

Panton Development Review Board/ Planning Commission

May 6, 2010

Present: Deeny Marshall, Barbara Fleming, Gary Norton, Jim Darragh, Mike Hermann, Louise Giovanella, Zoning Administrator Ed Hanson, Committee Chair David Raphael

Others present: Wesley and Carol John, Richard Carrara, Betty and Robert Hutchins

DRB

7:01 p.m. DRB convened the previous minutes were reviewed Louise Giovanella moved to accept the minutes Mike Hermann 2nd. Unanimously approved.

All those present to give testimony for hearings were duly sworn in.

Reconvened a hearing for a variance request for front and side yard setbacks for a detached 32'x 36' garage from Richard Carrara. The DRB reviewed their findings from their site visit to the Carrara property. Committee Chair David Raphael stated that the proposed new garage wall would be 10' from the grade line and then from the top of the roof would be 15' for a total height of 25' and there is to be no windows on the wall to the peak of north side.

Wesley and Carol John had submitted to Committee Chair David Raphael a written response to Mr. Carrara's request. Mr. John read this response that they feel does not meet any of the five review criteria as outlined in section 373 of the zoning regulations to the DRB. Mrs. John affirmed this. Mr. John stated that they have no objection to a 90' setback from the centerline of the road and a 50' setback from the property line for a garage location. Mr. Carrara spoke to the possibility of other locations that would or would not meet the variance requirements. Zoning Administrator Ed Hanson stated that the Carrara house meets the setback requirements. Committee Chair David Raphael reviewed the five criteria for variance approval.

Mike Hermann moved to close the hearing Louise Giovanella 2nd. Unanimously approved.

Deeny Marshall moved that the DRB reconvene for a deliberative session later Mike Hermann 2nd. Unanimously approved.

8:06 p.m. DRB hearing for a variance to the minimum side-yard setback distance for an attached 24'x28' garage and a 12'x24' bedroom extension to the existing dwelling on his property on 22A from Robert Hutchins. Upon hearing testimony from Mr. Hutchins the DRB reviewed the findings of fact. The findings of fact are as follows; the existing structure is non-conforming and the proposed new structures will not increase its non-conformity, it does not increase hardship, there are some unusual circumstances in the lot configuration and the needs of the applicant, the placement of the additions is to facilitate the use of the building to accommodate the needs of the applicant. Mike Hermann moved to close the hearing Louise Giovanella 2nd. Unanimously approved. Mike Hermann moved to approve the variance request Deeny Marshall 2nd. Unanimously approved.

8:41 p.m. Mike Hermann motioned to enter into a deliberative session for Richard Carrara's request for a variance for a 32'x26' detached garage Louise Giovanella 2nd. Unanimously approved. Mike Hermann moved to deny the request for a variance because it does not fulfil the second, third and fifth requirements under section 24 VSA 117 section 4469 of the Vermont State statutes Barbara Fleming 2nd. Unanimously approved.

Zoning Administrator Ed Hanson stated that he had received a letter from Benjamin Putman the Neuse law firm that on May 25, 2010 a telephone conference with the environmental court will take place to establish the merit of taking the Vorsteveld bunker and mobile home violation to court. A response from the defendants has been received. Louise Giovanella moved to adjourn the DRB Mike Hermann 2nd. Unanimously approved.

Planning Commission

9:05 p.m. Planning Commission convened previous minutes were reviewed Mike Hermann moved to accept the minutes with amendments Gary Norton 2nd. Unanimously approved.

Zoning Administrator Ed Hanson shared there are non-conforming lots that preexisted prior to recent zoning requirements are required to adhere to these. The town of Ripton has come up with an approach Panton may like. They established that in a ten acre district if there are non-conforming lots they changed the set-back requirements appropriately small until lot sizes above 2 acres. Committee Chair David Raphael handed out a draft of the Town Plan to be proof read by the PC and new maps. Next meeting will be June 10, 2010. Meeting adjourned.

Respectfully submitted,
Marjorie Huff,
Clerk