

**Starksboro Development Review Board
Hearing/meeting minutes
8/25/16**

DRB members present: Dan Nugent (chair), Ben Campbell, Rob Liotard, Marjorie Dickstein, Arnell Paquette

DRB members absent: Rich Warren, Jon Fenner

Others: Dave Wetmore(ZA), Benjamin Putnam, Cynthia Langley, Vali Audy, Kevin Audy, Willem Jewett, Amos and Chantal Palmer, Steve Estice and Dan Hanson

I. Review minutes

8/11/16-Rob moved as corrected, Marjorie seconds, approved 4 - yes, 0-no, Arnell abstained.

II. Adjustments to agenda - none

III. Visitor Business - none

IV. Scheduled Public Hearing

#2016DRB-05-A appeal of zoning administrator's "Notice of Violation" by Palmers

Dan opened the meeting at 7:45.

Arnell took written minutes and recorded the meeting.

Dan moved to have the hearing continued until 9/22/16 because adjoining landowners had not been notified of the meeting.

5 votes for yes, 0 for no

The hearing is scheduled for 9/22/16.

#2016DRB-03-A Langley appeal continuation from 8/11/2016

Dan swore in any new participants.

Mr. Putnam requested a copy of J. Carroll's letter to the board.
The board granted the request.

Dan read the letter.

Dave clarifies that 1998 was when seasonal camp in FC District was added to zoning not July 2006 as cited by Jim Carroll. Dave cleared this with Jim also.

Marjorie asks Dan if he was on planning commission when this was added. None of the current DRB members were on Planning at that time.

Dan guesses that they meant to address development of new construction in FCD.

Ms Langley states her brother lived in the house for sometime and someone was there every year per her mother. Her father owned it for 1-1.5 years and it never dropped to zero occupancy.

Marjorie questions Mr. Putnam about his reference to Middlebury's regulations of camp/dwelling. What is the square footage of the house?

Dave says the house appears to have 884 square feet total.

Ben wanted to confirm the dates:

1993 zoning passed

1998 seasonal use was added

2002 CL acquired the property

2004 well was put in

2006 septic put in, and power around the same time.

Mr. Putnam states this is a residential use single family, there is flexibility of full time and occasional use, she has a single family home until it falls out of the category, if it's ambiguous - go with the landowner. Abandonment is an intention, not being away for awhile.

Marjorie asks Dave if he expressed concern when the permit for the deck was issued?

Dave says not in his letter, but he always questioned this property as year round just by the way it has been used.

Mr. Putnam says there are no restrictions on full time in the bylaws, it was full time and was reduced use, it is a residential single family home.

Ben asks if something is used under 100 days is it then seasonal?

Mr. Putnam says the definition of residence doesn't say it has to be over 100 days.

Dan read the exhibit list.

The exhibits were entered into the minutes. They include;

Exhibit #1- Application for appeal and fee dated 7/19/2016

#2- Letter of appeal dated 6/15/2016

#3- Required public notice

#4- ZA exhibits A-E

A. ZA letter of opinion dated 6/1/2016

B. Starksboro Zoning Bylaw dated 2006

C. Zoning District map and google earth map

D. Lister records from 2016, 2006 and 2003

E. Appeal statute citing

#5- Pictures by Langley presented on 8/11/2016

#6- Starksboro wastewater permit dated 5/31/2016 and CO dated 8/11/2016

#7- Putnam letter dated 8/17/2016

#8- Jim Carroll e-mail dated 8/24/2016

No questions from the board.

Rob moves to close the hearing.

Ben seconds.

Yes - 5

Dan opens CU hearing **#2016-06-CU**.

Rob moves to move the hearing to 9/22/16.

Marjorie seconds.

Yes - 5

V. Sketch Plan Review - none

VI. Other Business - none

Adjournment

Next meeting - September 22, 2016 - Palmer appeal

Adjourned at 9:10 PM