

**DEVELOPMENTAL REVIEW BOARD  
MINUTES**

*September 10, 2012*

**MEMBERS PRESENT:**

Phil Carter	Richard Harrison	Linda Petty
John Boehrer	Julie Nicoll	

**MEMBERS ABSENT:**

Rose Goings

**OTHERS PRESENT:**

Zach Blanchard	George McNaughton	Duncan Love – LPC TV
Andrea Lehtonen	Steven Mongeon	Lisha Klaiber, Recorder
John Mc Mullen	Robin Reilly	

**SPECIAL MEETING – REORGANIZATION**

1. **CALL TO ORDER**

A. Meeting opened at 5:55 p.m. by Clerk, Rose Goings. All board members present.

2. **ELECTION OF CHAIRPERSON**

A. **MOTION by Julie Nicoll and seconded by Linda Petty to elect Phil Carter as chairman. Motion passed unanimously.**

3. **ELECTION OF VICE-CHAIRPERSON**

A. **MOTION by Phil Carter and seconded by Julie Nicoll to elect John Boehrer as vice-chairperson. Motion passed unanimously.**

4. **ELECTION OF CLERK**

A. **MOTION by Julie Nicoll and seconded by John Boehrer to elect Rose Goings as clerk. Motion passed unanimously.**

5. **APPOINTMENT OF RECORDING SECRETARY**

A. **MOTION by Phil Carter and seconded by Richard Harrison to appoint Lisha Klaiber as recording secretary. Motion passed unanimously.**

6. **DESIGNATION OF NEWSPAPER OF RECORD**

- A. Previous newspapers of record were THE VERMONT JOURNAL and THE RUTLAND HERALD (as back-up).
- B. **MOTION by Phil Carter and seconded by Julie Nicoll to keep this the same. Motion passed unanimously.**

7. **ESTABLISH MEETING DATES AND TIMES**

- A. Previous DRB meeting schedule was to hold regular meetings at 6:00 p.m. on the second Monday of each month and alternate dates on the 4<sup>th</sup> Monday of the month.
- B. **MOTION by Phil Carter and seconded by Linda Petty to keep the schedule the same. Motion passed unanimously.**

8. **ADOPT RULES OF PROCEDURE**

- A. Phil Carter advised that the DRB has, in the past, adopted a set of Rules of Procedure. He asked if anyone had any changes or suggestions. There were none.
- B. **MOTION by Phil Carter and seconded by Richard Harrison to re-adopt the Rules of Procedure as written. Motion passed unanimously.**

9. **ADJOURN**

- A. **MOTION by Phil Carter and seconded by John Boehrer to adjourn this special meeting. Motion passed unanimously.**
- B. Meeting closed at 6:03 p.m.

**REGULAR MEETING**

1. **CALL TO ORDER**

- A. Meeting opened at 6:05 p.m. by Phil Carter. All members present

2. **OPEN THE PUBLIC HEARING FOR ANDREA LEHTONEN, TRUSTEE**

- A. Phil Carter advised that this is an application for a Conditional Use permit for Design Review to allow for construction of an addition to the existing residence in the Village Preservation District. Property is located at 75 Main Street.
- B. Rose Goings advised that this is application 369-13-DR. Posted in the Town Hall bulletin boards August 22, 2012, advertised in THE VERMONT JOURNAL on August 22, 2012 and abutting property owners were notified on August 27, 2012.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.

- D. Andrea Lehtonen advised that architectural drawings have been submitted and she would like to add on to the back of the existing structure. The proposed addition falls within all requirements for the Preservation District. The total addition is 932 square feet. The addition will be in character with the front of the home. The original structure, built in 1843, included this addition and it was later removed.
- E. Phil Carter asked about the windows.
- F. Andrea Lehtonen said that while the drawings show changes in the windows, put in by the architect, she is putting in the same windows as in the house.
- G. Phil Carter asked about siding.
- H. Andrea Lehtonen said it will match the existing siding.
- I. Phil Carter asked about the roof,
- J. Andrea Lehtonen said it would match the existing roof, except for the porch which must be metal.
- K. Linda Petty asked about exterior lighting.
- L. Andrea Lehtonen said there would not be any new lighting.
- M. **MOTION by Julie Nicoll and seconded by Richard Harrison to close this hearing. Motion passed unanimously.**

3. **OPEN THE PUBLIC HEARING FOR ZACHARY BLANCHARD**

- A. Phil Carter advised that this is an application to consider a 2-lot subdivision in the Residential Commercial District. Property address is 352 Route 100 South.
- B. Rose Goings advised that this is application SUB-13-001. Posted in the Town Hall bulletin boards August 22, 2012, advertised in THE VERMONT JOURNAL on August 22, 2012 and abutting property owners were notified on August 27, 2012.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.
- D. Steve Mongeon advised that the applicant wishes to divide his property into 2 lots. There are 2 buildings on the property. The lot with the house on it will be 1.9 acres and the lot with the commercial building will be .96 acres. There will be an easement for a driveway to access both lots off Route 100. They will have town water and on site waste water systems.
- E. Phil Carter asked if any additional buildings were planned at this time.
- F. Steve Mongeon said no.
- G. Phil Carter confirmed, for the record that Lot 1 would be 1.93 acres and there is currently a single family dwelling on that portion. Lot 2 would be .96 acres and there is a garage there. He verified that access to Lot 2 would be from the road going to lot 1 or from Route 100.
- H. Steve Mongeon said yes.
- I. Phil Carter asked if they are asking for final approval tonight.
- J. Steve Mongeon said yes.
- K. **MOTION by Julie Nicoll and seconded by Linda Petty to approve the plan as written, with no changes. Mylar to be submitted identical to plat presented tonight.**
- L. Phil Carter advised that the applicant has 6 months to submit the final Mylar. They can bring it into the office for him to sign.
- M. **Motion passed unanimously.**

4. **OPEN THE PUBLIC HEARING FOR IMERYS TALC VERMONT, INC.**

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- A. Phil Carter advised that this is an application for a Conditional Use permit to allow for crushing and trucking of aggregate. Property is located at 71, 73 and 127 East Hill Road in the Industrial District.
  - B. Rose Goings advised that this is application 370-13-CU. Posted in the Town Hall bulletin boards August 22, 2012, advertised in THE VERMONT JOURNAL on August 22, 2012 and abutting property owners were notified on August 27, 2012.
  - C. Phil Carter administered the oath to all wishing to speak at this hearing.
  - D. Robin Reilly advised that the applicant has been crushing and trucking aggregate under the existing permit that allowed for 20 consecutive days of crushing. The crushed is down in the pit and trucks take the long road to East Hill Road. Towns have used the stone.
  - E. Phil Carter asked if they were crushing at the mine and if towns wanted aggregate, who would truck it.
  - F. Robin Reilly said either the town or a contractor.
  - G. Phil Carter asked if they would pick it up at the mine or East Hill.
  - H. Robin Reilly said either. She said they are currently permitted to do 20 truckloads per day. She said it is a portable crusher and they crush until 5:00 p.m. Monday through Friday. She said the crusher would be there with or without this project. She said there would be no additional extraction or trucks, just crushing. She said they are permitted 340,000 cubic yards per year. The change is that the truck loads will go to other places and they were not selling aggregate.
  - I. John Mc Mullen asked if there was little noise problem before, will they hear more in the future.
  - J. Robin Reilly said probably not.
  - K. John Mc Mullen said that in 34 years, he had never been bothered by the noise, but this summer it seemed louder.
  - L. Robin Reilly gave Mr. Mc Mullen her card and asked him to call her at the office to discuss this. She said that they have actually taken more steps to minimize noise.
  - M. Phil Carter asked if there would be anything done at night.
  - N. Robin Reilly said no.
  - O. Phil Carter asked the distance.
  - P. Robin Reilly said it is over 1 mile to the mill.
  - Q. Phil Carter explained that the entire project is under a Conditional Use permit and the applicant must come back to this board for any changes. The trucks and crusher are already there.
  - R. **MOTION by Richard Harrison and seconded by John Boehrer to close this hearing.**  
**Motion passed unanimously.**

5. **OPEN THE PUBLIC HEARING FOR IMERYS TALC VERMONT, INC.**

- A. Phil Carter advised that this is an application for Local Act 250 review to allow for crushing and trucking of aggregate. Property is located at 71, 73 and 127 East Hill Road in the Industrial District.
- B. Rose Goings advised that this is application 369-13-ACT250. Posted in the Town Hall bulletin boards August 22, 2012, advertised in THE VERMONT JOURNAL on August 22, 2012 and abutting property owners were notified on August 27, 2012.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.
- D. Robin Reilly advised that the applicant has submitted a letter addressing the 3 criteria for Local Act 250.

- i. This project poses no burden on the Municipality for Education.
- ii. This project poses no burden on the Municipality for government services. There is no change in the level of services.
- iii. This project conforms to the town plan. This is an industrial area and this project is for extraction and manufacturing. This allows for sand and gravel. The applicant is careful of the environment and site restoration.

E. **MOTION by Linda Petty and seconded by Julie Nicoll to close this hearing. Motion passed unanimously.**

6. **OTHER BUSINESS**

A. There was no other business.

7. **APPROVE MINUTES**

- A. Phil Carter advised that the minutes to be reviewed are from the meeting of August 12, 2012.
- B. Julie Nicoll noted that on page 1, item 2C, it should read “him” not his.
- C. John Boehrer noted that on page 2, item 2K, it should read wells’.
- D. John Boehrer noted that on page 2, item 2R should read, “...if someone buys a lot...”
- E. Phil Carter noted that on page 2, item 2U should read “Phil Carter asked if #3 could be changed...”
- F. John Boehrer noted that on page 3, item 2CC, “a” should be omitted.
- G. It was noted that on page 3, item 3E, reference should be made to “Marc Stuart’s” stone business and that an alarm should be installed.
- H. Phil Carter noted that on page 5, item 5L, should read”...the state allows the DRB to review this as an outdoor recreational use.”
- I. Julie Nicoll noted that on page 6; item 6/7H, that should be than.
- J. Julie Nicoll noted that at the top of page 7, the last sentence in 8D should read, “They” not There.
- K. It was noted that on page 7, item 9D, “that” should be “they.”
- L. On page 7, item 9J, “will be” should be deleted.
- M. MOTION by Julie Nicoll and seconded by Linda Petty to accept the minutes from August 12, 2012 as corrected. Motion passed unanimously.

8. **ADJOURN**

- A. **MOTION by Richard Harrison and seconded by John Boehrer to adjourn to Deliberative Session. Motion passed unanimously.**
- B. Meeting adjourned at 6:37 p.m.

Respectfully submitted,

Lisha Klaiber

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Phil Carter, Chairman

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Julie Nicoll

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John Boehrer

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Linda Petty

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Richard Harrison