

Waterbury Development Review Board
Approved Minutes
January 19, 2012

Board Members Present: Joel Baker, Acting Chair; David Frothingham; Dave Rogers; Rick Boyle, Martha Staskus

Staff Present: Steve Lotspeich; Clare Rock; Patti Spence

MINUTES:

The minutes of January 5th were reviewed.

David Frothingham moved and Dave Rogers seconded the motion to approve the minutes of January 5, 2012 and the findings and decision for Application No. 41-11-V, Alexander Cawley, as amended.

APPLICATION 31-11-V, Thatcher Hill LLC,

The minutes are separate and the hearing was continued to February 2, 2012 at 6:30 p.m.

APP. NO. 55-11-T, JODI GROUT, PETER O'BRIEN,

Jeffrey Larkin opened the continuation of the Final Plat Review for the transfer of 0.60 acres between adjoining landowners at 264 & 226 Howard Ave., Tax Map. No. 09-255.000.

On Jodi Grout's request, the hearing was continued to February 16, 2012, at 6:30 p.m.

The meeting was adjourned at 8:45 p.m.

Minutes Approved:

 _____, Chair

Date: 2.7.12

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

THESE MINUTES WERE APPROVED ON February 2, 2012.

Waterbury Development Review Board
Approved Findings & Decision
Date: January 19, 2012

Board Members Present: Joel Baker, Acting Chair; Rick Boyle, David Frothingham; Dave Rogers; Martha Staskus

Staff Present: Steve Lotspeich, Clare Rock, Patti Spence

First order of Business: Application for Variance, Findings and Decision

Permit #: 69-11-T

Applicant: Marty Knight

Landowner: SAME

Location of Project: 1480 US Route 2, Waterbury, VT

Description of Project: Request for a left- and right-side setback variance to replace mobile home that was destroyed due to flood damage. Note: front setback variance request was added.

The following interested party was present and sworn in:

Marty Knight, applicant

EXHIBIT LIST:

- | | |
|-----------|--|
| Exhibit A | Zoning Permit Application |
| Exhibit B | Site Plan |
| Exhibit C | 15 day warning to Waterbury Record |
| Exhibit D | Notice to adjacent landowners dated December 25, 2011. |
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TESTIMONY:

1. The new structure is 2 feet wider than the former mobile home, 1 foot on each side.
2. The variance is based on the slab, which hasn't changed.
3. Old home was 70' x 12'; the new home is 70' x 14'
4. It was determined during testimony that a front variance of 10' is needed.

FINDINGS OF FACT:

Based on the application, testimony, exhibits, and other evidence the Town of Waterbury Zoning Development Review Board makes the following findings:

1. The applicant seeks a left- and right-side setback variance to replace a mobile home at 1480 US Route 2 on a 0.64 acre parcel in the Town of Waterbury. Tax Map # 12-035.000.

2. The property is located in the Medium Density Residential Zoning District as described on the Town of Waterbury Zoning Map where the dimensional requirements are as follows: Minimum Lot Area = 2 acres, Frontage = 200ft
Front Setback = 60ft, Side Setback = 50ft, Rear Setback = 50ft

3. The project proposes the following setbacks:
Front Setback = 50ft, Left Side Setback = 30ft, Right Side Setback = 20ft, Rear Setback = 180ft
The applicant seeks the following variance:
20ft left-side setback variance and 30ft right-side setback variance and 10ft front setback.

4. The following unique physical circumstances or conditions peculiar to the subject property are found
[Refers to Section 308 (1) of Waterbury Zoning Bylaws]

The lot is located in the Medium Density Residential Zoning District where the minimum lot size requirement for a residential use is 2 acres. The project is for a mobile home replacement on an existing cement slab on non-conforming 0.64 acre lot with 120ft of road frontage.

5. Because of these unique circumstances and conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Bylaw and authorization of a variance is necessary to enable the reasonable development of the property.
[Refers to Section 308 (2) of Waterbury Zoning Bylaws]

6. An unnecessary hardship has not been created by the applicant.
[Refers to Section 308 (3) of Waterbury Zoning Bylaws]

7. For the following reasons, the variance will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare.
[Refers to Section 308 (4) of Waterbury Zoning Bylaws]

The property is located within a residential area of similar homes.

8. The variance represents the minimum variance that will afford relief and will represent the least deviation possible from the bylaw and from the plan.
[Refers to Section 308 (5) of Waterbury Zoning Bylaws]

DECISION AND CONDITIONS

Based upon these findings, the Development Review Board approves the following variance.

MOTION:

Rick Boyle moved and Dave Rogers seconded the motion to approve application 69-11-T for a replacement mobile home at 1480 US Route 2, Waterbury with the following variances a 20ft left-side setback variance, a 30ft right-side setback variance and a 10ft front setback variance.

VOTE:

The motion passed with 4 in favor and 1 abstention.

This approval is subject to the following conditions:

1. This permit is granted on the condition that the applicant complete the project consistent with the Board's findings and conclusions and the approved plans and exhibits.
2. Any lights on the interior of the building that are designed or directed so as to increase the amount of light outside of the building require a revision of the site plan.

Decision approved:

 _____, Chair

Date: 2-7-12

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THESE MINUTES WERE APPROVED ON February 2, 2012.

**TOWN OF WATERBURY
DEVELOPMENT REVIEW BOARD
APPROVED MEETING MINUTES
Thursday, January 19, 2012**

Board Members Present: Joel Baker, Acting Chair; Martha Staskus, David Rogers, David Frothingham, Rick Boyle

Staff Present: Patti Spence, Steve Lotspeich, Clare Rock

Public present:

Greg Rabideau, Architect

Bill Nedde, Civil Engineer

Deborah Sheeran, Applicant company

Mike Sheeran, Applicant company

Joe Larkin, Applicant company

Lisa Fischer, Applicant company

Conrad Hall, Best Western

Ron Clausen, Best Western

Second Order of Business: Thatcher Hill, LLC, Site Plan and Conditional Use Review

Permit #: 31-11-V

Applicant: Thatcher Hill LLC

Landowner: SAME

Location of Project: 1017 – 1019 Waterbury-Stowe Rd.

The following interested parties were present and had been sworn in at a prior hearing:

Greg Rabideau, Deborah Sheeran, Mike Sheeran, Joe Larkin, Lisa Fischer, Conrad Hall, Ron Clausen, Bill Nedde, Nedde

EXHIBIT LIST:

Exhibit A Zoning Permit Application
Exhibit B Site Plan, Existing Conditions, and Site Details dated 9-29-11
Exhibit C Building Floor Plans dated 9-16-11
Exhibit D Rendering of Existing and Proposed Buildings
Exhibit E Building Elevations dated 1-19-12
Exhibit F Landscaping Plan date 9-28-11
Exhibit G Narrative by Greg Rabideau address Conditional Use Criteria dated 11-3-11
Exhibit H E-mail from William Nedde addressing the Water System dated 10-31-11
Exhibit I Traffic Impact Assessment by Lamoureaux & Dickinson dated 11-3-11
Exhibit J Letter from Gary Dillon, Chief, Waterbury Fire Dept.
Exhibit K Lighting Photometric Plan dated 1-15-11.
Exhibit L Lighting Cut Sheets with cover letter from William Nedde dated 12-15-11
Exhibit M Parking Worksheet dated 1-16-12
Exhibit N Notice sent to Adjacent Property Owners dated 10-20-11

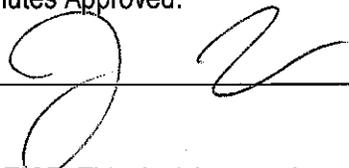
TESTIMONY:

1. A letter from Municipal Manager William Shepeluk, dated 1/12/12, regarding the water and sewer allocation or the project and was presented and entered as Exhibit O.
2. A letter from Gary Dillon, Chief, Waterbury Fire Dept., Exhibit J, was reviewed.
3. The on-site circulation has been changed adding a separate exit for the parking garage under the building that will provide additional parking spaces and address a concern from the fire chief for garage access. This will also provide improved flow for arriving guests.
4. The site plan includes the landscaping plan with a mixture of ash and red maple, and boxwood hedges to screen the parking spaces.
5. The building height will be under the max. 40 foot height. An elevator extension structure is proposed on the roof that will be less than the 10% maximum area extending above the height limit.
6. One parking space per hotel room is proposed for parking. The parking space dimensions and angled parking under the building was discussed.
7. The total parking is now 78 spaces for 72 new hotel rooms and 6 existing rooms. The need for additional employee parking was discussed.
8. Lighting plan was reviewed. The shield option will be used for the pole lights on the Route 100 side of the main parking lot. There are a total of 10 pole mounted lights for the parking areas.
9. Grades were discussed around the building. The average grade at the center of the four facades of the building is 599.45. The peak of the roof is slightly less than 40' above this elevation.
10. A waiver option for parking spaces related to employee parking was discussed. There will be a maximum number of eight staff on site at one time. If the hotel is fully occupied the housekeeping staff typically would be working during the day when many of the guests are gone. 100% occupancy is not expected throughout the year.
11. The board members suggested that they would prefer that the applicant find six additional parking spaces or reduce the number of guest rooms.
12. A change to the location of the propane tank in the back of the building was discussed. The propane tank will be moved closer to Crossroad.
13. The project will use the existing municipal utilities but if water pressure upgrades are forthcoming they would be willing to participate in that upgrade. For purposes of this permit they will be installing a fire pump in the building because the other option is dependent on development of the adjacent property and an agreement has not been reached with that developer.

The applicant was asked to provide a parking solution relative to #10 above.

At 8:30 p.m. the hearing for application 31-11- V was continued to Thursday, February 2nd at 6:30 p.m.

Minutes Approved:

 _____, Chair Date: 2-7-12

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THESE MINUTES WERE APPROVED ON 2-2-12

Waterbury Development Review Board
Approved Minutes
January 19, 2012

Board Members Present: Joel Baker, Acting Chair; Dave Rogers; Martha Staskus, David Frothingham; Rick Boyle

Staff Present: Steve Lotspeich, Clare Rock, Patti Spence

Fourth order of Business: Boundary Line Adjustment, Findings and Decision

Permit #: 70-11-T

Applicant: John Farr, Farr's Tree Service, Inc

Landowner: SAME

Location of Project: Farr's Landing

Description of Project: Boundary Line Adjustment/ Final Plat Review of Lot 3. Lot 3 originally approved under 37-10-T.

The following interested parties were present and sworn in:

John Farr, Applicant

James Taylor, Neighbor

EXHIBIT LIST:

Exhibit A Zoning Permit Application

Exhibit B Site Plan

Exhibit C 15 day warning to Waterbury Record

Exhibit D Notice to adjacent landowners dated January 10, 2012

TESTIMONY:

1. The house site needs to be relocated due to the septic location.

FINDINGS OF FACT:

Based on the application, testimony, exhibits, and other evidence the Town of Waterbury Zoning Development Review Board makes the following findings:

1. The applicant seeks a boundary line adjustment to increase the size of Lot 3 located on Farr's Landing by 1.5 acres, from 13.2 +/- acres to 14.7 +/- acres. Tax Map #12-015.000.
2. The property is located in the Conservation Zoning District, where the minimum lot size is 10 acres.

3. The project proposes to increase the size of Lot 3 to 14.7 +/- acres by decreasing the area of the adjacent lot from 388 +/- acres to 386.5 +/- acres.

DECISION AND CONDITIONS

MOTION:

Martha Staskus moved Dave Rogers second the motion to approve Application No. 70-11-T, John Farr, Farr's Tree Service, Inc., for a boundary line adjustment and final plat review for lot 3 off Farr's Landing, to increase lot 3 by 1.5 acres from 13.2 acres to 14.7 acres.

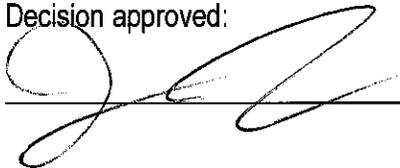
VOTE:

The motion was approved unanimously.

This approval is subject to the following conditions:

1. This permit is granted on the condition that the applicant complete the project consistent with the Board's findings and conclusions and the approved plans and exhibits
2. The applicant brings copies of the Final Plat to the Zoning Administrator within 150 days so the Development review Board can sign off on the Final Plat and meet the 180-day timeline required by 24 V.S.A., section 4463.

Decision approved:

 _____, Chair

Date: 2-22-17

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THESE MINUTES WERE APPROVED ON FEBRUARY 16, 2012.