

WATERBURY DEVELOPMENT REVIEW BOARD
Approved General Minutes—May 16, 2024

Attending: Board members present: David Frothingham III (Chair), Tom Kinley (Vice-Chair), Alex Tolstoi (Co-Chair), Dave Rogers, Bud Wilson, Alex Tolstoi, Joe Wurtzbacher, Harry Sheppard, Monica Callan

Staff: Neal Leitner

Public present: Barbara Walton, Sandy Sabin, Chris Viens, Marcel Mongeur, Elisabeth Walton, Greb Probst, Roger Clapp, Michael Bard, Theresa Wood, Amy Marshall-Carney, Adelaide Rooney

Attorneys present: David Rugh, Town Attorney; Bart Gengler Esq. & Ryan Kane, Esq., Attorneys representing the State of Vermont.

1) Appeal of Zoning Administrator’s Letter of Determination re: Armory Building

The DRB introduced the item and a brief summary of what is and is not being discussed. The only item of discussion is the letter of determination written by Zoning Administrator, Mike Bishop, requiring a local zoning permit

Attorneys Bart Gengler Esq. & Ryan Kane, Esq. approached the board and described the request to vacate the Zoning Administrator’s Determination Letter.

The board asked questions of the attorneys. They asked why the situation is different now than it was in February when the Armory was proposed to be used as an emergency shelter.

Attorneys Bart Gengler Esq. & Ryan Kane, Esq. reiterated their request to the DRB to vacate the Determination Letter. They said the state has no immediate plans to use the Amory since the situation changed since the original proposal to use the Armory as an emergency shelter was determined not to be as urgent for the time being. However, the requested the DRB to vacate the Determination Letter so that they can begin with a clean slate when they decide to use the Armory in the future. They stated that they would approach the town to see if a permit is needed when they have a proposed use. The attorneys reiterated their request to the DRB to vacate the Determination Letter.

The DRB opened the item to public testimony. Multiple members of the public voiced their thoughts about the Determination Letter requiring the State to get a zoning permit if the Emergency Shelter is operated by a third party.

After hearing public testimony, the DRB closed the public testimony portion of the hearing.

7:35 p.m. The DRB went into Deliberative Session to discuss the Appeal request of

the Determination Letter.

7:57 p.m. The DRB came out of Deliberative Session

Tom Kinley motioned to uphold Mike Bishop's Determination Letter and deny the Appeal of the Determination Letter.

Harry Sheppard seconded the motion.

Motion passed 6-0.

Adjournment: There being no other business, the meeting was adjourned at 8:02 p.m.

Approved: _____ Date: _____
David Frothingham III, (Chair)