

**Town of Enosburgh
Minutes of the (ZOOM) Meeting
of the
Consolidated Development Review Board
September 23, 2020**

Present:

Pat Hayes
Matt Miner
Jessica Eagles
Steve Comeau
Shaleigh Draper

Public Present:

Andrew Paradee, for Drapers
Rogers, Kurtis and Jade, applicant
Stephen Diglio, engineer
David Cooper, counsel for NERP
Matthew Darling, for NERP
Steve Ploesser, for Pomerleau Family
Jon Elwell, village manager

Pat Hayes, chair, opened the meeting of the DRB at 6:35 pm, and reads opening Zoom meeting information and instructions. The Development review board members state their name to indicate their presence. Pat asks reads aloud the oath, and asks that all persons giving testimony acknowledge the oath. Pat reads the Agenda and the appeal rights.

First item on the agenda,

Regarding S-4-20 Draper

Andrew Paradee is present for the applicants, Draper and Gregoire, and explains that Drapers are giving 300th of an acre to Gregoire. As indicated on the plan submitted for consideration, Area 2 (.34 acres) will be conveyed to Gregoire; Area 1 (.03) will conveyed to Draper as part of the boundary line adjustment. The proposal meets all Town dimensional requirements. No further discussion ensues.

Second and third items on the agenda:

Regarding CUP-1-20 and SPA-1-20 (Town) Disc Golf course and pro-shop;

Regarding CUP-2-20- and SPA-2-20 (Tipis and compostable toilets)

Applicants are sworn in and Kurtis and Jade Rogers acknowledge oath and describe the proposal as an 18 hole disc golf course on 30 acres of property which contains their primary residence. Also proposing two tipis to be used as an AirBnb option. Tipis to be located near the pond on their property opposite from their house and each tipi will accommodate up to two guests to include a cooking device. Also proposing conversion of a portion of an existing barn/shed on their property into a Pro-Shop to be used in conjunction with the Disc Golf Course. Compostable restrooms were planned, but will be delayed and portable commercial-type outhouses will be utilized until they received approval from the State of Vermont for the compostable restrooms. The port-o-lets are proposed one each near each of the two tipis. The proposal is seasonal. No employees are planned at this time, but may be in the future. The applicant stated that the pro-shop will be less than 50% of the existing barn/shed structure as required by the Home Industry provision of the Town Bylaws.

The applicants have been unable to receive a call back from Jeffrey Bryant, Fire Marshall, after leaving messages on his cell phone. Applicants did not attempt to call his office phone. No contact with the Agency of Natural Resources for State permitting relating to this proposed use of land as well as the proposed campground (tipis) use.

Applicants submitted basic plans indicating the location of the disc golf course and indicated that there are wetlands on the property. Applicants have not contacted the State wetlands department to request a wetland determination for use of the property as proposed. Matt Miner advised that they contact the State Wetlands specialists to request a determination for use of the property since a portion of the property is located in the Wetland Overlay District. The determination should be presented to the Board when it is received by the Applicants. The Bylaws require a wetland determination. Matt also advised adherence to Section 5.4 (B) of the Bylaws.

Matt Miner asked about the parking area. Kurtis and Jade advised that they plan to utilize the same driveway for golfers as they use for their residence. Matt Miner asked if there is a parking over-flow area since the main parking area indicated on their map seems small for a proposed 15 max car parking area. Kurtis and Jade advised they have some parking on the rear of their home if need be.

Matt and other board members feel the submission needs to be more clearly indicated on a clear sketch of the proposal and suggested being prepared to submit plans that indicate adequate parking and overflow parking for the proposed 15 golfers and potential users of the AirBnB, as well as obtaining the Determination from the Wetlands department for the Board's review at a warned hearing. Hearing on this matter to be continued.

No further discussion ensues.

Regarding Tractor Supply – Request for reconsideration of SPA SPA-1-20 (Village) and Sketch Plan (S-1-20)

Pat reads to all those present and involved in the Tractor Supply the purpose of tonight's process. He states that the purpose of this hearing is solely to make a decision on the motion to reconsider. The purpose of tonight's hearing is not to present new evidence on the original application. If the Board approves the Applicant's motion to reconsider, then a new public hearing would be scheduled, which will then provide the opportunity for new evidence to be presented.

All involved acknowledge the oath.

Steve Diglio asks if it makes a material difference to change the subdivision sketch plan to depict a lot between the proposed Tractor Supply site and Route 105.

Matt Miner acknowledges that it would make a material change on the sketch plan and the applicants should review any new application documents with the Zoning Administrator prior to submitting an application for review by the board.

David Cooper indicates he is confused about how the original application and plans do not meet the requirements of Section 3.3(F) of the Regulations. Discussion ensues about the appropriate location of parking areas as stated in the Regulations.

Back and forth discussion ensues about which side of the building is considered the front and/or façade of the building.

Shaleigh Draper suggests the Board make a decision on the Request for Reconsideration.

Pat asks for a Motion from the Board. Matt Miner moves to Grant the applicants' Request for Reconsideration on both applications (SPA—1-20 (Village) and S-1-20 (Village)). The motion is seconded by Shaleigh Draper. Decision is unanimous. 5-0

A motion is made by Matt Miner, and seconded by Jessica Eagles to go into deliberative session. 9:00 pm

A motion is made by Matt Miner, and seconded by Jessica Eagles to come out of deliberative session. 9:42 pm

Motion made by Matt Miner, seconded by Jessica Eagles to CONTINUE the hearing on the Rogers Applications (CUP-1-20, SPA-1-20, SUP-2-20 and SPA-2-20 (All Town applications). Unanimous decision.

Motion made by Matt Miner and seconded by Jessica Eagles to approve S-4-20 (Town) Draper. Unanimous

Motion made by Steve Comeau and seconded by Shaleigh Draper to approve the minutes of the July 29, 2020 hearing. Unanimous decision.

Matt Miner motions to adjourn the meeting; motion is seconded by Jessica Eagles; motion passes unanimously;

Meeting adjourned 9:55 pm

Respectfully submitted by

Angela C. Wright, DRB Clerk