

May 13, 2013
Planning Commission

Present: John Dovitski, Susan Wright, Ed Shea, Chuck Suss
Attendees: Jim Henderson, Ryan Thurber, Isabella Thurber, Fred Barbeau, Charlotte Rogers, James Kinney

Minutes of the April meeting were read by Chuck. On motion Ed and second by John, minutes were unanimously approved.

Jim reviewed Proposed Zoning Maps. The City Stream Commercial map was reviewed with attendees to update of the changes made. Discussion followed regarding the commercial zoning for North Woods, Davidson and Harrington properties, Lake View Motel/(former)O'Neil property at the entrance to Woodford Lake Estates to realign zoning districts to follow property lines.

The Burgess Road Map was then discussed. Jim told those assembled that he visited the former Burgess Brothers property and located their boundaries. He suggested the map be changed to reflect the property lines and commercial/industrial zoning to this property. Ed suggested the property's zoning be changed to 10 acres in addition to the commercial/industrial designation. Ed stated it would increase property value as the parcels could be sub-divided and loans would be easier to acquire for a permitted use. Jim asked the Board to accept in concept the direction of creating this new zoning designation. James Kinney asked if the France's concerns had been address and Ed assured him they had.

The next map discussed was Woodford Hollow. The red lines on the map reflect the existing (former) Avalon parcel are not accurate. Jim, with the assistance of a parcel map from Mr. Barbeau and a GPS indicated with yellow lines on the map the boundaries of the former Avalon parcel. Jim recommended the map be changed to reflect the former Avalon property on the north side of Route 9 as commercial. The Avalon property south of Route 9 would not be zoned commercial as it is not contiguous and has no commercial history. Ed said that Mr. Barbeau has evidence indicating the property was once larger and the entire original property on the north side of Route 9 was roadside commercial. Jim indicated the size of the original property on the map prior to subdivision. Mr. Barbeau furnished his mortgage dated October 2, 2000 from Chittenden Bank for his residence (property identification no. 000016.01) which had been part of the larger Avalon property. The mortgage lender (Chittenden Bank) indicated the property as RC-80,000/Roadside Commercial. Discussion followed among attendees and consensus was reached that the parcel proposed by Jim as Roadside Commercial be adopted.

Jim proposed the map be further revised to reflect the R-1 zone to follow the centerline of the river north to Route 9. The commercial zone within R-1 (Dave's Auto) would also be revised to include the land from the centerline of the river to Route 9.

There being no further business to discuss, Susa moved and John seconded to adjourn. All voted in favor and the meeting adjourned at 8:36 pm.

Zoning Board of Adjustment Minutes
May 13, 2013

Present: John Dovitski, Susan Wright, Ed Shea, Chuck Suss

Attendees: Jim Henderson, Bruce Miles, Donna Kelly, Jim Horrigan, James Kinney, Fred Barbeau, Charlotte Rogers

Meeting was opened at 6:10.

April minutes were read by Chuck. On motion by Ed and seconded by Chuck, all voted in favor to approve the minutes.

Susan introduced application no. 03-2013 for James Chiaraluce. Ed questioned the setbacks of the proposed shed. Jim Horrigan verified that Mr. Chiaraluce owned the lot behind the shed and that lot could not be separated from his other property. Ed questioned whether the existing shed would be removed. James Kinney told the group it was the owner's intention to remove the old shed. Ed worried the existing shed might not be removed in the absence of enforcement procedures. Chuck asked James whether or not he felt the owner would remove the existing shed; James said he felt the owner would remove the old shed. Chuck suggested the board follow the assessment of the Zoning Administrator. Susan, John and Chuck voted in favor; Ed abstained. Motion is passed.

Susan then introduced application no. 04-2013. James advised the group that this is a re-application. Ed objected to missing information on the application. Chuck looked at the newly submitted drawing and read the setbacks with James' help. Chuck asked Ed if he would be satisfied if the setback information was transferred from the drawing to the application. Ed questioned the drawing and suggested the drawing be amended to reflect that the minimum setback is complied with. Chuck suggested to the Board there was precedent in that there was no increase in encroachment. On motion made by John and seconded by Ed, all voted in favor to approve with the condition that the map be corrected to show accurate setbacks and road position.

Susan then introduced application no. 05-2013. It is an application for a garage, breezeway and porch. Bruce Miles raised concerns as an abutting owner and interested party. Bruce's concern is the location of the below ground power line is unknown and digging could result in his losing power and possible electrocution of the person doing the digging. Discussion followed regarding the location of the power line. James stated the location of the power line is not clear as that portion of the property is "a mess." Ed and James felt the location of the line is not the responsibility of the applicant. Chuck stated that Bruce should not be required to pay to determine the location of the line as he is not the applicant nor is building anything. Ed felt that the Board should strongly advise the applicant determine the location of the power line prior to the start of construction. On motion by Ed to approve the application with the condition that the applicant be strongly advised to locate the location of the power line prior to the start of construction, seconded by Chuck, all voted in favor to approve. James told Bruce he would furnish the applicant's contact information.

There being no further business to discuss, on motion by Chuck and seconded by Ed, all voted to adjourn the meeting at 7:05 pm.