

**HYDE PARK TOWN DEVELOPMENT REVIEW BOARD  
MEETING MINUTES  
August 1, 2017**

*All minutes are draft until approved; please check future minutes for approval of these minutes.*

Members Present: Malcolm Teale, Chair; Craig Fowler, Vice-Chair; Jim Fontaine; Pete Sweeney; Gary Houston; Tom Wawrzeniak  
Members Absent: Melvin Harvey  
Staff: Ron Rodjenski, Zoning Administrator and DRB Clerk  
Guests: David Gagnier, Marlene Gagnier, Eric Williams, Dave Vilord, Susan Bartlett, Ralph Larson, Calvin Nolt, and Lois Nolt

---

Mac called the meeting to order at 7:00 p.m.

1. **Welcome & Modifications to Agenda.** No changes to the agenda were made. No public comment at this time.
2. **PUBLIC HEARING** – Application #2017-23 submitted by Calvin M. Nolt for conditional use and site plan review for a home business vehicle equipment workshop at 260 Puckerbrush West Road (Parcel ID #17-079-014). The project will result in construction of a 30' x 50' shop on an existing residential parcel; 5.9 acres. The project is in the Rural Residential 2 Zoning District. The application will be heard under the 2017 Town Land Use and Development Regulations.

Mac opened the hearing at 7:01 p.m. and Calvin affirmed to tell the truth. Calvin explained that he is proposing a mechanic shop for friends and family, and he is not planning to advertise. Calvin noted that his home has a finished floor area of about 3,200 sf so 1,500 sf for the home business is less than 50%; approximately 47% of the primary structure. Mac noted that being less than 50% does not require design standards. Nolt explained that some minor work could be outside but primarily the equipment work would be inside the new structure. Mac reviewed the Home Business, Section 7.8, standards and Nolt stated that he could comply with those standards, including the limit of 2 package delivery trucks per day. Calvin noted that he would have no outside employees and that he would only infrequently start work outside the times in the Bylaw. Dave Gagnier stated that as a neighbor he has observed Calvin operating equipment in a respectful way later at night but he is relatively quiet. Calvin noted that he is clearing an area for the structure and is leaving a 25-foot screen of trees along the town road. Calvin stated that he would not be advertising or having any signs. Craig noted that any exterior lighting needs to be down-shielded. Calvin stated that his business was for his own business use. Motion by Pete to close the hearing and move into deliberative session. Seconded by Craig. Voting: 6 in favor, 0 against, motion passed.

3. **PUBLIC HEARING** – Application #2017-024 submitted by Sterling Meadows Farm, LLC for subdivision amendment to amend specifications for road construction for T3 turnaround to the 2017 Hyde Park Road Policy (Parcel ID# 15-038-090). Slight adjustments to ROW width and location for Green Park East Road, which begins at may also be considered. The project is in the Rural Residential 2 Zoning District. The application will be heard under the 2017 Town Land Use and Development Regulations.

Mac opened the hearing at 7:10 p.m. and sworn in Mr. Larson. Ralph reviewed his proposed amendments to the road design for Green Park East Road within a 100-foot right-of-way; beginning at T-1 and ending at the T-3 turnaround. Ralph asked that the prior DRB condition for an 18-foot road and 2-foot shoulders be reduced to match the current 2017 Town Road Policy; only requiring a 14-foot wide roadway. T-3 will serve a few potential lots from the Master Plan. Motion by Pete to close the hearing and move into deliberations. Seconded by Gary. Voting: 6 in favor, 0 against, motion passed.

4. **PUBLIC HEARING** – Application #2017-25 submitted by David Vilord, Alex Vilord and Carlos Martin and landowner Vipien, LLC for a change of use of approximately 900 square feet of an existing building to sporting goods retail use requiring conditional use and site plan review (Parcel ID# 01-003-301, b). The project is located at 327 Ferry Street in the North Hyde Park Village District. The application will be heard under the 2017 Town Land Use and Development Regulations.

Mac opened the hearing at 7:17 p.m. and swore in David Vilord. Mr. Vilord explained that about a 1/3 of the existing building on the westerly side of the parcel will be used, about 900 sf, for sporting goods retail. Mac read the Purpose statement for the North Hyde Park Village District; to provide for compact

land development with mixed uses. Pete Sweeney noted that the mixed-use provision language is broad and asked if a gun shop is good to have in a residential district, maybe not he offered. Mac thought that the 15-foot separation for second primary uses on one lot in a carriage building was intended for new construction. Dave is proposing one small sign to be added to an already approved main sign along Ferry Street with retail parking along the south side and a handicap ramp for the main entrance. Mac asked if there are any neighbors comments submitted to the applicant or the town office and Dave and Ron noted that none were submitted. No design requirements are needed as this project is not in the Core area. Motion by Pete to close the hearing and move into deliberative session. Seconded by Craig. Voting: 6 in favor, 0 against, motion passed.

5. **Other Business** – Mac noted that he is upset by the impact of the McKnight decision and the conditions requiring compliance with the maximum 8% driveway grade requirement being verified by an engineer as this was a surprise to the McKnight's. Mac explained that if a steep grade enters Route 15 he would be concerned, but Levesque Drive is much less traveled and a vehicle would only slide into a ditch. Pete stated that the 8% is the problem and it is too restrictive and the regulation should be 15% and if the fire department gets stuck, then they can pull hoses. Craig stated that 8% is restrictive. Eric Williams agreed with the 8% comments but the Town can't do anything about it tonight. Pete felt that the change should happen. Eric Williams stated that he would like to discuss how the McKnight's can get started with a house now. Eric stated that if the Town gets too strict with standards, then some second homes may not get built that would otherwise increase the Grandlist with minimal municipal. Eric felt that it was not possible to get approval to go over 8% and ask for a variance. Ron reviewed the variance process which under state law requires 5 standards to be met, one is that that hardship can't be created by the applicant, and the lot can't otherwise be built upon in conformance with the Bylaw. Tom W. reviewed the reasons for grade requirements in bylaws, which are generally 10% or less, noting that Stowe has 16% because the fire chief has confirmed their fire service equipment can service those properties; for example, having four-wheel drive equipment. Tom thought that the State started the 8% standard, but towns do have the option to increase the grades and the bylaw could be changed. Ron noted that the 2017 Road Policy established grades for new roads steeper than 8% based on speed limits. The DRB encouraged Eric to relay these concerns to the town planning commission, asking the PC to take up the grade issue as soon as possible. Tom noted that the McKnight application materials and testimony represented that they could meet the 8% but to achieve that there would be mega-dollars to be spent and they are finding it out as they started construction by roughing in the driveway. Eric felt that it was also difficult to meet the B-71 Standard for new construction and Jim noted that it would be good to have some flexibility within the policies. Dave noted that development on steep slopes will also be facing new state water quality rules. Mac and Tom agreed that having some flexibility would be good. Craig noted that in the meantime, the McKnight's may need to wait for the town to review this issue and make bylaw changes.

6. **Review the Minutes:** Motion by Tom to approve the July 5, 2017 minutes, as written. Seconded by Jim. Voting: 5 in favor, 0 against, motion passed. Motion by Gary to approve the June 6, 2017. Seconded by Jim. Voting: 4 in favor, motion passed. April 4, 2017 deferred for lack of quorum.

7. **Adjourn** – Motion by Tom to adjourn. Seconded by Craig. Adjourned 8:32 p.m.

Submitted by Ron Rodjenski