

# Development Review Board/ Planning

## Commission July 10, 2014

Present: Heidi Mahoney, Howard Hall, Mary Rudd, Louise Giovanella, Zoning Administrator Ed Hanson, DRB/PC Chair David Raphael, alternate Anita Hayden

Others present: Anita "Teena" Hayden, Deb and Bob Hartenstein, Lynn and Jeff Provost, Judi Fisher, Paul Sokal

### DRB

#### Old Business

The DRB convened at 7:07 p.m. Previous minutes were reviewed. Howard Hall motioned to approve the minutes with the amendments of rewriting a sentence for better clarification, the exchange of the word committee to DRB/PC and the removal of the article a. Mary Rudd 2<sup>nd</sup>. Unanimously approved.

A hearing for a request for an approval of a waiver to the minimum side-yard setback requirement from Lynn and Jeff Provost for an addition of a closet and master bathroom to their existing dwelling was held. At 6:30 p.m. on July 10, 2014 a site visit was held with four of the board members present: Mary Rudd, Howard Hall, Louise Giovanella, DRB Chair David Raphael, Zoning Administrator Ed Hanson and Lynn and Jeff Provost. Jeff Provost pointed out the geography of the site and explained that the addition will be on the south side of the house and will be canter levered. Their abutter called to let them know that they had no objection to the addition. The request for the waiver is in conformance with the criteria called for. 1. The waiver requested is for a use permitted within a district in question as a by-right use. 2. The request is in conformance with the town plan. 3. It will conform to the land use area in which it lies. 4. The design used incorporates design techniques or other remedies to reasonable limit impact to the neighbors. Mary Rudd motioned to approve the request Louise Giovanella 2<sup>nd</sup>. Unanimously approved.

Zoning Ed Hanson reported that Vorstelveld Farm is not in compliance for their farm labor housing as they are not conforming uses and in order to replace and re-establish their use Vorstelveld Farm must come to the DRB for petition of use approval. He has contacted Vorstelveld Farm to let them know they need a hearing and a permit for the second house. A discussion of the first farm labor house and its proposed conformity and actual structure took place. The Degraaf appeal is ongoing.

#### New Business

The DRB held an informal review for a request for a variance/waiver for an addition of a porch 18'x16' from Bob and Deb Hartenstein. Abutter Judi Fisher shared her thoughts and concerns. DRB Chair David Raphael explained the criteria for an addition. Bob Hartenstein explained the proposed addition. Howard Hall asked that stakes be set in place outlining the proposed addition. Since the Hartensteins' residence is on Lake Champlain Zoning Administrator Ed Hanson suggested that they check with Rick Oberkirch the regional

permitting specialist with the VT Agency of Natural Resources as the new Shoreland Protection Act has just become law concerning their proposed addition. Bob Hartenstein asked about the new Shoreland Protection Act concerning his property. PC Chair David Raphael explained the two basic provisions of concern is that of vegetation removal and retention within 100' of the ordinary high water mark and within 250' of the ordinary high water mark is the allowance of additional square footage of impervious area. A site visit will take place on September 4, 2014 at 6:30 p.m. Their formal request is scheduled for September 4, 2014. Louise Giovanella motioned to enter into a deliberative session concerning bringing non-complying properties into compliance with Zoning Administrator Ed Hanson present. Mary Rudd 2<sup>nd</sup>. Unanimously approved. At 8:26 p.m. Louise Giovanella motioned to come out of the deliberative session Mary Rudd 2<sup>nd</sup>. Unanimously approved. Howard Hall motioned to adjourn the DRB Heidi Mahoney 2<sup>nd</sup>. Unanimously approved.

## **PC**

**Old Business** The PC convened at 8: 49 p.m. The previous meeting minutes were reviewed. Louise Giovanella motioned to accept the minutes with the amendment of the word committee to DRB/PC. Howard Hall 2<sup>nd</sup>. Unanimously approved.

The PC reviewed and discussed the new Junk ordinance as proposed by the select-board. PC Chair David Raphael suggested wording to the effect of having the DRB determine appropriate screening. Paul Sokal expressed his concerns with the proposed Junk ordinance. It was undetermined if the Junk ordinance will include farm implements. PC Chair David Raphael encouraged the PC to voice their concerns to the select-board.

## **New Business**

PC Chair David Raphael read the conditions of the Shoreland Protective Act and pointed out that if the town wants authority it has to adopt a by-law or ordinance functionally equivalent to the Shoreland standards and have adequate resources for administration and enforcement of the by-law or ordinance. Paul Sokal shared that the legislature has changed the open meeting rules. If the town wants to have a web-site it has to post agendas and minutes on the web-site. Agendas have to be posted 48 hours before a meeting and Paul Sokal asked that he have them in 48 hours before that and that meeting minutes that are not approved be marked as draft. Louise Giovanella motioned to adjourn the PC Mary Rudd 2<sup>nd</sup>. Unanimously approved.

Respectfully submitted,  
Marjorie huff,  
Clerk