

WATERBURY DEVELOPMENT REVIEW BOARD
General Minutes—January 20, 2021

Attending: Board members: David Frothingham (Chair), Tom Kinley, David Rogers, Bud Wilson, Alex Tolstoi, Harry Shepard, and George Lester. Staff: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Martin (Secretary).

David Frothingham, Chair, opened the public meeting at 6:30 p.m. and made the following introductory remarks: Applicants and consultants will be given the option to be contacted when their hearing is ready to commence. Applicants should have one spokesperson. Staff will give an overview of the project. The Applicant or spokesperson will present any new information to the Board. The DRB members will ask questions, followed by staff questions and comments. The hearing will then be opened to the public for comments and questions. Note that the DRB is a seven-member Board and that any approval requires four votes in the affirmative.

1) **#130-20: Christopher Lackey and Kasey Haskins** (owner/appellant)

Continuation of Appeal of ZA denial of zoning permit #086-20 to replace the existing dwelling with a new dwelling in the setback on a lot less-than one-eighth acre at 17 Hunger Mountain Road. (TMR zoning district) —*Continued from 12/16/2020.*

Appellant respectfully requested a continuance to March 17, 2021, at 6:30 p.m., which was granted by the Board.

2) **#141-20: John Mutchler and Perrin Williams** (applicant), **Callan Revocable Trust** (owner)

Revision to previously-approved 9-lot Planned Unit Development of lands on the corner of Ripley and Sweet Roads, located in the Medium- & Low-Density Residential ((MDR/LDR), Conservation (CNS), and Ridgelines/Hillsides/Steep Slopes (RHS) zoning and overlay districts.

Present and sworn in:

Gunner McCain, consultant

Perrin Williams and John Mutchler, Applicant

Jennifer Faillace, legal counsel to Applicant

Tracy Sweeney, Waterbury Conservation Commission member

Bruce Therrien, adjoining landowner

Paul Welch, adjoining landowner

Attending, but not sworn in and no comments:

Gerry Callan (owner), Laura Fortmeyer (family of owner), Kristen Kellett (adjoining landowner), Joan Liggett (resident, observing).

Testimony:

- When last presented, Lot 3 was left off of the plan.
- ACT 250 offered a draft approval.
- Fish & Wildlife Department came in expressing a concern.
- Concerns were satisfied, by provided letter:
 - Lot 3 off Sweet Rd. was one of the concerns, that it should remain wooded.
 - Lot 6 was a concern (by the stone wall) and Lot 7 was a bit narrow. Lot 7 should be accessed from the other side.
- There was a question regarding the covenants and a suggestion to add a condition regarding this.
- Steve pointed out that the setback of the agricultural structure (barn) on Lot 2 in relation to the

required setback 60 feet or 120 feet for the double setback. Gunner said they would reduce the request on the setback.

- Steve recommended that the conservation of the open area needs to be noted on the plat and referenced in the deed. Also restricting further subdivision of Lot 2.
- Dave Frothingham requested a clarification of the uses proposed on Lot 2 or language that would limit the use on Lot 2.
- Bruce Therrien contributed: Addition of one house and one lot on Sugarhouse Road. The line-of-site needs to be possible and maintained between the pullouts.
- The Board requested the following:
 - Revised Act250 map;
 - Updated covenant package with focus on Lot 2;
 - Discussion re: constructing the 14-foot-wide road as previously approved; the narrow version proposed will create a bottle-neck and unsafe conditions.

At 7:48 p.m. the Board moved to continue the review to February 3, 2021, at 6:30 p.m.

3) **Agenda items as scheduled by the Chair:**

- Final plat review: #119-20, Martha Staskus (owner/applicant), BLA, new ROW across 510 Ring Rd. (LDR/CNS/RHS). Hearing: 11/18/20; decision 12/2/20, final plat due: 5/31/21.

Motion: Tom Kinley moved and Bud Wilson seconded the motion to approve the final plat as presented for application #119-20.

Vote: The motion carried, 7-0.

- Final plat review: #136-20, Charles Timothy Grayson (owner/applicant), 3-lot subdivision on Sweet Rd. (MDR/CNS/RHS). Hearing: 1/6/21; decision 1/20/21, final plat due: 7/19/21.

Motion: Harry Shepard moved and Tom Kinley seconded the motion to approve the final plat as presented for application #136-20.

Vote: The motion carried, 7-0.

- Review prior meeting minutes and decisions:

Motion: Harry Shepard moved and Tom Kinley seconded the motion to approve the general meeting minutes for 1/6/21, and decisions #134 (Perry Hill Partners), #135 (Lintilhac), and #136 (Grayson), as amended.

Vote: The motion carried, 7-0.

Adjournment: There being no other business, the meeting was adjourned at 8:05 p.m.



(Chair David Frothingham)

Approved: February 3, 2021

Notice of upcoming meetings:

- Wednesday, February 3, 2021, 6:30 p.m.
- Wednesday, February 17, 2021, 6:30 p.m.
- Wednesday, March 3, 2021, 6:30 p.m.