

TOWN/VILLAGE OF ENOSBURG FALLS
CONSOLIDATED DEVELOPMENT REVIEW BOARD

Minutes of the May 19, 2015, hearing

PRESENT:

Development Review Board members –

Polly Rico, Chair
Allen Demar
Normand Gervais
Rick Clark
Patrick Hayes
Amanda Cronin
Stephen Comeau

Angela Wright, Zoning Administrator
and DRB clerk

Applicants, representatives of applicants, and Abutters –

Gregory Spaulding, applicant
Jeff Hardy, TDH Engineering for Greg Spaulding
Philip Parent, Abutter
Garth Atherton, applicant
Judy Atherton, applicant
Michael Gervais, Surveyor for Gary and Judy Atherton

Public-

Michael Larose

Polly Rico, chair of the consolidated Development Review Board, brought the hearing to order and read the Notice of Hearing and Agenda at 6:30 pm.

Polly opened hearing at 6:35 pm

DRB-17-14- Greg and Sandra Spaulding, Final Plan Review for a 4 lot subdivision. Greg Spaulding was sworn in, along with Jeff Hardy of TDH Surveying and design. Greg and Jeff explained the reconfiguration of sewer system, amendment to State ww permit, drainage onto Valentine bank property. Polly asked Spaulding about 6 in drainage tile and pipes. Spaulding noted that drainage pipe

will be “day lighted”. Will be underground running north. Mr. Hardy advised that it will empty behind the substation and into a ravine to accommodate the runoff of the lots. The pipe is designed to take water from drains around the foundation. Allen Demar clarified with Greg and Jeff that it will be cellar drains and foundation drains. Jeff also advised that the project is not large enough to require stormwater permit by State because there is less than one acre of impervious area created in the subdivision.

Mound system – Mr. Hardy explained that lots 1 and 2 will share mound system and Lots 3 and 4 will share a mound system. The first mound to east goes with lots 1 and 2. Each house has septic tank and will share a pump station, same for lots 3 and 4. Mr. Hardy advised that the mound placement is based upon it being the only approvable placement based upon soil type and water table. The subdivision is currently in for State review. Allen asked about State permit for original lot, Jeff advised that the current permit is being modified to add the additional mound system to accommodate all the lots in this subdivision. Jeff also advised that the State of Vermont was present during testing. Jeff advised that the mound systems will be located in the tree line along north boundary of lot 5. With a substantial tree buffer near the mound systems and the existing edge of the woods to the South.

Polly allowed interested parties to be sworn in to speak and described the nature of an interested persons/parties to all those present. Phil parent, and abutter, was sworn in. Mike Larose, an onlooker, was sworn in.

Phil Parent asked about buffer on his lot from the overshadowing of the mound system area. Jeff Hardy explained that the overshadowing goes 90 feet into Phil’s parcel. Hardy also advised Phil would not be able to drill a well in the 90 feet of overshadowing from the leach field/mound system area. Phil explained that he feels he has a hardship because of the overshadowing onto his lot. Phil asked about how much the mound systems could accommodate, and Jeff advised that each mound system will accommodate 420 gallons per day. Jeff Hardy explained that homeowners typically maintain the mound system. Phil sent around a list of names of homeowners on Birch Lane to the Board members. He would like to know who will maintain Birch Lane in terms of lot owners. Allen advised that it is not currently the Village’s responsibility to determine maintenance of a road or right of way not owned by the Village. The road is a right of way at this point. Greg advised that VELCO currently plows the entire driveway. Allen advised that the Board’s decision is not based upon who owns Birch Lane, but is based upon the request of the applicant. Phil feels Greg should have to develop the road so that the Village can take over Birch Lane. Mike Larose asked that the utility lines be buried instead of above ground on poles. Polly advised that the Regulations say the utilities lines “may be” not “shall be” constructed underground.

Mike Larose asked if there will be hardscaping done along birch lane. Polly advised that Mr. Larose is not a valid interested person without a document stating he is a representative of Mrs. Larose, his mother, the land owner and abutter to Mr. Spaulding’s property.

Phil asked Greg if he’ll leave trees at mound system.

Mr. Hardy advised that Greg could construct his house and live in it based upon the fact that Greg had his original State Wastewater permit.

The water line will be a 6 inch line according to Greg with a fire hydrant near Birch Lane as required by the Village of Enosburg Light/Water Department.

Spaulding hearing closed at 7:12. Polly advised applicants and abutters of their right to appeal.

S-4-15, Boundary Line Adjustment, Garth and Judy Atherton were sworn in.

Polly opened the Atherton hearing at 7:15 pm.

Michael Gervais, the land surveyor representing the Atherton's, described the boundary line adjustment proposal.

The background of the application is that the lot was previously subdivided in December of 2014. Garth had not decided to sell the remaining land of 26 acres to his son so he wants to remove the subdivided line created in the previous subdivision as are depicted on the survey, so that 2.5 acres will be Lot 1 and the remainder of sugar woods will go with lot 2 to become 26 acres. Shallow well depicted on the survey map is not in use, but still exists. An application to the State has not been submitted at this time. Michael Gervais advised that the State was present when test pits were dug and the State approved the pits. Michael advised the Board that for any subdivision where an existing lot is made small, the applicant must prove they have an area for a back-up septic system. No other changes, no easements, no other development currently planned.

Closed hearing at 7:20.

Allen Demar moves to go into deliberative session at 7:20. Motion seconded by Rick Clark.

Deliberative session.

Allen Demar moves to come out of deliberative session at 9 pm. Motion seconded by Steve Comeau.

Decisions were made regarding the Spaulding subdivision and Atherton boundary line adjustment. Both applications were approved. See Decisions for details.

A motion was made by Amanda Cronin to accept the April 21, 2015, minutes of the meeting. Motion seconded by Rick Clark. All in favor. Motion passes 7-0.