

**WATERBURY DEVELOPMENT REVIEW BOARD**  
**General Minutes—January 16, 2019**

Board members present: David Frothingham (Chair), Dave Rogers, Mike Bard, Bud Wilson, and Andrew Strniste. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary).

Dave Frothingham, Chair, opened the meeting at 6:30 p.m. in the Steele Community Room in the Municipal Center, 28 North Main Street, Waterbury, VT. The meeting was audio recorded. The agenda was approved as presented.

1) **#131-18: Noah Tautfest** (owner/applicant)

Setback waiver request to construct a single-family dwelling and detached garage with an accessory dwelling unit within the setback at 0 Maggies Way (parcel 760-0875), Waterbury Center, VT. (LDR zoning district)

This item was continued from the January 9, 2019 meeting. Additional materials pertaining to the existing soils and the location of the proposed septic system were submitted.

The Board approved the project with conditions and will issue a written decision within 45 days.

2) **#130-18: Greg Montgomery and Kaziah Haviland** (owner/applicants)

Setback waiver request to construct a single-family dwelling and detached garage with an accessory dwelling unit within the setback at 0 Maggies Way (parcel #760-0575), Waterbury Center, VT. (LDR zoning district)

The Board approved the project with conditions and will issue a written decision within 45 days.

3) **#135-18: Aaron Flint Builders** (owner/applicant), **Stephen T. Van Esen Revocable Trust** (owner); Boundary-line adjustment between 11 N. Main St. and 28 Stowe St.; site plan, conditional use, and design review to remove and rebuild a historic building and establish multi-family/office at 11 N. Main St., and to construct a new mixed-use building for retail/office/multi-family at 28 Stowe St., Waterbury, VT. (VMR/DC/DDR-HC zoning/overlay/sub-districts).

Present and sworn in:

Gary Cromie, adjoining landowner  
Clement Despault, adjoining landowner  
Aaron Flint, owner/applicant  
Jason Wulff, applicant  
Jennifer Lane, Architect for applicant  
George McCain, Engineer for applicant

**Testimony:**

- The new boundary lines were presented.
- Parking details will be on the revised Site Plan.
- 11 N. Main Street:
  - The existing structure will be taken down, and the materials will be reused.
  - The façade and trim will remain the same. The Board requested more specifics.
  - The floor plan has changed and is not finalized; Applicant will submit later.

- Will include 1800 SF of office space among the structures, plus 3 dwelling units.
- Submitted an assessment regarding restoring the historic structure, vs. rebuilding.
- The Board requested elevations of all sides of the barn structure.
- The Board requested the Fire Marshal’s report before final approval.
- New building at 28 Stowe St.:
  - Proposed for retail, office and residential apartments.
  - The architect presented a 3D review of the design.
  - The applicant proposed hedgerows instead of trees, which provide better screening.
  - The Board requested more specifics on landscaping proposal and hedge.
  - The Board recommended additional stormwater design.
  - The Board requested additional pedestrian protection in the walkway area.
  - The Board requested hours of operation for the retail space.
  - The Board requested adding the first-floor overhang to the Site Plan.
  - The Board requested a lighting plan and specifics for parking lot lighting.
  - The Board requested comment from Waterbury Fire Department regarding property access.

The review was continued to 6:30 p.m., February 6, 2019. Additional materials and revised plans are due to the ZA by Friday, February 1, 2019.

- 4) **#125-18: Schindler Development Corporation** (owner/applicant)  
 Subdivision and Ridgeline/Hillside/Steep Slope review for a four-lot subdivision to create four new residential lots on Bear Creek Lane, Waterbury Center, VT. (CNS/RHS zoning/overlay districts)

This item was continued from the December 19, 2018 meeting. Requested materials and revised plans were submitted.

The Board approved the project with conditions and will issue a written decision within 45 days.

- 5) **Agenda items as scheduled by the Chair:**
- Reviewed minutes and decisions from previous meeting (January 9, 2019):  
 Dave Frothingham moved and Dave Rogers seconded the motion to approve the general minutes from January 9, 2019, as well as the decision for application #133-18, as amended.  
**Vote:** Motion approved: 5–0.

**Next meetings:**

Wednesday, February 6, 2019, 6:30 p.m.  
 Wednesday, February 20, 2019, 6:30 p.m

**Adjournment:** The meeting was adjourned at 9:05 pm.

  
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 (Chair) (Vice-Chair) (Acting Chair)

Approved: 2-6-19  
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 (date)

**Town & Village of Waterbury**  
**Development Review Board**  
**Decision #131-18 ■ January 9 & 16, 2019**

**In Attendance:** (1/9/19) Board members present: David Frothingham (Chair), Dave Rogers, Mike Bard, Bud Wilson, and Andrew Strniste. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary). Alyssa Johnson (Economic Development Director) was also present.

(1/16/19) Board members present: David Frothingham (Chair), Dave Rogers, Mike Bard, Bud Wilson, and Andrew Strniste. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary).

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Owner/Applicant:	Noah Tautfest (applicant/owner)	
Address/Location:	0 Maggies Way (parcel #760-0575), Waterbury Center, VT	
Zoning District:	Low-Density Residential (LDR)	
Application #	131-18	Tax Map # 09-058.000

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**Applicant Request**

The applicant seeks approval to construct a single-family dwelling with a front porch and detached garage with an accessory apartment on the second floor. The porch and detached garage are within the front setback at 0 Maggies Way, Waterbury Center, VT.

**Present and sworn in:**

(1/9/19) Noah Tautfest, applicant/owner  
(1/16/19) Noah Tautfest, applicant/owner  
Tracy Sweeney, Waterbury Conservation Board

**Exhibits**

- A: Application #131-18 (3 pages: zoning, conditional use), submitted 11/28/18.
- B: Overall Site Plan prepared by Hogg Hill Design, LLC, dated 1/2/19.
- C: Detailed enlargement of Site Plan, prepared by Hogg Hill Design, LLC, dated 12/5/18.
- D: On-site Septic Plan prepared by Hogg Hill Design, LLC.
- E: Photo of site with proposed garage with the accessory apartment inserted, prepared by Applicant.
- F: Parcel map with orthophoto base layer (Staff).
- G: Wastewater System and Potable Water Supply Permit ww-5-6094-1, dated 2/23/17.
- H: Letter to adjoining landowners, mailed certified: 12/21/18.
- I: Correspondence re: location of septic system (1/10/19) and soils investigation (1/14/19).

**Findings of Fact**

1. Existing conditions: Noah Tautfest owns a 2.8 acre parcel located at 0 Maggies Way (parcel #760-0575) in the Low-Density Residential (LDR) zoning district. The lot is undeveloped. The lot includes 343± feet of frontage on Maggies Way. The entire parcel is currently wooded (Exhibit F). The lot is proposed to be

served by private well and on-site septic.

2. Project: The proposal is to construct a single-family dwelling with an attached garage containing an accessory apartment on the second floor. The house will be 28' by 30' with a 12' by 30' front porch as shown in Exhibit C. The house will be two stories tall and will have 2,500 sq. ft. of space including the basement. The garage will also be 28' by 30' with a 5' by 30' covered walkway on the front and a one-bedroom accessory apartment on the second floor that will be 840 sq. ft. in size. The proposed front porch on the house will be located not less than 50' from the front property line and 75' from the centerline of Maggies Way (Exhibits C and D). The covered walkway on the garage will not be less than 55' from the front property line and 80' from the centerline of Maggies Way (Exhibit C). The two structures will be connected by a covered breezeway to meet the State's on-site wastewater and water supply permitting requirements for a structure with two dwelling units on the same system.
3. LDR Dimensional Requirements, Table 5.2: Minimum lot area: 5 acres; frontage: 300'; minimum setbacks: 70' front, 75' sides/ rear. The lot has adequate frontage, however, it does not meet the minimum lot size and is a pre-existing small lot. The structures as proposed will not meet the front setback requirement.
4. Waiver Request: The setback waiver request is to encroach into the front-yard setback by 20' (70' minus 50').
5. Conditional Use/Waiver criteria: As set forth in Section 309, the DRB may grant a waiver of building setbacks as a conditional use review in accordance with Section 303; provided that the encroachment does not have an undue adverse impact on the use and enjoyment of adjoining properties. The Board considered the following general and specific standards:
  - (a) Section 303(e)(1) Community facilities: The Applicant proposes a single-family dwelling which is a permitted use. The development will be served by private well and septic. The project will not unduly increase the traffic, does not require additional municipal water or sewer allocation, will not burden the school capacity, and will not unduly increase the demand for fire protection. The house and garage with the accessory apartment cannot be moved further back on the lot to meet the front setback requirement due to the need to locate the septic system directly behind the house as shown on Exhibits B, C and D. The application states that the project "(w)ill allow the neighborhood to have a better look, increasing values on all homes on Maggies Way." The Board concludes that the proposal will not have an undue adverse impact on the capacity of existing or planned community facilities.
  - (b) Section 303(e)(2)(A–E) Character of the area: There are two exterior gooseneck style lights proposed for the garage that will be downcast and shielded. The style of the structure is shown in Exhibit E. The application states that: "The proposed project will fit into the current neighborhood." The Board concludes that the project is appropriate in scale and design in relation to existing uses and structures in the district, and will not have an undue adverse impact on the character of the area affected.
  - (c) Section 303(e)(3) Municipal bylaws in effect: The proposal is for residential use. The application states that: "By applying for this permit we will not violate any ordinances or bylaws." The Board

concludes that the proposal will not violate any municipal bylaws and ordinances.

- (d) Section 303(f)(2) Methods to control fumes, gas, dust, smoke, odor, noise, or vibration: The project proposes a typical residential use, which will not emit any of the above. No controls are proposed. The Board concludes that no devices or special methods are necessary to prevent or control the above-named impacts.
- (e) Section 303(h) Removal of earth or mineral products conditions: The project does not include earth-removal activities. This provision does not apply.

**Conclusion:**

Based upon these findings, and subject to the conditions set forth below, the Board concludes that the proposal by Noah Tautfest to construct a single-family dwelling and attached garage with an accessory apartment 20' within the front setback at 0 Maggies Way (parcel #760-0575), as presented in application #131-18 and supporting materials, meets the Waivers and Conditional Use criteria set forth in Sections 309 and 303.

**Motion:**

On behalf of the Waterbury Development Review Board, Mike Bard moved and Dave Rogers seconded the motion to approve application #131-18 with the following conditions:

- (1) The Applicant shall complete the project in accordance with the Board's findings & conclusions and the approved plans and exhibits.
- (2) All exterior lighting shall be downcast and shielded.

**Vote:** The motion was approved 5-0.

  
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(Chair) (Vice-Chair) (Acting Chair)

Approved: 2-6-19  
\_\_\_\_\_  
(date)

Additional state permits may be required for this project. The landowner/applicant is advised to contact Peter Kopsco, DEC Permit Specialist, at 802-505-5367 or pete.kopsco@vermont.gov, and the appropriate state agencies to determine permits that must be obtained.

**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 & Village of Waterbury  
Development Review Board  
Decision #130-18 ▪ January 16, 2019**

**In Attendance:** Board members present: David Frothingham (Chair), Dave Rogers, Mike Bard, Bud Wilson, and Andrew Strniste. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary).

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Owner/Applicant:	Greg Montgomery & Kaziah Haviland (applicants/owners)	
Address/Location:	0 Maggies Way, Waterbury Center, VT	
Zone:	Low-Density Residential (LDR)	
Application #	130-18	Tax Map # 09-064.000

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**Applicant Request**

The applicant seeks approval to construct a single-family dwelling and detached garage/carport with an accessory apartment within the rear setback at 0 Maggies Way, Waterbury Center, VT.

**Present and sworn in:**

Greg Montgomery and Kaziah Haviland, owner/applicants

**Exhibits**

- A: Application #130-18 (3 pages: zoning, conditional use), submitted 11/26/18.
- B: Site Plan, prepared by Applicant, submitted 11/26/18.
- C: Letter by Trudell Consulting Engineers, dated 11/26/18.
- D: Floor plan for garage/carport with accessory apartment submitted 11/26/18.
- E: Perspective view of main house and garage/carport, submitted 11/26/18.
- F: Parcel map with orthophoto base layer (staff).
- G: Letter to adjoining landowners, mailed certified on 12/31/18.

**Findings of Fact**

1. Existing conditions: The 2.0± acre parcel is located on Maggies Way (parcel #760-0575) in the Low-Density Residential (LDR) zoning district. The lot is undeveloped and is entirely forested in its current state. The lot includes 360± feet of frontage along Maggies Way. A seasonal stream and a potential wetland are present on the parcel (Exhibit B).
2. Project: The proposal is to construct a single-family dwelling with a detached garage/carport with an accessory apartment on the second floor on the property. The two-story house will be approximately 24' by 36' and the two-story garage/carport will be approximately 22' by 34'. The house will have approximately 2,700 sq. ft. of floor space. The accessory apartment will have approximately 1000 sq. ft. of floor space. The proposed garage/carport will be located not less than 35' from the rear property line (Exhibit B). The project is proposed to be served by private well and on-site septic.

3. LDR Dimensional Requirements, Table 5.2: Minimum lot area: 5 acres; frontage: 300'; minimum setbacks: 70' front, 75' sides/ rear. The lot has adequate frontage, does not meet the minimum lot size, and the garage/carport as proposed will not meet the rear setback.
4. Existing Small Lot: The subject lot meets all the requirements in Section 402(a) to qualify as an existing small lot.
5. Waiver Request: The setback waiver request is to encroach into the rear-yard setback by 40' (75' minus 35').
6. Conditional Use/Waiver criteria: As set forth in Section 309, the DRB may grant a waiver of building setbacks as a conditional use reviewed in accordance with Section 303; provided that the encroachment does not have an undue adverse impact on the use and enjoyment of adjoining properties. The Board considered the following general and specific standards:
  - (a) Section 303(e)(1) Community facilities: The Applicant proposes a single-family dwelling with an accessory apartment in the detached garage/carport, which is a permitted use. The development will be served by private well and septic. The project will not unduly increase the traffic, does not require additional municipal water or sewer allocation, will not burden the school capacity, and will not unduly increase the demand for fire protection. The Board concludes that the proposal will not have an undue adverse impact on the capacity of existing or planned community facilities.
  - (b) Section 303(e)(2)(A–E) Character of the area: No exterior lighting is currently proposed, but may be added to the design. The styles of the structures are shown in Exhibit E. The Board concludes that the project is appropriate in scale and design in relation to existing uses and structures in the district and will not have an undue adverse impact on the character of the area affected.
  - (c) Section 303(e)(3) Municipal bylaws in effect: The proposal is for residential use. The Applicant proposed a project application that complies with the conditional use criteria. The Board concludes that the proposal will not violate any municipal bylaws and ordinances.
  - (d) Section 303(f)(2) Methods to control fumes, gas, dust, smoke, odor, noise, or vibration: A typical residential use will not emit any of the above-named nuisances. No controls are proposed. The Board concludes that no devices or special methods are necessary to prevent or control these impacts.
  - (e) Section 303(h) Removal of earth or mineral products conditions: The project does not include earth-removal activities. This provision does not apply.

**Conclusion:**

Based upon these findings, and subject to the conditions set forth below, the Board concludes that the proposal by Greg Montgomery and Kaziah Haviland to construct a single-family dwelling with a detached garage/carport with an accessory apartment 40' within the rear setback on Parcel #760-0575 on Maggies Way, as presented in application #130-18 and supporting materials, meets the Waivers, Conditional Use, and Existing Small Lots criteria set forth in Sections 309, 303, and 402.

**Motion:**

On behalf of the Waterbury Development Review Board, Mike Bard moved and Dave Rogers seconded the motion to approve application #130-18 with the following conditions:

- (1) The Applicant shall complete the project in accordance with the Board’s findings & conclusions and the approved plans and exhibits.
- (2) All exterior lighting shall be downcast and shielded.
- (3) Except as amended herein, this approval incorporates all Findings of Fact, Conclusions of Law, and Conditions in zoning permit approval #025-18.
- (4) The property owner must occupy either the primary dwelling or the accessory dwelling to maintain this approval, otherwise the dwelling unit loses its status as an accessory dwelling and must be approved as a second primary dwelling.

**Vote:** The motion was approved 5-0

  
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(Chair) (Vice-Chair) (Acting Chair)

Approved: 2-6-19  
\_\_\_\_\_  
(date)

State permits may be required for this project. The landowner/applicant is advised to contact Peter Kopsco, DEC Permit Specialist, at 80-505-5367 or pete.kopsco@vermont.gov, and the appropriate state agencies to determine what permits must be obtained.

***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 & Village of Waterbury  
Development Review Board**

**Decision #125-18 ■ December 19, 2018/January 16, 2019**

**In Attendance:** (12/19/18) Board members present: David Frothingham (Chair), Dave Rogers, Mike Bard, Bud Wilson, and Andrew Strniste. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary). Alyssa Johnson (Economic Development Director) was also present.

(1/16/19) Board members present: David Frothingham (Chair), Dave Rogers, Mike Bard, Bud Wilson, and Andrew Strniste. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary). Alyssa Johnson (Economic Development Director) was also present.

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Owner/Applicant:	Schindler Development Corporation	
Address/Location:	Undeveloped property off of Bear Creek Lane, Waterbury Center, VT	
Zones:	Conservation (CNS) and Ridgelines/Hillsides/Steep Slopes (RHS) overlay district	
Application #	125-18	Tax Map # 14-065.990

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**Applicant Request**

The applicant seeks approval for a four-lot subdivision creating Lots 12, 13, 14, & 15 on Bear Creek Lane in the Conservation zoning district and Ridgelines, Hillsides, Steep Slopes overlay district.

**Present and sworn in:**

(12/19/18) George McCain, Consultant (McCain Consulting Inc.)  
(1/16/19) George McCain, Consultant, representing Applicant  
Tracy Sweeney Waterbury Conservation Board

**Exhibits**

- A: Application #125-18 (8 pp: Zoning, Subdivision, Conditional Use, Overlay District, and 2 supplemental sheets for conditional use and RHS criteria), submitted 11/16/18.
- B: Project overview, prepared by McCain Consulting, Inc., dated 11/16/18.
- C: Four-lot Subdivision Plans for Schindler Development Corp., prepared by McCain Consulting, Inc., dated 10/14/18 (C1, C3, & C4: revised 1/16/19): [C1] Overview Plan; [C2] Site Plan—Lots 12 & 13; [C3] Site Plan—Lots 14 & 15; [C4] Driveway & Road Plan; and [C5] EPSC Details.
- D: ANR Atlas Maps of (D1) wildlife habitat & (D2) steep slopes in the project vicinity (11/1/18; 12/19/18).
- E: Prior DRB decision #67-16T for pre-development activity on Lots 12 & 13 (Nov. 16, 2016 hearing).
- F: Orthophoto of parcel with tax map boundaries (Staff).
- G: Letter to adjoining landowners, mailed certified: 11/29/2018.
- H: Correspondence (email) from Fire Chief Gary Dillon, 1/16/19.
- I: Municipal Plan Wildlife Resources Map 2013.

**Findings of Fact**

1. Existing conditions: Schindler Development Corporation owns a 42.3± acre parcel on Ring Road and Bear Creek Lane. The parcel was approved for pre-development site preparation for future Lots 12 & 13 in 2016 (zoning permit #67-16T). The parcel remains undeveloped. The parcel is in the Conservation

(CNS) zoning district and the Ridgelines/Hillsides/Steep Slopes (RHS) overlay district.

2. Proposal: To create four new residential lots as follows:

- Lot 12: 10.3 acres, with some Bear Creek Lane frontage;  $\geq 300'$  lot width; portions above 1500 FIE; shared driveway access with Lot 13; proposed for a single-family dwelling.
- Lot 13: 10.8 acres, with Bear Creek Lane frontage  $\geq 300'$ ; portions above 1500 FIE; shared driveway access with Lot 12; proposed for a single-family dwelling.
- Lot 14: 10.6 acres, with Bear Creek Lane frontage  $\geq 300'$ ; RHS minor ( $<1500$  FIE); driveway access to Bear Creek Lane; proposed for a single-family dwelling.
- Lot 15: 10.6 acres, with frontage on Ring Road and Bear Creek Lane; portions RHS minor ( $<1500$  FIE); driveway access to Bear Creek Lane; proposed for a single-family dwelling.

All four lots are proposed to be served by on-site water and wastewater. This application is for review of the subdivision, not the dwelling units at this time.

3. CNS Dimensional Requirements, Table 5.2: Minimum lot area; 10 acres, minimum frontage: 300', minimum setbacks: 100' front-sides-rear. The proposed lots meet the dimensional requirements.

4. Section 1201 Authority and Review of Subdivisions: All applications for land division shall be reviewed by the DRB under Section 1202, unless exempted under Section 1203. This application is not exempted from Board review, as the project involves lands within the RHS overlay district.

Section 1202 Subdivision Review Criteria: Prior to granting approval, the Board must find that the proposed subdivision conforms to the standards in Section 1202 (a)–(d).

a. The Board must find that the proposal will not have an undue adverse impact on the following:

- (1) The capacity of community facilities: The dwelling will not be connected to municipal water or sewer systems. The proposal to create four residential lots will not exceed the school system's capacity, or cause an undue adverse impact to traffic volumes, or create an unmanageable burden on fire protection services.
- (2) The character of the area: Each lot is proposed to contain a single-family dwelling. The existing uses on Bear Creek Lane and the surrounding area are residential.
- (3) Water quality: Applicant might be required to obtain a VT stormwater discharge permit.
- (4) Aesthetics and scenic or natural beauty: The building zones are relatively small, leaving much of the existing forested land undisturbed. (Exhibit C1, F) Thinning, clearing and pre-development preparation was approved for Lots 12 & 13 in 2016.
- (5) Significant natural resources: Significant Natural Resources are defined in the Regulations as: "Areas that include streams; Class I & II wetlands; prime agricultural soils; wildlife resources, including the Natural Heritage sites, as shown on the Waterbury Wildlife Resources Map in the Municipal Plan; and rare, threatened or endangered species." The Wildlife Resources Map is included as Exhibit I, which shows that the project is located in a mapped bear habitat. Applicant's Exhibit D1 (ANR Atlas) shows wildlife habitat and significant natural communities

in the project vicinity.

- b. The project is *not* in the RT100 zoning district. This provision does not apply.
- c. The project is in the RHS overlay district. The project has obtained prior approval for site preparation. This application is for subdivision approval, not for building construction at this time.
- d. The Board may attach reasonable conditions and safeguards with respect to the subdivision attributes identified in Section 1202(d)(1–4). The proposal does not include excessive curb-cuts. The Board finds that conditions and safeguards regarding these attributes are not needed.

**Conclusion:** Based upon these findings, and subject to the conditions set forth below, the Board concludes that the proposal by Schindler Development Corporation to subdivide and create Lots 12, 13, 14, and 15 on Ring Road and Bear Creek Lane, in the CNS zoning district and the RHS overlay, as presented in application #125-18 and supporting materials, meets the Ridgeline/Hillside/Steep Slope and Subdivision criteria as set forth in Sections 1004 and 1202.

**Motion:** On behalf of the Waterbury Development Review Board, Mike Bard moved and Dave Rogers seconded the motion to approve application #125-18 with the following conditions:

- (1) The Applicant shall complete the project in accordance with the Board’s findings and conclusions and the approved plans and exhibits;
- (2) Future development is subject to review by the Board for compliance with the RHS criteria.
- (3) Except as amended herein, this approval incorporates all Findings of Fact, Conclusions of Law, and Conditions in zoning permit approval #67-16T.
- (4) Within 180 days from this approval, the Applicant shall submit the final plat, prepared in accordance with 27 V.S.A. § 1403 and signed by the DRB Chair (or Acting Chair), to be recorded in the office of the Clerk of the Town of Waterbury, in accordance with 24 V.S.A. § 4463.

**Vote:** The motion was approved 5–0.

  
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(Chair) (Vice-Chair) (Acting Chair)

Approved: 2-6-19  
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(date)

Additional state permits may be required for this project. The landowner/applicant is advised to contact Peter Kopsco, DEC Permit Specialist, at 802-505-5367 or [pete.kopsco@vermont.gov](mailto:pete.kopsco@vermont.gov), and the appropriate state agencies to determine permits that must be obtained.

**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.*