

Town of Waitsfield
DEVELOPMENT REVIEW BOARD
DRAFT Meeting Minutes
February 14, 2023

1. CALL TO ORDER: The meeting was called to order at 7:00 pm, and was held in person at the Waitsfield Town Offices and online via Zoom.

DRB Members Present: Duncan Brines, John Donaldson (Chair), Gib Geiger, Jonathan Ursprung

Staff: Planning & Zoning Administrator JB Weir

Others: Kevin Anderson, Barbara King, Sue King, Tom King, John Pitrowiski, Mike Rassweiler, Brice Simon, Charlene Spaulding, Edward Spaulding, Laurie Spaulding, Courtney Spaulding, A.J. Reuben

2. REVISIONS TO AGENDA, IF ANY

No revisions were made.

3. PUBLIC FORUM

Nobody present requested to address the Board during the public forum portion of the meeting.

4. Application #Sub23-02 (Preliminary Plan Approval/Final Plan Review) by Shea Property Services off Center Fayston Road, Waitsfield VT. Applicants propose to subdivide an existing 33.1-acre lot into five lots of 1.7-acres, 1.61- acres, 1.75-acres, 3.34-acres, and 24.7-acres. The applicants request that Preliminary Plan and Final Plan Review occur at the same hearing and has, therefore, waived their right to written determination prior to Preliminary and Final Plan Review. The property is identified as #99031.001, located in the Agricultural-Residential District.

A site plan was held earlier in the day, attended by Board members and representative for the applicants.

Mr. Donaldson opened the preliminary hearing and asked that those who would like to be granted interested party status state so. Mr. Rassweiler, Ms. Laurie Spaulding, Mr. Spaulding, and Ms. Barbara King all requested to be considered interested parties.

Ms. Charlene Spaulding requested that current litigation regarding water supply access and rights be finalized before a decision is reached regarding the application. Mr. Simon indicated that the applicants would agree to a condition stating that development will not affect the neighboring (Spaulding) water supply. Mr. Donaldson noted that this may not be in the purview of the DRB.

Mr. Pitrowiski reviewed the current site plan and other materials, noting the changes that have been incorporated following the sketch plan review held in November 2022. Those included a driveway configuration revision to provide one common drive for three lots and a separate drive for the lower lot, as well as further details regarding stormwater control and other design aspects. He noted that curb cuts had been approved, that electric line configuration was being discussed with GMP, and that the water line associated with the existing spring/cistern water

supply had been located. It was noted that all residences currently on the spring supply have drilled or will be drilling wells, with the exception of the Spaulding residence.

Mr. Pitrowiski further noted that the wetlands have been delineated by the State, and that his staff has determined the boundaries of the deer wintering area, which will be confirmed by the State as well.

The driveway configuration was discussed. Mr. Pitrowiski verified that the surface of the driveways will be gravel, with a road cushion installed if necessary. A retaining wall will be added in order to hold the fill needed to lessen the grade of the upper access leading to the Center Fayston Road. He indicated that he was amenable to moving the drive accessing Lot 3 to the north, although this would require moving the well location. He also noted that steep areas as well as septic placement create limits to driveway placement possibilities. It was confirmed that the regulations require that the average grade of a road/driveway in any 50-foot section be limited to 12%.

Mr. Pitrowiski confirmed that no blasting is anticipated and that all earth materials removed during driveway construction will stay on site. He verified that the only areas of disturbance to slopes of 25% or greater are for driveway construction, and calculated that there would be approximately $\frac{1}{4}$ to $\frac{1}{2}$ acre of such disturbance. An erosion control plan was submitted as part of the application materials.

Mr. Donaldson pointed out that the size of the building envelopes depicted on the plan were maximized, and include some areas of 25% or greater slopes. Mr. Pitrowiski agreed to reduce the size of the envelopes accordingly. It was also noted that the house site for Lot 4 might be less visible from various aspects if moved to the flat spot to the northern area of the envelope. There was further discussion regarding the visibility of these sites from Route 100, as well as the impacts of any outdoor lighting on views from that road.

Mr. Pitrowiski agreed to depict no-cut zones of approximately $\frac{1}{2}$ acre on each site, as well as including the deer wintering area as a no-cut zone.

The curb cut approval materials were reviewed; these included comments from the Road Foreman as well as the Fire Chief. Mr. Pitrowiski confirmed which of the requirements outlined by the Fire Chief were either included in the plans or could be accommodated; it was agreed that further clarification regarding some of his requests was necessary. It was indicated that the retaining wall to be constructed along the driveway would not interfere with sight lines from the curb cuts.

Mr. Donaldson opened the floor for comments from the public.

There was further discussion regarding the curb cuts, and a suggestion that it might be better to consolidate those into one access. Mr. Pitrowiski provided information regarding pertinent road standards, runoff, and how this impacts the potential curb cut locations.

The list of items to be addressed by the applicants prior to the final hearing was reviewed, and included:

- Reduction of building envelopes
- Depiction of no-cut zones
- Moving the driveway for Lot 3 up the road to the west
- Satisfy conditions of curb cut, pending confirmation with fire chief of his requirements
- Calculation of sight lines at the curb cuts, as well as an exploration of the potential to combine the two curb cuts
- Depiction of driveway profiles
- Other plat updates as outlined during the hearing – water line, utility lines, curb cut turn around and parking areas

There was some discussion regarding screening of the houses on the new sites, particularly for Lot 1 between the house and Ms. King’s property. Mr. Pitrowiski reviewed the plan included in the application materials, noting that there are several trees of various species planned to be placed behind the house on that site in order to break up the visual impact of the new house.

Mr. Anderson raised questions regarding the language in the Regulations regarding the setting aside of open space in major subdivisions. Mr. Weir explained that the Regulations are not fully clear on how the PUD open space requirements relate to major subdivisions. Some of the open space included in the site plan was noted, and Mr. Pitrowiski indicated a willingness to specify these areas on the plan.

Ms. Sue King asked if there would be any assessment or report completed regarding impacts on existing wells in the area when water supplies are drilled for the subdivision lots. It was explained that this is not something that may be required through the regulations. Mr. Pitrowiski noted that the future wells would be drilled into the aquifer and would not affect the spring supply.

Mr. Rassweiler spoke of the language in the Town Plan regarding culturally relevant significant resources, and requesting that the spring that serves the Spaulding property be considered as such. He expressed concern that this existing water supply was not included in the application materials. Mr. Pitrowiski pointed out that the cistern is shown on the current site plan and that the next revision will include the water line from the cistern to the house now that it has been located. He also noted that the related deed information is included on the plat, and that work is continuing on clarifying the easement/prescriptive rights to the supply.

Mr. Donaldson explained that the materials presented during the preliminary hearing, along with amended documentation to be provided by Mr. Pitrowiski, will be reviewed and that a hearing for final review will be scheduled.

MOTION: *Mr. Geiger moved to adjourn the preliminary hearing for Application #Sub23-02. Mr. Brines provided the second. All voted in favor.*

7. APPROVAL OF MINUTES

The minutes of December 13, 2022 were approved.

8. OTHER BUSINESS

The upcoming schedule was reviewed.

9. ADJOURNMENT

The public portion of the meeting was adjourned at 8:25 pm to move into deliberations.

8. DELIBERATIONS

Respectfully submitted,
Carol Chamberlin, Recording Secretary