

**Town & Village of Waterbury
Development Review Board
Approved General Meeting Minutes
Date: May 15, 2014**

IN ATTENDANCE:

Board Members Present: Dave Rogers, Acting Chair; Martha Staskus, Tom Kinley, Jeff Grace,

Staff Present: Steve Lotspeich, Community Planner; Ryan Morrison, Zoning Administrator;
Patti Spence, Secretary

MEETING MINUTES:

At 6:30 p.m. the meeting convened on the second floor of the Main Street Fire Station located at 43 South Main Street (enter at rear of building), Waterbury, VT.

At 6:30 p.m. the following application was heard:

Application #13-14-T, Wilford & Susan Sayah for a setback waiver for the construction of a shed at 1164 Guptil Road, Waterbury Center, VT 05677 (Tax Map #13-162.000). See separate decision.

At 7:00 p.m. the following application was heard:

Application #15-14-T, Debra Utton for a setback waiver for the construction of a shed at 78 Metayer Court, Waterbury Center, VT 05677 (Tax Map #09-240.000). See separate decision.

At 7:30 p.m. the following application was heard:

Application #11-14-V, Town of Waterbury, a request for an exemption from site plan review for construction of a donated pavilion structure at the Anderson Recreation Field off Butler Street, Waterbury, VT 05676 (Tax Map #19-066.000).

Present and sworn in

Steve Lotspeich, Town Planner and Alec Tuscany, Director of Public Works

The shelter will be used for the summer recreation program and general scheduled functions. Under site plan review, 301a5 this could be waived if the DRB feels it falls under "any other project minor in nature". Alec Tuscany acknowledged that future electrical lighting may be requested and the DRB suggested that the motion include the approval of downcast and shielded lighting in the future.

MOTION:

Tom Kinley moved and Jeff Grace seconded the motion to approve application 11-14-V, Town of Waterbury, for a waiver of site plan review for the construction of a donated pavilion structure at Anderson Recreation Field off Butler Street, Waterbury, VT 05676 (tax map #19-06.000) with the following condition:

1. Any future lighting shall be downcast and shielded.

VOTE:

Passed unanimously.

REVIEW OF MINUTES AND DECISIONS:

The general meeting minutes for May 1, 2014 were reviewed.

MOTION:

Tom Kinley moved and Martha Staskus seconded to approve the general meeting minutes from May 1, 2014, as amended.

VOTE:

Passed unanimously.

MOTION:

Tom Kinley moved and Jeff Grace seconded the motion to approve the hearing minutes and decisions for application #13-14-T and application #15-14-T, as amended.

VOTE:

Passed unanimously.


_____, Chair

Date: 6-5-14

THESE MINUTES WERE APPROVED ON JUNE 5, 2014.

**Town & Village of Waterbury
Development Review Board
Approved Hearing Minutes App. 13-14-T
Date: May 15, 2014**

IN ATTENDANCE

Board Members Present: Dave Rogers, Acting Chair; Martha Staskus, Tom Kinley, Jeff Grace,

Staff Present: Steve Lotspeich, Planner & Acting; Ryan Morrison, Zoning Administrator; Patti Spence, Secretary

APPLICATION NO. 13-14-T, WILFORD & SUSAN SAYAH

Application for a setback Waiver for the construction of a residential accessory structure (shed) located within the Low Density Residential (LDR) Zoning District.

Permit Application #: 13-14-T

Applicant: Wilford & Susan Sayah

Property Owner: Same

Tax Map #: 13-162.000

Location of Project: 1164 Guptil Road, Waterbury Center, VT

Present and Sworn In:

Wilford & Susan Sayah, Applicants

INTRODUCTION

The applicant seeks to build a shed within the property's side setback.

EXHIBITS

Exhibit A: Application # 13-14-T

Exhibit B: Sketch Plan

Exhibit C: ANR Atlas map of property

Exhibit D: Notice of Public Hearing, dated April 18, 2014

Exhibit E: Letter to Adjoining landowners, dated April 21, 2014

TESTIMONY

1. The shed will be built on skids, making it moveable.
2. The applicant will be building the shed using vinyl shakes that are the same as on the house.
3. There will be no water and no electric for the shed.
4. The applicant is seeking 6 additional feet in length compared to the current shed size.

5. The neighbors were contacted personally and expressed no concerns or objections.

FINDINGS OF FACT

1. The 1 acre property is located within the LDR Zoning District where the minimum lot size requirement is 5 acres for a residential lot, therefore it is a pre-existing small lot.
2. The district's setback requirements are: Front 70', Sides 75', Rear 75'
3. The applicant is seeking a Waiver from the Side setback requirement as the shed proposes the following setback: Side (north) 12'
4. The proposed shed will meet/exceed the other side (south) setback requirement, as well as front and rear setback requirements.
5. The setback Waiver request is: Side (north) setback waiver of 63'
6. A setback Waiver may be granted by the DRB as per section 309 of the Waterbury Zoning Regulations.

CONCLUSION

Based upon these findings (and subject to the conditions set forth below) the Waterbury Development Review Board concludes that application #13-14-T for (tax map #13-162.000) for Wilford and Susan Sayah, at 1164 Guptil Road meets all of the conditional standards for a waiver of 63 feet from the side setback..

MOTION

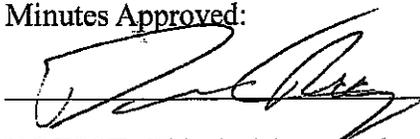
On behalf of the Waterbury Development Review Board, Jeff Grace moved and Tom Kinley seconded the motion to approve application #13-14-T, Wilford & Susan Sayah, for a setback waiver of 63 feet from the side setback, for a 12' x 20' shed located at 1164 Guptil Road, Waterbury Center, VT with the following 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 exterior lighting must be downcast and shielded.

VOTE:

Passed unanimously.

Minutes Approved:

 _____, Chair

Date: 5-15-14

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.

THIS DECISION WAS APPROVED ON * May 15, 2014 *

Town & Village of Waterbury
Development Review Board
Approved Minutes & Decision, App. # 15-14-T
Date: May 15, 2014

IN ATTENDANCE

Board Members Present: Dave Rogers, Acting Chair; Martha Staskus, Tom Kinley, Jeff Grace,

Staff Present: Steve Lotspeich, Community Planner; Ryan Morrison, Zoning Administrator; Patti Spence, Secretary

APPLICATION NO. 15-14-T, DEBRA UTTON

Application for a setback Waiver for the construction of a residential accessory structure (shed) located within the Town Neighborhood Commercial (TNC) Zoning District.

Permit Application #: 15-14-T

Applicant: Debra Utton

Property Owner: Same

Tax Map #: 09-240.000

Location of Project: 78 Metayer Ct., Waterbury Center, VT

PRESENT AND SWORN IN:

Debra Utton, Applicant

Curtis Utton, Husband

INTRODUCTION

The applicant seeks to build a shed within the property's front and rear setbacks.

EXHIBITS:

Exhibit A: Application # 15-14-T

Exhibit B: Sketch Plan

Exhibit C: ANR Atlas map of property

Exhibit D: Notice of Public Hearing, dated April 18, 2014

Exhibit E: Letter to Adjoining landowners, dated April 28, 2014

TESTIMONY

1. No neighbors have expressed objection, one neighbor called the Town Planner in support of the application and no neighbors attended the hearing.
2. One dead pine tree will be cut down.
3. The abutting properties are very close to the road.

FINDINGS OF FACT

1. The 0.6 acre property is located within the TNC Zoning District where the minimum lot size requirement is 10,000 square feet for a residential lot. It is a pre-existing small lot that is not in conformity.
2. The districts' setback requirements are: Front 30', Sides 15', Rear 30'
3. The applicant is seeking a Waiver from the Front and Rear setback requirements as the shed proposes the following setbacks: Front (east) 20', Rear (west) 28'
4. The proposed shed will meet/exceed the side (south and north) setback requirements.
5. The setback Waiver request is: Front (east) setback waiver of 10', and Rear (west) setback waiver of 2'
6. A setback Waiver may be granted by the DRB as per section 309 of the Waterbury Zoning Regulations.

CONCLUSION

Based upon these findings (and subject to the conditions set forth below) the Waterbury Development Review Board concludes that application #15-14-T (tax map #09-240.000) for Debra Utton, at 28 Metayer Court, Waterbury Center, VT. meets all of the conditional use standards for a setback waiver of 10 feet from the front and 2 feet from the back.

MOTION

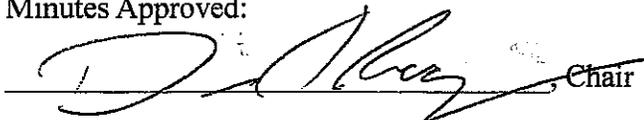
On behalf of the Waterbury Development Review Board Jeff Grace moved and Tom Kinley seconded the motion to approve application #15-14-T for Debra Utton, for a setback waiver of 10 feet from the front setback and 2 feet from the rear setback, for a 10' x 12' shed located at 28 Metayer Court, Waterbury Center, VT with 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 exterior lighting shall be downcast and shielded.

VOTE:

Passed unanimously.

Minutes Approved:

 Chair

Date: 5-15-14

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.

THIS DECISION WAS APPROVED ON * May 15, 2014 *