

Chelsea, Vermont Development Review Board
Draft Meeting Minutes September 19, 2018
Continued Hearing

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. (Parcel #040-005.001)

Members Present: Anne Carroll (Chair), Debra Melvin (Vice Chair), Larry Allen, Johanna Welch
Members Absent: Johnathan Vermette
Others Present: Michael Johnson (applicant), Joseph Spinella, Barbara Presh and Timothy McCormick (AO and Clerk)

The hearing began with a motion to reconvene the hearing on application #ZP 18-19 which was recessed on September 5, 2018. The motion was seconded and approved. Anne opened the meeting at 6:05 pm. No conflicts of interest or ex officio conversations were disclosed. All interested parties were sworn in

Anne opened the hearing by reminding everyone that the initial hearing was recessed because there was a question about the accuracy of the boundary line closest to the project area. The applicant was instructed to provide more information regarding the accuracy of the line along with some more detailed sketches of the proposed construction relative property lines, wetlands, roads, etc.

Michael provided copies of a narrative entitled *DRB Waiver Application Follow-up Detail Sheet* dated 9/19/18, which explained his reasons for the site selection of the proposed project. The applicant listed 6 reasons for the site selection: proximity to the farmhouse, proximity to utilities, minimal plowing for access to the greenhouse, the location is sheltered from the wind, the location is optimal for capturing sunlight, the NRCS (grant funder) requires a location where crops have been previously grown. On the back of the narrative there were two sketches of the proposed greenhouse. One was an aerial view with measurements, and the other was a profile drawing.

Michael stated that he was proposing to change his originally-proposed building length dimension from 64 feet to 60 feet. He stated that he is required to provide 10 feet of space on the outer sides of structure to allow room for snow shedding. Anne updated Johanna on the original application and summarized the main issues from the last hearing as Johanna was unable to attend.

Regarding the property line in question, Michael said that he was able to tie a string from the pin at one end of the property line to the other. He said that he tried to contact Joe to see if the stringed line was agreeable, but did not hear back from Joe.

Joe brought a full-sized copy of the original subdivision map and reviewed the existing and proposed items as they relate to the map. Joe was asked if he agreed with where the line was laid out with string. He said that he is not certain about the location of the lower pin and does not know if it is different than what is shown on the plan. Barbara also questioned the accuracy of the line. Joe and Barbara both stated that the original plan provided for enough room for a car to be able to access the back of the property. They said that the current location of the existing pin does not provide such space between the pin and the stream on the Presch property.

Johanna asked for clarification on the specific property line that was being discussed and then the discussion shifted to property access. In the past, there was an agreement that the applicant could access his property from an area just beyond the end of the Town road and on the Presch property. Joe said that after the agreement, the access has been improved with gravel pack and there is more traffic on the road as it has become "commercially" used. Joe asked if the applicant could discontinue that road and access the potential greenhouse from the existing farm road that currently loops around the back of the primary farm building.

Anne asked if there were any further questions. Larry made a motion to close the hearing. The motion was considered and the board voted to continue. Joe stated that he would like the proposed greenhouse to be placed 35 feet from the property line. Johanna asked the applicant if they explored all other options on the property. Michael briefly explained why other options were considered but not chosen. This was followed by discussion about how the land was terraced for the greenhouse and Michael explained why this terracing was necessary for optimal greenhouse use.

Tim asked the applicant to confirm that he had discussed the location of the project relative to wetlands. Michael said that he had contacted the State of Vermont Wetlands staff and that a site visit is set up for October 2, 2018. Tim also asked Joe if the applicant was to place the structure at least 35 feet from the property line as marked in the field, would he be O.K. with that property line as currently designated in the field. He said that he thought the property as laid out would be close enough to be called accurate if the greenhouse was set 35 feet away. Anne asked Joe for clarification on whether or not he was satisfied with the property line as identified in the field. **She further explained that the DRB has a responsibility to approve or disapprove permits based on specific property boundary setbacks, and if there is a disagreement on where the boundary is in the field, then the Board is faced with requesting professional verification of the boundary.**

Larry asked Joe why he wanted the 35 foot setback because there was just thick brush towards the back of the property. Joe said it was an overgrown orchard in the back of the lot and he just thought that there was enough room on the property to allow for the 35-foot setback. Anne

asked about the foundation for the greenhouse and Michael state that there is no foundation and that is no foundation and that the frame posts for the green house are dug into ground approximately 4 feet. Johanna asked about utilities running to the other buildings on the property, and Mike said that these buildings were “off the grid”. I do not have good information in my notes about the utilities to the greenhouse. Larry made a motion to close the hearing. The motion was seconded and approved. The hearing was close at 6;50pm, and the DRB Board went into deliberation.

Submitted by,
Timothy McCormick, Administrative Officer and DRB Clerk