

**Town of Enosburgh  
Minutes of the Meeting  
of the  
Consolidated Development Review Board  
August 14, 2019**

**Present:**

Rick Clark  
Pat Hayes  
Jessica Eagles  
Michael Bovat  
Steve Comeau  
Amanda Cronin

Angela Wright

**Public Present:**

Michael Gervais  
David and Sally Tryhorne  
Greta Brunswick  
John Elwell  
Sandra Gerland  
Suzanne Hull-Casavant  
Chris Casavant  
Jim Cameron  
Matt Miner  
Kathy Benoit  
Pam Parsons  
Dan Carswell  
Penny Wright  
Marshia Dudley  
Herbert Dudley

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Pat Hayes, chair, reads the agenda, opens hearing at 6:35 pm. Jonathan Elwell is sworn in and Greta Brunswick is sworn in. Jonathan describes the application. To be a small parklet. Some adjustments have been made to the original project to exclude the table and chair and stone pathway, leaving the kiosk and grass area with flowers and the proposal to change the access drive. A letter was submitted by NOTCH stating the NOTCH concerns regarding boundary lines in questions. Greta Brunswick speaks to changes and downsizing of the project in the zoning application since it was originally submitted.

Brunswick explains that the parklet is Vital Village implementation to enhance Main Street vitality. A PDF of the proposal is available for public viewing. On February 7 the Vital Village presented its plans, and a decision was made to go forward with the parklet. The initial vision included a wayfinding kiosk, picnic table, the grant was awarded based upon the assumption that the parklet proposal would be entirely located on the property owned by the State. Secondly, the proposal discussed would reroute the driveway of nearby neighbors, Dudley and Larose which currently allows them ingress and egress from Main Street and the proposal would reroute for ingress and egress onto Depot Street with the plan of grassing the existing access to Main Street, but would allow the Dudley's and Larose's to keep their deeded access to Main Street. At some point it became clear that the Richford Health center owns or may own a portion of the proposed site for the parklet. Applicant, Village of Enosburg, is respecting the NOTCH lines depicted in the 2011 survey leaving the area being considered for the parklet smaller to impact the State property only, to include a kiosk and relocation of the driveways.

Greta submitted a more clear rendering of the project at the hearing to clarify the rendering submitted at application time. The rendering submitted at the hearing includes more color and written descriptive details. The applicant is intending to be very transparent. The newly submitted rendering is a much smaller proposal than originally submitted. Jon Elwell explained that the proposal has changed to a much smaller scale and since it now only includes a kiosk and grass area with flowers that perhaps only an application for a sign permit would be required by Zoning. Greta and Jon advised that the intention of the applicants was to be as transparent as possible when the application for outdoor recreation with a principal use with a sign was submitted for consideration by the DRB. Greta advised that the proposal does meet all conditional use standards in the regulations, that the proposal does not create an adverse effect on the character of the area, that the proposed driveway will meet all necessary standards, and that the proposed construction is planned only on the State property and will not impact the NOTCH property. Jonathan is hopeful that this presentation has cleared any concerns that the NOTCH has with the proposal as it relates to the property being impacted. The location of the project was purposely moved to impact any of the NOTCH property. Amanda asked about impact on existing parking spots on Depot Street by the curb cut. Greta advised that maybe two parking spots will be impacted on Depot Street. The purpose of kiosk will be to provide wayfinding to the municipal parking lot. Pat Hayes, Chair, opens the floor to abutters to speak. Kathy Benoit and Pam Parsons, NOTCH representatives, are sworn in. Kathy explains her original concerns about possible impact on property lines but also feels issues have been addressed, but not resolved. She felt application included things were not accurate. She feels that NOTCH and the applicant, Village of Enosburg, has agreed to using the NOTCH survey. Other concerns are parking issues. She feels relocating of driveway access makes sense, but losing parking spots on Depot Street would be a negative that could create congestions and parking issues. Kathy feels Dudley and Larose have a right of way through NOTCH property to access main street. Has not seen the agreement between the applicant and neighboring properties to reroute the neighbors to access Depot Street instead of Main Street. Kathy feels the agreement should be of record. Pam Parsons has concerns about identifying pin location and that pin location should be located before construction begins. If changes are made to the neighbors deed, NOTCH must notify Federal Grant funders that deed has been changed. Pam advised that the process can be lengthy, but necessary. Greta clarified that the scope of the hearing regards only this application before the board, and is only about zoning compliance and not about deed language which is a legal issue. Susanne Hull Casavant

discussed having her own business on Depot Street and feels depot street is usually vacant of parked cars. Suzanne commented that if there is a discrepancy between surveys of the NOTCH and State that it not impact this approval process before the board. She also encouraged the NOTCH to become helpful in this effort of proposing aesthetic improvements, and that it be resident friendly and business friendly. Suzanne encouraged the NOTCH to attend to Enosburg Initiative meetings and Vital Village meetings to be part of the effort entering its 3<sup>rd</sup> year. Suzanne commented that she is disappointed that the project has shrunk. Hoped there could be easements granted to accommodate the project instead of making it so much smaller. Greta feels NOTCH is not responsible for project being smaller. Greta advised that the State does not have an official survey and so the applicant will honor the NOTCH property survey. Pam feels NOTCH is in support of health, etc., and any changes to the property would take time in the funder notification process. Jonothan mentioned that the neighboring properties will retain their right to access main street, even if they are re-routed as a result of this proposal. Jim Cameron asked the Board answer the request before them immediately to keep things moving in a timely manner since the timeline of the grant behind this proposal is short. Dan Carswell, a member of the NOTCH board, asked where the kiosk would be located. Greta answered by saying the parklet would not encroach on the NOTCH property. Kathy Benoit asked the Dudleys to comment on the proposal. Dudley's advised they wish to find boundaries before anything is decided. Greta is honoring the NOTCH survey since the State does not have documentation about clear location of boundary lines. Jonathan discussed scaling back the project in an attempt to meet the timeline requirements of the grant by not encroaching on the NOTCH property and staying on the State property. Kathy Benoit asked about the table no longer being part of the plan. Jonathan advised that they have removed most of the structures originally proposed with the exception of the kiosk and the grassed area. Matt Miner speaks as a citizen adding that he feels that it is critical to relocate the main street access and feels it is a dangerous driveway and that Depot Street seems to be a safer access. No further testimony taken. Pat explains appeal rights to all. Hearing closes at 7:19 pm.

S-4-19 Micheal Gervais sworn in at 7:20. Parcel A (Snow house lot) is increasing from .37 acres to .87 acres and Lot 1 on survey is decreasing from 1.65 to 1.15 acres. The purpose of this boundary line adjustment is to make Parcel A (Snow house lot) large enough to meet setback for proposed garage structure. No further discussion ensues. Pat explains the appeal process. The hearing closes at 7:31 pm.

Jessica moves to go into deliberative session. Amanda seconds the motion. Unanimous, the motion passes. 7:32

Steve moves to come out of deliberative session, Rick seconds motion. Unanimous, motion passes at 8:25.

Rick makes a motion to APPROVE WITH CONDITIONS application SPA-10-19 and CUP-4-19 (Village). Amanda seconds the motion. Vote is unanimous and applications are approved with conditions.

Steve makes a motion to approve application S-4-19 (Town). Snow boundary line adjustment. Rick seconds the motion. Vote is unanimous and application is approved.

Minutes from the June 12, 2019 (AS AMENDED), hearing and July 10, 2019, hearing are approved. Rick motioned to approved the minutes, motion seconded by Jessica. All in favor, motion passes.

Rick makes a motion to adjourn the meeting, the motion is seconded by Jessica. Meeting adjourns at 8:42 pm.

Minutes taken by Angela Wright