

Chelsea, Vermont, Development Review Board
Draft Reconvened Hearing Minutes January 09, 2019

Members Present: Debra Melvin (Acting Chair), Laurence Allen, Johanna Welch,

Members Absent: Anne Carroll, Jonathan Vermette

Others Present: Michael Chapin, Timothy McCormick (AO, Clerk)

Reconvened Public Hearing on an application by Michael Chapin (#ZP17-27, Parcel #002-023.000)

For a Conditional Use according to Chelsea Flood Hazard Bylaw and the Chelsea Zoning Bylaw to add siding and an addition to a previously-permitted “pole barn” structure within a floodplain. This hearing is a continuance the initial hearing that was convened on December 19, 2018. Deb Melvin opened the meeting at 6:00 pm. reminding the applicant that he was previously sworn in.

Deb asked Michael and Tim to provide any new information that they had since the last hearing. Tim mentioned that he and Michael took measurements of the building. Tim e-mailed a sketch and photos to the Development Review Board Members (DRB) and to the applicant prior to the hearing. This information was presented at the hearing as evidence.

Tim also mentioned that, as directed by the DRB, he contacted Ned Swanberg, Central Vermont Floodplain Manager for his comments and further guidance. Tim sent an e-mail to Mr. Swanberg dated December 21, 2018 explaining that the structure, as built, is greater than 1000 square feet. The applicant would also like to extend the walls to the ground, suggested adding hinges to the walls to allow them to be raised during flood events.

Mr. Swanberg responded on December 21, 2018 in an e-mail saying that even with hinges on the sides, the building with walls to the ground would have to be considered an “enclosed structure”. He mentioned that if acceptable flood vents are installed, or that the sides are enclosed with chicken fencing, or such; he did not see the need to do an engineering analysis. He said that acceptable flood vents would be openings on at least two walls (up and down stream) providing at least one square inch of opening for every square foot of enclosed space. The vents can not be more than 12” off the ground. For reference, Mr. Swanberg attached a document entitled: *Openings in Foundation Walls and Walls of Enclosures, FEMA Tech. Bulletin 1 August 2008(Bulletin)* The email was presented at the hearing, and the e-mail and Bulletin were e-mailed to Michael on January 4, 2019.

After discussion about the required vent sizing for the building, the DRB reviewed the sketch and noted that the existing structure was located 30 feet from the streambank. Section 2.8 of the Chelsea Bylaws requires that building or structures be 35feet from streambanks. Michael said

that he and his son took the measurements and that they were under the impression that they were in compliance with the setback requirements.

Michael was asked about the stove that was currently inside the structure. He said that it was a cast iron stove in the located in the corner of the building. When asked about utilities, he said that there was an electric extension chord going out to the building from the house and that it will be raised to more than 4 above the ground.

Deb asked if anybody else had questions and Larry moved to close the hearing. The hearing was closed at 6:40pm.

Findings and Decision

During deliberation the Board discussed the fact that the approved shed was constructed actually 30 feet from the streambank. Because Section 2.8 of the Bylaws requires that structures and buildings be located at least 35 feet from a streambank, the Board decided that the applicant must file a new permit for a waiver. The DRB discussed the fact that the wood stove was placed inside of the building. The stove was neither proposed nor approved as part of the initial application. The stove must be properly anchored to the ground to avoid any displacement during a flooding event.

The DRB voted to unanimously approve the application as presented with the condition that the stove be anchored, and the building be vented in accordance with the information provided by the State Floodplain Manager, Ned Swanberg.

Submitted by,
Timothy McCormick, Administrative Officer and DRB Clerk