

TOWN OF CHESTER
DEVELOPMENT REVIEW BOARD
MINUTES

July 27, 2015

BOARD MEMBERS PRESENT: Carla Westine, Amy O’Neil; Don Robinson; Philip Perlah; Harry Goodell

STAFF PRESENT: Michael Normyle, Zoning Administrator; Julie Hance, Recording Secretary

OTHERS PRESENT: Matt Wamsganz, William Lindsay, Cynthia Prairie, Claudio Veliz, Robert Haas, Michelle Page, Shaina Sablan, Don Heath, Tony Cairns, Joni Goss, Leigh Dakin, William Dakin, Gary Rapanotti, Todd Hindinger

CALL TO ORDER

1. The meeting was called to order at 6:00 p.m. by Chair Carla Westine followed by reciting the Pledge of Allegiance and an introduction of board members present.

1. CONTINUATION OF THE CHAMPLAIN OIL/JIFFY MART CONDITIONAL USE

- a. The Development Review Board members confirmed that they have no conflicts of interest nor were they involved in any ex parte communication.
- b. Carla Westine proceeded to swear in the following individuals for the purposes of providing evidence and testimony: Robert Haas, Tony Cairns.

Special Criteria

- c. A. New England Architectural Appearance. Matt Wamsganz reviewed the photographs that he presented to the Board which demonstrate the types of materials that will be used throughout the construction.
- d. A motion was made by Amy O’Neil to accept the two pages of photographs into evidence as Exhibit ii. Seconded by Don Robinson. The motion passed.
- e. Matt Wamsganz stated that as you drive through Chester and look at existing buildings, it is his opinion that the proposed building fits in with the character of the area. He stated that there is detail to the trim work which is made out of white pva material. There are many different materials being used in the construction such as stone, wood composite, clapboard siding, decorative trim and divided light windows. Matt Wamsganz stated that the composite materials are used because they wear well and you don’t have to worry about paint chipping. He further stated that the composite siding shows a wood grain.
- f. Mr. Haas questioned how there could be photographs available when the building is not constructed. Matt Wamsganz stated that these are photographs of the Charlestown Store which this building will replicate.
- g. Claudio Veliz stated that New England in character typically is represented by the roof pitch which is typically 10:12. Matt Wamsganz stated that there is nothing in the regulations that require a 10:12 roof pitch.

- h. Amy O'Neil stated that this criteria suggests that there is already a standard in Chester for New England architecture. She suggested that perhaps the applicant could produce some photographs of buildings in the center of Chester as examples.
- i. Claudio Veliz suggested that he provide a generally accepted definition of "New England Architecture". The Development Review Board stated that they will consider what is presented. Discussion ensued.
- j. Matt Wamsganz stated that he is not pleased with the allowance of this type of questioning and does not feel that this behavior should be allowed.
- k. Carla Westine stated to Matt Wamsganz that she would like to see photographs from the applicant of other buildings in town. Matt Wamsganz stated that he has presented photographs in the past that are on the record showing buildings in the area.
- l. Mr. Haas stated that he does not feel that the building proposed is in keeping with the architecture of Chester.
- m. B. Blending of features with character of area. Matt Wamsganz stated that he has presented photographs of the buildings in the area. He stated that it is not their intention to blend with the buildings in the immediate area.
- n. Bill Dakin stated that he has asked about the full solid wall facing the Sunoco Station and if this could be changed. Matt Wamsganz stated that there is a line of mechanicals along that inside wall so windows are not possible. He further stated that planters might be possible along that wall or hanging baskets to help break things up, or the introduction of a small amount of green space. The Development Review Board reviewed Exhibit ss and determined that there are some windows shown.
- o. Matt Wamsganz stated that the location of the propane tanks and ice machines are proposed to be located on the left side of the building around the back so that they are not visible along the façade of the building. There is ice available for sale in the store. The ice at the back of the building is for overflow.
- p. C. Native, traditional building materials. Matt Wamsganz stated that the materials used will be wood composite which requires much less maintenance. The pvc trim will be detailed. There will be stone around the base of the building. The parking area will be asphalt.
- q. Claudio Veliz asked where the loading dock is located. Matt Wamsganz stated that there is a delivery door at the northwest corner of the building. There is no loading dock.
- r. D. Aesthetics of the area. Matt Wamsganz stated that the granite marker will remain on the property and will not be removed. There are no other historical sites on this property. Matt Wamsganz stated that the buildings as proposed do not negatively affect the area.
- s. Leigh Dakin stated that the stone marker is very fragile. She questioned if there is any way that a protection barrier could be placed around the marker. Matt Wamsganz stated that there will be curbing around the entrance corner that will provide some protection. Leigh Dakin suggested iron fencing around the marker, or stones around it. Following discussion, Matt Wamsganz agreed to provide iron fencing around the marker.
- t. Bill Lindsay stated that the stone was originally located at the town barn. The stone was moved on Founders Day and a ceremony was performed by the Masons several years ago. The suggestion was made that an easement deed be conveyed ensuring future protection of the stone.
- u. A motion was made by Amy O'Neil to accept the revised lighting plan dated July 9, 2015 into evidence as Exhibit jj. Seconded by Phil Perlah. The motion passed.
- v. Matt Wamsganz stated that the lighting plan was revised due to changes in the location of the crosswalks, landscaping and parking. There were also two lights added to the sign.

- w. Matt Wamsganz reviewed his preference with regard to signs. Michael Normyle stated that he would not be able to approve the preferred sign option, even though it would be more appealing. Discussion ensued regarding the sign options.
- x. A motion was made by Amy O'Neil to accept the letter from the Chester Water/Sewer Superintendent dated July 27, 2015 into evidence as Exhibit kk. Seconded by Phil Perlah. The motion passed.
- y. It was noted that the Water/Sewer Superintendent is requesting a grease trap be installed.
- z. A motion was made by Amy O'Neil to accept the Traffic Impact Study revised July 21, 2015 prepared by Trudell Engineering into evidence as Exhibit ll. Seconded by Phil Perlah. The motion passed.
- aa. Matt Wamsganz questioned if this hearing could be wrapped up on August 10. Carla Westine that she is hopeful that all material will have been received. If so, the hearing could close on August 10.
- bb. Tony Cairns, owner of Champlain Oil Company, stated that this is the first hearing that he has attended. He stated that 40 years ago he was invited and welcomed into Chester. He stated that they have been good neighbors, but have outgrown the existing space.
- cc. Tony Cairns explained that the building being proposed in Chester has a colonial design which has been upheld in Court as colonial in nature. Mr. Cairns stated that he can design a new building but feels strongly that this one fits into Chester.
- dd. Carla Westine noted that the expert testimony could be presented to Chester as well. Tony Cairns stated that he will present an architects opinion.
- ee. A motion was made by Amy O'Neil to recess the hearing until August 10, 2015. Seconded by Don Robinson. The motion passed.

2. PUDELKA PRELIMINARY PLAT REVIEW

The Development Review Board attended a site visit at the corner of Nudist Camp Road and Williams Road at 5:00 p.m. The following board members were present; Philip Perlah, Donald Robinson, Amy O'Neil, Carla Westine and Harry Goodell. The following individuals were present at the site visit; Gary Rapanotti, Victor Superchi

- a. Carla Westine proceeded to swear in the following individuals for the purposes of providing evidence and testimony: Gary Rapanotti
- b. The Development Review Board members confirmed that they have no conflicts of interest nor were they involved in any ex parte communication.
- c. Gary Rapanotti stated that he is proposing a two lot subdivision at the corner of Williams Road and Nudist Camp Road. He stated that Lot 1 is 15 acres with no development proposed, Lot 2 is 64.48 acres with a camp, barn, septic system and well.
- d. Michael Normyle stated that the application was considered complete on June 8, 2015. The Notice of Public Hearing was posted and published on June 30, 2015. Michael Normyle stated that the abutters were notified on June 30, 2015. There have been no complaints from abutters.
- e. A motion was made by Amy O'Neil to accept the Notice of Public Hearing dated June 30, 2015 into evidence as Exhibit A. Seconded by Phil Perlah. The motion passed.
- f. A motion was made by Amy O'Neil to accept the email from Sabrina gallo dated June 9, 2015 giving permission for Gary Rapanotti to represent the owners into evidence as Exhibit B. Seconded by Phil Perlah. The motion passed.

- g. A motion was made by Amy O'Neil to accept the Town of Chester Development Review Board Application for a Subdivision dated June 8, 2015 into evidence as Exhibit C. Seconded by Phil Perlah. The motion passed.
- h. A motion was made by Amy O'Neil to accept the Wastewater Permit WW-2-4897 dated June 24, 2015 into evidence as Exhibit D. Seconded by Phil Perlah. The motion passed.
- i. A motion was made by Amy O'Neil to accept the Site Plan titled Subdivision Plan of John Paul & Eileen L. Pudelka dated May 26, 2015 into evidence as Exhibit E. Seconded by Phil Perlah. The motion passed.

Section 4.10 (F) – Required Submissions

- j. The name of the record owner is shown on the plat;
- k. The number of acres and property lines are shown on the plat. Gary Rapanotti stated that there are no easements on the property other than utilities that run along the roadway, The buildings on the property consist of a house and barn located on Lot 2. Gary Rapanotti stated that there is a small brook on the upper right corner and lower left corner of the property which are shown on the plat.
- l. The abutting property owners are identified on the plat.
- m. The property is located in the R120 District. The zoning bylaws in effect are shown on the plat.
- n. There is no municipal water or sewer at this property. In addition, the culverts are located in the upper right corner and then one in the bottom left corner of the property and are shown on the plat.
- o. There are no existing roads being proposed.
- p. A motion was made by Amy O'Neil to approve a waiver of contours from 5' to 20'. Seconded by Phil Perlah. The motion passed.
- q. The date, scale and true north are shown on the plat.
- r. The name of the Licensed Land Surveyor and deed description are shown in the note section of the plat. Gary Rapanotti stated that the pins are either found or set.
- s. The location of the well on Lot 2 is identified on the plat. A deferral has been received from the State of Vermont for Lot 1.
- t. The location of the existing septic system on Lot 2 is identified on the plat. A deferral has been received from the State of Vermont for Lot 1.
- u. A motion was made by Amy O'Neil to waive the requirement for a drainage plan. Seconded by Don Robinson. The motion passed.
- v. Gary Rapanotti stated that there are no new bridges or culverts being proposed on this property.
- w. Gary Rapanotti stated that there is an existing home on Lot 2 and a barn which are shown on the plat. There is a deferral permit placed on Lot 1 as there are no plan for building on Lot 1 at this time.
- x. The road intersection is shown since the property is located at an intersection of two roads. Gary Rapanotti stated that there is a red ribbon hung indicating the location of the first pin.
- y. Gary Rapanotti stated that there is no property being dedicated for public use.
- z. Gary Rapanotti stated that there are no streets being added.
- aa. A motion was made by Phil Perlah to waive the requirement of the vicinity map. Seconded by Amy O'Neil. The motion passed.
- bb. Gary Rapanotti stated that the Wastewater permit has been received from the State of Vermont. There are no other permits needed. Following discussion, it was agreed to add the deferral of permit number to Lot 1.

- cc. The Endorsement section for the Development Review Board is shown on the plat.
- dd. A motion was made by Amy O'Neil to close the hearing. Seconded by Phil Perlah. The motion passed.

3. FINAL PLAT REVIEW OF DALIO RE-SUBDIVISION

- a. Harry Goodell and Amy O'Neil recused themselves from this hearing.
- b. It was noted that the Preliminary Plat Findings were signed on June 8, 2015.
- c. Michael Normyle stated that the Notice of Public Hearing was warned, posted and published on June 30, 2015.
- d. A motion was made by Don Robinson to accept the Notice of Public Hearing dated June 30, 2015 into evidence as Exhibit A. Seconded by Phil Perlah. The motion passed.
- e. A motion was made by Phil Perlah to accept the Site Plan showing the reconfigured roadway dated July 14, 2015 prepared by Heritage Engineering into evidence as Exhibit B. Seconded by Don Robinson. The motion passed.
- f. A motion was made by Phil Perlah to accept the letter from Fire Chief Matt Wilson dated June 18, 2015 into evidence as Exhibit C. Seconded by Don Robinson. The motion passed.
- g. A motion was made by Phil Perlah to accept the email exchange between Michael Normyle and Todd Hindinger dated July 16, 2015 into evidence as Exhibit D. Seconded by Don Robinson. The motion passed.
- h. Todd Hindinger stated that the design team gave further consideration to the 18' road width and felt that they could not build the road to that width.
- i. Todd Hindinger questioned if Development Review Board approval needs to be obtained if the road details are not governed by the Chester Road and Bridge Specifications.
- j. Todd Hindinger stated that the Site Plan shows a change in width and the removal of the hammerhead. He clarified that these road drawings replace the previous ones.
- k. Carla Westine reviewed the history of subdivisions on this property. She stated that the original subdivision was not recorded within 180 days. Mr. Dalio brought the subdivision back with slight modifications which was approved and recorded. She stated that the new subdivision is for the roadway to access the lots with structure locations and a wastewater system.
- l. Discussion ensued regarding whether or not the Development Review Board needs to approve this application. Carla Westine stated that it is her opinion that it does since the addition of the structures, wastewater and the letter of the Fire Chief regarding fire safety concerns have been added. Discussion ensued further.
- m. The general concern was expressed regarding what happens when the lots get sold and the access roads are not supposed to be used. Discussion continued regarding how this might work. Michael Normyle stated that the access to the lots would have to be reviewed at the time a building permit is requested.
- n. Todd Hindinger stated that the wastewater permit and all existing permits would still remain in effect.
- o. Carla Westine expressed concerns regarding the Fire Chief's recommendation and what happens to them if the application is withdrawn.
- p. Following further discussion, the Development Review Board and the applicant chose to proceed with the application.
- r. Todd Hindinger stated that the pull offs requested by the Fire Chief are shown on the plan. The comments regarding the dry hydrant are shown as well.
- s. Todd Hindinger stated that Steve Mongeon will be presenting the actual final plat which will show Mr. Hindinger's drawing as well.

- s. A motion was made by Don Robinson to recess this hearing until August 10, 2015. Seconded by Phil Perlah. The motion passed.

4. COMMENTS FROM CITIZENS

- a. There were no citizen's comments.

5. APPROVAL OF MINUTES

- a. A motion was made by Amy O'Neil to approve the minutes of the June 22, 2015 Development Review Board meeting as amended. Seconded by Phil Perlah. The motion passed.
- b. Page 1, change "addition" to garage.
- c. Page 2, section d, add business "to" grow
- d. Page 3, section y, clarify chester sewer users
- e. Page 4, section oo, add because the production area is further from the perimeter.
- f. Page 4, section qq, new exterior lighting will be entryway lighting
- g. Page 5, section ss, remove the word "increased"
- h. Page 5, section uu, add "barn red"
- i. Page 5, section zz, add the correct terminology for MDBP
- j. Page 5, change shutters on building not property.

6. DELIBERATIVE SESSION TO REVIEW PREVIOUS MATTERS