

**WATERBURY DEVELOPMENT REVIEW BOARD**  
**Approved General Minutes—April 5, 2023**

**Attending:** Board members present: David Rogers (Acting Chair), Tom Kinley, Bud Wilson, Patrick Farrell, Alex Tolstoi, Joe Wurtzbacher

Staff: Neal Leitner (Asst. Planning & Zoning Administrator), Patti Martin, Secretary

Dave Rogers, Acting Chair, opened the public meeting at 6:30 p.m. and made the following introductory remarks: Applicants should have one spokesperson. Staff will give an overview of the project. The Applicant/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, six members are present; an approval requires at least four votes in the affirmative. If you wish you can continue your hearing to a later date, when more members may be in attendance.

**1) #114-22: Nelson Riley III/ Nelson Riley IV (owner/applicant)**

Continuation of Conditional Use & Site Plan review for a multi-family P.U.D. development of 50 two-bedroom units with 10 buildings each containing 4 to 6 dwelling units located at Parcel #100-5575 Waterbury-Stowe Road, near the intersection of Spruce Haven Rd and Route 100. (RT100/CNS)

The public hearing was continued to April 19<sup>th</sup>, at 6:30 p.m.

**2) #013-23 Neal and Sara Graves (owner/applicant)**

Site Plan, Conditional Use review and waiver request to convert a 2-story commercial building into an 8-room boarding house with a 1-bedroom apartment. (VCOM).

The public hearing was opened at 6:35 p.m.

Sworn in:

Neal Graves, Applicant

Testimony:

1. DRB members expressed concerns:
  - a. The parking spaces are not ideal, how will residents maneuver in and out of spaces
  - b. Gravel parking would be difficult with this many parking spaces
  - c. The access to the community kitchen is from the outside
  - d. Where will the community dumpster be located
  - e. Lack of a sprinkler system (not required by this use)
  - f. Water allocation has not been approved by the Town
  - g. Lighting should be indicated on the revised plan.
  - h. Review by the Fire Marshall. Plans for egress.

The DRB requested a revised site plan and answers to the above concerns.

The hearing was continued to April 19, 2023 at 6:30 p.m.

- 3) **#014-23 Donald and Francine Chittenden Revocable Trust (owner/applicant)**  
Appeal of a Zoning Administrator's denial of application #004-23 to construct a single-family house at 35 Sunset Dr. (TCOM zoning district)

**Sworn in:**

Francine and Eric Chittenden, Owner/Applicant  
Bryce Simon, Attorney representing the applicant  
Tricia Kules, Surveyor for applicant  
Neal Leitner, Assistant Zoning Administrator  
Katie Martin, neighbor  
Milford Ramey, neighbor  
Bindy Kirk, neighbor  
Kathryn Cyr, neighbor  
Pegeen Mulhern, neighbor  
Chris Barber, neighbor  
Charity Baker, neighbor  
Joan Liggett, Waterbury resident

Note: The letter to existing landowners is dated March 16, 2023.

This could not be approved administratively because the application did not have the State required 20-foot right-of-way driveway frontage. The existing right-of-way is 12 feet.

1. An adjacent landowner expressed concern with snow removal on this driveway, right-of-way. And also stated that the drainage is not good on the property that they own.
2. A neighbor question the accuracy of the topography that was presented for the right-of-way.

**MOTION:**

Bud Wilson moved and Patrick Farrell seconded the motion to uphold the decision of the Assistant Zoning Administrator to deny administrative permit #004-23.

**VOTE:** The motion was approved 6-0.

**4) Other Business**

**MOTION:**

Bud Wilson moved and Patrick Farrell seconded the motion to approve the written decisions for application # 008-23, as amended.

**VOTE:** The motion was approved 6-0.

**Adjournment:** There being no other business, the meeting was adjourned at 9:30 p.m.

Approved: David L Frothingham III Date: 4/19/23  
David Frothingham III, Chair