

HYDE PARK DEVELOPMENT REVIEW BOARD
MEETING MINUTES March 3, 2009

Members Present: Graham Govoni (GG), Craig Fowler (CF), Melvin Harvey (MH), Brickett Bailey (BB), Malcom Teale (MT), Tom Wawrzeniak (TW), Pete Sweeney (PS)

Absent: None

Guests: Ralph Larson, Dave Lachtrupp, Charles Hight, Roy Marble, Charles and Pauline McArthur, Jeff Foss, Chris Whitlock, Larry LaClair, Bud LaClair, Kenneth Grimes, Milford Cushman, Terri Gregory, Priscilla Grimes, Debbie and Bill Burrirt, Orah Moore and Town Administrator Julia Compagna.

GG explained the necessity of signing in for participants who wanted to establish interested party status.

GG called to order the recessed hearing for Application #2007-49, David & Elizabeth Levin, 4-lot residential subdivision, Foss Drive, noted that the applicant was not present and that the preliminary approval granted the previous March had now expired.

GG called to order the recessed hearing on Application #2008-43 Sterling Meadows Farm, 3-lot residential subdivision swore in all giving testimony and requested an update on the project. Applicant Ralph Larson explained that he has changed the proposed project to dividing one, one-acre lot from the original parcel. All other features of the property previously approved would not change. He has a buyer interested in moving forward quickly on the one-acre "Twilight" lot with a "green" development project. GG recognized into evidence wastewater permit #WW-5-4069-1 dated 1/12/09 and revised site plan #T805-13 dated November 2008. GG clarified that all of the previously approved features such as access, utilities, etc. would not change, but the scope of the project was being reduced to a 2-lot subdivision. BB moved and MH seconded a motion to go into deliberative session at the end of the hearings. All were in favor.

GG called to order the hearing for Application #V2009-01, Sunrise Development and Deborah Burrirt, for a 3X5 business sign on East Main Street in the Industrial/Residential District of the Village, swore in all giving testimony and requested a summary of the project. Debbie Burrirt stated the sign would hang from the front of the former R&E Meats packing facility at 590 East Main Street. GG asked if the sign would be lighted. Debbie Burrirt indicated it would not be lighted. MH moved and BB seconded a motion to approve the application as submitted per Section 470 of the Village Bylaws with standard conditions. All were in favor.

GG called to order the hearing on Application #2009-01, Joseph Alfieri and Charles Hight regarding a planned unit development located off Collins Pond Road. GG swore in all giving testimony. Roy Marble submitted into evidence a proposed narrative and

sketch plan explaining their idea for a planned unit development in Rural Residential District 5 and the Green River Reservoir Viewshed District minimal/no impact zone. He stated the project would not involve the subdivision of land. The un-divided 25+-acre parcel would host five residential units on 8-9 acres of the total land. The residences would be clustered together, so the remaining acreage could stay forest and wildlife habitat. The property is served by an existing 30-foot wide right of way. Originally they planned the right of way would be upgraded to provide year-round access with a 16-foot traveled way and 2-foot shoulders, for a total developed width of 20 feet. A letter from Fire Chief Ed Webster was submitted into evidence requesting the traveled way to be 20 feet wide. Roy Marble indicated this would not be a problem. Ditching and culverts would be improved. The right of way does not allow for utilities so the development is planned with off-grid power and cell phone service. Dean Walker has conducted preliminary engineering and found five sites with soils that met state engineer John Klimenock's approval. The sites have potential for 3-4 bedroom residences. Other than soil testing, nothing has been submitted to the state for approval. There are no plans to restrict existing trail use by VAST or Catamount. A 50-foot buffer zone will be maintained around the developed acres for forestland and wildlife habitat. Milford Cushman of the Friends of Green River Reservoir conducted two site walks of the property and found that trees located on the State land and the contour of the property will provide adequate screening from the reservoir during the applicable months of May through October. An existing camp would be forfeited for one of the five units. Roy Marble estimated each unit would involve clearing of a half acre. Pete Sweeney stated that the zoning regulations did not require the road to be wider and did not limit the amount of clearing a landowner could do. Adjoining property owner Pauline McArthur shared a 4-page list of concerns opposing the project and asking for specific information and limitations (see copy in file) as well as the deed for the existing shared right of way. These two items were entered into evidence. Adjoining property owner Chris Whitlock mentioned that another property owner named Bendick was concerned about the impacts upon his deer camp hunting. Mr. Whitlock estimated there is 3-4 acres of beaver habitat that should be on the site plan. He questioned whether power was required for septic approval. Pete Sweeney shared that the state does not require conventional power for septic systems. Charles Hight stated that when they negotiated the right of way deed to the property there was an original stipulation limiting the property to two houses. They were prepared to go to court over the matter, but negotiated and paid more for the property in exchange for the removal of the stipulation, settling out of court. He stated the right of way is unrestricted except for utilities. Larry LaClair stated as an adjoining landowner that they share a common boundary and are not in favor of the development. He stated they would have issues with the road improvements. CF moved and MT seconded a motion to go into deliberative session at the end of the hearings. All were in favor.

GG called to order the hearing for Application V2009-02, Orah Moore, setback waiver for residential addition, Depot Street, swore in all giving testimony and requested a summary of the project. Orah Moore explained that her mom is moving into her home and they would like to add a garage and 15X15 connector containing mudroom, entrance and bath. They would need a 13-foot setback waiver to be 12 feet from the neighbor's

property line and a 23-foot setback waiver from the required 65-foot setback to the road center. The proposed addition will not be closer to the centerline than the existing, non-conforming residence. The small size of the lot, which hosts onsite septic, does not allow for development any other way. There are no objections to the project from neighbors. CF moved and MH seconded a motion to approve the application as submitted with standard conditions. All were in favor.

The DRB reviewed the 12/2/08 and 1/6/09 meeting minutes. MH moved and MT seconded a motion to approve the minutes as written. All were in favor.

MH moved and BB seconded a motion to come out of deliberative session on Sterling Meadows application #2008-43. All were in favor. MH moved and BB seconded a motion to grant final approval to the revised project for a one-acre building lot (under clustered lot bylaw provisions – Page 25) and one remainder lot, equaling a two-lot subdivision, contingent upon receipt of a final mylar compliant with Vermont Plat Law and fee, and with standard DRB conditions. All were in favor.

BB moved and CF seconded a motion to come out of deliberative session on the Hight/Alfieri application #2009-01. All were in favor. CF moved and BB seconded a motion to recess the hearing to the April DRB meeting at 7:00 PM and to send a letter to the applicant requesting additional information outlined in the neighbors' letter of concern (copy in file). All were in favor.

MH moved and BB seconded a motion to adjourn at 8:45 PM.

Respectfully Submitted,
Julia Compagna
Town Administrator