

**TOWN DEVELOPMENT REVIEW BOARD
MEETING MINUTES
August 9, 2021**

Members In-Room: Malcolm Teale, Chair; Mary Walz; Tom Wawrzeniak
Members Virtual: Elisa Clancy,
Members Absent: Craig Fowler
Staff Virtual: None
Guests Virtual: None
Guests In-Room: Ron Rodjenski, Town Zoning Administrator GMATV did not videotape this meeting.

Mac called the meeting to order at 6:04 p.m.

1. **Welcome & Public Comment** – No public comment received and no changes to the agenda.

2. **PUBLIC HEARING #1**

Application #2021-37 submitted by Francois Marcoux for a 2-lot subdivision of Parcel 15-006-038 with setback waivers requested on proposed Lot 2, boundary line adjustments for Lot 1 and 804 Battle Row Road, and a waiver request from the preliminary hearing requirement making this hearing the final hearing if approved. The proposed project maintains a non-residential use on Lot 2 with frontage on Battle Row Road, creates Lot 1 for a new single-family home on 6.14-acres to be accessed via a proposed 50-foot right-of-way across Lot 2 and allows an existing home at 804 Battle Row Road to share the proposed 50-foot right-of-way. A boundary adjustment is proposed between the proposed Lot 2 (774 Battle Row Road), and the existing home lot at 804 Battle Row Road (Parcel 15-006-044). The property is in the RR2 Zoning District, and the application will be reviewed under the 2020 Town Land Use and Development Regulations.

Mac opened the hearing at 6:05 p.m. and read the public notice. Matt Reed was present to review the boundary adjustment to ensure the 25-foot setback for the existing Lot 1 home which was constructed on the lot's westerly property line. The proposed ROW was existing by use and deed, but not depicting on a survey to permanently fix the location. Matt noted that the driveways on the site plan makes are in the 3-4% centerline grade. No wastewater is existing or proposed for the garage / shop on Lot 2. Matt explained that the shed could be removed to meet the 15-foot setback for front lot line on Lot 2 but they would like to keep it at the 5-foot minimum to the proposed ROW. Mary asked if the commercial use on Lot 1 is where he keeps his shop and business, and Matt said he would confirm with his client, noting that the business operator lives on the 12-acre lot. Mary asked if the DRB needs to approve the use and Ron noted that the records indicate a pre-existing commercial use (began prior to 1988). The existing lot before subdivision into Lot 1 and Lot 2 contains both the existing single-family house, a barn for agricultural use hay storage, and the commercial garage for towing business use. Ron explained that the pre-existing level of the commercial use can be established in the decision as is required by the Bylaw, and Matt will clarify with the landowner if the uses are as described tonight. Mary asked about the 50-foot ROW versus the 30-foot which would be adequate for three lots, and Matt confirmed that there is an existing 50-foot deed to the 12-acre parcel, so they want to keep that width, but just locate and depict it on the survey. Mary asked about the UG line that does not show an easement, and Matt noted that it can be added to the plat, noting that the deeds will need to include easement language when the lots transfer. The water line crosses four properties including Lot 2 and is not serving this subdivision. Motion by Elisa to close the public hearing and move into deliberations. Seconded by Mary. Voting: 4 in favor, 0 against, motion passed.

3. **Public Hearing #2 – Tyler Maynard**

Application #2021-38 submitted by Tyler Maynard for a home business use at 385 Diggins Road (Parcel 06-115-029.100) proposed to not exceed 100% of the existing home's finished floor area. The existing home is located on the same parcel at 501 Diggins Road. No new buildings are proposed however, the existing home business was approved under town permit #2013-01 with a maximum home business square footage of 25% of the home's finished floor area. The property is in the C10 Zoning District and the application will be reviewed under the 2020 Town Land Use and Development Regulations.

Mac read the hearing notice. Ron reported that Tyler Maynard called today to withdraw the application. Motion by Mary to close the hearing and accept the withdrawal. Seconded by Elisa. Voting: 4 in favor, 0 against, motion passed.

4. Public Hearing #3 – Mead

Application #2021-40 submitted by Matthew Reed on behalf of landowners Donna and Robert Mead for a 3-lot subdivision off a private road, Sugar Ridge Lane (Parcel 16-0390913) and a waiver request from the preliminary hearing requirement making this hearing the final hearing if approved. The project will reduce the existing home's lot size to 1.06 acres (281 Mead Road) and create Lot 9A for a proposed single-family home on 2.21 acres and create Lot 9B for a proposed single-family home on 2.45 acres. Proposed right-of-ways off Sugar Ridge Lane are required to access Lots 9A and 9B. The property is in the RR2 Zoning District, and the application will be reviewed under the 2020 Town Land Use and Development Regulations.

Mac opened the hearing at 6:27 p.m. and read the public notice. Matt Reed was present to review the proposed single-family lots, Lot 9A and Lot 9B, with the remaining lands, Lot 9, including the existing Mead home. Matt explained that the previously deeded 25-foot ROW off Mead Road crossing Barbour parcel will not be developed for vehicle access but may be used for a walking path. The applicant needs a new 19 VSA 1111 from the Selectboard to increase the number of homes from three to five that will use Sugar Ridge Road. Mac asked about the existence of a road maintenance agreement with the three existing homeowners. Matt said he would look at the road agreement in the deeds to make sure it addresses the existing homes and new lots, noting that with the two new homes, the proportionate road maintenance costs should be reduced. Ron explained that two neighbor concerns came in prior to the hearing with one questioning the use of the 25-foot ROW and the second being an adjoining landowner (109 Mead Road) who was concerned about the closeness of the new home on Lot 9C to his existing home. Ron noted that neither party submitted written testimony or decided to appear tonight. Matt confirmed that all easements will be on the survey plat and the existing 25-foot easement will benefit only Lot 9C. Motion by Tom to close the hearing and move into deliberative session. Seconded by Mary. Voting: 4 in favor, 0 against, motion passed.

5. Public Hearing #4 – Harvey

Application #2021-44 submitted by Gary Nolan on behalf of landowner KA Harvey (Parcel 01-100-473) and Craig and Debbie Edwards for a proposed right-of-way across 152 Mudget Drive to serve a proposed single-family home on the deferred lot under town permit #2020-28 owned by KA Harvey consisting of 8.89 acres and tentatively referred to as 150 Mudget Drive. The project also proposes to lift the current deferred status of the 8.89 acres and construct one home and garage with an individual driveway as a consolidated permit application. The property is in the North Hyde Park Village Zoning District and the application will be reviewed under the 2020 Town Land Use and Development Regulations.

Mac opened the hearing at 6:41 p.m. and read the public notice. Ken Harvey explained that the 8-acre parcel, depicted as Lot 7 on the site plan, will be accessed by a ROW across Lot 5 and the wetlands & wetland buffer have been delineated with the proposed driveway along the westerly edge of the wetland buffer. Ken was aware of the need to acquire a State 1111 permit per VTrans Ed Pierce's email received today. Ken noted that the state wastewater permit is pending, and Grenier Engineering is processing that permit. Ken noted that Parcel A is owned by Manosh. Ken stated that Parcel A cannot access Mudget Drive due to the presence of wetlands so that lot. Parcel A could be the fourth lot off the end of Mudget Drive and require a road upgrade which applies to all accesses with four or more homes. Motion by Tom to close the hearing and move into deliberative session. Seconded by Elisa. Voting: 4 in favor, 0 against, motion passed.

6. Other Business

The Town Planning Commission is working on zoning amendments. The list of possible amendments is posted on the town planning commission web page at hyddeparvt.com. Motion by Tom to move into deliberative session on the four applications. Seconded by Mary. Voting: 4 in favor, 0 against, motion passed.

7. Adjourn

Motion by Elisa to adjourn, seconded by Mary, meeting adjourned at 6:54 p.m.

Submitted by Ron Rodjenski