

## Starksboro Development Review Board

Minutes of 4/11/19

Unapproved

---

**Present:** Dan Nugent, Arnell Paquette, Rob Liotard, Marjorie Dickstein, Rich Warren, Ben Campbell

**Staff:** Rebecca Elder, ZA

**Visitors:** Alan Norris, Bill Martin, Nathaniel Ogilvie, Stefan Jacobs

---

The meeting was called to order at 7:45 p.m. by Chair Dan Nugent.

### Hearing #1

Alan Norris 2019-DRB-03-SD-A

This application is an amendment request to a previous decision. DRB-2012-02-SD was the original decision allowing for the creation of 7 building lots, including "Lot 4" which is the subject of this request.

D. Nugent read the public warning. The DRB members introduced themselves. The chair then performed the swearing in of the following: Alan Norris. ZA Rebecca Elder was also present.

A. Norris described the request stating that the existing house site is hugging the side of the hill and would make it harder to build there. The proposed building envelope makes the driveway easier and makes building there easier because the area flattens out. The house will also be less visible to other nearby homes.

D. Nugent asked for questions from board members:

- R. Warren asked about the original wastewater permit and whether pumps were approved. A. Norris explained that the septic is located on "Lot 1." It is a conventional system but will work better with a pump according to the designer. He did not want to move the well. Dan noted the house is now outside the well protection zone, which is better.
- Alan said the driveway placement will change to move closer to the new house site. Ben asked if you would see the driveway at the same level or lower. Alan confirmed it will be lower. The final plat from Kevin LaRose will reflect this change.
- Arnell asked about proximity to the boundary. The new site is closer to the boundary but still meets setback requirements and is closer to Kelly Norris' wooded lot than the other house lot. There is a brook and trees.

Dan entered the exhibits as follows:

- A – Application and fee
- B – Description
- C – amended site plan
- D – amended WW permit
- E – public notice

B. Campbell asked if the wastewater amendment was filed with the State. A. Norris stated yes and the amended plat will be filed if the plan is approved.

No other questions were asked.

Motion: Rob Liotard made a motion to close the hearing. Marjorie Dickstein 2<sup>nd</sup>.

Motion carried.

## Hearing #2

Chair Dan Nugent opened the hearing at 8:05 p.m.

The application **#2019-DRB-02-CU** is a request from Thomas and Virginia Nola (owners) and Nathaniel Ogilvie (applicant) to construct a seasonal camp in the Forest Conservation district.

D. Nugent read the public warning. He then performed the swearing in of the following parties:

Bill Martin (representing the Nolas), Nathaniel Ogilvie (applicant)

N. Ogilvie read a description of the project. He explained that he grew up in Huntington and has a year-round residence in Williston. He wants a remote camp for use on weekends. He is hoping to build a 16 x 16 season camp structure with a bed, sink, composting toilet, and woodstove. There would be no foundation. He plans to do a timber frame, lean-to type structure. It will be less than 20' tall, with a small loft area and a standing seam roof. His parents live in Huntington and he is going to harvest the wood for the project from their land.

Siting design: As described, a seasonal camp, no electricity or wastewater systems. The site was chosen because the applicant wishes to be removed from the road and have maximum privacy.

Noise/boundaries: The proposed camp is well within the property boundaries and meets all set-back requirements.

The property is a wooded lot with 1 acre cleared in the center.

A. Paquette asked if this camp would be the only structure. Bill Martin explained there is a teepee on the land now that is not permanent and has been used as a seasonal deer camp. There is also a storage shed.

M. Dickstein asked about the driveway, where it goes, and how cars would be handled on the property. N. Ogilvie stated there would rarely be more than 1-2 cars at any time. He plans to park at the existing access/parking area and maintain an ATV trail for ingress/egress.

There will be no running water. The composting toilet can be used based on a waiver from the State of Vermont for a seasonal camp and not to be used for more than 60 days a year. N. Ogilvie plans to be there on weekends in summer, spring and fall. Winter use will be infrequent.

Vehicular traffic: Driveway is still there and applicant is not increasing usage. Pedestrian safety not applicable.

Pedestrian access: not applicable; nothing is changing, no ROWs

Parking: nothing is changing. Same driveway that's established, which is adequate for the seasonal use.

M. Dickstein asked about the slope on the property given the steep grade of the road. B. Martin stated that Rounds Rd is roughly 20% grade but the Nola property is about 4% grade on the building area and is a gradual slope.

Stormwater/Snow storage: No changes; culverts are installed which go to a ditch down the road. Low impact development – no heavy equipment to be used. The camp structure footprint is small.

N. Ogilvie hopes to install a small solar panel to provide minimal power for task lighting.

Signs: Does not apply.

Applicant stated he doesn't want to change the landscape. He does not plan to cut trees or alter the character of the forested area.

M. Dickstein asked if there is there any line of sight from neighboring properties. Applicant stated there is 800' from property line to a home or structure. The proposed camp will not be visible from the neighbors' camp.

Energy conservation: any power will be generated on site; the camp will have double pane windows, be energy efficient, will use LED lights powered via solar hooked up to a battery.

Compatibility with the Town Plan: Applicant understands that construction will be allowed for a seasonal camp only and it is not going to be a year-round residence. State permit for composting toilet is limited to 60 days per year (anything beyond would be in violation of the state permit).

If the conditional use permit is granted, the applicant Nathaniel Ogilvie will buy the property from the Nolas.

The board asked again about existing structures and foundation(s) on the property. B. Martin provided a copy of the mylar for reference. Applicant clarified that if the new cabin is permitted, the teepee structure would be removed.

The following were entered as exhibits:

- A – app and fee
- B – description
- C – maps and locator
- D – site plan/sketch
- E – public notice

One visitor arrived after the initial description. Chair D. Nugent performed the swearing in of the following additional participant: Stefan Jacobs.

Mr. Jacobs stated that he lives uphill from the Nolas' property. He asked that the board ensure set backs are met from the neighboring boundaries. He asked when the survey was done and if pins are placed. He asked about the ATV trail/footpath access to the camp for fire/rescue. He asked if there would be a generator used on the property as he has concerns about noise and pollution.

The applicant amended the location of the proposed building envelope on the site plan. (see the drawing submitted as exhibit F). The larger envelope will allow flexibility for future plans.

**Motion:** Arnell Paquette made a motion to close the hearing. Ben Campbell 2<sup>nd</sup>.

**Motion carried.** 6/0

## Deliberative Session

### Application DRB-2019-03-SD/A - Norris

**Motion:** Marjorie Dickstein made a motion to approve the amended site plan for Alan and Nancy Norris. Arnell Paquette 2<sup>nd</sup>.

**Discussion:** Amended plan approved with a revised plat that shows the driveway. Decision to be reviewed and approved at future meeting.

**All in favor.** 6/0

### Application DRB-2019-02-CU – Ogilvie/Nola

**Discussion:** Decision to be drafted with specific conditions on noise, pollution, and access; generator use and sound level; downshielding of lights. Decision to be reviewed and approved at future meeting.

**Motion to adjourn** at 10:15 pm. Rob Liotard made the motion and Arnell Paquette 2<sup>nd</sup>.  
**Motion carried.** 6/0

Respectfully submitted,

Rebecca Elder, ZA

DRAFT