

Monkton Development Review Board
Meeting Minutes
Monkton Town Hall & via Zoom
September 9th, 2024
(Approved: TBD)

Attendance:

DRB Members Present: Curtis Layn, Jaime Schulte, Mark Boltz-Robinson, Scott Gordon, Chris Acker, Michael Brennan (alternate)

DRB Members Absent: Stephen Pilcher, Vicky Stern

Others in Attendance: John Mejia, Raymond Shepard

- **Call to order and determine quorum**
 - The meeting was called to order at 7:31 by C. Layn.
- **Public Comment** - questions and Comments from the Public Not Related to Agenda
 - None offered.
- **PUBLIC HEARING:** 24-901 a Final Plat Application of Steven Pomarico for a 1-lot 7-Unit Planned Unit Development (PUD) located at approximately 325 Pond Rd (Parcel ID 05.215.021.000) in the RA-5 Zoning District.
 - J. Olesky provided an overview of the updates to the plan/plat since Preliminary. There have been a few changes to address the requirements at Preliminary approval back in February.
 - Those were:
 - HOA agreement updated to establish that the 75’x6’ tall privacy fence will be maintained by the HOA and that the three sections of wetland buffer split-rail fencing along the driveway and north of units 6 and 7 be maintained by the HOA.
 - Plans and elevations of proposed structures.
 - Changes since Preliminary:
 - Northern duplex shifted slightly, because the state requested an additional 10 feet from the buffer, so the unit moved a few feet and the state asked for the split rail fence to be installed on the north and east of units 6 & 7 to better separate from the wetland.
 - The existing access for mowing, etc., to the west will not be used for a construction access to do the septic work to the west. State wetlands dept did not want to see that amount of disturbance, so timber mats will be used and then removed after the mound system is installed.

- Fence was added to the HOA agreement and 75' of screening fence added between the units and the existing home to the south.
 - Plans and elevations of proposed structures are on the Site Plan.
 - The Act 250 application has been fully prepared and will be submitted if Final is approved. State wastewater permit has been approved. Curb cut has been approved by the Selectboard. Wetlands permit is pending, but expected to be approved.
 - C. Acker asked about fence maintenance expected in the draft HOA bylaws. J. Olesky said it is part of the bylaws. R. Shepard asked whether lighting on Units 6 and 7 shining toward his home would be blocked by Units 1 and 2 or not. Partially blocked is most likely. Lights would be downcast/shielded.
 - R. Shepard asked what the price point of these affordable housing units would likely be. J. Olesky said they are following the state's definition of affordable, which he didn't have on-hand.
 - R. Shepard asked when building might begin. J. Olesky said Act 250 and the wetlands permit would need to come in first before any building permit could be applied for. Next year at some point, most likely.
 - Members of the Board did visit the property for a site visit. No concerns noted.
 - The Board ran the Final Plat and Site Plan checklists.
 - **M. Boltz-Robinson moved to approve Final Plat #24-901 of Steven Pomarico for a 1-lot 7-Unit Planned Unit Development (PUD) located at approximately 325 Pond Rd. S. Gordon seconded.** There was no further discussion. **All were in favor (6-0-0).**
 - The board will discuss with the Zoning Administrator that a copy of the Act 250 permit and the wetlands permit need to be received before a building permit can be issued.
- **Regular Business**
 - Review Meeting Minutes
 - The scheduled DRB meeting on August 26th, 2024 was canceled.
 - **C. Acker moved to approve the minutes of August 12th, 2024 as amended. S. Gordon seconded.** Those August 12th minutes were amended to add a note referencing these September 9th minutes which include an email from Michael Casey (see the Appendix below) and response from the DRB. **So moved (6-0-0).**
 - **Old Business - None**
 - **New Business - None**

Adjournment - M. Boltz-Robinson moved to adjourn the meeting at 8:45pm. So Voted (6-0-0).

Minutes taken by Jaime Schulte

Appendix:

Email from Michael Casey to the DRB on August 13th, with a reply from Jaime Schulte on August 14th:

---- On Wed, 14 Aug 2024 19:20:16 -0400 **Jaime Schulte** <jschulte@monktonvt.com> wrote ---

Hello,

Thank you for the clarifications. We will attach your note to the meeting minutes when they are reviewed/finalized at our next meeting.

Thank you,
Jaime Schulte
DRB Vice Chair

---- On Tue, 13 Aug 2024 10:04:23 -0500 **Michael Casey** <caseybat@icloud.com> wrote ---

To the Development Review Board,

I read the DRB meeting minutes dated 8-12-24 this morning. I would like to clear up a couple inaccuracies involving the case.

The only appeal that I have filed was on Kris Perlee's decision to not take action on Guillemette's wood processing operation. The only evidence presented was a photograph dated 6-5-04 depicting a row of a few cords of wood with no equipment present in the photograph.

Thomas Walsh , Judge Superior Court ruled that it would be "manifestly unjust" to dismiss the case. The Guillemette's are attempting to get the case dismissed.

The Guillemette's filed a appeal on Judge Walsh's decision to remand the case to the DRB. No action has been resolved in any matter in this case.

The Casey's have not appealed any aspects of decisions made by the environmental court relating to the case.

Thank you,

Michael Casey

Sent from my iPad