



DEVELOPMENT REVIEW BOARD

Meeting Type: **Regular Meeting**
Date: **Thursday, June 9, 2022**
Time: **6:00 p.m.**
Place: **Community Room or Via Zoom**
Address: **43 Bombardier Road**
Contact: **(802) 893-1186**
Website: **www.miltonvt.gov**

MEETING MINUTES

Bruce Jenkins, Chair *Nick Smith, Vice Chair* *Julie Rutz, Clerk* *Robert Brisson* *Maryalice Callahan* *Henry Bonges, Alternate* *Scott Turner, Alternate*

MINUTES

1. Call to Order

The meeting was called to order by B. Jenkins at 6:05 P.M.

2. Attendance

DRB Members Present: Bruce Jenkins, Chair; Robert Brisson; Nick Smith, Vice-Chair; Julie Rutz, Clerk; Maryalice Callahan

DRB Members Absent: Scott Turner, Alternate, Henry Bonges, Alternate

Staff: Amanda Pitts

44 Cherry Street: Andrew Houghton, Crystal Houghton, Avalon Lambert

3. Agenda Review

Approval of minutes was removed from the agenda.

4. Public Forum

No public forum items raised.

5. Staff Updates

- a. Planning and Zoning Administrative Assistant put in notice that their last day will be June 17, 2022.

6. Continued Hearing/New Business:

The following hearing is a new hearing:

- A. **Andrew and Crystal Houghton**, owner/applicant, is requesting **Variance** approval from requirements of section 2115.C to construct a deck. The property is located at **44 Cherry Street**; described as Parcel No. 132071-000000, SPAN 396-123-11250. The subject property is recorded as having 0.52 acres and is located within the Old Towne Residential (R1) zoning district, and the Town Core Planning area.

B. Jenkins administered the oath and read the numbered items below. A. Houghton provided a brief summary. Further discussion regarding the numbered items took place.

1. *The applicant shall secure a Permit Navigator Summary from the Department of Environmental Conservation and all applicable permits.*

2. *The DRB may schedule a site visit.*
3. *DRB shall determine if all the criteria for a General Variance have been met.*
 - a. *The proposed land development will not alter the essential character of the area or district in which the property is located.*
 - b. *The proposed land development will not substantially or permanently impair the lawful use or development of adjacent property.*
 - c. *The proposed land development will not be detrimental to public health, safety or welfare.*
 - d. *The applicant has not created the unnecessary hardship.*
 - e. *The applicant is proposing the least deviation possible from these regulations that will afford relief.*
 - f. *There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property. These conditions, and not the circumstances or conditions generally created by the provisions of these regulations in the district in which the property is located, have created an unnecessary hardship for the applicant. These physical circumstances or conditions prevent the property from possibly being developed in strict conformity with these regulations and a variance is necessary to enable reasonable use of the property.*
4. *This project shall be completed, operated, and maintained as set forth in the plans and exhibits as approved by the Development Review Board and on file in the Department of Planning and Zoning, and in accordance with the conditions of this approval. No changes, erasures, modifications, or revisions, other than those required by this Decision, shall be made on the plan after approval unless a revised plan is first submitted to the Department of Planning and Zoning for approval.*
5. *Applicant shall submit one (1) full-sized (to scale) and one (1) reduced (11 x 17) complete final plan sets depicting the changes required by the DRB. The revised plans must be deemed Final by Planning Staff prior to being eligible for a Zoning Permit from the Zoning Administrator. The Applicant is advised to submit an electronic .pdf plan for staff review prior to submitting all the copies of the Final Plan set.*
6. *A Zoning Permit is required prior to construction and an associated Certificate of Compliance is required following completion.*
7. *The Variance Approval shall expire three years from the date of issuance if the applicant does not receive a zoning permit by this date.*
8. *Omission or misstatement of any material fact by the applicant or agent on the application or at any hearing which would have warranted refusing the permit or approval shall be grounds for revoking the permit or approval at any time.*
9. *The DRB shall motion to recess or close this hearing. If recessed, a specific time, date, and place shall be designated to resume the hearing. If closed, the DRB shall issue a decision within 45 days.*

Motion made by R. Brisson to close the hearing, with a second by J. Rutz. Hearing closed at 6:13 pm.

8. Adjournment

Motion to close the meeting at 6:30 PM by J. Rutz, second by M. Callahan. Meeting was adjourned.

9. Deliberative Session

Private session for deliberations on applications and written decisions in accordance with 1V.S.A. 312.

Motion to deny Variance from requirements of section 2115.C to construct a deck made by J. Rutz, second by M. Callahan. Motion carried. Variance unanimously denied.

Respectfully submitted,

Cally Audet

APPROVED MINUTES:

_____ Date: _____
Bruce Jenkins, Chair

Filed with the Milton Town Clerk's Office on this _____ day of _____, 2022.

ATTEST: _____, Milton Town Clerk

DRAFT