

Town of Waitsfield
DEVELOPMENT REVIEW BOARD
Meeting Minutes
Tuesday, June 9, 2009

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

MEMBERS PRESENT: Gib Geiger (Vice-Chair), Mike Kingsbury, John Donaldson, and Chris Cook.

MEMBERS ABSENT: Brian Shupe (Chair) and Eleanor D'Aponte.

STAFF PRESENT: Vickie Trihy, Planning and Zoning Administrator.

APPLICANTS AND THEIR REPRESENTATIVES: Eugene Jarecki, Don Swain, Kate Stephenson, Stephen Sun, Melissa Sun, Steve Werner, Dave Olenick, and Jason Gulisano.

INTERESTED PARTIES: None present.

OTHERS PRESENT: Nancy Myrto, Minutes Taker.

2. **Reconvene hearing for #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 garage is located within the flood plain, 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 as 99220.000 in the Agricultural-Residential District (§2.07).

Mr. Swain noted that the previous building envelope overlapped the garage, and the new building envelope is pushed further back and to the south, causing the new building to be in the shadow of the existing house and garage. Mr. Jarecki's barn would be in the 30' x 50' range, but a 50' x 70' envelope is being requested.

Mr. Swain said that he and a State Engineer took soil borings in a section of the flood plain area to see if it would be conducive to a septic system. The area tested is all loam, sand, and gravel down to 6', and can support an in-ground system. There is plenty of area to do a replacement system for the house, which is required by state law, as well as a system for the garage apartment and barn building. The two systems would handle almost 1,000 gallons in the two fields. Mr. Donaldson noted that if the placement of the new building were moved, it could eliminate a lot of the zero lot lines, and conceivably conform to the setbacks. Mr. Jarecki replied that this would be a good idea providing the five existing cedar trees can be preserved. Mr. Geiger confirmed that the existing garage will be taken down, and rebuilt with the foundation meeting flood hazard regulations. Mr. Swain agreed and also noted that the elevation would be moved to a foot above the existing elevation. Mr. Jarecki noted that the idea is to step up the elevation from garage, to the new house, and further to the barn. Mr. Kingsbury noted that the zero lot

lines have not changed since the last set of plans. Mr. Kingsbury stated that if there are no further questions, the hearing would need to be closed for deliberation. Mr. Swain will bring a mylar map to the next meeting.

Mr. Kingsbury moved to close the hearing at 7:20 p.m. Mr. Donaldson seconded. There was no discussion. All members voted in favor.

- 3. Application #3237-CU, Yestermorrow Design/Build School, for construction of 320 s.f. seasonal cabin for student lodging.** The property is located at 7869 Main Street and is identified as parcel #99222.000 in the Commercial Lodging District (§2.04).

Ms. Stephenson stated that at a previous meeting Yestermorrow was approved for two cabins, one of which will be under construction this summer. The purpose of tonight's meeting is to gain approval on an additional cabin. The proposed cabin is seasonal and will be built in a no electric, no plumbing area. Mr. Kingsbury asked if Yestermorrow was requested, at the last meeting, to come back with a master plan before any further building requests were approved. Ms. Stephenson noted that all the accessory buildings and details, in terms of the master plan that Yestermorrow feels comfortable about, have been added to the plans. Mr. Kingsbury noted that the new cabin appears to be partially in the field, and all cabins were required to be in the wooded area. Ms. Stephenson replied that the cabin is being placed at the edge of the tree line for solar access. Yestermorrow wanted to place the cabin closer to the berm, but it would have fallen under the power line. The cabin will be concrete form and Yestermorrow does not wish it to be too dank. She further noted there is no visibility of the cabin from the road as it is blocked by the main building. Mr. Kingsbury asked if Yestermorrow would consider plantings on the south side to screen the building from Route 100. Ms. Stephenson noted that this would not be a problem. Ms. Stephenson noted that the construction technique is fabric form concrete. International experts in this technique will attend a conference at Yestermorrow at which time three of the experts will create a wall. All three walls will then be tipped up to create the cabin. A green roof will be placed on the cabin next year. Ms. Cook asked if there are any restrictions on the number of cabins. Ms. Stephenson replied that her understanding is that their Act 250 permit includes up to ten cabins behind the tree line, but they must come back to the DRB for approval on each site first.

Ms. Trihy asked if the decision, should it be approved tonight by the DRB, could include a provision that states that a certain number of cabins, within certain criteria, can be approved by the Zoning Administrator and not go through the DRB every time. Mr. Johnson asked Ms. Stephenson if streamlining the process, providing locations of the cabins remain as indicated on the master plan, would be agreeable to Yestermorrow. Ms. Stephenson replied that this would be acceptable providing Yestermorrow could work within the building envelope.

Ms. Cook moved to close the hearing at 7:35 p.m. Mr. Kingsbury seconded. There was no further discussion. All members were in favor.

- 4. Application #3235-CU, Stephen and Melissa Sun, for expansion of existing mixed-use building (Miss Lissa's) and construction of a new garage and covered walkway connecting the two buildings.** The property is located at 5086 Main Street and is identified as parcel #99143.000 in the Irasville Village District (§2.03).

Mr. Olenick explained the proposal is for expansion of an existing mixed-use building and includes renovated and expanded living space, new office spaces, and continuance of the existing personal service use (a hair salon), and a new garage. He noted that the application contained a note that talked about an apartment above the garage, but application is not being made for the apartment at this time. The mixed use criteria including the standards for setbacks, frontage, and maximum lot coverage, have all been met. There was a question of the deck on one side not meeting the setback requirements, and a revised site plan that moves the deck to now comply with the required setbacks has been provided. Parking requires two spaces for every dwelling, one space for every 300 s.f. of office space, and one space per employee, and per station for the personal service use. Four offices have been planned, not all being 300 s.f., but still having a parking spot designated for each. The total required for the planned expansion would be eight parking spaces, and twelve are shown on the plans. Mr. Olenick also noted that the expansion fits in with a number of the Town Plan's requirements for this area.

Mr. Geiger asked if any type of landscaping or screening plan is proposed for the Route 100 side of the property as the Town does have a street tree master plan for that area. He also notes this may be difficult as there is limited space in this area due to the water and septic placement, and in addition a sidewalk will be going through in this area. Mr. Geiger confirmed the parking lot would be gravel material. Ms. Trihy asked if state requirements were checked with regard to the wastewater. Mr. Olenick noted that state regulations were consulted and they know what the current system can handle. Mr. Donaldson asked Mr. Olenick if the wastewater capacity is 450 gallons per day, and what that supports. Mr. Olenick replied the wastewater capacity is 450, and includes a one-bedroom apartment at approximately 140, the four offices at 165, and the salon at 135, for a total of 440. Mr. Geiger noted that the parking lot will need to meet stormwater run-off requirements. Mr. Kingsbury noted that there is a swale to help channel the run-off.

Mr. Donaldson moved to close the hearing at 7:50 p.m. Ms. Cook seconded. There was no further discussion. All members were in favor.

- 5. Application #3236-CU, Jason Gulisano, for construction of a 12' x 40' arbor behind the Green Cup Café.** The property is located at 40 Bridge Street and is identified as parcel

#99108.100 in the Village Business District (§2.01) and the Flood Hazard Area Overlay District (§2.10).

Mr. Gulisano explained that the top of the arbor would be an open structure constructed of 3” natural cedar logs. Mr. Kingsbury noted there are no property lines on the application. Mr. Gulisano noted that his property line is at his drip line on the side of the building, and the back parking lot property line is condominium. Mr. Donaldson asked for clarification on the placement of the arbor. Mr. Gulisano noted that on one side the structure is 45’ from where the river bank drops, and tapers down to 33’ on the parking lot end. Mr. Kingsbury asked what the allowable lot coverage is in the area. Ms. Cook responded that the allowable lot coverage is 60%. Ms. Cook noted that there is concern as to how it is tied down so that it does not become a flood hazard. Mr. Gulisano stated that he was advised to place the structure on footings due to the size of the logs. Mr. Donaldson asked if Mr. Gulisano planned to use the existing wooden picnic tables in the new arbor area. Mr. Gulisano said that he hoped to sell the existing tables to the condominium association to be placed over the leach field, and use metal furniture for the arbor area. Ms. Cook asked if there would be grass in the arbor area. Mr. Gulisano noted that there would be grass as this is also his septic system is there, as well as a lot of water movement. Mr. Kingsbury advised Mr. Gulisano to be careful when digging for the footings due to the close proximity of his well and septic system. Mr. Gulisano noted that the pumping station and water line are up against the building. Mr. Donaldson asked if seating would be added. Mr. Gulisano said that he is allowed 50 seats in the restaurant; currently he has 32-34 seats, and hopes to add 3-4 tables in the arbor area. Mr. Donaldson asked if Mr. Gulisano intends to keep low voltage lighting. Mr. Gulisano noted that he would like to keep low voltage lighting, but would also like to advertise in the back parking lot, via signage, in the future. Mr. Geiger asked what type of material would be placed over top of the arbor. Mr. Gulisano replied that his first choice is Chinese Kiwi as it grows quickly and has flowers and fruit, and very easy to maintain. Mr. Geiger felt this would suffice as it will not grow thick, and thick vegetation tends to hold snow which can cause the collapse of a structure.

6. APPROVAL OF MINUTES: Mr. Donaldson moved to approve the minutes of May 12, 2009 as written. Ms. Cook seconded. There was no discussion. All members voted in favor.

7. OTHER BUSINESS: No other business was presented.
Mr. Kingsbury moved to close the regular meeting and go into deliberative session at 8:13 p.m. Mr. Donaldson seconded. There was no discussion. All members voted in favor.

8. DELIBERATIVE SESSION

9. ADJOURNMENT.

Respectfully submitted,
Nancy Myrto