

TOWN OF HIGHGATE

Development Review Board

August 23, 2016 @ 6pm

Approved Minutes

NOTE: All actions taken are unanimous unless otherwise stated.

I. CALL TO ORDER

The meeting was called to order by chairman, Rick Trombley at 6:00pm, noting there is a quorum present.

Present at this meeting:

- **DRB members:** Rick Trombley, Chair; Tim Reynolds; Woody Rouse; Scott Martin; Julie Rice
- **Staff:** Wendi Dusablon- Planning & DRB Clerk; Heidi Britch-Valenta – Zoning Administrator
- **Public / Other:** Janice Airoidi; Stephen Tetrault - TDH

II. PUBLIC HEARINGS

- **Paquette, James (Pete)**
Final Plan Review – 5 Lot Subdivision
Rheaume Road
Medium Density Residential District

Pete Paquette came into the office on Monday, August 22nd and said he would not be attending this meeting on August 23rd and that he would like to have it continued. He will be in touch when he is ready for final plan review on this Rheaume Road 5 lot subdivision.

- **Airoidi, Janice**
Variance Application
6704 VT Route 78
Village District

Rick noted we would be reorganizing the agenda, as Janice Airoidi is here and no one is here yet for the Therrien hearing. Janice has been before the board previously for a waiver of setback that the board was unable to grant. This is a new application for a variance so Rick swore Janice in. The board is familiar with this property. There are five criteria within our bylaws with regard to a variance, and the board needs to decide if this application qualifies;

1. *That there are unique physical circumstance or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topography or other physical conditions, peculiar to the property, and that unnecessary hardship is due to these conditions, and not the circumstances or conditions generally created by the provisions of the Bylaw in the neighborhood or district in which the property is located.*
2. *That because of such physical circumstance or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Bylaw, and that the authorization for a variance is therefore necessary to enable the reasonable use of the property.*
3. *That unnecessary hardship has not been created by the appellant.*
4. *That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare.*
5. *That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the Bylaw and from the Plan.*

It was noted that the lot is small and drops steeply away from the house in the back. There is a real difficulty in constructing an access that would be compliant. The property is as she purchased it. She has not created the hardship by subdividing or making the property smaller. Her request will also not alter the essential character of the neighborhood. The new structure does not extend past the existing structure. There were no further questions from the board. Motion by Rick Trombley to close this hearing @ 6:07pm. The motion was seconded by Woody Rouse – **APPROVED**. Ms. Airoidi will hear from the board with a written decision within 45 days.

- **Therrien, Leo & Jean**
Boundary Line Adjustment
664 Fortin Road
Agricultural District

Stephen Tetrault from TDH Survey and Design was present on behalf of Mr. & Mrs. Therrien. Rick Trombley swore Stephen Tetrault in. It was noted that no one from the board needed to recuse themselves. The Therrien's at one time owned this entire parcel and subdivided lots off for their children. They are in the process of selling their property and in the process wanted to give their children each a little more property. This is an adjustment of the boundaries between the parents and their two children. There will be no changes to existing structures that are already there and all setbacks meet requirements. They are waiting on a waste water permit for Leo & Jean Therrien's property, as their lot is getting smaller by more than 2%. There is a shared well on the property with Laurie (daughter) and Bruce Kilbury, so the only easement required will be for the well. The existing 20' water easement that goes to the Kilbury house will realistically no longer be needed. The new 20' easement will be going over that lot coming away from the Fortin Road. There is an existing right of way for Bruce (son) and Lisa Therrien over to their parents property that will also realistically go away, as they will own all the way to Carman Brook Rd. Tim asked about the garage on the property of Bruce and Lisa Therrien and how far it is from the line. It is approximately 16' from the boundary and was built in the 1980's. Heidi noted that Highgate did away with zoning for a number of years in the 1980's. Stephen Tetrault had prepared a mylar if the board was ready to sign it. It was noticed that the road names (Fortin Road / Carman Brook Road) were not included in the title block. Stephen will redo the mylar to include the road names. Rick read through the criteria for a boundary line adjustment from the development regulations. Motion by Tim Reynolds to close this hearing @ 6:37pm. The motion was seconded by Julie Rice – **APPROVED**. The Therrien's will receive a written decision within 45 days from the DRB.

III. APPROVAL OF MINUTES

Motion by Rick Trombley to approve the minutes from July 14, 2016, as written. The motion was seconded by Woody Rouse – **APPROVED**.

IV. OTHER BUSINESS

- Decision letters for Guyette, Wright and Brosseau have all been sent out.
- The DRB continues to be very busy, we already have a full agenda for Sept. 8th with four hearings, which was noticed today. We also already have applications for October 13th.

V. UPCOMING EVENTS

Aug. 30	6pm	PC Meeting
Sept. 1	7pm	Selectboard Meeting
Sept. 8	6pm	DRB Meeting

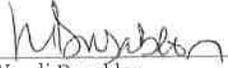
VI. DELIBERATIVE SESSION

Motion by Rick Trombley to enter into deliberative session @ 6:40pm. The motion was seconded by Woody Rouse – **APPROVED**.

VII. ADJOURNMENT

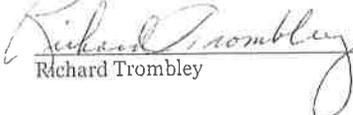
Motion by Tim Reynolds to adjourn the meeting @ 8:20pm. The motion was seconded by Scott Martin – **APPROVED**.

Minutes respectfully submitted by:


_____, Planning & DRB Clerk
Wendi Dusablon

9-8-16
Date

Minutes approved by:


_____, DRB, Chair
Richard Trombley

9-8-16
Date