

Town of Enosburg Falls
Consolidated Development Review Board
August 18, 2015

DRAFT MINUTES DRB HEARING

PRESENT:
DRB members-

Polly Rico, Chair
Michael Bovat
Normand Gervais
Rick Clark
Amanda Cronin

Angela Wright, Zoning Administrator
and DRB clerk

Applicants, representatives of applicants, abutters and public-

Joe Gervais
Shannon Fecteau
Daniel Gervais
Michael Gervais of Northern Land Surveying
Lyman Lawyer
Tim Longe
Norman Kern

Polly opened hearing at 6:33 and read the Notice and Agenda and informed all in attendance that the second agenda item on the Notice of Hearing concerning application CUP-1-15 and SPA-3-15 have been cancelled by the applicant, therefore, it will not be discussed at tonight's hearing.

Application: #S-5-15 – of Daniel and Kim Gervais which are being represented by Michael Gervais of Northern Land Surveying. Being proposed is a 60' driveway and easement across from Gervais Farm Lane, a private road. The driveway as depicted on the map is already in place. Curb cut has been obtained by the Town road commissioner, but the hammer head is only proposed at this time. The hammer head is proposed for ease of vehicular turn-around by emergency vehicles. Each lot as proposed will have drilled wells and mound systems. State water and wastewater permits are not completed at this point. Lot 5 and 4 will be developed,

each lot with its own septic, and lot 2 will not be developed at this point. Soil testing has been done. Being proposed is two new building lots- one for his son and one for his other child, or possibly a rental. Lots 1 and 3 as depicted on the sketch plan were subdivided in 2003. Lot 1 is where Daniel and Kim Gervais currently live, lot 3 is where Daniel Gervais Jr., currently lives and those lots are in separate deeds. Michael Gervais, surveyor, advised that the proposed 60 foot driveway and easement is in place but not yet approved. Michael advised that a ditch runs along the south side of driveway and culvert goes thru drive serving lot 4. There is an additional culvert near existing garage on lot 2. Polly asked about whether property is in both Agricultural and Rural Residential districts. Michael advised that the standards are the same for both Agricultural and Rural Residential districts. Lots are not proposed to be placed next to Boston Post Road because Gervais' are using land near Boston Post for agricultural use. The proposed lots will get their frontage from the proposed 60 foot driveway and easement. All setbacks are set forth on the sketch plan. Michael advised that the 60' driveway and easement will be privately maintained. Polly offered the floor to the public to ask questions.

Tim Longe asked who would be liable if the well is ruined by many other nearby wells. Michael advised that the isolation distances are set by the State of Vermont and the State will review the application and determine the proper water and wastewater locations. Polly advised that the subdivision is a minor because it is under 3 lot subdivision. The subdivision is considered a minor subdivision. Polly advised that the State will permit the location and distance between systems. Tim long concerns are because of his business. He is hoping a large development does not occur. Tim is concerned about the noise from his current business bothering the neighbors and that a large residential area will create a problem. Polly advised that the board can only decide whether or not the proposed application meets the current regulations. Tim Longe asked whether or not a guarantee or covenant should be created to avoid issues with his business activity and the neighbors. Polly advised that there is currently no noise ordinance in place. Polly advised that a 60' driveway and easement must be approved by the DRB and the DRB decides length of driveway.

Michael advised that Daniel already received his driveway curb cut. Lyman Lawyer discussed that a permit must be posted for the appeal period to notify neighbors of building projects. Polly asked if there was current construction. Daniel Gervais advised that there is no current construction. Lyman Lawyer discussed the 85+/- foot parcel which fronts on Davis Road between Daniel Gervais Sr., and Daniel Gervais Jr., located directly across Davis Road. Lyman does not want a road to be allowed on that land now or in the future because of car lights going into his house. Michael advised that there are no plans currently to develop land in that location. Polly advised that if development is proposed on that portion of the land, that Mr. Lawyer and the neighbors attend the DRB hearing to voice their concerns. Polly advised that the DRB has no say in deciding the location of the driveways, and that it is the discretion of the

Road Commissioner to decide driveway locations. Lyman asked how many feet between driveways. Polly advised that the driveway should be 25 feet from each property line and 40 feet to the centerline of the highway. Polly advised that the Selectboard signs all driveway permits. Norm Kern, a state designer and friend of Lyman, is concerned with soils. Michael will address all septic designs through the State.

Polly closed the hearing at 7:05 pm and advised the public of their rights to appeal and the time frame in which to appeal.

Amanda Cronin moves to go into deliberative session. Rick Clark seconds the motion. All in favor, 5-0 The Board went into deliberative session at 7:06 pm.

Rick Clark motions to come out of deliberative session, seconded by Michael Bovat. All in favor. 5-0.

Polly read the minutes of the meeting of the June 15, 2015, DRB hearing. Amanda Cronin moves to approve the Minutes of the June 15, 2015 hearing. Motion seconded by Rick Clark. Motion passes 5-0 in favor.

Rick Clark motions to adjourn the meeting, Michael Bovat seconds the motion. Motion passes 5-0 in favor

Meeting closes at 8:15 pm.