

Enosburg Joint Development Review Board

Minutes of the Meeting

April 21, 2015

Present:

Rick Clark

Steve Comeau

Normand Gervais

Allen Demar

Patrick Hayes

Mike Bovat, Vice-Chair

Amanda Cronin

Angela Wright, ZA

Public Present:

Paul and Sheila Flowers

Kyle and Kylene Flowers

Larry Gervais

Robert Gervais

Nate Hale

Katie Lawyer-Hale

Charles Pattee

Hearing commenced at 6:35pm

Application S-03-15- Flowers – The applicants were sworn in. This is a continuation of a tabled application of Paul and Sheila Flowers and Kyle and Kylene Flowers for Conditional Use Approval for construction of an Accessory Dwelling on property located at 1671 Longley Bridge

Road owned by Kyle and Kylene Flowers, located in Rural Residential District with the Natural Resources Overlay, pursuant to Section 3.3, 3.4 and 5.1.

Paul Flowers advised the Board that using the property as seasonal would not be an option because they eventually want to use the property as a year-round residence.

Paul Flowers also advised the Board subdivision of the property was not an option due to the high cost of fees associated with hiring an engineer and surveyor.

Sheila Flowers advised that the Yurt is ordered as a package and cannot be ordered as a 700 sf package, and that the Yurt package that they would like is 737 square feet. Sheila advised that a smaller package can be purchased, but they feel it would be too small for their living needs and is not what they desire.

The Flowers advised the Board that the shared driveway requirement in the 5.1 Accessory Dwelling section is not what they would like. They prefer to have the driveway at the opposite end of the 7.99 acre parcel to allow their son and daughter-in-law privacy.

The Flowers are not interested in having an accessory dwelling inside of, or attached to, the principal dwelling currently constructed on the property owned by their son and daughter-in-law.

Steve Comeau asked the applicants about water and sewer and the Flowers advised that they will install water and septic for the Yurt.

Allen Demar advised that the Regulations have a 700 square foot or less limitation requirement in order to take advantage of the Accessory Dwelling provision of the regulations, and that it is difficult for the Board to allow the overage in square footage to one applicant, without offering it to every applicant.

Allen Demar made a motion to close the hearing, Normand seconded the motion. The motion passed 7-0 in favor.

Closed hearing at 7:02 pm.

Opened the hearing at 7:03 pm

Application S-2-15. This is a Final Plan Review following an Administrative Review of a Boundary Line Adjustment request of property owned by Gervais Family Farm, and is located at 1131 and 1263 Boston Post Road, located in the Agricultural District. The applicants were sworn in. The Gervais Family Farm was represented by Larry Gervais, duly authorized agent of the Gervais Family Farm. Larry Gervais provided a survey map of the property and proceeded to describe the request to the Board. The request is to enlarge Lot 1 from one acre to 4.4 acres, and lot 2 would be 300+ acres. The Board advised that a driveway curb cut permit is required. Discussion ensued regarding development of the lot. Applicants advised that a single family dwelling is planned for lot 1 at a later date and that lot 1 would be conveyed to Nate Hale and Katie Lawyer-Hale. No further discussion.

Rick Clark made a motion to close the hearing, motion was seconded by Amanda Cronin. The motion passed 7-0 in favor.

Hearing closed at 7:15 pm.

Pat Hayes entertained a Motion for nominations for DRB chair. Rick Clark nominated Polly Rico, the motion was seconded by Amanda Cronin. Pat Hayes cast one vote for Polly Rico. Normand nominated Allen Demar, Allen Demar declined nomination. Allen Demar nominated Michael Bovat for vice-chair of the DRB. Pat Hayes made a motion to nominate Michael Bovat as DRB vice-chair, the motion was seconded by Rick Clark. No further nominations. 6-0 in favor of nominating Michael Bovat as vice-chair of the DRB and Polly Rico as Chairman of the DRB. Allen Demar nominated Amanda for secretary of the DRB, the motion was seconded by Rick Clark. All in favor, motion passes 6-0.

Michael Bovat, Vice-chair of the DRB, opened the hearing opened at 7:26 pm

Application S-3-15. This is a request for approval of a minor subdivision and final plan approval along with request for waiver of application submission requirements under Town of Enosburg Development Bylaw, Article 7, Section 7.1 (b). The property is owned by Charles and Rachel Pattee, and is located on Tyler Branch Road, and is located in the Agricultural District and is approximately 19.45 acres in size. The applicant present, Charles, Pattee was sworn in. Charles Pattee advised the Board that he wished to re-subdivide his previously approved 7 lot subdivision to one lot, 19.45 acres in size. Discussion ensued regarding his reason for the resubdivision and Mr. Pattee advised that he did not wish to have the lots separate and be subject to more taxes. No further discussion.

Rick Clark made a motion to close the hearing, Steve Comeau seconded the motion. All in favor, motion passed 7-0.

Hearing closed at 7:35 pm.

Allen Demar made a motion to go into Deliberative Session, seconded by Amanda Cronin. All in favor 7-0.

Regarding Paul and Sheila Flowers, Z-3-15, application for construction of an Accessory Dwelling on a 7.99 acres parcel owned by Kyle and Kylene Flowers. Amanda Cronin makes a motion to deny the request, Rick Clark seconds the motion. All in favor, motion passes 7-0 (DENIED) The denial of this application is due to the fact that the proposed Yurt exceeds the square footage allowance in the Section 5.1 Accessory Dwellings; furthermore, the Board decided that the request does not meet the requirements of accessory dwelling because it is not “within” or “appurtenant to” the principal dwelling, nor will the request meet the shared driveway requirement as set forth in Section 5.1.

Regarding request S-2-15, Gervais Family Farm application for a boundary line adjustment for approval under Town of Enosburg Development Bylaw Article 7, Section 7.1, 7.2(b)(1). Allen

Demar makes a motion to approve the request for Boundary Line Adjustment, Pat Hayes seconds the motion. All in favor, motion passed 7-0 (APPROVED)

Regarding request S-3-15, Request for approval of a minor subdivision and final plan approval along with request for waiver of application submission requirements under Town of Enosburg Development Bylaw, Article 7, Section 7.1(b), owned by Charles and Rachel Pattee on Tyler Branch Road.

1. Allen Demar makes a motion to approve the re-subdivision of a 7 lot subdivision to a 1 lot subdivision containing 19.45 acres. Amanda Cronin seconds the motion. All in favor, motion passes 7-0 (APPROVED)
2. Steve Comeau makes a motion to deny the waiver of application submission requirements, Normand Gervais seconds the motion. All in favor, motion passes 7-0 (DENIED) The denial of this request is decided based upon fairness. The Board makes all applicants subject to the same fee schedule.

Allen Demar makes a motion to adjourn the meeting, Pat Hayes seconds the motion. Motion passes 7-0 all in favor.

Meeting adjourned at 9:02 pm.