

**Town of Waitsfield**  
**DEVELOPMENT REVIEW BOARD**  
**Meeting Minutes**  
**Tuesday, February 24, 2009**

- 1. CALL TO ORDER:** Brian Shupe, Chair, called the meeting to order at 7:00pm at the Waitsfield Town Office.

**MEMBERS PRESENT:** Brian Shupe (Chair), Gib Geiger, Mike Kingsbury, and Chris Cook.

**MEMBERS ABSENT:** Eleanor D'Aponte.

**STAFF PRESENT:** Vickie Trihy, Planning and Zoning Administrator

**APPLICANTS AND THEIR REPRESENTATIVES:** Don Swain.

**INTERESTED PARTIES:** None.

**OTHERS PRESENT:** Nancy Myrto, Minutes Taker.

- 2. Continuance of #3214-CU, #3215-VAR, and 09-SUB-01, applications from Eugene Jarecki to add 700 s.f. apartment to garage in Special Flood Hazard Area, and to build a single-family residence attached to that garage on an adjacent separately deeded lot also owned by the applicant.** The applicant requests a lot line adjustment that would divide the existing garage into two separately owned units, which would create noncompliance with the required setback. To address the setback issue the applicant requests a variance. In the event a variance cannot be granted, the applicant proposes establishing the two parcels as a PRD, with the setback between the parcels waived. The applicant also proposes to build a sleeping hut. The garage is located within the floodplain, and both of the proposed new buildings would be in or partially in the floodplain. The property is located at 7858 Main Street, and the parcel is identified at 99220.000 in the Agricultural-Residential District (§2.07).

Mr. Shupe noted that he, Ms. Cook, and Mr. Geiger conducted a site visit in the morning. Mr. Swain had flagged the flood plain and a 50' setback from potential wetlands to show limitations for development in the area near the road. Mr. Swain provided a map and aerial photo showing the two separate lots--a 1 acre lot containing the existing house and garage, and an adjoining 4.9 acre lot. Ms. Trihy also provided DRB members with an email received from an abutter to the Jarecki property.

Mr. Swain noted that at this time interest lies in whether the project be reviewed as a variance or PRD. Mr. Kingsbury noted that it would most likely be reviewed as a PRD. Mr. Swain stated that clustering the buildings would adhere to the Town Plan to protect the scenic views and historic quality. Mr. Shupe stated that the project was subject to Section F1, Flood Hazard Standards, of Conditional Use Review on page 63 of the bylaws, and the Board was in receipt of a letter from Rebecca Pfeiffer that voiced concerns about the proposed site of the project from a floodplain management standpoint. Mr. Shupe further stated that, given the unusual ownership and location situation being proposed, he would like to hear from the town's attorney before a final decision is made. Mr. Shupe also noted that he would like to invite Rebecca Pfeiffer to attend the next meeting to answer flood regulation questions. Mr. Swain noted that survey work delineating the floodplain would likely be completed and available for the next meeting.

Mr. Kingsbury moved to recess until Thursday, March 12. Mr. Geiger seconded. There was no discussion. All members voted in favor.

3. **APPROVAL OF MINUTES:** Mr. Geiger moved to approve the minutes of the February 10 meeting with revisions. Mr. Kingsbury seconded. There was no discussion. All members voted in favor.
4. **OTHER BUSINESS:** No other business was brought into discussion.
5. **ADJOURNMENT.** The meeting adjourned at 8:10pm and the Board went into deliberative session.

Respectfully submitted,  
Nancy Myrto