

Zoning Board of Adjustment

May 4, 2016

APPROVED MINUTES

Present: Steve Lagasse, Chris Lowe, Frank Gado, Alice Maleski, Tom Franklin, Dennis Brown, Selectboard Liaison and Jo-Ann Ells, Zoning Administrator

Absent: None

Public Hearing

After Steve Lagasse opened the Public Hearing, he explained the hearing process and the Interested Party Rule and then administered the oath.

Steve Lagasse asked Skip Nalette if he intended to request a continuance by Wayne Punt (owner) and Vermont Illustrating, LLC (applicant) regarding application #02-16, which was scheduled to be heard third on the Board's agenda. Skip Nalette confirmed that he would be requesting a continuance.

Steve Lagasse stated that he wanted to switch the order of the agenda and open with the hearing on application #02-16 so those attending for that purpose could leave early. All consented.

1. Application #02-16 by Wayne Punt (owner) and Vermont Illustrating, LLC (applicant) for Conditional Use Approval under section 260-16 of the Hartford Zoning Regulations for a Light Manufacturing Facility, lot 08-0150-000, Stagecoach Road, Quechee, in the QII Zoning District.

Skip Nalette asked that the application be continued.

Steve Lagasse moved to continue the application to June 1, 2016. Frank Gado seconded and the motion passed unanimously.

2. Application #03-16 by the Town of Hartford (owner/applicant) for Conditional Use Approval under section 260-16 of the Hartford Zoning Regulations for the development of a recreational facility/sport fields, lot 14-0109-000, Lesle Drive and Balsam Lane, Hartford, in an approved Planned Development and Rural Lands and Agricultural Overlay Districts.

It was noted that the application was continued from the Board's March 23, 2016 hearing.

Steve Lagasse stated that, at the March hearing, the applicant was asked to provide answers to a number of questions. The applicant's response was outlined in a memo from Tad Nunez, dated March 28, 2016.

Jo-Ann Ells pointed out that Alice Maleski and Tom Franklin could not participate in the review of the application as they were not present at the March hearing. Steve Lagasse added that this left a quorum of the Board to act on the application.

The Board discussed reserving parking spaces during events for people coming to use the park, but not attending the event. It was agreed that a minimum of nine standard parking spaces and one handicapped parking space would be reserved near pavilion "A" during events,* including Collegiate baseball games. (*Not a regularly programmed use of the park.) The Board agreed that the plan should provide for cones and signage reserving the parking spaces and putting people on notice that use of the spaces for event parking could result in the vehicle being towed, needed to be prepared by the applicant for approval by the Zoning Administrator. Concern regarding the encumbrance of a handicapped parking space was expressed. The Board agreed that if the handicapped parking space could not be reserved, a minimum of ten standard parking spaces would be reserved.

Discussion regarding the trigger for traffic control during events followed. Tad Nunez explained that events require a Special Event permit to be approved by the Town, and that traffic control is reviewed by the Police and Fire Departments for all events.

Tad Nunez explained how use of the park is programmed including examples of when he has required traffic control.

It was agreed that a Collegiate baseball game starting before 5:30PM would not trigger any additional conditions, as the Parks and Recreation Department would program use of the park during this time.

Steve Lagasse asked for confirmation that when traffic control was required, traffic control personnel would be on site at the beginning and end of the event. Tad Nunez stated that this was correct.

There was no public comment.

Chris Lowe moved to close the Public Hearing. Steve Lagasse seconded, and the hearing was closed.

Jo-Ann Ells reviewed changes to the Findings of Fact.

Chris Lowe moved to approve the application with the noted changes. Frank Gado seconded and the motion passed unanimously.

3. Application #04-16 by Peter Novak (owner/applicant) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for a single-family dwelling, 07-0062-000, Quechee Main Street, Quechee, in an RL-1 Zoning District and Rural Lands Overlay District.

Greg McKinney was present to represent the applicant.

Jo-Ann Ells reviewed the draft Findings of Fact.

There was a brief discussion about nearby development.

Chris Lowe asked how vehicles would turn around to leave the site facing forward. Greg McKinney pointed out two “bump outs” in the driveway that would provide room for a vehicle to turn around.

It was noted that the proposed structure was two stories.

Tom Franklin commented that the proposed structure fits in with the character of the neighborhood.

There was no public comment.

Steve Lagasse moved to close the Public Hearing. Alice Maleski seconded, and the hearing was closed.

Alice Maleski moved to approve the application. Chris Lowe seconded, and the motion passed unanimously.

4. Application #05-16 by Eric and Jessie Eisendrath (owners/applicants) for Conditional Use Approval under sections 260-16, 206-25 and 260-26 of the Hartford Zoning Regulations for the relocation of a portion of an existing driveway, lot 03-0014-002, Wallace Road, Hartford, in an RL-10 Zoning District and Rural Lands and Wildlife Connector Overlay Districts.

Skip Nalette and Jeff Goodrich were present to represent the applicants.

Jo-Ann Ells distributed two documents received earlier in the day, an email from Skip Nalette (the email) and a memo from Rich Menge (the memo).

The Board paused to read the new information.

Skip Nalette gave an overview of the project and noted that the purpose was to provide an adequate turning movement for a fire truck.

There was a brief discussion regarding the stormwater design and changes requested by the DPW.

Jo-Ann Ells suggested that the information provided by Pathways Consulting regarding the Riparian Buffer in item #15 of the memo be added to Finding #8. All agreed.

Jo-Ann Ells suggested that the information provided in the email regarding compliance with section 260-26A of the Zoning Regulations be added to Finding #9. All agreed.

Steve Lagasse asked about truck traffic. Jeff Goodrich explained that material would be used on the applicant's land in Norwich.

With regard to the information provided by Pathways Consulting in the memo for the Rural Lands and Wildlife Overlay Districts, Jo-Ann Ells started that there was confusion about what had been permitted in 2006. She noted that the driveway permit issued in 2006 authorized the construction of the driveway at the intersection of the lot and Wallace Road, but not all the way to the lot in Norwich. Noting that there was little impact on the Overlay District, she offered to draft language to satisfy this portion of the regulations for review by the Chair and inclusion in the Findings of Fact. All agreed to this approach.

It was agreed that the information in the memo about compliance with Hartford's draft Driveway Standards would be included in the Findings of Fact. In addition, the applicants' offer to install a gate meeting the requirements outlined in the draft would be a condition of approval. Lastly, there would be a condition requiring additional information from the applicants regarding the ability of the new portion of the driveway to support the weight of a 54,000 ton vehicle.

It was agreed that a condition requiring the applicants to address the outstanding items in the memo before a zoning permit is issued would be a condition of approval.

Steve Lagasse asked Skip Nalette to include a site location map on future plans.

There was no public comment.

Steve Lagasse moved to close the Public Hearing. Frank Gado seconded, and the hearing was closed.

Jo-Ann Ells reviewed the changes to the Findings of Fact as discussed.

Alice Maleski moved to approve the application with the noted changes. Chris Lowe seconded, and the motion passed unanimously.

Administrative Matters

1. Minutes of March 23, 2016

Chris Lowe moved to approve the minutes of March 23, 2016 with one correction. Frank Gado seconded and the motion passed 3-0-2 with Alice Maleski and Tom Franklin abstaining.

2. Projects that received administrative approval

Jo-Ann Ells reviewed two projects that had been permitted administratively:

DEW Phase 2, Prospect Street reduced size of building
Hartford Ave, convert law office to contractor's office/shop

3. Elect officers

Alice Maleski moved to keep the current officers; Steve Lagasse, Chair, Chris Lowe, Vice Chair and Frank Gado, Clerk. Tom Franklin seconded the motion, and it passed unanimously.

4. Availability for the next Public Hearing

All anticipated being available for the next Public Hearing scheduled for June 1, 2016.

5. Public comment

None.

Adjournment

At 9:15p.m. Frank Gado moved to adjourn. Alice Maleski seconded, and the motion passed unanimously.

Respectively Submitted,

Frank Gado, Clerk