

Chelsea, Vermont, Development Review Board
Meeting Minutes of January 22, 2014

Members Present: Anne Carroll (Chair), Debra Melvin, Arthur Goodrich, Blaine Conner, Richard Allen, Cynthia Masterman

Members Absent: Lawrence Allen

Others Present: Evan Andrews, Howard Garrow, Heidi Goodrich, Jason Goodrich, Richard Rogers, Betty Rogers, David Button, Tim Courts, Preston Bristow (AO and Clerk)

Chair Anne Carroll opened the meeting at 7:00 pm. Preston Bristow read the Public Hearing Notice as posted and published for tonight's hearings.

The **public hearing on application by AJ's Auto Repair (#ZP13-31)** to construct a 12 by 36 foot addition for storage on the rear of the garage on land owned by Arthur, Joan and Jason Goodrich at 297 VT Route 110 (Parcel #110-055.000) was opened at 7:05 pm. Art Goodrich stepped down as a DRB member for this application. The remaining five DRB members disclosed no ex parte conversation or conflict of interest. No one requested status as an interested person. Those intending to give testimony were sworn in.

Art Goodrich described his proposed addition which would be located on the west or back side of the current AJ's Auto Repair garage building. The footprint of the addition will be 10 by 32 feet but his request is for a 12 by 36 foot addition to include roof overhangs. The exterior of the addition would be finished with board and batten and have both an overhead garage door and a 'man' door.

The sketches provided by the applicant were notated at the hearing to show the location of the overhead garage door and the man door, and to reflect the fact that the roof over the addition will be sloped and not an extension of the flat roof over the existing garage.

In response to questions Art Goodrich made the following statements:

- The addition as proposed meets the 35 foot setback from the Third Branch.
- The addition will have a corrugated steel roof.
- The slab under the addition will be at the same grade as the slab under the garage.
- The addition will be used for the storage of used tires, scrap steel, drums of used motor oil for the used oil furnace, and the dumpster.
- The dumpster will be located inside the addition behind the overhead door.
- The existing addition on the north side of the garage building and the so-called 'love shack' behind the garage building are finished with either novelty siding or board and batten.

Jason Goodrich clarified that the addition would be a slab on grade with no frost wall or otherwise dug stem wall, other than some excavation to properly prepare the site for a new slab with gravel or suitable base material.

It was noted that although AJ's Garage is within the design control district it is not a contributing structure to Chelsea's National Historic District designation.

Documentation was provided from former state Floodplain Management Engineer Karl L. Jurentkuff (by letter dated April 24, 2001) and by surveyor Blake Thomsen (by FEMA Elevation Form dated January 8, 2014) that the garage floor surface is 0.3 feet above base flood elevation. An application for a LOMA (Letter of Map Amendment) to exclude the AJ' Garage building from floodplain has been sent to FEMA.

Preston Bristow noted that, in the event of a flood, it would be safer to have the used tires, scrap steel and dumpster stored within a building rather than outside as they currently are.

The hearing was closed at 7:25 pm.

The **public hearing on application by the Town of Chelsea (#ZP13-34)** for a change of use to Town Municipal and to construct a 70 by 100 foot town garage, 5000 cubic yard sand pile, 12 by 24 foot salt shed, salt brine tank and diesel fuel tank on land owned by Howard Garrow at 25 East Randolph Road (Parcel #001-009.000) was opened at 7:30 pm. No DRB members disclosed an ex parte conversation or conflict of interest. Richard Rogers, Betty Rogers and Tim Courts requested status as interested persons. Those intending to give testimony were sworn in.

Attempts to connect selectboard member Michael Button by speakerphone were unsuccessful and abandoned.

Project Manager and Senior Engineer Evan Andrews of DuBois & King presented the town's application to relocate the town's current highway maintenance facilities and unite them into one facility on land owned by Howard Garrow at 25 East Randolph Road. This would involve removing the existing mobile home, pool and outbuildings on the Garrow property and constructing a 70 by 100 foot town garage, establishing a 5000 cubic yard sand pile, and placing a 12 by 24 foot salt shed, salt brine tank and diesel fuel tank there.

Evan Andrews provided a copy of the latest site plan dated January 2014. Blaine Conner noted that the site plan bore no professional seal and was labeled "Not for Construction / Preliminary Plans."

Evan Andrews confirmed that the town will apply for a stormwater permit from the state.

Evan Andrews stated that the town will be seeking to relocate the overhead electric line maintained by Washington Electric from its current location across the property to within the East Randolph Road right-of-way. Dick and Betty Rogers stated that they want the overhead line to be on the south side of East Randolph Road and not on their side of the road.

Evan Andrews explained that the proposed sand pile will be located adjacent to East Randolph Road in an area previously excavated by Howard Garrow, and that the pile itself will not be higher than the surface of East Randolph Road. The pile can be filled from the top from a turnout off East Randolph Road and accessed from the bottom from the access driveway. A row of evergreen trees will be planted along East Randolph Road to screen the sand pile from the road. There will be no ditch between the sand pile and the road, the grade will be seamless.

Evan Andrews anticipated no pole lighting on site and that the lights on structures would be pointed down. He stated there would likely be solar panels on the garage roof and they were considering a heated and ventilated wash bay for town trucks. He said there might be noise generated off-hours by the pellet stove and backup electric generator.

The hearing was closed at 8:10 pm. All guests left the room.

Findings and Decisions:

Application #ZP13-32 (Kinney Drugs, Inc.) – Following deliberation on the hearing closed on January 8, 2014, the DRB unanimously approved the placement of an additional 28.5 inch by 60 inch sign panel on the existing Chelsea Health Center signposts thereby extending the height of the signposts by 30 inches at 356 VT Route 110 subject to the following conditions: (1) that the background color of the additional sign panel be the same color green as the other signs on the signpost and not white, (2) that a color mock-up of the sign be submitted to and approved by the administrative officer before it is installed, and (3) that the new sign be illuminated by the same down lighting as the current signpost.

The DRB further determined that the existing roadside Chelsea Health Center signpost is not in violation of the bylaw based on an email dated January 13, 2014 from Toni May, the state Sign Control Coordinator with Vermont AOT, in which assistant attorney general John Dunleavy is quoted as saying, “it would be pretty tough to take any successful enforcement action against this sign, since the deed easement area is contiguous to the activity being advertised and includes the right to locate a sign.”

The DRB did not find that Charlotte Mullen meets the requirements of an interested person for this application.

It was noted that Larry Mengedoht, President of the Board of Trustees of the Chelsea Health Center, had intended to be present at the January 8, 2014 hearing but was confused as to the date.

Application #ZP13-31 (AJ’s Auto Repair) – Following deliberation, the DRB approved the application to construct a 12 by 36 foot addition for storage on the rear of the garage as presented and as depicted on the site sketch as notated. Blaine Conner abstained from this vote.

Application #ZP13-34 (Town of Chelsea) - Following deliberation, the DRB unanimously approved the change of use of the Howard Garrow property at 25 East Randolph Road (Parcel #001-009.000) from Residential to Town Municipal, granted conceptual approval of the preliminary site plan as presented, and determined that the sand pile as presented does not need a waiver or variance from the front setback. No site development is permitted until a construction-ready final site plan is submitted and approved by the DRB.

The DRB did not find that Tim Courts meets the requirements of an interested person for this application.

Respectfully submitted,
Preston Bristow, Administrative Officer and Clerk