

Chelsea, Vermont Development Review Board
Draft Meeting Minutes September 5, 2018

The Public Hearing on an application by Michael Johnson (#ZP18-19) for the construction of a greenhouse within the property line setbacks in a Rural Residential district.

Members Present: Anne Carroll (Chair), Debra Melvin (Vice Chair), Larry Allen, Jonathan Vermette,

Members Absent: Johanna Welch

Others Present: Michael Johnson (applicant), Joseph Spinella, Barbara Presh and Timothy McCormick (AO and Clerk)

Anne opened the meeting at 6:05 pm. with a reading of the Notice as posted and published. No conflicts of interest or ex officio conversations were disclosed.

At the outset of the hearing, the Development Review Board (DRB) afforded those persons wishing to achieve status as an interested person an opportunity under 24 VSA Subsection 4465(b) to demonstrate that the criteria set forth in that statute could be met. Joe Spinella and Barbara Presh were granted status as interested parties because they are abutting landowners to the subject property. All interested parties were sworn in.

Anne asked the applicant to explain the application. Michael described his farm business as a small herb farm and said that he is eligible for a grant to build a 64' x 26 high tunnel (greenhouse). In order to receive the grant, the building must be constructed by the end of October. He has begun site preparation for the building and stated that the proposed location for the building is the best location on the property for the structure due to the sun exposure, and relatively flat slopes, in the area. The proposed site is also very accessible. Michael said that the greenhouse is to be used in the winter time and the position of the green house relative to the sun is critical.

The applicant said that the building will be steel-ribbed with plastic coving and will have wood framing. The building can be up-sized or down-sized in four-foot increments. Michael stated that for his farming purposes, the optimum building size would be 64' x 26'. Anne asked about the topography of the property and Michael said that, except for the proposed location of the project, the rest of the property consists of steep slopes.

The discussion turned to the R.O.W and whether or not there was a deeded R.O.W across the neighboring (Presh property) to the project site. Joe Sinella said that there is no deeded R.O.W.

across the Presch property to access the site. He said that there has always been an agreement for the owners of the subject property to use area beyond the end of the town highway for access to the subject property. Larry mentioned to Mr. Spinella that this should be "in writing". Joe also mentioned that there are tent sites up in back that are being used for workers to live, that a drainage pipe runs across their property line, and that some of the crops are planted across the lower property line. Joe questioned whether the existing bee hives and the grading that has been done are also crossing the property line. Joe asked if the access to project could be via an existing road behind the house.

Anne asked if there were other possible locations for the project. She asked Tim about other areas and Tim said that he did not explore other possible options on the property. Joe asked if the building could be shifted in the other direction (length-wise, against the slope) in order to meet the setbacks. This was followed by some discussion about the accuracy property line measurements in the field and it was decided that the DRB Board should visit the property to gain a better understanding of the project details. The meeting was recessed at 6:50pm and the Board visited the subject property.

At 7:30pm, the Board returned to the Town Hall Library and continued the hearing. Anne asked the applicant how much time he needed to see if he could contact a surveyor to better define the property line boundary nearest to the project. Michael then asked Joe if he would insist on a professional determination of the boundary vs. trying to figure out the boundary line between themselves. Joe said that he would like the work done professionally since the structure is proposed to be permanent and since the structure is proposed to be so close to the boundary line.

This was followed by some discussion about the possible options for the building and how long it would take for the applicant to contract with a surveyor to flag the property line closest to the proposed structure. The Board decided to recess the hearing to September 19, 2018 to allow the applicant time to have a surveyor mark the boundary line. Anne reminded the applicant that the Board requires a complete sketch with the proposed structure dimensions and the distances to boundary lines, wetlands roads and drives. A motion was made to recess the meeting to September 19, 2018. The motion was seconded and approved and the hearing was recessed at 7:50pm.

Submitted by,
Timothy McCormick, Administrative Officer and DRB Clerk