



DEVELOPMENT REVIEW BOARD MEETING MINUTES

Meeting Type: **Regular Meeting**
Date: **Thursday, July 23, 2015**
Time: **7:00 p.m.**
Place: **Municipal Building Community Room**
Address: **43 Bombardier Road, Milton, Vermont 05468-3205**
Contact: **802.893.1186**
Website: **miltonvt.org**

1 **1. CALL TO ORDER**

2 The Chair called the meeting to order at 7:07 p.m.

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4 **2. ATTENDANCE**

5 **Members Present:** Bruce Jenkins, Vice-Chair and Acting Chair; Clayton Forgan; David Conley

6 **Members Absent:** Henry Bonges

7 **Staff Present:** Jacob Hemmerick, Planning Director; Kristen Treanor, Planning Assistant

8 **Public:** See attached sign-in sheet.

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10 **3. AGENDA REVIEW**

11 None.

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13 **4. PUBLIC FORUM**

14 None.

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16 **5. PUBLIC HEARINGS**

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18 **5.1 Conditional Use Application - 698 Everest Road - Paul J. Mattos and Clara E. Cavitt, Applicants/Paul**
19 **Joseph Mattos and Clara Ellen Cavitt Trust, Owners**

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21 The Chair read the following summary to open the hearing:

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23 In accordance with Sections 353(7) and 500 of the Town of Milton Zoning Regulations, the Applicant(s) are
24 requesting Conditional Use approval to install a beach access stairway from an existing dwelling unit patio,
25 located at the top of the lakeshore bank, down to the shoreline. The proposed stairway includes the
26 construction of two landings: one at top of the embankment, adjacent to the patio, and another at the top of
27 an existing retaining wall near the shoreline. The subject property is located at 698 Everest Road, described
28 as SPAN #12242, Tax Map 37, Parcel 19. The property contains a total of 0.43 acres and is located within the
29 "Shoreland Residential" (R6) and "Flood Hazard" (FH) Zoning Districts.

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31 The Chair administered the oath to Interested Persons.

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33 In response to the following numbered items in the Staff Report:

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- 36 1. The Applicant agreed to include a drawing showing all distances from structures to the property
37 boundaries in compliance with the conditional use approval and the setback requirements for the
38 District in which the structure is located (shoreline setback exempted).
 - 39 2. The Applicant agreed to abandon the existing stairway to the shoreline and re-vegetate that area.
 - 40 3. The Applicant agreed to implement proper erosion and sedimentation measures during construction.
 4. The Applicant agreed to construct and maintain the proposed stairway in accordance with Section VII of

Appendix A, Special Flood Hazard Area.

- 5. The Applicant agreed to obtain a Project Review Sheet from the Vermont Agency of Natural Resources for the proposal, in accordance with Zoning Regulations Appendix A, Section VIII, A, 1b. The applicant advised this is already in process.
- 6. The Applicant agreed to address any comments made by the state NFIP Coordinator prior to issuance of a Zoning Permit.
- 7. The Applicant agreed to obtain a Zoning Permit and, after construction is complete and prior to occupation/use of the improvements, a Certificate of Compliance.
- 8. The Applicant agreed to address any remaining concerns from the DRB concerning the standards above. Conley asked if there were going to be 7 steps going from the second landing down to the lake and Mattos advised there were 6 actual steps with the seventh one being the landing. Conley asked if the lower set of stairs that reach the beach would be permanent. Mattos stated the stairs are removable, as are the upper set in case the water gets abnormally high. Conley asked if the water level has ever gone over 104', and Mattos replied no, but added that in May 2011 the water level did reach within 8" of the top of the sea wall. Conley asked what other residents in the area were using; Mattos stated that there are various methods in use by neighbors. Jenkins asked if the site contained ledge; Mattos stated that the ledge was farther north and that his location was principally a dirt bank.

MOTION made by Conley to approve the Conditional Use Application subject to the 8 conditions listed in the Staff Report, SECOND by Forgan. Unanimously APPROVED.

6. OTHER BUSINESS

Hemmerick introduced the new Planning Assistant, Kristen Treanor, and stated that the Town Planner search is moving forward.

Hemmerick stated the Planning Commission had a meeting on July 21, 2015 with their planning consultant, PlaceSense, and that a list of 101 Zoning Alternatives had been created with the aim of meeting the goals of the Comprehensive Plan and the Interim Zoning Bylaws. The Planning Commission is taking a look at that list and will be paring it down to reflect what is important to them and what is feasible.

General discussion ensued. Hemmerick stated that there is currently one Site Plan Amendment for the August 13, 2015 DRB meeting and three applications for the second meeting in August. Vacancies on various Commissions were also discussed. Conley asked about a reduction in fees that he read about and Hemmerick advised that there had been a reduction in the Impact Fees effective July 1, 2015 and explained how those fees were formulated.

Finally, Hemmerick presented the draft written Decision regarding T. Chase Investments' application for Site Plan approval for the site at Catamount Drive Lot 14B (for which a vote was taken in Deliberative Session) on July 9, 2015. The vote records shows that the application was approved (as follows) subject to conditions.

- Vacant, Chair yea/nay/abstain/absent/recusal
- Bruce Jenkins, Vice-Chair: **yea**/nay/abstain/absent/recusal
- Vacant, Clerk: yea/nay/abstain/absent/recusal
- Henry Bonges: **yea**/nay/abstain/absent/recusal
- Clayton Forgan: **yea**/nay/abstain/absent/recusal
- David Conley: yea/nay/abstain/**absent**/recusal

7. MINUTES

Jenkins suggested they table the approval of the Minutes of June 9, 2015 due to Conley not being present at that meeting. Minutes TABLED by UNANIMOUS CONSENT

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8. DELIBERATIVE SESSION

Hemmerick mentioned the DRB has one pending decision regarding Greenfield Way. The timeline was discussed and deliberations were TABLED by UNANIMOUS CONSENT until August 13, 2015. The DRB did not enter Deliberative Session.

9. ADJOURNED

MOTION by Conley to adjourn at 7:30 p.m., SECOND by Forgan. Unanimously APPROVED.

Minutes approved by the Commission this _____ day of _____, 2015.

Bruce Jenkins, Vice-Chair & Acting Chair /kt

Filed with the Town Clerk this _____ day of _____, 2015