

**WATERBURY DEVELOPMENT REVIEW BOARD**  
**Approved Minutes**  
**Thursday, April 5, 2012**

Board Members Present: Jeff Larkin, Chair; Joel Baker; Jeff Whalen; David Frothingham, David Rogers

Staff Present: Steve Lotspeich, Patti Spence, Clare Rock

The meeting was called to order by Jeff Larkin at 6:38 p.m.

**APPLICATION NO. 05-12-T, JEFFERY & PAULA LYON**

The Subdivision Review for a two-lot subdivision at 327 Gregg Hill Road is attached as a separate set of minutes and decision.

**MINUTES**

The minutes and decision for the Development Review Board meeting held on March 15, 2012 were reviewed.

Dave Frothingham moved and Dave Rogers seconded the motion to approve the minutes of March 15, 2012, as amended.

The motion passed with one abstention.

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

The chair continued the hearing for application no. 55-11-T to Thursday, April 19th at 7:00 p.m.

**ZONING ADMINISTRATOR'S REPORT**

Clare Rock discussed the purchase of the Karl Suss property by Green Mountain Coffee Roasters (GMCR). Several changes are being requested by GMCR including parking for up to 200 employees, which stimulated review of the application for that property that took place in 1995. The lighting and resurfacing of the existing parking are not items that require permitting. They have identified that they will be stripping 120 parking spaces. It was the recommendation of S. Lotspeich for GMCR to identify where the 120 parking spaces are in relation to the 80 approved on the 1995 application. The DRB agreed.

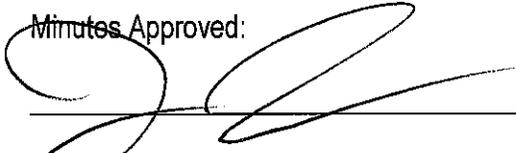
There was a discussion of the possible post flood redevelopment of the Whalley Park property by Armory Drive.

There was a discussion of the Blush Hill Rd. property, Blush Hill Meadows, being developed by Dean Salvias. S. Lotspeich is to check permit dates to see if the zoning permit for the 59 units will expire this month, April, 2012.

**ADJOURNMENT**

The meeting was adjourned by the Chair at 7:28 p.m.

Minutes Approved:

 \_\_\_\_\_, Chair

Date: 4-19-12

**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 April 19, 2012.

**Town of Waterbury  
Development Review Board  
Approved Minutes & Decision  
Date: April 5, 2012**

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Board Members Present: Jeff Larkin, Chair; Joel Baker; David Frothingham; Jeff Whalen; David Rogers;

Staff Present: Steve Lotspeich; Clare Rock; Patti Spence

First order of Business: Subdivision Review, Findings and Decision

Permit #: 05-12-T  
Applicant: Jeffery & Paula Lyon  
Landowner: SAME  
Location of Project: 327 Gregg Hill Road, Waterbury Center, VT

Description of Project: To subdivide the existing 66 +/- acre parcel into 2 lots.

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The following interested party was present and sworn in:  
Chris Austin, Agent for Applicant

**TESTIMONY:**

1. They have approval for a new septic system.
2. The proposed subdivision does not include any land on the north and west side of Gregg Hill Rd. That property is deeded separately and the public road creates a subdivision.

**EXHIBIT LIST:**

Exhibit A: Zoning Permit Application # 05-12-T dated 2/22/2012  
Exhibit B: Site Plan of Property dated 2/21/12  
Exhibit C: Septic System Site Plan & Details dated 2/21/12  
Exhibit D: 15 day warning to Waterbury Record dated March 8, 2012  
Exhibit E: Notice to adjacent landowners dated March 19, 2012

**FINDINGS OF FACT:**

The project proposes to subdivide the existing 66 +/- acre property at 327 Gregg Hill Road (Tax Map # 09-025.000) into 2 lots.

The project was referred to the Development Review Board for Subdivision Review per Section 201 of the Waterbury Zoning Regulations to ensure dimensional requirements are met.

The 66 +/- acre property is located in the Low Density Residential (LDR) Zoning District as described on the Town of Waterbury Zoning Map where the Dimensional Requirements are as follows:

Minimum Lot Size = 5 acres	Frontage = 300'
Front Setback = 70'	Rear Setback = 75'
Side Setback = 75'	

Proposed Lot #1 will be 5.02 +/- acres, with 468' of road frontage and will contain the pre-existing 4-bedroom residence. The lot frontage, which is the lot width at the building front line, is also approximately 468' which meets the minimum lot frontage requirement of 300' in the LDR Zoning District. The existing curb cut for the driveway will continue to be utilized to access the house.

Proposed Lot # 1 meets the minimum lot size requirements and road frontage requirements.

The existing residence was constructed in 1850, which pre-dated the Waterbury Zoning regulations and is therefore not subject to the front setback requirements.

Proposed Lot # 1 side and rear property boundaries are located more than 100' from the existing structure and is therefore in conformance with the side and rear setback requirements.

A new septic system for the existing residence is being approved by the State of Vermont.

Proposed Lot #2 will be the remaining 61 +/- acres, with a total of 2020 'of road frontage.

No new curb cut or new structures are being proposed for Lot #2 as part of this application.

Lot # 2 meets the minimum lot size and road frontage requirements.

#### **CONCLUSION:**

Based upon these findings [and subject to the conditions set forth below], the Development Review Board concludes that all applicable review criteria have been met.

#### **DECISION AND CONDITIONS**

##### **MOTION:**

Joel Baker moved and Dave Rogers seconded the motion to approve application 05-12-T for Jeff & Paula Lyon for a 5.02 acre lot to be created by a subdivision out of an existing 66+/- acre lot at 327 Gregg Hill Road.

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.

The motion passed unanimously.

Minutes and Decision approved,

 Chair

Date: 4-19-12

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