

**TOWN OF WATERFORD  
DEVELOPMENT REVIEW BOARD (DRB)  
MEETING DATED JULY 20, 2015  
MINUTES**

**MEMBERS PRESENT:** Andrea Dinneen, Kevin Gillander, Bernie Brochu, Dot Borsodi, John Gillott, Jack Newland

**MEMBERS ABSENT:** Bob duMaire

**NON-MEMBERS PARTICIPATING:** Bill Willis, Kathy Aucoin, Andrew Barrett, John Holloway, Chris Brimmer, and Secretary Carol Priest

---

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

**1. June 15, 2015 Minutes**

Andrea called for a motion.  
Kevin moved to accept the minutes of the June 15, 2015, meeting.  
Dot seconded the motion.  
Andrea called for a vote and all present approved the motion.

**2. Modification to Agenda**

There was no modification of the agenda.

**3. Administrative Officer Report**

Chris reported that he has written three Certificates of Compliance and has issued one permit for a single family dwelling, four this year so far. He is continuing to monitor a junk ordinance violation and reported that the fines for that property owner have reached the level where further action through the E-court may be required. The next step would include a 7-day warning letter, which would then require action by the Selectboard.

**4. Vanderbilt Subdivision Update**

Andrea reported that the decision letters to the interested parties and applicants were sent via certified mail and the return receipt has been received. Kathy asked how the vote went; Andrea reported that there was one abstention, one absence, and that the rest voted in agreement.

## 5. Clayton Bullock and Kevin Bullock Final Plat 2-lot Subdivision

Bill Willis, on behalf of Clayton Bullock and Kevin Bullock, presented a **final plat** for a 2-lot subdivision at 1619 Lower Waterford Road (Tax Map ID: Sheet 10, Block 9, Lot 309). There is 205 feet of road frontage and a driveway permit has been obtained. The fee of \$340 was paid on June 22, 2015. Adjoining landowners were notified on 6/15/15. Bill reported that wastewater permit/testing was completed last week.

Lot 1 6.18 acres +/-

Lot 2 100+ acres +/-

Andrea called for a motion.

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

Jack seconded the motion.

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

Bill and Zoning Administrator Chris Brimmer continue to work on the annexation process, which will be necessary to cancel or dissolve a previous subdivision (Parcel #309.3). The initial steps may be completed in time for the final hearing to be warned for the August 17<sup>th</sup> meeting. Abutters must be notified and a fee (not yet determined) will be charged. They will notify the secretary as soon as practical.

## 6. Andrew Barrett Final Plat Lot Line Adjustment

Mr. Barrett reported that he was told that his driveway permit had not been approved. The property is located at the corner of Simpson Brook Road and Hastings Road (Tax Map ID: Sheet 5, Block 4, Lots 633, 633.1). He did not provide multiple copies of his final plat. It was determined that the driveway permit was approved on July 13, 2015 at the meeting of the Selectboard. The fee of \$155 has not been paid at this time. Adjoining landowners were notified of the hearing via postal mail on June 19, 2015. Andrea noted that approval can be granted contingent on the fee being received and three copies of the final plat being received.

Andrea called for a motion.

John moved to accept the **final plat** as presented, subject to state and local regulations (i.e., water, waste, and septic, and driveway), not subject to Waterford subdivision regulations, and contingent on receipt of fees paid and copies of the plat received by the end of the week.

Jack seconded the motion.

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

**7. John Gillott Appeal of Decision of Zoning Administrator re: Permit 15-Z-07**

John Gillott is appealing a permit issued by the Zoning Administrator Chris Brimmer, dated May 29, 2015, to John Holloway for Accessory Structures: Barn, Shed, and Carriage Barn at Old County Road South. John Gillott recused himself from participation in the discussion.

John Holloway stated that he has built two post and beam / timber peg outbuildings at this time ready to erect when foundations are ready. He intends to use them for storage until he can build his house, possibly next year. At issue is whether the construction of an accessory structure can be permitted before a principal structure (i.e., house) is built. A house requires the issuance of wastewater permits before construction can begin.

John Gillott stated that the size of the structures already permitted exceeds 2500 square feet. He interpreted Waterford Zoning Bylaw definitions as requiring the principal structure be built first. He suggested a mound system may be required on the property.

Chris stated that the town can't require a wastewater permit for an accessory structure. He contacted the VLCT for information about this. His stated that longtime Planning Commission member Howard Remick stated that there was no legislative intent to establish a prohibition on the construction of an accessory structure prior to or in the absence of a primary structure.

John Gillott noted that the estoppel was not being enforced, as he observed a foundation being started on the property. John Holloway stated that he has not poured concrete as of yet, only done some excavation. He noted that he is a carpenter by trade and has no intent to have a business there, only work on his own projects. John Gillott also noted that such storage structures may require a conditional use permit and expressed concern with wastewater/sewage affecting his land, as it surrounds John Holloway's on three sides.

**Deliberative Session**

Andrea called for a motion.

Kevin moved to enter into deliberative session to discuss the appeal at 8:12 P.M.

Jack seconded the motion.

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

Andrea called for a motion.

Jack moved to end the deliberative session at 8:48 P.M.

Kevin seconded the motion.

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

Upon review of all documents presented as well as the WZB and Vermont Statutes, the board determined that accessory structures are subordinate to the principal use OR principal structure. In this case, the permitted structures are subordinate to the principal use of storage; therefore no principal structure need be constructed first. Wastewater permits will be required when one of the permitted buildings or a new building can be permitted for occupancy as a residence. The board cited many examples of stand-alone structures used for storage such as pole barns or snow machine garages.

Andrea called for a motion.

Jack moved to deny the appeal of permit 15-Z-07 based on the above findings.

Bernie seconded the motion.

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

The estoppel is to be lifted with the denial of this appeal. Copies of the minutes will be mailed via certified mail to the appellant and the property owner informing them of the decision, as required.

#### **8. New Business / Other**

There was no new business presented at this time.

Andrea asked for a motion to adjourn the meeting.

Jack moved to adjourn the meeting.

Dot seconded the motion.

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

The meeting adjourned at 9:10 P.M.

Respectfully submitted,

Approved by:

Carol Priest, Secretary