

**TOWN OF ST. GEORGE**  
**ONE BARBER ROAD**  
**ST. GEORGE, VT**

**DEVELOPMENT REVIEW BOARD MEETING**  
**~ MINUTES ~**

July 11, 2007

---

DRB members in attendance:

Marie Mastro, chair; Scott Baker; Matt Palmer; Lisa Beliveau; Connie Kendall

DRB members absent:

Dan Pillsbury; Ron Bovat

Also in attendance:

Debra Bell, Trudell Consulting; Larry Pillsbury; Todd Pillsbury; Joe Handy; Steve Guild, of Steve Guild Design; Don Taub; William Gonyaw; John Barth.; Maria Wicker; Nathanael Vander Els; John Aleong; Ed Hanson – zoning administrator.

---

Agenda item #1

Site visit – 6:15-6:45 A site visit took place on John and Tracey Barth's property regarding their application for a proposed detached garage. The placement would require a variance to the town's zoning regulations for side and rear yard minimum setback distances. Board members in attendance: Scott Baker, Lisa Beliveau, Matt Palmer, Connie Kendall. Also in attendance: Maria Wicker, adjoining landowner.

---

Agenda item #2

Preliminary Plat Plan Review for Breezy Valley Farm Subdivision

After reading the agenda item description, as warned, Marie opened the hearing by asking the board members if there were any conflicts of interest – there were none. Marie then asked the audience members if anyone wanted to participate as an interested person – no one requested interested person status.

Marie then asked Debra Bell to make her presentation. Debra reviewed the progress so far – that through sketch plan approval the board agreed that the proposed subdivision does represent a planned unit development. During the sketch plan hearing, several board members spoke of their interest in having space allocated for a future road that could connect to any further development that may take place to the south at some later time. In response to this request, Debra pointed out that they then made a change from the original plan to incorporate this idea. A 50 foot access to the property line is now shown on the plan for possible future development to the south.

Another request from the sketch plan review was that delineation be shown for open space, remaining developable area and areas of limited common ownership. In response to this request, Debra showed a diagram that showed where these areas will be located.

Debra then reviewed the progress on the state permit process:

- The AOT permit has been obtained and Marie confirmed that the Town of St. George did receive a letter of intent for access. The AOT did agree that the entrance to the subdivision was sited appropriately for site distances on Route 2A.
- An application has been submitted to the State Waste Water and Water Supply Division for septic and water permits.
- An application has been submitted to the ANR for a storm water permit and for a general construction permit.

Debra then asked if there were any questions.

Lisa asked if two of the lots had to be changed in order to allow for the road access to any future southern development. Debra said that they were able to shift the location of the lots rather than making changes to the sizes of the lots in order to fit the road in between them.

Connie asked for clarification of the area that was designated as open space. Debra responded that the area Connie was referring to was called an area of common interest and that, under the home owners association, this area will be designated for utilities, roads, and other elements of infrastructure. This area is also referred to as “common elements”.

Matt questioned what the white area was called that surrounded the common interest area – Debra answered that it is common open space. Matt then questioned if it will be developed – Debra answered no. The open space will remain undeveloped. Only the 9.7 acre area marked as “reserved for potential development” could later be developed.

Marie asked for clarification on the total acreage that is to be subdivided since there seemed to be a discrepancy with what was worded in the warning for the hearing. The warning states that a 70.71 acre lot is to be subdivided. Marie stated that she wanted to know exactly how much land was being subdivided. Debra answered the correct total amount was 60.5 acres. The 60.5 acres is all in St. George.

Marie asked what amount of the 60.5 acres is considered developable. How many homes could be built on this acreage considering that the conforming lot size for this district is 5 acres per lot. Debra stated that 38.7 acres is open space – Marie asked if all of the 38.7 acres is developable? Debra answered that only 12 homes could be built on this acreage since “there isn’t any other septic capabilities”. Todd said that they did all the septic testing they could do “and 12 is all that’s going there, forever”.

Marie asked for further clarification – If 60 acres is 100% developable and you divide that by 5 then you have 12 house sites but could you actually get 12 house sites on the 60 acres considering the Velco lines and the slopes and ledge in the back? Debra responded by saying that is why they are keeping the 9.7 acres designated as reserved for potential development because that is the only remaining suitable area on this parcel for further development at this point. Ed Hanson added that the further development of this 9.7 acre lot would have to be developed in accordance with the regulations at that time or as an extension to this PUD. Marie asked if this 9.7 acre area would be considered a different PUD – Ed answered that it would be much more likely that it would be considered an extension to this PUD. Debra answered that was their intent.

Debra went on to describe how this 9.7 acre lot would be developed in the future – five homes would be clustered in a similar fashion and because the area is wooded the homes most likely would not be visible from Route 2A. Scott asked if these five homes would extend onto the acreage in Williston – Debra answered that this does not include any planning in Williston.

Matt questioned why there was a section of land “ a finger of land” (west portion) that was not included in the PUD but rather maintained as part of lot 9. Why wasn't lot 8 squared off? Debra answered that the Pillsburys were interested in dedicating 60 acres to this project and that 60 acres met the density requirement for standard subdivision. The Pillsburys wanted to maintain as much of the balance of the land as they could.

Scott also offered that by not squaring off lot 8 the seven building lots could be tucked behind the knoll reducing their visibility. Debra agreed that the vegetation in this knoll along Rt. 2A will provide good screening.

Connie asked if the future five lots on the 9.7 acreage reserved for potential development would be a part of the same home owners association as the seven lots. Debra answered yes. Connie then asked if any of lot 9 were to be developed, would it require a separate home owners association. Debra answered yes – it would be a separate association since it would be a different PUD.

Connie asked if there was a landscaping plan since it looked like trees were shown along the road. Debra stated that they were trees lining the street and that they show up on the site plan and plant schedule. Connie asked if the trees would be one of the common elements that the association would take care of. Debra answered yes. Connie then asked if there was going to be any lighting along the road – Debra answered no. Lighting would only be on the individual houses. Connie asked if there would be any lighting at the entrance – Debra answered no. Connie asked if there would be any type of a subdivision sign at the entrance – Debra answered no.

Connie asked for clarification about the setbacks on each of the seven building lots – the plan shows 15 foot setbacks for the side and rear yards. Debra answered that the 15 foot setbacks were to keep the homes from being built too close to the property lines but also to take into account the watershed across the back of the lots as well as where swales and

culverts will be located. A designated building envelope will protect the homes from storm water run off and foundation problems. Ed reminded the board that non standard set backs will need to be approved for this PUD.

Marie asked for the length of Breezy Valley Drive and Pillsbury Lane. Debra stated that Breezy Valley Drive will be 725 feet and Pillsbury Lane will be 1,035 feet. Lisa asked if Pillsbury Lane was the proposed maintenance access road – Debra answered yes. Marie stated that our subdivision regulations limit dead end roads to 1,000 feet. Debra offered that other municipalities have required at 500 foot and 1,000 foot intervals a turn around area so that emergency vehicles could safely pass or turn around.

It was discussed that quite often it is the slope of the road rather than the length that limits emergency vehicles. Marie asked about the slope of the two proposed roads. Debra pointed out where on the plan the slopes were described.

Connie questioned if the Declaration of Planned Community document was going to describe what the members of homeowners association could do and not do with the common open space – did the Pillsburys talk about what they are willing to let the association do with this open space? Will the use of the open space be determined by the association? Debra answered that she thought more should be said in the declaration about how the open space could be used and that she would recommend to the Pillsburys that they would not leave it up to the association but establish the use right away. It was agreed that the use of the open space was too vague at this point.

Marie stated that our subdivision regulations require a means of providing a water supply to the proposed building lots and asked if there had been any testing for sources of water. Debra answered that they would be relying on neighboring well yields.

Matt noted that the Articles in the Declaration of Planned Community speak about common elements but the drawings talk about common open space – could those terms be made the same? Debra answered that they could be coordinated.

Marie then opened up the hearing to audience members.

John Aleong asked if there is a storm water management strategy. Debra answered getting a storm water permit is part of their permit process with the Agency of Natural Resources to satisfy their requirements for storm water run off, ground water recharge and water quality. The storm water permit had to be applied for since the impervious surfaces are over one acre. Debra pointed out on the drawings where driveway culverts and roadside swales are located and how water run off will be managed.

John Aleong then mentioned that low water levels are typical for this area. Will there be sufficient water for the subdivision? Debra answered that if there isn't water in the wells, the lots won't sell and that the water supply for a resident only needs to be .78 gallons a minutes. John asked about the community septic system and Debra stated that she was very confident that the community septic system will work. They monitored the area

every four days for the past two years. The homeowners association will be responsible for the maintenance of the system. Connie stated that the homeowners would not be able to sell their homes if they are in violation of their permits. Debra said that all of the permits will have to be kept current before a home could be sold and quite often it is the engineer that is notified by attorneys when there are permit problems or violations. Debra said that typically homeowners associations are required to file an annual report to maintain their storm water permit and information on this process will be given to each homeowner by the seller.

Ed Hanson stated that he wanted to report the comments from Stokes Gentry, an adjoining landowner not present at the hearing. Ed stated that Stokes had no objections to the PUD as shown and their only concerns would be with future development of the remaining land that would come up and over the ridgeline.

Marie asked why the plan showed the septic systems and replacement areas for the parent parcel. Debra said that, for the waste water permit, it was not considered a separate parcel and that it was a requirement to get the waste water permit. Ed stated that in order to get approval for a subdivision, you have to show that you are not adversely impacting the parent parcel's ability to provide a replacement septic area.

Marie summarized what was needed from the applicant:

1. A survey that shows suitable water supplies for the seven building lots.
2. Additional language added to the Articles of Association that describes the permitted use of the common open space.
3. Maintain consistent language – common open space / common elements.
4. Clarification on who, in the future, can make changes to the Articles of Association. As worded now, it seems as though the association members could choose to make changes to conditions required by the subdivision permit. Ed stated that it could be required that any changes to the Articles of Association would have to come before the DRB.

Marie brought the hearing to a close by stating that it will be continued at the September 12 meeting.

---

Agenda Item # 3

Signs and Outdoor Advertising for the convenience store.

Marie started by reading the agenda item description and asked Steve Guild to make his presentation.

Steve described the street signage which will be 32 square feet – 4 feet high by 8 feet wide – supported by 6x6 pressure treated posts. The sign will be covered by an asphalt shingled roof – both the asphalt shingles and the siding type and color will match the store. Lights will be recessed into the canopy to shine down on the signs.

All of the support structure will be made out of wood to keep with the country store theme.

Steve then described the two signs that will be attached to the building. Each sign will be 6 feet 10 inches wide by 30 ½ inches high. The signs will not be illuminated. Scott pointed out that our regulations state that only one sign is allowed per building face.

Lisa questioned how high the street sign will be – Steve answered 14 feet but it could be lowered just as long as the snow build up would not cover the signs. The goal is to protect the sign from snow plow damage.

Connie questioned the overall size of the street sign. Steve answered that the portion showing the gas prices was about as small as it could get. Mobil will still be added to the top of the sign. Joe offered that the roof could be taken off but the board members seemed to agree that the roof was to remain. Matt asked if the pitch of the roof could be made lower – Steve said it could. Scott suggested that the pitch of the sign roof match the pitch of the store roof.

Marie asked how the issue of blocking the town sign can be resolved. Ed mentioned that the location of the sign as shown on the site plan is too close to Route 2A – by 2 ½ feet.

Marie questioned if the signs attached to the building were necessary. Connie pointed out that our regulations allow only one sign for a business – the request is for three signs. Ed stated that as a conditional use, he thought we could waive the requirement and that a variance applies only to the placement of structures. Marie suggested that we have our town attorney clarify if we can waive the one sign only requirement and postponed further discussion of the attached signs to the next hearing on September 12. Marie suggested that for this meeting we focus just on the street sign.

Marie restated the concern that the street sign could block the town center sign. Connie stated that other town center businesses will be using the town center sign in the future and will rely on the visibility of that sign. Scott asked if the street sign could be moved back from the road more – back further onto the convenience store property. Steve and Joe suggested the sign could possibly move further north.

Connie suggested a site visit to establish a good location for the street sign. It was decided that Connie, Joe, Steve and Lisa would meet on Friday morning, July 13 at 9:00 am.

Scott made the motion that the road sign be approved with the condition that the precise location be resolved during the site visit on Friday. Matt second the motion. All were in favor.

The decision on the attached building signs will be continued at the September 12 meeting.

Marie closed by reviewing the conditions that still needed to be met:

- a landscaping bond
- a final as built plan
- the resurfacing of Barber Road

---

Agenda Item # 4

Variance Request from William Gonyaw

Marie opened the hearing by asking if any board members had any conflicts of interest – there were none. No one requested interested party status.

William (Bill) made a presentation and explained why he wanted to build the garage in the place he was proposing.

Marie reviewed the five criteria that need to be met to approve a variance. As the board went through the five criteria it became evident that the criteria could not be met.

Other options for the placement and the size of the garage were discussed. Bill stated his frustration with such large set back requirements for such a small lot. Matt stated that the zoning and subdivision regulations will be revised this year. Scott stated that changes to set back requirements could be considered. Matt stated that Bill does have the option to revise his application so that his proposed project would be in conformance.

Marie made the motion to close the public hearing on the William Gonyaw application. Lisa second the motion. All were in favor.

The board decided to continue with public deliberation.

Scott made the motion to approve the variance request as presented.

Lisa second the motion. With no further discussion, the board voted - one vote in favor. 4 votes against.

The motion was denied.

Marie stated that Bill has 30 days to appeal the board's decision and that the written decision will be sent within 45 days.

---

Agenda item # 5

Variance Request continuation – Vander Els and Johnson

Marie asked the board if they wanted to deliberate in public or in private. The board decided to deliberate in public.

Matt recused himself from these proceedings since he is an adjoining landowner.

Marie reviewed the town attorney's comments on the variance criteria which concluded that the proposed project does not meet the variance criteria.

Since the hearing was closed to public comment, the board proceeded to their decision.

Scott made the motion to approve the variance request as presented. Lisa second the motion. With no further discussion, the board voted – one vote in favor and three votes against. The motion was stalled due to the lack of a majority vote. Four votes would be needed to either approve or deny the variance request.

Marie called for a private deliberative session.

After reconvening, Scott restated the motion to approve the variance request as presented. Lisa second the motion. With no further discussion, the board voted – no votes in favor, four votes against. The application was denied.

Marie reviewed that board's decision can be appealed in 30 days and the written decision will be mailed to Nathanael.

---

Agenda Item # 5  
Variance Request of John Barth

Scott read the description of the variance request and stated that the site visit was held earlier this evening. Scott asked the board members if there were any questions. There were no questions.

Marie recused herself from the proceedings since she is an adjoining landowner.

Scott opened up the discussion to the public. There were no questions or comments.

With no further discussion, Scott closed the public hearing.

Lisa made the motion to approve the variance request as presented. Matt second the motion. Scott asked if there was any discussion. Scott asked if the board wanted to deliberate in public or private. Lisa stated that she would prefer private deliberation.

After private deliberation Scott restated the motion to approve the variance request as presented. The board voted – no votes in favor, four votes against. The variance request was denied.

Scott stated that the written decision would be sent within 45 days and that John had 30 days to appeal the decision.

Scott further stated that the site visit was conducted to try to understand the site better and to see if there was a way for this application to meet the variance criteria. When John was asked if he had any questions, John stated his disappointment with the decision.

---

Other business:

Approval of minutes was delayed to the next meeting.

With Marie stepping down as chair of the Planning Commission starting in September it was decided that a new selection of officers needed to be made.  
Planning Commission:

Connie made the motion that Scott be made chair and Marie vice-chair of the planning commission. Matt second the motion. All were in favor.

Connie made the motion that Marie continue as chair and Scott vice-chair of the development review board. Matt second the motion. All were in favor.

The meeting was adjourned at 10:10 pm.