



DEVELOPMENT REVIEW BOARD

Meeting Type:..... **Regular Meeting**
Date:..... **October 12, 2017**
Time:..... **7:00 p.m.**
Place:..... **Municipal Building Community Room**
Address:..... **43 Bombardier Road Milton, VT 05468**
Contact:..... **(802) 893-1186**
Website:..... **www.miltonvt.org**

MEETING MINUTES

1 **1. CALL TO ORDER**

2 The Vice-Chair called the meeting to order at 7:02 p.m.
3

4 **2. ATTENDANCE**

5 **Members Present:** Bruce Jenkins, Chair; Henry Bonges, Vice Chair; Julie Rutz, Clerk; Robert Brisson

6 **Members Absent:** Karen Trombley, Alternate

7 **Staff Present:** Victor Sinadinovski, Town Planner

8 **Public Present:** Richard McLay; Daren McLay; Brett McLay; Doug Hewitt; Linus Kinner
9

10 **3. AGENDA REVIEW**

11 None.
12

13 **4. PUBLIC FORUM**

14 None.
15

16 **5. OLD HEARINGS/BUSINESS**

17 None.
18

19 **6. NEW HEARINGS/BUSINESS**

20 **6(A) Conditional Use and Site Plan Amendment - 266 Cold Spring Road, Richard and Daren McLay,**
21 **Applicants/Owners**

22
23 The Vice-Chair read the following summary to open the hearing:
24

25 Richard and Daren McLay, Applicants and Owners, request Conditional Use and Site Plan
26 Amendment approval for the property located at 266 Cold Spring Road. The proposal is for the
27 construction of a retaining wall along the waterfront of Lake Champlain. The property is a 1.5-acre lot,
28 described as SPAN 12316, Tax Map 39, Parcel 8 and is located in the Shoreline Residential Zoning
29 District (R6).
30

31 The Vice-Chair administered the Oath to Interested Persons.
32

33 In response to the following items within the Staff Report:
34

- 35 1. The Applicant agreed that the DRB may require that the Applicant schedule a site visit prior
36 to closing the hearing.
37 2. The Applicant agreed to limit the size of the construction area to the minimum necessary.

- 1 3. The Applicant agreed to limit the removal of existing trees to only those necessary to
2 construct the retaining wall.
- 3 4. The Applicant agreed to mark the site boundaries to identify the limits of construction.
- 4 5. The Applicant shall limit the amount of soil exposed at one time.
- 5 6. The Applicant agreed to stabilize exposed soil with seed and mulch or erosion control
6 matting as soon as the retaining wall is complete.
- 7 7. The DRB agreed to take into account the effect of the proposed use on the character of the
8 area.
- 9 8. The Applicant agreed to obtain a Project Review Sheet from the Permit Specialist in the
10 District 4 Regional Office of the Agency of Natural Resources, provide a copy to the Town,
11 and obtain all required State permits and approvals prior to construction.
- 12 9. The Applicant agreed to submit two full-sized and two reduced-size complete final plan sets
13 depicting the requested changes. The revised plans must be deemed Final by the Town
14 Planner prior to being eligible for a Zoning Permit from the Zoning Administrator.
- 15 10. The Applicant agreed that the Site Plan and Conditional Use Approval shall expire three
16 years from the date of issuance, if the Applicant does not receive a Zoning Permit by this
17 date.
- 18 11. The Applicant agreed that the Zoning Permit is required prior to construction/use and an
19 associated Certificate of Compliance is required after construction is complete (and prior to
20 occupation/use).
- 21 12. The Applicant agreed the Zoning Permit shall expire two years from the date of issuance if
22 the Applicant does not receive a Certificate of Compliance by this date. The Applicant may
23 apply to the Zoning Administrator for a single one-year extension for the identical project.
- 24 13. The Applicant agreed that omission or misstatement of any material fact by the Applicant or
25 agent on the application or at any hearing which would have warranted refusing the permit
26 or approval shall be grounds for revoking the permit or approval at any time.
- 27

28 The DRB asked the Applicant what equipment the Applicant intended to use, what excavation was
29 going to be done and what materials the Applicant intended to use for the construction of the wall.
30

31 The Applicant agreed to provide the DRB with the requested information at the October 26, 2017
32 hearing.
33

34 MOTION by Rutz to CONTINUE HEARING for Richard and Daren McLay to October 26, 2017.
35 SECOND by Brisson. APPROVED.
36

37 **7. OTHER BUSINESS**

38 **7(A) Planning Staff Report**

39 Victor Sinadinoski updated the DRB on the Planning Department.
40

41 **7(B) Other Business**

42 The DRB agreed to meet at 6:30 p.m. on October 26, 2017.
43

44 **8. APPROVAL OF MINUTES**

45 MOTION by Rutz to approve the Minutes of August 24, 2017. SECOND by Brisson. APPROVED.
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47 MOTION by Rutz to approve the Minutes of September 28, 2017. SECOND by Bonges. APPROVED.

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9. ADJOURNED

MOTION to ADJOURN at 7:45 p.m. by Rutz. SECOND by Brisson. APPROVED.

Minutes approved by the Development Review Board this _____ day of _____, 2017.

Bruce Jenkins, Chair /swm

Draft filed with the Town Clerk this _____ day of _____, 2017.

Filed with the Town Clerk this _____ day of _____, 2017.