

Monkton Development Review Board
Meeting Minutes
June 12, 2012
Approved

Attendance:

DRB Members Present: Peter Close, John Winsor, Marsha Abramo

DRB Members Not Present: Janet Dermody, Chris Acker, Curtis Layn, Philip Russell

DRB Alternate Present: Thea Gaudette (voting)

Others in Attendance: Ken Wheeling, Peter Norris, Michael Norris, Gene Hall, Dianne Hall, Richard Wolak, Sandra True, John True, Darrel Duffy, Matthew Schlien, Gregor Masefield, Marjorie Dickstein, Elizabeth Hoag, Nancy Goodrich

The meeting was called to order at 7:32pm.

Administrative

Thea Gaudette made a motion to approve the meeting minutes from March 27th, 2012 as written. Marsha Abramo seconded the motion and it was passed 4-0.

Mike Norris Mountain Rd

Peter and Michael Norris were present to discuss the mylar that was presented in May 2012. Peter Norris noted that the right of way was never completed for the septic and utility easements. These changes also need to be reflected in the deed language. Peter Norris suggested the board allow the applicant more time to make these changes on the mylar and the deed.

Willowell 2012-02-CON

Peter Close informed the group that the meeting will be recorded. All people who gave testimony were sworn in.

Matt Schlein stated that Willowell does not have any new information. He noted that the Willowell board has decided to spend some money on landscaping to assist easing the concerns noted from the neighbors.

Darrel Duffy has been in contact with the original owners of the property. The previous owners noted that the agricultural access of the land was from the main entrance and any commercial access was to be from State Prison Hollow rd. Gene Hall asked if the original development is filed with the town. He stated that this seems to be the first thing that needs to be resolved. Peter Close noted that the original subdivision is missing some of the paperwork in the town file. The main question is if the proposed deed restrictions are valid because they are missing from the town's file.

Darrel Duffy asked if Willowell has a legal right to enlarge the driveway. Ms. Dickstein noted that the development has a right of way. It was noted that Willowell is not required to participate in the maintenance of the driveway until there is a residence there. Willowell noted that they are planning to take over the maintenance of their portion of the driveway. Peter Close noted that all future deed

restrictions and covenants will be carefully reviewed before they are approved.

John True stated that his property is for sale and they have received several negative comments about the Willowell property from potential buyers. Mr. True stated that he feels Willowell has not been a good neighbor. Sandy True stated that Willowell has a history for not keeping up the property and she is concerned that this will continue to be a problem. Matt Schlein noted that there are ways that Willowell could have been better neighbors. He noted that the proposed residential manager would help to address some of those issues. He stated that there have also been many positive actions and restoration on the property and have helped the community.

Ms. Dickstein noted that the engineers reported that the State Prison Hollow Road access is in a Class 2 wetlands and that the state will not allow access through that area. The caretaker home could be located in the buildable area. The only thing in the agricultural reserve is a septic system and that the state does not consider mound systems a structure.

Thea Gaudette made a motion to close the evidentiary portion of the hearing, set a site visit and move to deliberation. John Winsor seconded the motion and the motion was denied 2-3.

Ken Wheeling noted that the State Prison Hollow Road access is not considered in the flood zone according to the map the town has. John Winsor noted that there are ways to get conditional use permits for roads to be built in wetlands. Darrel Duffy asked if it had been maintained from day one would it now be a useable road. He noted that Willowell bought land with an access point and they didn't maintain it. It was reported that the town cannot expect someone to maintain a road that they might want to use in ten years.

Gene Hall expressed concerns regarding the run-off from the proposed area of the mound system. Richard Wolak noted that the original development was planned to be below the ridge so it could not be seen from the road.

Peter Close stated that he feels Willowell presented a very complete application. Ms. Dickstein noted that zoning regulations were changing as Willowell was submitting their application. It was also noted that the application form has a very different list of requirements. Ms. Dickstein reported that Willowell received two letters in the past stating that their application was complete and ready for review. She noted that the phasing was not completed because the phasing could be affected by the decisions of the DRB. Matt Schlein noted that they would like to build the first phase (restroom facilities, kitchen, meeting area) in the next year or so and the rest of the larger project up to 15 years down the road.

Peter Close noted that it may have been helpful to present the first phase early on in the process. It was noted that act 250 and state regulations require the larger picture. Marsha Abramo noted that it would be helpful to see the phasing to get an understanding of Willowell priorities.

Thea Gaudett suggested the site visit take place before the next hearing. Peter Close noted that it would be good to see the phasing of the project before the site visit so the board can get a mental picture of the project. Marsha Abramo requested that the engineer be present at the next hearing to speak to the access issue. During the site visit the buildings, parking and other structures should be marked out to help the board visualize the plan. A site visit is scheduled for Thursday, July 12th, 2012

at 6:30pm. It was noted that anyone can be present at the site visit; however only board members may ask questions. Thea Gaudette made a motion to set the site visit and continue the hearing. John Winsor seconded and it passed 4-0. The hearing will take place on August 14th, 2012 at 8:00pm.

Nancy Goodrich 2012-01-MAJ Ruth Dennis/Rachel Schattman

Nancy Goodrich was present to discuss the subdivision; which was changed from a two 2 acre lots to one 5 acre lot with 16 acres remaining. It was noted that it is not necessary to resubmit the project planning sheet to the state. Ms. Goodrich presented the proposed easements and a letter from the engineer reporting the results of the test pits. The septic design will have to be revised. Ms. Goodrich has changed the subdivision from 3 lots to 2 lots; she is asking for a rebate for the one lot. The preliminary checklist was reviewed.

Preliminary Plan Checklist for Subdivision:

Items marked with an 'X' have been received. Please see the 'Subdivision Checklist: Sketch Plan' form for additional details. Items below have been summarized.

X	All information required for sketch plan included in preliminary plat approval updated.
X	Contour Map
X	Survey Map
n/a	Location, width and grades of streets and access.
X	Location, dimensions, area and number of proposed lots.
n/a	Location and dimensions of property to be dedicated to public use.
	Boundaries of proposed easements.
	Location of existing sewers, water mains, storm drains, culverts, with pipe sizes and direction of flow.
	Location of existing utilities and easements.
	Proposal for provision of water supply.
	Percolation test results and septic system design.
n/a	Proposal for drainage.
	Driveway/street construction design.
X	Copies of proposed legal restrictions or agreements and covenants.
n/a	Location of flood hazard zones.
X	Copies of Land Use Permit applications.

The board is looking for the following information:

- * boundaries of proposed easements/ right of way
- * location of existing and proposed septic systems
- * location of existing utilities
- * Proposal for provision of water supply
- * septic system design

- * driveway design
- * Curb cut approval (from the Select Board)

Thea Gaudette made a motion to set the preliminary hearing on August 28th at 8:00pm. John Winsor seconded the motion and it was passed 4-0.

Administrative

Peter Close recommended the board return to one hearing a month so the board can stay on top of new business. This was discussed among those present. Marsha Abramo made a motion to return to one night of hearings per month starting September 1st, 2012. Philip Russell seconded the motion and it was passed 4-0.

Thea Gaudette reported to the board the progress of the revision of the forms. It was noted that all the requirements are present in the zoning regulations and the format of the applications needs to be discussed. Ken Wheeling suggested the subdivision application be white and each step be a different colored form.

Liam Murphy can join the board on July 10th, 2012 to discuss some of the current zoning issues.

Peter Close will not be present for the June 26th, 2012 meeting. Curtis Layn, the vice chair will be running the meeting.

Adjournment

Philip Russell made a motion to adjourn, John Winsor seconded the motion and it passed 4-0. The meeting adjourned at 9:53 pm.

Respectfully submitted,
Bailee Layn-Gordon