

Chelsea, Vermont Development Review Board
Draft Meeting Minutes June 13, 2018

The Continuation of a Public Hearing on an application by the Orange County Courthouse for a waiver or a variance to the property line setback for a generator (#ZP18-11, Parcel ID#046-002.000 and 046-003.000)

Members Present: Anne Carroll (Chair), Debra Melvin (Vice Chair), Johanna Welch

Members Absent: Jonathan Vermette and Larry Allen

Others Present: Joyce McKeeman, Victoria Weiss, and Timothy McCormick (AO and Clerk)

The hearing, originally recessed on June 6, 2018, was reopened at 6:05 pm. No conflicts of interest or ex officio conversations were disclosed. All Interested Parties were sworn in.

Anne asked Joyce if she had any additional information to present. Joyce introduced a sketch that was prepared by an associate of Joe Torro (contractor for the project), which showed a revised location for the generator. Joyce also had a photograph of the revised generator location. The photograph showed that the proposed concrete slab dimensions were spray-painted on the lawn, and that two poles were laid in the lawn extending from the property line wall, to the spray-painted area. Joyce explained that the poles were meant to show that the proposed generator location was at least 10 feet from the property line wall.

Joyce noted that the revised location for the generator would be greater than 10 feet from the property line wall, but it also would situate the generator closer to the Norlander residence. The Board asked if the location was staked out in the field. Joyce said that the area was overgrown with weeds but now it has been mowed and one of Joe's workers spray-painted the concrete slab dimensions in the grass.

Vicki arrived at the hearing at 6:15 and asked the Board what they required for information. The Board discussed the accuracy of the measurements and the distance that the project was going to be from the other property lines.

Johanna mentioned that she had intended to call the Norlanders after the last hearing, but that Jeanne Norlander was entertaining guests and Johanna did not want to disturb her. Anne and Johanna excused themselves from the meeting and tried to call Jeanne but could not get an answer. There was a discussion about the dimensions of the properties involved.

The applicants asked if the Board would like then to take some more accurate dimensions to support the distance shown on the sketch and in the photograph. Tim volunteered to assist them with a measuring tape to clarify the data. The Board voted unanimously to recess the hearing so that the measurements could be refined. Joyce, Vicki and Tim left the room and visited the site to take measurements.

The hearing was resumed at 7:30 pm. The applicants and Tim went over the measurements which clarified proposed generator location relative to the property line wall. A rough sketch was shown to the Board which also clarified the approximate dimensions to the back property line corner and to the stream bank. The distance between to generator and the nearest neighboring property line is 10.5 to 10.8 feet. The spray-painted corners were staked out and flagged. Anne asked if the back property corner was close to the neighbor's house. Tim said that the neighbor's house was still a good distance away from the back property corner. This was followed by a discussion of the vegetation in the area and the fact the neighbor has always let the vegetation grow in naturally between the property lines.

Anne asked if there were any more questions, and Vicki asked about the timing of a decision from the Board. Anne explained the procedure and the fact that the Board had 45 days to make a decision and that there is a thirty-day appeal period after the decision. Deb moved to close the hearing and the hearing was closed at 7:50 pm.

Findings and Decision:

#ZP 18-11: Application by Orange County for a waiver or variance to the property line setback for a generator (Parcel ID # 046-002.000 and 046-003.000)

The Board discussed the fact that it seemed reasonable not to require that the generator location be placed out toward the central portion of the property which would interfere with future use of the property.

The required property line setback in the Village is 20 feet. The Board also finds that the proposed location of the generator is more than 10 feet from the neighboring property line and complies with Section 5.8.1 (3) of the Chelsea Bylaw which states: "*The waiver will not result in a greater than 50 % decrease in any dimensional requirement*".

The DRB voted unanimously to approve application #ZP18-11 as presented.

Submitted by,
Timothy McCormick, Administrative Officer and DRB Clerk