.

Martha stated that there is no alternative location for the proposed house on another section of the property that is economically feasible.

The issue of the narrowness of Ring Rd. was discussed. It is a Class IV road and the Town is only obligated to do major maintenance such as replacing failed culverts and repairing major storm damage. Routine maintenance is the responsibility of the property owners served by the road.

The conditional use criteria were reviewed.

Mr. Kasvinsky requested that if the new driveway for Mr. Haasper moves forward, he be involved in the details of the design and construction since the new driveway would be directly adjacent to his property.

The testimony was closed by Jeff Larkin.

FINDINGS OF FACT:

The applicant is seeking approval to construct a new single family residence on a 76+/- acre property located off the south side of Ring Road, Waterbury Center, VT (Tax map #14-047.000).

1. The existing 76+/- acre parcel lies within both the Low Density Residential (LDR) and Conservation (CNS) Zoning Districts, and also within the Ridgeline, Hillside, Steep Slope Overlay Zoning District.
2. The proposed home site lies entirely within the LDR Zoning District.
3. The LDR zone requires a minimum lot size of 5 acres, minimum frontage of 300', a maximum height allowance of 35', and setbacks of: 70' front and 75' side and rear.
4. The proposed building envelope lies within the Ridgeline, Hillside, Steep Slope Overlay District, with elevations ranging from 1206 feet in elevation (FIE) to 1224 FIE. Section 1001(b) states that development at or above 1,200 FIE but below 1,500 FIE shall be considered "minor" development.
5. The property contains an access easement off of Ring Road that currently serves an existing single family residence just to the south of the proposed home. The new home will share this access.
6. Section 1003(a) states that a site development plan for a minor development shall include information as required pursuant to Section 301(b) with the exception of a grading plan, unless otherwise determined by the Development Review Board.
7. Minor development projects in the RHS District are also subject to review under the conditional use criteria.
8. Site Plan Review submission requirements apply to this application, as well as the RHS Review Criteria for 'minor development' projects, and Conditional Use criteria.

CONCLUSION:

Based upon these findings (and subject to the conditions set forth below) the Waterbury Development Review Board concludes that application #45-15-T Martha Staskus for a Zoning Permit and Ridgeline, Hillside, Steep Slope Overlay District approval to construct a new single family residence located at 510 Ring Road, Waterbury Center, VT 05677 (Tax Map #14-047.000), meets the standards in Section 303, Conditional Uses, and Sections 1001, 1003, and 1004 in Article X, the Ridgeline Hillside, Steep Slopes.

MOTION

Mike Bard moved on behalf of the Waterbury Development Review Board, and Dave Rogers seconded the motion to approve Application #45-15-T to construct a new single family residence on a 76+/- acre property within the Low Density Residential and Conservation Zoning Districts, and within the Ridgeline, Hillside, Steep Slope Overlay District, located at 510 Ring Rd. in Waterbury Center, VT with the following conditions:

1. The applicant completes the project consistent with the Board's findings and conclusions and the approved plans and exhibits;

2. All exterior lighting will be downcast and shielded;

VOTE

The motion was approved unanimously with Martha Staskus recusing herself.


_____, Chair

Date: 9-2-15

THESE MINUTES WERE APPROVED ON 9-2-15

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.