

Zoning Board of Adjustment

March 16, 2021

Meeting Minutes

1. Introductions

Board members present at the meeting were Todd Hindinger, David Gulbrandsen, John Broker Campbell, Willis Wood, and Jaime Wyman. Chris Whidden, land use administrator, was also in attendance.

Luke Blake was in the audience.

2. Call to order

Willis Wood called the meeting to order at 7:00 PM.

3. Reorganization of the Board

Willis Wood will continue to be on the Board, but will be an alternate. David Gulbrandsen has graciously volunteered to take Willis Wood's place on the Board. Willis Wood will be present for this meeting as an alternate due to James Cahill's absence.

Willis Wood made a motion for John Broker Campbell to be chair. David Gulbrandsen seconded it. All were unanimous.

John Broker Campbell made a motion for Todd Hindinger to be vice chair. Jaime Wyman seconded it. All were unanimous.

Willis Wood made a motion for James Cahill to be clerk. John Broker Campbell seconded it. All were unanimous.

John Broker Campbell made a motion for Diana Stillson to be recording secretary. Jaime Wyman seconded it. All were unanimous.

4. Comments from the Chair and Land Use Administrator

Chris Whidden thanked Willis Wood for being chair and for everyone's service on the Board.

5. Approval of Meeting Minutes – February 25, 2021

Willis Wood made a motion to approve the minutes of 2/25/21 as amended. Jaime Wyman seconded it. David Gulbrandsen recused himself. The motion passed.

6. Public Hearing:

a. 0 Reservoir Road - conditional use hearing (continued)

John Broker Campbell opened the hearing at 7:15 PM. David Gulbrandsen recused himself from this hearing. Exhibit #6 was the email Chris Whidden received from Ryan Smith in regards to the deer wintering area. Ryan Smith stated that the proposed ATV access road and off grid cabin would be built in a small patch of hardwood within sight of Reservoir Road which would keep it outside the deer wintering area.

John Broker Campbell stated that he works in the Springfield office of the Vermont Fish and Wildlife, but has not had any communication with Ryan Smith in regards to 0 Reservoir Road.

Exhibit #7 was business information from the Vermont Secretary of State- Corporations Division for Luke Blake Stone Crafters. Luke Blake stated that nothing has changed for this. There will be no stone cutting. He only does landscape and patio work. He will be removing only stone for driveway access and it will be less than 100 yards per year. Willis Wood stated that if Luke Blake does extract more than 100 yards per year, it is a different application. Willis Wood also mentioned to make sure that the slope of the access road is under 25% slope before Luke Blake starts building the cabin. Luke Blake stated that he will look at the slope. Todd Hinderger stated that there could be a condition to meet the Zoning Bylaws.

Willis Wood made a motion to close the hearing at 7:27 PM. Todd Hinderger seconded it. All were in favor of closing the hearing.

7. Other business

Willis Wood stated that when the Bylaws are done, but prior to printing, he would like to see them. He would like to review the arrangements and the table of contents to make sure that they make sense to the Board. Some could be in different colors or sections. Chris Whidden stated that there are new sections and chapters. He could send them to the Board and give them two weeks to review for comments and then send them off to the printers.

Todd Hinderger stated that the Board will need the new changes to the Bylaws for the Blake decision. As soon as the new Bylaw is sent to the Select Board, send the chair of the Board a copy of it. Then a Board representative could go to the Select Board meeting with any comments. John Broker Campbell stated that he could receive a copy of the notice of public hearing for the new Bylaws being presented to the Select Board. Willis Wood asked how much time is there after the Planning Commission's public hearing and the Bylaws being forwarded to the Select Board.

Chris Whidden stated that there is 15 days' notice for a hearing to amend the Bylaws. Then it is warned for 15 days and the Select Board has 120 days to approve the amended Bylaws. The Planning Commission approved some Bylaws in October and the Select Board has not approved them yet. He stated that the Board members could look at the public hearing notices and all Board members should have the updated Bylaws in your packets.

Todd Hinderger wanted to know if Chris Whidden had looked at the Bylaws for everything that pertains to Luke Blake's application. Chris Whidden stated that there have not been any changes to affect this decision. When the Planning Commission makes any changes to the Bylaws, Chris Whidden gives the new changes to the Select Board the next day.

John Broker Campbell stated that moving forward he would like to receive a copy of the notice of public hearing to the Select Board for amended Bylaws. Bylaws that have been changed in October and not adopted till April is a problem. Also, when it is adopted, the Board would like a clean copy of the Bylaws. He would like a copy of the most recent Bylaws with all the changes, or a bulleted list with the changes. Chris Whidden stated that most of the changes were grammatical. There are some big changes coming soon like the definition of each zone and the zoning map.

Todd Hinderger stated that he would like to create a checklist with what documentation is necessary for a conditional use permit, or a conditional use hearing, or a site plan review. The applicant could provide those documents, or hire someone. At the Board's next meeting, the Board could have this on their next agenda. Willis Wood stated that this checklist is for the applicants. The Board would like to have a meeting on April 13, 2021 to approve the minutes of this meeting and have a discussion around a checklist for applicants.

8. Adjournment

Willis Wood made a motion to adjourn at 8:02 PM. Jaime Wyman seconded it. The motion passed.

Respectfully submitted,

Diana Stillson