

Town of Waitsfield
DEVELOPMENT REVIEW BOARD
Meeting Minutes
August 22, 2023

1. CALL TO ORDER: The meeting was called to order at 7:00 pm, and was held in person at the Waitsfield Town Offices and online via Zoom.

DRB Members Present: Duncan Brines, John Donaldson (Chair), Steve McKenzie (Vice-Chair), Jim Tabor, Jonathan Ursprung

Staff: Planning & Zoning Administrator JB Weir

Others: Chris Austin, Tiger Baird, Nancy Emory, Tom Emory, Jeff Keiss, Sue Keiss, Bob Kogut (Mad River Riders), Alice Peal (Planning Commission), Peter Pomerantz, Misty Lee Baird, John Morris

2. REVISIONS TO AGENDA, IF ANY

No changes were made to the agenda.

3. PUBLIC FORUM

Ms. Peal outlined the timeline for adoption of the revisions being proposed to the Land Use Regulations, and explained that the Planning Commission would like to meet with the DRB in September to review the changes, allowing until October 17 for feedback to be provided by Board members.

4. Application #4136-CU by Peter Pomerantz at Lot 10 Mad River Park, Waitsfield, VT. Applicant requests to construct a 6,000 sq. ft. woodworking shop for use as a cabinetmaking operation. Pursuant to Table 2.06 (C) (8), light industry is a conditional use in the district and requires conditional use review. The property is identified as #06001.010, located in the Industrial District

Mr. Pomerantz provided an overview of the plans for this site, noting that this will provide for an expansion of his business currently located on Route 100, with no change in operations. He explained that the drawings provided in the application materials may change slightly for items such as door and window placement, but that otherwise they accurately represent the project. The exterior will be steel, but will have a wood-like appearance.

Mr. Pomerantz reviewed site clearing and screening of the building, indicating that only one tree will need to be removed at the site, and that there are existing wooded areas between this lot and neighboring parcels.

It was discussed that parking is adequate. Mr. Pomerantz outlined that the business has minimal public interaction, and that traffic will generally consist of three or four employees daily, one regular weekly delivery truck, and other deliveries taking place one to three times per month. It was determined that the site is approximately 1500 feet from the recreation fields, and should have no impact on activities on the fields. The business is generally run from 8 am to 5 pm. He confirmed that he had no concerns regarding requirements that exterior lighting be downcast and placed on timers/motion detectors.

In response to questions, Mr. Pomerantz explained that there will be a filter system in place for painting/finishing fumes, which will vent on an exterior side of the building away from other structures; there will be no liquid by-products to dispose of.

MOTION: *Mr. McKenzie moved to close the hearing for Application #4136. The motion was seconded by Mr. Tabor. All voted in favor.*

5. SUB #23-05 (Final Plan Review) by Thomas and Nancy Emory at 322 Palmer Lane, Waitsfield VT. Applicants propose to subdivide an existing 10.2-acre lot into two lots of 5.1- acres each. The property is identified as #42006.000, located in the Agricultural-Residential District. Sketch Plan review was held March 14, 2023.

Mr. Austin reviewed the aspects of the application which were raised during the Sketch Plan review as needing further detail. He explained that Kristen Rose of Rose Environmental had completed an evaluation of the site, and that she noted that some portions of the State-mapped deer yard consist generally of hardwood species, as well as outlining that the dense hemlock area that serves as prime deer wintering habitat is approximately 1000 feet from the proposed building footprint, and that the patch of hemlock on the Emory property is disconnected from the natural community depicted by the State. Mr. Austin explained that logistics made it difficult for State Fish and Wildlife personnel to confirm this on the ground, but that the person contacted from that Department agreed in general with Ms. Rose's premise. Related depictions of the area were provided as additional application materials, and Mr. Austin pointed out that the proposed clearing will be limited to the construction site area.

The slope at the site was discussed, with Mr. Austin indicating that 12% is the greatest amount of slope within the area proposed for development. He explained that the State is not requiring any stormwater treatment at the site.

The planned driveway length is 700 feet, and so falls under the 800 feet at which a pull-off is required.

MOTION: *Mr. Brines moved to close the hearing for Application #SUB 23-05. The motion was seconded by Mr. Ursprung. All voted in favor.*

6. Application #4137-CU by Bob Kogut obo the Mad River Riders at 5512 Main Street, Waitsfield, VT. Applicant requests to construct a pedestrian/bicycle bridge over the Mill Brook in association with the recreation hub project. Pursuant to Table 2.10 (Flood Hazard Area Overlay District), all development within the mapped floodway requires conditional use review under Section 5.03 (E). The properties are identified as #99168.100 and #29003.500, located in the Irasville Village District.

7. Application #4138-CU by Bob Kogut obo the Mad River Riders at 9 VT Route 17, Waitsfield, VT. Applicant requests to expand the parking on the property in association with the recreation hub project. In association with the parking expansion, applicant intends to restore the riparian buffer adjacent to the Mill Brook. Pursuant to Section 3.12, development within the riparian buffer requires conditional use review. The properties are identified as #99169.000 and 99168.100, located in the Irasville Village District.

Mr. Donaldson proposed that Applications #4137 and #4138 be heard together, and it was agreed to do so.

Mr. Kogut provided some background information on the VOREC grant and proposed activities at the site, noting that both the bridge construction and parking lot expansion are planned to be as ecologically sensitive as possible, and that Friends of the Mad River is acting as a consulting partner.

He outlined the neighboring property owners, and confirmed that all parties have provided the Riders with a 45-year easement for access to the trails. The group has also been working with State parties, and have determined that there will be no wetland impacts or effects on critical wildlife. Consultation with State River Corridor staff is ongoing, and a flow analysis has been completed.

In response to questions from Board members, Mr. Kogut explained that:

- Currently 50% of path users are pedestrians rather than cyclists, and this has not created any problems
- The planned portable toilets will be maintained by Steward MRV, as this will become one of the sites they monitor; Mr. Weir confirmed that no permit is required for the portable toilets
- A trail crossing is planned for Route 100 south of the intersection with Route 17; plans for crossings may change during the planning currently in process to address the intersection of these two highways
- Stormwater permitting is not being required by the State; some of the parking area will be permeable, and adequate stormwater treatment and drainage is being planned for
- The nursery currently in operation at the site will remain, and that adequate sight lines will be maintained for recreation users to navigate the associated traffic

There was some discussion of the bridge construction details, and questions regarding whether the width planned (four feet) is appropriate for two-way traffic. It was explained that it is customary for users to wait to enter ped/bike path bridges when somebody is approaching; the idea of including a 'bubble' on the ramp end was discussed as a potential improvement.

In response to further questions, Mr. Kogut explained the difference between a trail crossing and a crosswalk, and explained that the path will have signage to warn users of approaching trail crossings, particularly in high traffic areas.

Mr. Kiess, property owner of area where trail crossing is located, asked if the parking lot will have adequate trail map signage; Mr. Kogut confirmed this to be so.

MOTION: *Mr. McKenzie moved to close the hearing for Applications #4137 and #4138. The motion was seconded by Mr. Brines. All voted in favor.*

8. APPROVAL OF MINUTES

The minutes of July 25, 2023 were amended and approved.

9. OTHER BUSINESS

The upcoming schedule and updates to recent applications were reviewed.

10. ADJOURNMENT

The public portion of the meeting was adjourned at 8:05 pm to move into deliberations.

11. DELIBERATIONS

Respectfully submitted,
Carol Chamberlin, Recording Secretary