

Town & Village of Waterbury
Development Review Board
Approved General Meeting Minutes
Date: August 19, 2015

IN ATTENDANCE:

Board Members Present: Dave Rogers, Vice-Chair, Tom Kinley, Nat Fish, Martha Staskus

Staff Present: Ryan Morrison, Zoning Administrator; Patti Spence, Secretary

The meeting convened at 6:30 pm.

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

6:30 p.m. Opened hearing for **Application 48-15-T, Ripley Springs LLC**, for a Zoning Permit, Subdivision Permit, and Ridgeline, Hillside, Steep Slope Overlay District Permit to subdivide a 10.1 acre property off of a 113+/- acre property in the RHS Overlay District, off of Wood Farm Road, Waterbury Center, VT 05677 (Tax Map #14-084.080).

Minutes and approval in application hearing minutes.

6:45 p.m. Opened the continued Hearing of Application #20-15-V, Ted Brunell, for a Special Flood Hazard Area Overlay District Permit to import fill into the 100-year floodplain for a future home site at 12 Lincoln Street, Waterbury, VT 05676 (Tax Map #19-068.000).

The hearing was continued to September 2, 2015 at 6:30 p.m.

APPROVAL OF MINUTES:

MOTION:

Tom Kinley moved and Nat Fish seconded the motion to approve the DRB general minutes of August 5, 2015 and the August 19th hearing minutes of application #48-15-T.

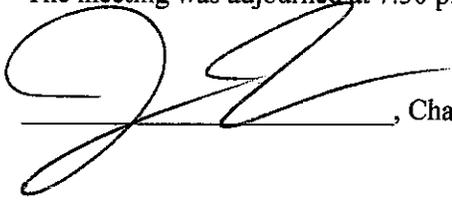
Vote: Approved unanimously.

OTHER BUSINESS

1. A site walk was scheduled for Thursday, August 27th at 6:15 p.m. for building site #4 of Ripley Springs LLC land to assess revisions to previously approved clearing limits.
2. A site walk was scheduled for Thursday, August 27th at 7:00 p.m. for Application 50-15-T -- Duane & Laura Peterson. The hearing for this application is scheduled for September 2, 2015,

and the intent of the site walk is to see where development and clearing will take place on Lot 4 of the Bear Creek Lane Subdivision for a future residence.

The meeting was adjourned at 7:30 p.m.


_____, Chair

Date: 9.2.15

THESE MINUTES WERE APPROVED ON 9.2.15

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.

**TOWN OF WATERBURY
DEVELOPMENT REVIEW BOARD
Approved Hearing Minutes, #48-15-T
August 19 2015**

IN ATTENDANCE:

Board Members Present: Dave Rogers Vice-Chair; Tom Kinley, Nat Fish, Martha Staskus

Staff Present: Ryan Morrison, Zoning Administrator; Patti Spence, Secretary

Application for a 2-lot Subdivision in the Conservation Zoning District and Ridgeline, Hillside, Steep Slope Overlay District.

Permit Application #:	48-15-T
Applicant:	David Lachtrupp
Landowner:	Ripley Springs LLC
Location of Project:	Woods Farm Road, Waterbury Center, VT

Present and sworn in:
David Lachtrupp, Applicant

EXHIBIT LIST:

- Exhibit A Zoning Permit Application # 48-15-T
- Exhibit B Site Plan, dated August 7, 2014
- Exhibit C DRB Hearing Minutes of September 3, 2014 for Permit #39-14-T
- Exhibit D Approved DRB Hearing Minutes of October 1, 2014 for Permit #39-14-T
- Exhibit E ANR Atlas maps of property
- Exhibit F Notice of Public Hearing, dated July 30, 2015
- Exhibit G Notice to Adjacent Landowners, dated July 31st / August 3rd

Testimony:

1. Some lines have been drawn on the plan to indicate the 10.1 acre lot.

Description of Project:

The applicant is seeking approval to subdivide 10.1 acres off of a 113+/- acre property, located off Woods Farm Road, Waterbury Center, VT (Tax map # 14-084.080)

1. The 113+/- acre parcel is located off Woods Farm Road and lies within the Conservation (CNS) Zoning District and the Ridgeline, Hillside, Steep Slope Overlay Zoning District.
2. The property has received approval for several home sites over the last few years. As allowed under Section 403, more than one building or use may be permitted on a property if an applicant can demonstrate that each of those uses could meet all

dimensional and various other zoning requirements (including minimum lot size and setbacks), as if they were on their own lot.

3. The applicant received DRB approval for "House Site 3" in October, 2014 (see Exhibit D).
4. The applicant now proposes to place "House Site 3" on its own, 10.1 acre lot.
5. The CNS Zoning District requires a minimum lot size of 10 acres, and a minimum setback requirement of 100 feet from all property lines. The proposed lot and home site complies with both of these requirements.
6. The property will gain access from a 50' ROW off of Stagecoach Lane, which is a private road.
7. The proposed lot ranges in elevation from approximately 1340' to 1550'. The "House Site" is above 1500' in elevation.
8. Section 1001 states *"development at or above 1,200 FIE but below 1,500 FIE shall be considered 'minor' development. Development and pre-development site preparation at or above 1,500 FIE... shall be considered 'major' development."*
9. The proposed lot lies within both 'minor' and 'major' elevation ranges. The "House Site" lies within the 'major' elevation range.
10. The applicant already received approval for pre-development site preparation (see Exhibit D). However, when a zoning permit is submitted for the actual construction of a new home, it will be subject to DRB review.
11. Subdivisions in the Ridgeline, Hillside, Steep Slope Overlay Zoning District are subject to review by the Development Review Board.
12. Below are excerpts of the Subdivision Review Criteria, RHS Review Criteria, and Conditional Use criteria:

Conclusion

Based upon these findings (and subject to the conditions set forth below) the Waterbury Development Review Board concludes that application # 48-15-T for a 2-lot Subdivision in the Conservation Zoning District and Ridgeline, Hillside, Steep Slope Overlay District at Woods Farm Rd, Waterbury Center, VT, Tax map # 14-084.080, meets the standards in Article X, Section 1004, Article XII, Section 1202 and Section 303 Conditional Uses.

Motion

On behalf of the Waterbury Development Review Board, Tom Kinley moved and Nat Fish seconded to approve application 48-15-T with the following conditions:

1. *The applicant completes the project consistent with the Board's findings and conclusions and the approved plans and exhibits;*
2. *All exterior lighting will be downcast and shielded;*
3. *The applicant brings a copy of the Final Plat to Zoning Administrator within 150 24 V.S.A., Section 4463*

VOTE: Approved unanimously.

 , Chair

Date: 8-19-15

THESE MINUTES WERE APPROVED ON AUG - 19 - 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.*