

**Monkton Development Review Board**  
**Meeting Minutes**  
**December 13, 2011**  
**Approved: 1/10/12**

**Attendance:**

DRB Members Present: Peter Close, Phillip Russell, John Winsor, Janet Dermody, Chris Acker

DRB Members Not Present: Curtis Layn, Marsha Abramo

DRB Alternate Present: Thea Gaudette (voting)

Others in Attendance: Ken Wheeling, Donald Gould, Julie Gould, Scott Gustin, Alan Huizenga

The meeting was called to order at 7:33 pm.

**Administrative**

Thea Gaudette provided the DRB members with information from the Vermont League of Cities and Towns (VLCT) regarding 'the art of writing effective zoning decisions'.

**Donald & Julie Gould 2011-11-AP** appeal hearing for the Zoning Administrator denial of building permit # 10-33. Donald Gould, Julie Gould, Scott Gustin, and Ken Wheeling were present for the hearing. All parties that gave testimony were sworn in prior to starting their testimony. Donald Gould read his testimony to the DRB. He reported that the town cannot use any changed or amended regulations on this application if the changes occurred after the application was received. Mr. Gould noted that the exterior measurements from the Listers were used to calculate the habitable space. Ken Wheeling read his testimony to the DRB and provided his testimony in writing. His testimony was put on record in the file. Mr. Gould noted that other towns use exterior measurements of the main dwelling as the accessory dwelling is also measured exteriorly. He also stated that throughout the process there have been several ways to measure habitual space discussed. Mr. Gould stated that based on the Listers exterior measurements, his home is 2116 square feet. Scott Gustin; a neighbor of the Gould's; provided the DRB with written support for Mr. Gould. Mr. Gustin stated that the town should acknowledge that the State of Vermont now oversees all waste water permits therefore it should not be required before granting a building permit. It was noted that Mr. Gustin is a city planner for the city of Burlington. Thea Gaudette made a motion to close the evidentiary portion of the hearing. Janet Dermody seconded the motion and it passed 6-0.

**Raymond, Charles, and Mary Jane Huizenga 2011-08-MAJ** final hearing for a 2 lot sub-division Alan Huizenga was present and signed permission for John Winsor and Thea Gaudette to hear the application.

**\*\*Items marked with an 'X' have been received. Please see the 'Final Plat Data' checklist form for additional details. Items below have been summarized.\*\***

X	Information required on Preliminary Plat is updated and accurate.
X	Final Septic Design.

n/a	Final copy of any legal restrictions or agreements.
n/a	Final copy of any protective covenants.
n/a	Performance bond if required.

Chris Acker made a motion to grant final plat approval. Philip Russell seconded the motion and it passed 6-0. Mr. Huizenga presented the board with the mylar to be signed. The mylar will be filed following the DRB Clerk's signature.

**Donald & Julie Gould 2011-11-AP** appeal hearing for the Zoning Administrator denial of building permit # 10-33. Thea Gaudette made a motion to move the Gould appeal into deliberative session. Philip Russell seconded the motion and it was passed 6-0. The board reviewed all information provided and discussed the facts of this case. Philip Russell made a motion to deny the appeal and uphold the decision of the Zoning Administrator. Thea Gaudette seconded the motion and it was passed 6-0. After starting to consider the findings of fact Thea Gaudette made a motion to reopen the deliberative session of Donald and Julie Gould's appeal for further discussion. Janet Dermody seconded the motion and it was passed 6-0. The finding of fact conclusion was discussed among the board members. It will be discussed further at the next meeting.

#### **Adjournment**

Philip Russell made a motion to adjourn, John Winsor seconded the motion and it passed 6-0. The meeting adjourned at 10:08 pm.

Respectfully submitted,  
Bailee Layn-Gordon