

Development Review Board/ Planning Commission

April 17, 2014

Present: Barbara Fleming, Zoning Administrator Ed Hanson, Louise Giovanella, Jim Darragh, Heidi Mahoney, Kirsten De La Cruz, Committee Chair David Raphael

Others present: William Kipp, John Kipp, Jeff Degraff, Randy Morris, Robert Degraaf, Lynn Jackson, Steve Mundell, Anita Teena Hayden, Hans Vorsteveld, Jason Barnard, Eben Punderson, via telephone were Patti Gaouette, Kevin Brennan, and Cheryl McEwan

DRB

At 7 p.m. Committee Chair David Raphael convened the hearing for the **Stearns/Gaouette** final plat review and approval for a seven lot subdivision of their property on Spaulding Rd. All giving witness were duly sworn in. Committee Chair David Raphael explained that the applicants asked the DRB to approve the plat review with a new adjustment to lot #5 and #3 building envelope. Jason Barnard showed the adjustment of the building envelopes on lot #5 and lot #3. Kevin Brennan asked that the DRB's decision would include language in regards to the select-board interest. Committee Chair said the DRB's decision would include this. Committee Chair David Raphael entered into evidence and read aloud a letter written and submitted on March 12, 2014 by abutters Mary and Rob Rudd, Ben Chamberlain and Wendy Knight. Bill Kipp asked for an explanation of the proposed subdivision. Jason Barnard explained the proposed 7 lot subdivision to him. After discussion a motion was made by Jim Darragh to accept the plan with the wording that the applicant shall address conditions on Spaulding Rd. in conformance with the decision made by the Panton select-board with regard to Spaulding Rd. on 3/25/14 as contained in the letter or to conform with any subsequent agreement made with and adopted by the select-board between the applicant and the select-board. A vote of three for and three against resulted and the motion failed. Louise Giovanella motioned that the DRB adjourn the hearing for the **Stearns/Gaouette** subdivision and enter into deliberative session at the conclusion of the Mundell and DeGraaf hearings Heidi Mahoney 2nd. Unanimously approved.

The DRB continued with a site plan review application from **Steven and Robyn Mundell** for a conditional-use approval and request for a non-complying detached deck replacement. The Mundells requested a review and approval for a waiver to the minimum side-yard setback provisions of section 1003A to reconstruct a pre-existing non-complying deck. Abutter Cheryl McEwan asked about continued privacy and the deck reconstruction. Mr. Mundell informed her that the deck size and location would be the same as before on the north side and lengthened on the south side. Jim Darragh motioned to approve the request and Barbara Fleming 2nd. Unanimously approved.

The site plan review and application for **Robert and Joan DeGraaf's** request for conditional-use approval for a change of use of BJ's Farm Supply store which is an agricultural supply facility to a retail use followed. Committee Chair David Raphael explained the zoning ordinance. Robert DeGraaf shared his vision for the store to include some groceries and alcohol. Eden Punderson representing Andy Megroz spoke to the zoning regulations and inquired as to the change from an agricultural to convenience store. Committee Chair David Raphael read the regulations and explained the criteria to approval. The findings of fact are; the store has been an approved agricultural supply store in operation for 26 years, the applicant wishes to change the interior use to sell more convenience items; and it is located in an R5 district which this use is permissible under #9 of conditional uses. Louise Giovanella motioned to approve the request with the stipulation that there is no change in the footprint of the store, no outside change, operating hours shall not exceed 6 a.m. to 9 p.m. and this use is transferrable with the DeGraaf family as long as the family continues to operate the store. Kirsten DeLaCruz 2nd. Unanimously approved. Jim Darragh motioned to set the permit fee for at \$50.00 for Zoning Administrator Ed Hanson. Barbara Fleming 2nd. Unanimously approved.

Louise Giovanella motioned to convene the deliberative session for the **Stearns/ Gaouette** subdivision Jim Darragh 2nd. Unanimously approved. Jim Darragh motioned to approve the final plat plan as presented with the rewording of condition #7 and eliminate condition #8 in reference to lot #5 Kirsten DeLa Cruz 2nd. Unanimously approved. The **DRB** then concluded the deliberative session and resumed the hearing for the **Stearns/Gaouette** sub division. A vote of four for and 2 against the motion carried. Heidi Mahoney motioned to adjourn the session Jim Darragh 2nd. Unanimously approved. The next meeting will be May 1, 2014 at 6:15 p.m.

Respectfully submitted,
Marjorie Huff,
Clerk