

Town of Starksboro
Development Review Board
April 12, 2018
Unapproved minutes

Present: Dan Nugent, Jon Fenner, Ben Campbell, Rob Liotard, Marjorie Dickstein, Rich Warren

Unable to attend: Arnell Paquette

Others present: Rebecca Elder, ZA; Dennis Casey, Matt Estey

The meeting opened at 7:30 p.m. and called to order by Chair Dan Nugent.

Minutes of 3/22/18

Rebecca noted a factual correction. The board had no other changes.

Motion: Rob Liotard moved to approve the minutes as corrected and Jon Fenner seconded as amended.

Vote: All in favor (6/0)

Adjustment to order of events:

The board agreed to move the Casey discussion up to 7:50 since Dennis Casey and Matt Estey were present to discuss a potential project.

Denny distributed a letter and map sketch of the proposed project. He and his wife, Peg, would like to create a 1-acre lot to be subdivided from the Caseys' existing 4.94-acre parcel in the High Density Residential and Commercial District in the center of town. Denny stated that the test pits were done on the parcel previously by Kevin LaRose. It is suitable for a septic system.

Dan Nugent asked if Denny owns the whole area around the proposed lot. Yes.

Marjorie then asked about the lot with the house as shown on the map (different owner). Denny said they own the driveway and the house uses an easement to access through the Casey land.

Denny noted that they would not be creating a road, but instead are creating a right-of-way to access the proposed lot. There is road frontage on 116.

Ben asked why the house would be placed up in the back corner. Denny said the land is flatter up there and there would be a nicer buffer from the road and the Smith house/neighbor allowing a little more privacy. Rob asked about future driveway placement. Marjorie asked if the remaining land south of the ROW would total an acre; Denny confirmed it would.

Jon asked if there would be a future request for a conditional use to get the road frontage needed. Denny said the ROW will give the frontage needed.

Dan asked if there was anything else of concern. The board agreed informally that the lot configuration as proposed would meet the zoning requirements and would not result in a nonconforming lot. Power will likely need to come across the road overhead and then go underground. Septic test pits were already done so plans look feasible. Kevin LaRose will be doing further work. Denny said the work and septic area will not affect the White Tail Lane homes or area.

Ben Campbell asked about the future and how the land around this proposed lot would be affected. Given the way the Smith property uses the land currently, will that encumber what Caseys/Estey's might want to do on the land in the future? Denny said there should be 3.5-4 acres remaining, which would allow for 3 more lots, if desired, in the future.

A state permit will need to be approved in order to determine if there would be an impact on the village traffic. Ben asked if at that point it would be beneficial at that point to share a driveway. That will be determined in the future if needed.

There is a 50-foot buffer on the back side of the parcel before White Tail Lane.

Denny and Matt departed at 8:10 p.m.

Review of the Findings and Decision draft of Shepard application 2018-DRB-02-SD, 3 lot subdivision

Insert: A private road maintenance agreement needs to be in place as a condition

The board discussed the building envelope. Marjorie pointed out that there are 2 building rights but only one envelope. The group agreed to add broad specifications for the building envelope.

Marjorie proposed the following language that was inserted into the final decision: “The envelope may include any area on the lot that complies with the Starksboro Land Use Regulations and Bylaws specifically Sec. 263.C.”

MOTION: Rob Liotard moved to approve the decision on the Shepard subdivision with the corrections and insertions as noted. Ben Campbell seconded the motion.

VOTE: All in favor. (5/0) Jon Fenner abstained.

Other business:

The board had a short discussion about Open Meeting Law as it pertains to quasi-judicial proceedings. Rebecca will check both Robert’s Rules of Order and our town’s Bylaws for any specifications about whether the board can use electronic communication. Per a training Rebecca attended with the Vermont League of Cities and Towns, the Development Review Board—as a quasi-judicial body—can use electronic communication during the review of a decision after the hearing is closed. The board will consider this for the future as needed. Several board members expressed a preference for deliberating together in a meeting.

Next meeting: May 10, 2018 at 7:30 p.m. – Kathleen and Kelly Norris’s subdivision final plat hearing and final decision on Shepard conditional use application.

Note: Ben Campbell disclosed for the record that he has done work for Dennis Casey in the past.

Motion to adjourn: Jon Fenner moved and Rich Warren seconded the motion to adjourn the meeting at 9:10 p.m.

Vote: All in favor

Respectfully submitted,

Rebecca Elder
Zoning Administrator

Approved on: _____

DRB chair signature: _____