

**Town & Village of Waterbury
Development Review Board
Approved General Meeting Minutes
Date: March 4, 2015**

IN ATTENDANCE:

Board Members Present: Jeff Larkin, Chair, Dave Rogers, Nat Fish, Martha Staskus, Mike Bard
Staff Present: Ryan Morrison, Zoning Administrator; Steve Lotspeich, Community Planner

6:30 p.m. Meeting convenes on the second floor of the Main Street Fire Station located at 43 S. Main St.

6:30p.m. **Application #03-15-V, Village of Waterbury**, for a Zoning Permit, Site Plan Review, Special Flood Hazard Area Overlay Permit, and Sign Permit for the creation of a fenced in dog park, including a 400 sf shelter structure and associated parking; the reconfiguration of the existing parking area serving the bike trails and park; the installation of bike roll-in platforms for the terrain park; and the installation of a new information sign/kiosk, at 546 River Road, Waterbury, VT 05676 (Tax Map #16-009.000). This application was reviewed and approved under separate meeting minutes.

7:00 p.m. **Application #02-15-T, Robert Aughey**, for a Zoning Permit, Site Plan Review, and Conditional Use Permit for the construction of 5 mini-storage buildings (44 self-storage units total) at 3595 Waterbury-Stowe Road, Waterbury Center, VT 05677 (Tax Map #09-284.000). This hearing was continued to March 18, 2015, at 8:00 p.m.

APPROVAL OF MINUTES & DECISIONS:

MOTIONS:

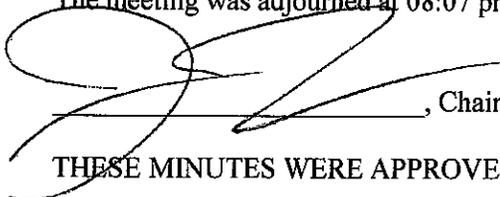
Nat Fish moved and David Rogers seconded the motion to approve the DRB minutes and decision for Application #02-15-V, Nicole Grenier, on Feb. 18, 2015, and the general meeting minutes of February 18, 2015 as presented.

Vote: The motion passed unanimously.

Mike Bard moved and David Rogers seconded the motion to approve the minutes and decision for Application #03-15-V, Village of Waterbury.

Vote: the Motion passed unanimously.

The meeting was adjourned at 08:07 pm.


_____, Chair

Date: 3-18-15

THESE MINUTES WERE APPROVED ON _____ *

**TOWN OF WATERBURY
DEVELOPMENT REVIEW BOARD MEETING
Approved Decision
March 4, 2014**

Board Members Present: Jeff Larkin, Chair, David Rogers, Martha Staskus, Nat Fish, Martha Staskus, Mike Bard

Staff Present: Ryan Morrison, Steve Lotspeich, Chad Ummel

Application for a Zoning Permit, Site Plan Review, Special Flood Hazard Area Overlay District Permit,

| | |
|-----------------------|-------------------------------|
| Permit Application #: | 03-15-V |
| Applicant: | Village of Waterbury |
| Landowner: | SAME |
| Location of Project: | 546 River Road, Waterbury, VT |

The hearing was opened at 6:30 p.m.

Jeff Larkin swore in the following attendees:

Anne Imhoff & Gordon Miller with the Dog Park Committee, Chad Ummel, Recreation Director, Steve Lotspeich, Community Planner

Introduction:

Ryan Morrison introduced the project that is for the creation of a fenced-in dog park, including a 400 sf shelter structure, a 6 sq ft sign, and associated parking; re-permitting a 12 sq ft bulletin board; the reconfiguration of the existing parking area serving the bike trails and park; the installation of bike roll-in platforms for the terrain park; and the installation of a new information sign/kiosk, at 546 River Road, Waterbury, VT 05676. Ryan discussed the delineation of the 100-yr. floodplain including the floodway. The parking for the Dog Park will be located in the 100-year floodplain outside of the floodway.

EXHIBIT LIST:

| | |
|-----------|---|
| Exhibit A | Zoning Permit Application #03-15-V |
| Exhibit B | Site Plan, dated 3/11/2011 |
| Exhibit C | ANR Atlas Maps of the property |
| Exhibit D | Dog Park Concept Master Plan |
| Exhibit E | Dog Park Shelter Structure Plans |
| Exhibit F | Bike Roll-in Plan |
| Exhibit G | Dog Park Sign Plan |
| Exhibit H | Bike Trail Sign/Kiosk Plan |
| Exhibit I | Bike Trail Sign/Kiosk Supplemental Information |
| Exhibit J | Letter from John Grenier, dated 4/25/11 |
| Exhibit K | Letter from Kari Dolan, State of VT Water Quality Division, dated 5/20/11 |
| Exhibit L | Planning Commission Meeting Minutes of April 6, 2011 |

Exhibit M Zoning Board of Approval Meeting Minutes of April 26, 2011
Exhibit N Letter to Rebecca Pfeiffer, dated 2/24/15
Exhibit O Notice of Public Hearing, dated 2/5/15
Exhibit P Letter to Adjoining Landowners, dated 2/12/15
Exhibit Q Letter from John Grenier dated 3/4/15 re. kiosk

Testimony:

The subject of the parking for the Bike Terrain park was discussed. It will be located in the floodway but will be constructed on-grade. The existing parking for the bike trails was discussed. It will ultimately be phased out, especially if the access road is re-located.

The issue of pedestrian access was discussed. The corridor for the road as it enters the property near Depot Beverage is very narrow and doesn't have enough space for a separate pedestrian path. The grass swale on the railroad side of the road can be used for walking if necessary. Once the field opens up there is a path near the railroad tracks that is mowed periodically that follows the route of the sewer and water lines that serves the Ice Center.

The bike roll-in structures would be anchored into the ground.

Exhibit Q, the letter from John Grenier regarding the kiosk location in the floodway was discussed. There is not an alternative location near the access path to the bike trails. This is the main item that Comes under the Flood Hazard Review with the Development Review Board.

Ultimately there will be a waterline that will be run to the Dog Park from the Ice Center.

FINDINGS OF FACT:

Description of Project:

This project proposes to 1) create a fenced in dog park, including a 400 sf shelter structure and associated parking; 2) reconfigure the existing parking area serving the bike trails and park; 3) install bike roll-in platforms for the terrain park; and 4) install new signage at 546 River Road, Waterbury, VT.

1. The Village of Waterbury owns the property at 546 River Road that is 40 acres in size, and lies within the Industrial Zoning District
2. Portions of the Special Flood Hazard Area (SFHA) and Flood Hazard Area Floodway Overlay Districts lie across the property.
3. The property gains access from the west, via River Road. The Grand Trunk Western Railroad owned railroad abuts the subject property's north/northeast boundary. The subject property is bordered by the Winooski River to the west, south and east.
4. The property currently contains a 34,310 sq ft Ice Center, a small storage shed, sporting fields, a bike terrain park, and an access to the Perry Hill mountain biking trails. Parking areas exist for the Ice Center/sporting fields, and for the bike terrain park and trails.
5. The Industrial Zoning District lists "Public Park or Recreational Area" as a Permitted use. Permitted uses are reviewed under the Site Plan Review criteria of Section 301.

6. On April 20, 2011, the Planning Commission approved application 05-11-V for a dog park, a bicycle terrain park, and a 3'x4' bulletin board on the existing storage shed for the Capital Soccer Club at the subject property (Exhibit L).
7. Additionally, the Zoning Board of Adjustments approved application 05-11-V on May 18, 2011 (Exhibit M).
8. The bicycle terrain park has since been constructed. However, neither the dog park nor the bulletin board was constructed.
9. The site plan (Exhibit B) and ANR Atlas Maps (Exhibit C) identify the location of the 100-Year Floodway and the 100-Year Floodplain. The table within Section 603 identifies what can and cannot be permitted within either the floodway or the floodplain.

| # | Activity | Hazard Zone | |
|----|--|---------------------------|----------|
| | | Special Flood Hazard Area | Floodway |
| | A Administrative Permit Review B Board Review X Prohibited E Exempted | | |
| 1 | New structures | B | X |
| 2 | Storage | B | X |
| 3 | Substantial improvements to existing structures | A,B | B |
| 4 | Small appurtenant structures | A | X |
| 5 | Additions to existing structures | A,B | B |
| 6 | At-grade parking | A | B |
| 7 | Water supply or septic systems | A | A |
| 8 | Fill as needed to elevate existing structures | B | B |
| 9 | Fill | B | X |
| 12 | Grading/excavation | B | B |
| 13 | Road maintenance | E | E |
| 14 | Road improvements | A | B |
| 15 | Bridges and culverts | B | B |
| 16 | Channel management | B | B |
| 17 | Recreational vehicles | A | A |
| 18 | Open space, recreation | E | E |
| 19 | Forestry | E | E |
| 20 | Agricultural activities/farm structures | E | E |

10. The SFHA permits new structures through DRB approval, and at-grade parking through administrative review.
11. At-grade parking in the floodway may be approved through the DRB; while new structures within the floodway are prohibited.
12. The base flood elevation of the SFHA located next to the dog park is 431'. The proposed dog park, including the shelter structure, is located out of the SFHA.
13. The associated at-grade parking area, and a very small portion of the surrounding 4'-6' chain link fence is located within the SFHA. The parking area requires

- administrative approval, while the portion of chain link fencing within the SFHA requires DRB approval.
14. The 12 sq ft bulletin board to be located on the existing shed (located next to the SE corner of the Ice Center) was previously permitted under Application 05-11-V.
 15. The proposed bike roll-in structures at the terrain park are located within the SFHA, which permits new structures through DRB approval.
 16. Within the 100-year floodway, the applicant proposes to construct an at-grade parking area that will serve the bike terrain park and trails, and to install a 32 sq ft kiosk sign. DRB approval is required for at-grade parking areas; however, new structures are prohibited within the floodway.
 17. Section 605(b) states:
"(1) Encroachment or development above grade and less than one foot above the base flood elevation are prohibited unless hydrologic and hydraulic analyses are performed in accordance with standard engineering practice, by a registered professional engineer certifying that the proposed development will:
(A) Not result in any increase in flood levels (0.00 feet) during the occurrence of the base flood; and
(B) Not increase any risk to surrounding properties, facilities, or structures from erosion or flooding."
 18. John Grenier, a registered professional engineer, prepared Exhibit Q, a hydrologic/hydraulic analysis addressing the sign/kiosk's compliance with Section 605(b).
 19. As required in Section 607(b), staff forwarded a copy of this application and supporting information to the State National Flood Insurance Program (NFIP) Coordinator at the Vermont Agency of Natural Resources on February 24, 2015. No comments have been received as of the date of preparing this report.
 20. The Site Plan and Special Flood Hazard Area Criteria are listed below.

CONCLUSION

Based upon these findings (and subject to the conditions set forth below) the Waterbury Development Review Board concludes that application #03-15-V, Village of Waterbury that is for the creation of a fenced-in dog park, including a 400 sf shelter structure, a 6 sq ft sign, and associated parking; re-permitting a 12 sq ft bulletin board; the reconfiguration of the existing parking area serving the bike trails and park; the installation of bike roll-in platforms for the terrain park; and the installation of a new information sign/kiosk, at 546 River Road, Waterbury, VT 05676. meets the standards of Section 301, Site Plan Review and Approval, and Section 605, Development Standards for Article VI, the Special Flood Area Regulations.

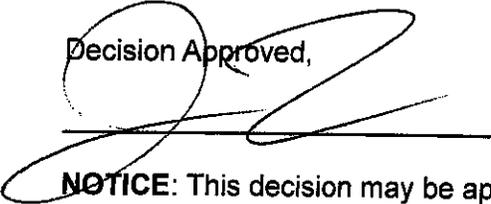
MOTION

On behalf of the Waterbury Development Review Board, Mike Bard moved and David Rogers seconded the motion to approve application #03-15-V, Village of Waterbury with the following condition:

1. This permit is granted on the condition that the applicant completes the project consistent with the Board's findings and conclusions and the approved plans and exhibits.

VOTE: The motion passed unanimously.

Decision Approved,


_____, Chair

Date:

3-4-15

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 March 4, 2015.