

**TOWN OF WATERFORD  
DEVELOPMENT REVIEW BOARD (DRB)  
MEETING DATED MAY 19, 2014  
MINUTES**

**MEMBERS PRESENT:** Bernie Brochu, Jack Newland, Kevin Gillander, Dot Borsodi, Charlie McMahon

**MEMBERS ABSENT:** Bob duMaire, Jennifer d'Agostino

**NON-MEMBERS PARTICIPATING:** Bill Willis, and Secretary, Carol Priest

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Bernie brought the meeting to order at 7:00 P.M.

**1. April 21, 2014 Minutes**

Bernie called for a motion.

Kevin moved to accept the minutes of the April 21, 2014, meeting.

Jack seconded the motion.

Bernie called for a vote and all present approved the motion.

**2. Amy Wajda and Darwin/Joanne Jurentkuff Sketch Plan Boundary Line Adjustment**

Bill Willis, on behalf of Amy Wajda and Darwin and Joanne Jurentkuff, presented a **sketch plan** for a boundary line adjustment on their properties on Lower Waterford Road. 16.2 acres +/- will be added to the Jurentkuff property. A new deed will be rewritten as one lot. No permits have been applied for and no fees have been paid. It was determined the fee will be \$340.

Bernie called for a motion.

Jack moved to accept the **sketch plan** as presented, subject to state and local regulations (i.e., water, waste, septic, and driveway) and not subject to Waterford subdivision regulations.

Dot seconded the motion.

Bernie called for a vote and all present approved the motion.

**3. Tony Dwyer Appeal of A. O. Notice of Violation(s)**

Bernie and Kevin reported that they had made a site visit to the Dwyer property on Higgins Hill Road prior to this meeting regarding the applicant's appeal of the Administrative Officer's notice of violations presented to the board last month. Violation

number one referenced permit number 11-05, excessive slopes and unseeded, unstabilized excavating, and violation number two: unpermitted driveway and site work on upper lot. Bernie stated that he saw evidence of some seeding on the slope, with some minor erosion. Members reviewed the permits, bylaws, subdivision regulations, and the state waste & water permit plan to establish these findings:

Violation (1) Regarding permit number 11-05, the excessive slopes / unstabilized site work is not an issue and the site is now compliant.

Bernie called for a motion.

Kevin moved to accept the findings of the board, citing compliance of the slope issue and not requiring any fees from the applicant.

Jack seconded the motion.

Bernie called for a vote and all present approved the motion.

Violation (2) The unpermitted driveway is the access road to build the permitted septic system and meets the public road in the town of St. Johnsbury; therefore it is not within Waterford's jurisdiction to pursue the violation.

Bernie called for a motion.

Kevin moved to accept the board's findings that the driveway provides access to the septic site work and accesses the road in the town of St. Johnsbury, not in Waterford's jurisdiction, requiring no fees be collected from the applicant.

Jack seconded the motion.

Bernie called for a vote and all present approved the motion.

Bernie will compose a cover letter and the secretary will send it and a copy of the minutes of the meeting to the applicant via certified mail, as required.

#### **4. Jack and Noreen Newland Appeal of A. O. Notice of Violation**

Board member Jack Newland recused himself from board participation in the matter. At issue is the notice of violation dated 4/4/14, issued by the A.O., referencing permit number 07-13, stating that knee-walls, roof, and gable-end wall are unpermitted constructs. Members reviewed all permit documents, bylaws, etc, and suggested that the denial may have been based on the applicant's incorrectly filling out the permit. The ambiguity of the language on the older-style permit caused a misinterpretation on the part of the applicant, resulting in the information being provided in the wrong section on the permit. The board agreed to these findings:

Improvements intended by the applicant were incorrectly listed under "Structure/Improvements," rather than "Proposed Structures," leading to the A.O. denial; therefore no violation exists for permit 07-13 and no fees will be required from the applicant.

Bernie called for a motion.

Dot moved to accept the board's findings, citing no violation and not requiring any fees to be collected from the applicant.

Charlie seconded the motion.

Bernie called for a vote and all present approved the motion.

Bernie will compose a cover letter to the applicants and the secretary will send it and a copy of the minutes to the Newlands via certified mail, as required.

## **5. Other Business**

Charlie asked members if he could attend the Planning Commission meetings to bring forward questions and concerns he has regarding issues such as setbacks, slopes, boundary line adjustments that often come before the DRB and need clarification. He was encouraged to do so, in addition to working with board member Bob duMaire, who is a member of both municipal boards.

Charlie moved to adjourn the meeting.

Jack seconded the motion.

Bernie called for a vote and all present approved the motion.

The meeting adjourned at 9:15 P.M.

Respectfully submitted,

Approved by:

Carol Priest, Secretary