

**HYDE PARK TOWN DEVELOPMENT REVIEW BOARD
MEETING MINUTES
September 5, 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; Tom Wawrzeniak
Members Absent: Melvin Harvey; Gary Houston
Staff: Ron Rodjenski, Zoning Administrator & DRB Clerk
Guests: David Harvey, Scott Harvey, Robin Harvey, Eric Patch, Mackenzie McGuire, Jon Henderson, David Shambaugh, Erika Elwood, Tom Elwood, Ryan J. Hayes, Deb Henderson

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

1. **Welcome & Modifications to Agenda.** No changes to the agenda were made. Eric Patch explained that he was observing the DRB tonight to get ready for his October hearing.
2. **PUBLIC HEARING** – Application #2017-37 submitted by Joseph and Elizabeth Kielman for review and approval to add one single-family house (Parcel ID# 05-013-130.400) to an existing private road (Boulder Drive) under Section 8.1 – Access in the 2017 Land Use and Development Regulations. The project is in the Rural Residential 5 Zoning District.

Mac opened the hearing at 7:04 p.m. The applicant's daughter, Mackenzie McGuire, was present to review her parent's proposal for a new house off the end of the private road, Boulder Drive. Mackenzie reported that Mr. Kielman has discussed the wastewater plan with Outback Design and they are considering a long drive to get up to the house site. The Board reviewed the Steep Slope provisions under Section 8.11 because a portion of the parcel has a slope of over 8%. Mackenzie explained that a long curving driveway will be proposed to access a 2-bedroom house. Pete advised that the 8% driveway should be depicted on the wastewater plan. Mac Teale noted that additional Section 8.11 review may be required based on the review of the forth-coming wastewater plan. An approval tonight would be limited to allowing the driveway to begin at the end of Boulder Drive under Section 2.1 of the Bylaw. Ron advised Mackenzie that the DRB decision would be sent soon and that the wastewater plan with the driveway/house location should be submitted for review when it is ready to determine what is next for permitting.

Motion by Pete to close the hearing and move into deliberative session. Seconded by Craig. Voting: 5 in favor, 0 against, motion passed.

3. **PUBLIC HEARING** – Application #2017-38 submitted by Melanie Todoroff on behalf of Todoroff Farm LLC for conditional use and site plan review to convert an existing barn on 105 acres to interior commercial storage space. The project is located at 1480 Battle Row Road (Parcel ID #15-006-090.200). The project will result in change in use of one existing agricultural structure, approximately 9,600 sq. feet on two floors, to warehouse use under Section 6.6, Table of Uses, in the 2017 Land Use and Development Regulations. This project is in the Rural Residential 2 Zoning District.

Mac read the public notice and opened the public hearing. Ron advised that the applicant has asked for a continuance to October to prepare additional information for the DRB. Motion by Tom, seconded by Jim to continue the public hearing to Oct 3rd at 7:00 p.m. Voting: 5 in favor, 0 against, motion passed.

4. **PUBLIC HEARING** – Application #2017-39 submitted by Faith M. Harvey, on behalf of landowner Scott P. Harvey (Parcel ID # 02-100-300), for a 2-lot residential subdivision to create one new residential lot consisting of two acres with an easement onto Foss Drive to access VT100. The remaining lands include an existing residence on 135.7 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 public hearing. Tom Elwood and wife appeared to explain that the access to their house off VT 100, Foss Drive, has been traveled for many years; noting that Dave Levin built his home recently before he had a local zoning permit. Scott stated that the new survey shows he owns the entire road with 30 feet of VT100 frontage. Tom W. asked about the subdivision survey and noted that it should show an access available to Elwood's parcel by state law. Mac stated that if the right-of-way use has existed for a long time, then the access is usually recognized. Tom E. stated that he has held

off on driveway improvements pending the clarification of access. Ryan Hayes (4992 VT 100) stated he was not opposed to the subdivision, but he has seen negative impacts from Foss Drive, such as erosion at his driveway entrance on VT100. Ron noted that the Levin house permit had conditions attached for access improvements which are not yet met. Scott confirmed that he will be granting Faith's 2-acre lot an easement. Tom E. wanted to make sure he could have access to VT100, in case he wanted to sell. Mac reviewed the water protection area and core forest overlay. No significant issues were discovered in regard to overlays and David Harvey stated Fire District #1 had no issues with one proposed house in the WHPA-3. Tom W. looked at stormwater issues and due to the small amount of new impervious area for the proposed driveway and house, there were no concerns for stormwater. Motion by Tom W to waive the preliminary hearing, close the public hearing and move into deliberations. Seconded by Pete. Voting: 5 in favor, 0 against, motion passed.

5. **Other Business:** Eric Patch explained that he was renting storage space for his business and now wants to move his business vehicle parking and interior storage to his house lot off Battle Row Road. He will be appearing before the DRB on October 3rd. The Board explained that he should review the 2017 Bylaws ahead of the hearing.
6. **Review the Minutes:** Motion by Tom to approve the August 1, 2017 minutes, as written. Seconded by Jim. Voting: 4 in favor, 0 against, 1 abstention (Pete due to his absence), motion passed. The April 4, 2017 minutes were deferred for lack of quorum.
7. **Adjourn** – Motion by Craig to adjourn. Seconded by Jim. Adjourned 8:32 p.m.

Submitted by Ron Rodjenski