

**Development Review Board Minutes
Town Offices, New Haven, Vermont
May 5, 2014**

ORIGINAL

Members & Alternate Present: Kathy Barrett, Tim Bouton, Jim Gallott, Mike Sweeney,
Alternate-Victor Bolduc

Members Absent: Donna Blaise, Steve Dupoise, Donald Johnston

Staff: Zoning Administrator-Dave Wetmore

Visitors: Mike Lee; Ebenezer Punderson, Esq.; Steve Delphia, Fred (Dave is working on last name)

The Chair, Tim Bouton called the May 5, 2014, Development Review Board meeting (DRB) to order at 7:00 PM. Alternate Victor Bolduc will be a voting member tonight.

Visitors Business – none

Public Hearing

1. Application 2013DRB-11-A-Appeal of decision of Zoning Administrator (ZA) to issue "Notice of Violation" dated 11/5/2013 – continued from 1/20/2014, 3/17/2014-to be continued?

As there is a Site plan request presented before the DRB it is the understanding of the Chair to further continue the Notice of Violation hearing to a later date with hopes the Site Plan will resolve many of the Notice of Violation issues.

Sweeney made the motion to continue the Notice of Violation to the regularly scheduled meeting of the DRB on June 2, 2014.

Gallott seconded

Discussion: the June 2, 2014 date is acceptable to the appellant and his attorney

Vote: Yes – 5 (Barrett, Bolduc, Bouton, Gallott, Sweeney)

No – 0

Abstention – 0

Motion carries

At this time the Chair turned the meeting over the Vice-Chair Jim Gallott.

2) Application 2014DRB-01-SP-Amendment to existing Site Plan by Mike Lee dba, New Haven Power Equipment. This is continued from April 21, 2014.

Gallott gave a brief review of the April 21, 2014 meeting. At the April 21st meeting the DRB listened to an overview from the applicant, Mike Lee; Lee's attorney Ebenezer Punderson; and Dave Wetmore (ZA). Tonight at 6:00 PM the DRB did a site visit and the following was noted:

- Walked the site to the West, dropped over the first edge and walked over to the second edge – Lee indicated that he was going to try to bring the first drop down to a 30% slope
- There were 22 storage trailers on site
- Saw one grouping of trade in mowers to the west of the northern most trailers
- 3 trucks with trailers on them filled with junk metal scheduled to be removed
- 13 Sonatubes (18 inch diameter) bases for light poles

- To the north and west of the northern most trailers there are a series of dumped piles of fill. The proposal is to level these piles out and create a single swale in the center of the property that would “match” the swale on the southern third of the property
- Parallel to Route 7 is a chain link fence that goes two thirds of the way to the north and stops and then to the south to the first telephone pole then heads west to the to the gateway where it stops. There is no westerly fence on the north side.
- Estimated paced off distance from Route 7 center line to where the 100 foot setback begins is just west of the elevated display area
- Lee indicated that he wants to level out the rough parts to the north then and back to the first drop off and square it off to make it more or less level to the center swale and the swale on the south side and reset the pitch of the western boundary
- Fair amount of outside display product and fair amount of outside storage of equipment in addition to the 22 storage trailers

The DRB discussed how to proceed with the site plan and the Notice of Violation. -The DRB agreed to look at the whole site plan and then see if or how the issues fit the regulations. Then on June 2, 2014, the DRB will look at the Notice of Violation and see what issues were not rectified by the Site Plan and proceed from there.

Display Area:

- The raised display area is 30 x 60 feet and is located within the 100 foot setback from the center line of Route 7.
- Lee indicated the display of product is and has been around the elevated area as well as on the lawn. Lee has been displaying product in those locations for the past 18 years and he is proposing not to change the way he has been doing this.
- The DRB’s objective is to look at the proposed site plan and try to make this property come into compliance. One way to do this is not have the display of product within the 100 foot setback.

Fill:

- The site plan doesn’t show what areas are to be filled
- The back (westerly) drop offs are quite steep
- Pike’s road needs to be shown on the site plan
- The site plan needs to address water flows so it doesn’t impact the neighbor’s property to the north.
- It was suggested that Lee obtain something from Pike Industries recognizing the discharge of water from the Lee property onto their property.

Screening and Landscaping:

- Lee indicated that in a future site plan (phase 2, which is not depicted on the current plan) he would like to show a 100 x 40 foot building and move the trailers down behind this building. This would screen the trailers from Route 7.
- Lee’s current plan on the north side of the main building after the fill has been leveled off is to plant grass from Route 7 all the way to westerly boundary and to move 7 trailers from the front more to the west in a cohesive cluster.
- DRB indicated that the site plan does not show any landscaping or screening to conceal the storage trailers and recommends that the revised site plan show type and height of screening
- Lee doesn’t want to plant screening as it will block the scenic westerly views of the Adirondack Mountains, but the DRB reminded him that the zoning by-laws require a minimum of screening.

Ingress and Egress:

- Lee indicated that he would like two driveway entrances into the site for phase 2. The driveways would be double wide with an egress/ingress at the north and south ends of the property. He would eliminate the northerly single wide driveway that currently exists.
- Tractor trailer traffic patterns needs to be shown on the site plan

Signage:

- Lee indicated that he is planning no additional signage.
- The ZA indicated that the current signage does not comply due to the setback issues
- There were no signage permits issued in the past

Storage Trailers:

- There is an issue concerning the number of storage trailers on site
- The ZA mentioned that Section 516 should be referred to.
- Lee does not feel the storage trailers are a structure as they will leave the property when he leaves the property. However, per the zoning by-laws definitions, they are considered structures.
- The applicant claims that storage trailers have been in use since he has owned the property

The DRB would like the applicant to come back with a compliant 'Phase One' site plan for the property, showing what he would like the site to look like, and not show the site plan as it currently exists.

Barrett made the motion to continue application 2014DRB-01-SP – amendment to existing site plan by Mike Lee dba, New Haven Power Equipment to the regularly scheduled June 16, 2014 DRB meeting.

Sweeney seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bolduc, Bouton, Gallott, Sweeney)

No – 0

Abstention – 0

Motion carries

End of Public Hearing at 9:12 PM

DRB Business

1. Sketch Plan reviews – none

2. Minutes of April 21, 2014

Barrett made the motion to approve as presented

Bolduc seconded

Discussion – none

Vote: Yes – 4 (Barrett, Bolduc, Gallott, Sweeney)

No – 0

Abstention – 1 (Bouton)

3. Review and sign decisions – none

4. Review for compliance and sign final plats – none

5. Correspondence – none

6. New Business – none

7. Old Business

A person submitted an application for appointment to the DRB. The Select Board will be interviewing the candidate, at the Select Board meeting on Tuesday, May 6th

Gallott made the motion to adjourn

Barrett seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bolduc, Bouton, Gallott, Sweeney)

No – 0

Abstention – 0

The meeting was adjourned at 9:15 PM

Respectfully Submitted By

Karen Gallott



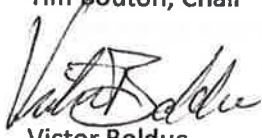
Tim Bouton, Chair



Jim Gallott, Vice-Chair



Kathy Barrett



Victor Bolduc

Mike Sweeney