

**Starksboro Development Review Board
Hearing/meeting minutes**

3/26/2015

Dan Nugent opened meeting at 7:30 PM

DRB Members present- Dan Nugent, Chair, Ben Campbell, Marjorie Dickstein, Jon Fenner, and Rob Liotard

Others: Jason Barnard and Dave Wetmore (ZA)

Review of Minutes:

2/12/2015- Ben moved as presented, Marjorie 2nds. Approved 4-yes and 0-no, Rob abstained

DRB Business

Public hearing:

Greg and Joanne Swierz final plat application #2014DRB-03-SD for a 2 lot subdivision on parcel #F3305E4

Dan- opened the hearing at 7:50 PM by introducing the Board, attendees and read the meeting warning that was sent to the abutters and publically noticed/warned as required by VT Law. Dan administered the oath to Jason Barnard and Dave Wetmore. The hearing is recorded and Dave took written minutes.

Jason- is the presenting the Swierz application. Jason shared that the Swierz are proposing to subdivide (SD) parcel # F3305E4 into two conforming 5+ acre parcels. The state has issued the wastewater permit and boundary survey has been completed. Sketch plan meeting was held on 11/13/2014. The acreage presented on the final survey includes the land to the centerline of Dan Sargent Road. Jason shared the following;

1. Lot #1 will be 5.13 acres and includes the existing single-family home (SFH) and 1 bedroom accessory dwelling over garage. The septic system for lot #2 is to be located on lot #1. There is no change to the existing driveway for lot #1.
2. Lot #2 is proposed to be a 5.03 acre interior lot accessed by a pre-existing 50-ft right-of-way that serves the Neil property located east of the Swierz lot. Lot #2 has several outbuildings on it. One of which is proposed to be an accessory dwelling. The wastewater approval is for a 2bedroom SFH with the detached accessory dwelling. As presented all structures on lot #2 conform to setback requirements. The pond is located approx. 80-ft from the proposed boundary between lots 1 and 2. The proposed single-family home will be located as depicted on the wastewater site plan.

Dan- began review of General Standards section 3.2

3.2.1.1- Parcel # F3305E4 is located on Dan Sargent Road, a residential area in the Low Density Residential and Commercial district (LDRC). The LDRC district is a 5 acre district. The soils and topography are well suited for residential development. Access to lot #2 will utilize an existing 50-ft right-of-way (ROW) and does not require a new road access cut. The property is not located in an identified flood hazard area. As proposed, all structures will conform to the minimum setbacks required in the LDRC district.

3.2.1.2- The proposed subdivision, existing and future structures can comply with the minimum specific standards outlined for the LDRC district. Lot #1 will be 5.13 acres and lot #2 will be 5.03 acres. The septic line to the future proposed accessory dwelling on lot #2 meets the minimum 50-ft setback from the pond. There is a 20-ft wooded hedge buffer between the Church and lot #1 and 2. Existing hedge is not proposed to be altered. It is noted that improvements to the ROW also serves the Neil lot and they can do whatever is needed to maintain the ROW. Dave noted that if the ROW serves lot #1 and 2 the ROW would need to be upgraded to a private road construction standard. This would be a significant expense. Jason stated that lot #1 has an existing driveway and there is no need to access lot #1 from the ROW. The PC discussed concerns expressed at the sketch plan meeting regarding residential noise and the Church use conflicts. PC looked at a google map and determined that existing

Approved: _____

Date: _____

hedge provides a significant buffer and that the Church does have room to add to noise abatement landscaping. Jason suggested that at least one neighbor did not support more landscaping because they like to look out to the Church.

3.2.1.3- Lot #2 is proposed to be developed with a SFH and the lot size will support common residential uses. The lot provides sufficient open space for residential uses.

3.2.1.4- Lot #2 slopes west to east and changes approx. 40 feet in elevation. Development and impervious areas are less than 1 acre and will not require State erosion control or stormwater permits. Jason stated that all construction will follow the guidelines outlined in the "VT Handbook on Soil Erosion and Sediment Control on Construction Sites", including silt fence and other erosion control measures. Disturbed areas will be stabilized (seeded and mulched) after construction is complete.

3.2.1.5- All development does comply with the minimum requirements of Starksboro Zoning and Subdivision. Lot #2 is considered an interior lot and will be served by a 50-ft ROW. The proposed subdivision does not change the existing road frontage along Dan Sargent Road. PC discussed the need for a road maintenance agreement. The agreement should recognize lots 1 and 2. It should be clear that lot #1 will not have use of the ROW for primary access purposes unless the ROW is upgraded to a private road.

3.2.1.6- Lot #2 will be developed with a SFH. Dan Sargent Road is a Town maintained highway. Robinson School has capacity beyond the current school population. Police services are provided by the VT State Police and the Addison County Sheriff's Department. The Town does not provide curb side solid waste pickup.

3.2.1.7- The Swierz have expressed that they will be developing lot #2 for their own home. The subdivision is surrounded by residential uses. As proposed, the proposed subdivision complies with the minimum requirements outlined in the LDRC district. Since the ROW exists for access to the Neil property, a highway access permit is not required.

3.2.1.8- As proposed the subdivision and future development of lot #2 does require compliance with Starksboro Zoning and allowed uses. The development of a residential SFH on lot #2 is not anticipated to cause any unreasonable air, noise and water pollution beyond that associated with residential uses.

3.2.1.9- All development will comply with the minimum standards required by the VT Residential Energy Standard.

Dan- asked if the Board had any further question or comments? Rob asked Jason to revise the narrative to accurately reflect the discussion. It is noted the narrative was the one submitted for sketch plan meeting purposes and a few things have changed.

Rob moved to include the following list of exhibits, 2nd by Jon. Approved 5-yes and 0-no

- #1- Application and fee
- #2- Swierz permission to have Jason Barnard represent them for this application.
- #3- Revised narrative
- #4- Proposed final plat survey
- #5- Approved wastewater permit # WW-9-2102
- #6- Compliance w/public warning and notice requirements

PC discussed conditions- Road maintenance agreement, narrative updated, standard exterior lighting restrictions, no access for lot #1 from ROW, title block for DRB use on survey.

Approved: _____ Date: _____

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Jon moved to close hearing at 8:30 PM, 2nd by Rob. 5-yes and 0-no.

Other business- Dave should draft Swierz decision. DRB will meet on April 9 to review and approve.

Adjournment

Ben moved to adjourn at 8:45 PM, 2nd by Rob. Moved 5-yes, 0-no.

DRAFT

Approved: _____

Date: _____