

**DEVELOPMENTAL REVIEW BOARD  
MINUTES**

*June 13, 2016*

**MEMBERS PRESENT:**

John Boehrer, Vice Chair                      Julie Nicoll                                      Linda Petty

**MEMBERS ABSENT:**

Phil Carter, Chairman                      Richard Harrison

**OTHERS PRESENT:**

Amy Hall                                      Joe Karl                                      Lisha Klaiber, Recorder  
Josh Hall                                      Adam Sayre, LPC TV

**I.        CALL TO ORDER**

1.        Meeting opened at 6:06 p.m. by Vice Chairman, John Boehrer. All members present, except Phil Carter and Richard Harrison.

**II.      OPEN THE PUBLIC HEARING FOR CLAY, JR. AND JOANNA BASSETT**

1.        John Boehrer advised that this is an application to subdivide a lot into two separate lots. The property is located at 119 Preedom Hill Road North in the Town Residential District.
2.        Julie Nicoll advised that this is application SUB16-006. Posted in the Town Hall bulletin boards, the Berkshire Bank Bulletin Board and the Post Office Bulletin Board and the website, on May 20, 2016, advertised in THE VERMONT JOURNAL on May 25, 2016 and abutting property owners were notified on May 24, 2016.
3.        John Boehrer administered the oath to all (Joe Karl) wishing to speak at this hearing.
4.        Joe Karl advised that the owners want to subdivide the existing 10.97 acre lot. They will retain the lot with the existing house and neighbors are purchasing the second lot. Brian Rapinotti did the soil testing and the results showed that the soils are sufficient to allow for another septic system.
5.        Linda Petty asked if the existing house well shield was is near or onto the new lot.
6.        Joe Karl indicated the driveway, gates and house location on the map. He said the gates can be moved.
7.        John Boehrer noted that the existing lot is 10.97 acres. Lot 2B will be 4.25 acres and retained by the owners. It is located on the corner of Preedom Hill Road North and Preedom Hill Extension. Lot 2A will be 6.75 acres and is located, fronting on Preedom Hill Road North and on the back by Preedom Hill Extension. Lot 2B will be sold.
8.        Julie Nicoll noted that the application lists Lot 2A as 6.72 acres and that if the 6.75 acres, as indicated on the drawing is correct, then the total is not 10.97 acres.
9.        Joe Karl said he would have the Mylar corrected. He said he would also check on the well shield.
10.      Linda Petty said that the drawing shows that the well shield for Lot 2B infringes on Lot 2A.
11.      John Boehrer advised that this board prefers that well shields are within the lot they are in and not infringe onto other lots. He said that if someone does buy Lot 2A, it will have an encumbrance on it.
12.      Joe Karl advised that the buyers will be made aware of the encumbrance. He added that they are buying it as a buffer.
13.      **MOTION by Linda Petty and seconded by Julie Nicoll to close this hearing, pending correction of Mylar to include corrected acreage and location of well shield. Motion passed unanimously.**

III. **OPEN THE PUBLIC HEARING FOR JOSH & AMY HALL**

1. John Boehrer advised that this is an application for Local Flood Hazard Review to consider repairs to the foundation of the existing structure, the retaining wall and removal of a tree stump. Project is located at 9 Northshore Drive in the Special Flood Hazard area of the Lakes District.
2. Julie Nicoll advised this is application 424-15-FHR. Posted in the Town Hall bulletin boards, the Berkshire Bank Bulletin Board, the Post Office Bulletin Board and the website on May 20, 2016, advertised in THE VERMONT JOURNAL on May 25, 2016 and abutting property owners were notified on May 24, 2016.
3. John Boehrer administered the oath to all (Joe Karl, Josh Hall and Amy Hall) wishing to speak at this hearing.
4. Josh Hall advised that this project actually has 2 parts. In the front, they wish to remove a tree stump that is undermining the front of the house and to lift the house and pour in a concrete wall. In the back, on the lake side of the house, they want to shore up and patch the retaining wall on the outside to prevent pieces falling into the lake. They have spoken to someone at the state.
5. John Boehrer asked about the tree stump.
6. Joe Karl said it would be removed, the bank stabilized with new concrete, gravel and a drain.
7. Linda Petty asked if there is a crawl space under the house.
8. Joe Karl said only a partial one.
9. Linda Petty asked if they would be making a larger basement.
10. John Boehrer asked if they would be increasing the footprint.
11. Josh Hall said no.
12. Linda Petty verified that they would not be putting in another wall.
13. Josh Hall said that is correct.
14. Linda Petty asked if they were including erosion control.
15. Josh Hall said yes.
16. John Boehrer read an email from John Broker-Campbell (VT DEC Watershed Management) and noted that there were conditions included and that this board would yield to and include those conditions in its decision. He asked about the repairs to the retaining wall on the lake side. He asked if it would be replaced.
17. Josh Hall said yes.
18. Joe Karl said only the 2 to 3 foot section that is fractured out will be replaced.
19. Linda Petty asked if they would be reinforcing instead of replacing it and that there would not be any excavating beyond the existing wall.
20. Josh Hall said that is correct.
21. John Boehrer asked if that would be within the existing footprint and that it would not extend beyond the existing wall.
22. Josh Hall said it would be within the existing footprint and not extend beyond.
23. Linda Petty asked if it would be wider.
24. Joe Karl said it would be wider toward the inland, dirt side.
25. John Boehrer asked if there are any plans to extend the wall further into the lake.
26. Josh Hall said no.
27. Joe Karl said that he had spoken with the state and sent them photos. He said that the Halls will address the conditions in Mr. Campbell's letter.
28. Josh Hall said that someone at the state told Rose Goings that if it is just repairs, they don't need state approval.
29. John Boehrer said that the state rules are changing and this board's decision will be based on current guidelines.

- 
30. **MOTION by Julie Nicoll and seconded by Linda Petty to close this hearing. Motion passed unanimously.**
  31. John Boehrer said that the applicants would have the decision within 45 days, probably less.

IV. **APPROVE MINUTES**

1. John Boehrer advised that the minutes to be reviewed are from May 9, 2016.
2. Linda Petty noted that on page 3, item III, 13 should read "asked him..."
3. Julie Nicoll noted that on page 6, item VIII, 18 should read ("...no, except...")
4. **MOTION by Linda Petty and seconded by Julie Nicoll to approve the minutes from May 9, 2016 as corrected. Motion passed unanimously.**

V. **OTHER BUSINESS**

1. Permits from Last Meeting
  - a. The 5 Spot - denied
  - b. Casey - denied
  - c. Yates - approved
  - d. Beardmore - approved
  - e. Merrill - approved

VI. **ADJOURN**

1. **MOTION by Linda Petty and seconded by Julie Nicoll to adjourn. Motion passed unanimously.**
2. Meeting adjourned at 6:36 p.m.

Respectfully submitted,  
Lisha Klaiber

---

John Boehrer, Chairman

---

Julie Nicoll

---

John Boehrer

---

Linda Petty

---

Richard Harrison