

TOWN OF ST. GEORGE
DEVELOPMENT REVIEW BOARD MINUTES
Wednesday, November 14, 2007

Development Review Board Members in attendance: Scott Baker, chair for agenda item #1; Marie Mastro, chair for agenda item #2; Lisa Beliveau; Matt Palmer; Dan Pillsbury; Ron Arms, alternate; Todd Pillsbury, alternate.

Members absent: Connie Kendall

Also in attendance: Charles Scott; Allan Keyes; Jane Schlossberg; Kelly Sayre; Joe Mastro; Rita Martel; Ray Martel; Jane Stowell; Sheila McIntyre, Summit Engineering; Michael Lawrence, Landscape Architect; Tom Walsh, Attorney for Lakeview Farms; Ed Hanson, St. George zoning administrator.

The meeting was called to order at 7:00 pm.

Agenda item #1: Preliminary Plat Review of the proposed Lakeview Farms Subdivision.

After reviewing the order of events, Scott Baker, chair, asked if there were any conflicts of interest or any *ex parte* communications. There were none. Scott then asked for those that were seeking interested person status for the hearing to sign the interested persons record and service list. A list was recorded and is attached to these minutes. Applicants and interested persons were sworn in.

Scott reported that the DRB members did receive the updated application package from Sheila McIntyre and he turned the meeting over to Sheila for her update and presentation.

Sheila McIntyre's presentation:

Sheila began by stating that since the sketch plan review hearing, they have been able to do additional studies which include detailed topographical studies, wetland delineations of the property, preliminary stormwater designs, new septic and soil testing, and redesign.

One of the major changes from sketch plan review to preliminary is that they were able to find good soils outside of the deer wintering area which allowed them to move some of the septic systems that were of concern, because they were in the deer area and further up the hill, out of the deer area and further down the slope. Because they were able to do that, they now have zero deer yard impacts. The seven residential lots, the road and all associated disturbances and construction are 100% outside of the deer yards.

There are seven residential lots and two open space lots - about 10% of the total development is proposed for residential development and about 90% is set aside for conservation.

Sheila referred to the DRB's list of recommendations from the sketch plan review and said that since she addressed each of the recommendations in her submittal she would not go through them at this time unless there were questions.

Sheila then introduced Michael Lawrence to present his view shed analysis.

Michael Lawrence's presentation:

Michael stated that he was asked to evaluate the seven lot residential development on the north side of Mt. Pritchard and that he looked most carefully along Oak Hill Road from Butternut Road and two miles to the north to South Road. He stated that these areas were of primary concern because Mt. Pritchard hides the site from other directions to the west and to the south. He pointed out that closer along Oak Hill Road, the vegetation and the grade hide the project site from view.

Michael prepared a site vicinity map and stated that this is a very large scale plan – running three miles north and south and about a mile and a half to almost two miles east and west. Michael generated three cross sections and pointed out where these cross sections were located on the map. The cross sections were created to demonstrate several things: the relationship of how far it is from the areas of concern to the development site, the relative scale, how the changes in elevation impact the site lines, and how the vegetation in the area impacts the site lines to the proposal.

In addition to the plan and cross sections, Michael developed a series of photographs that relate to the cross sections. The photographs include arrows that point to where the proposed development sites will be placed.

Michael pointed out that the new road that extends off Martel Road will be about 1,900 feet in length and will be set back approximately 500 feet back from the edge of the wooded area. The first two house sites are also approximately 500 feet back from where the road enters off Martel Road. Then the road goes back about 800 feet and passes along the edge of the eight-acre meadow. Then another 600 feet of road accesses the additional five house sites which are set back about 150 feet from the edge of the wooded area.

The individual clearings for the houses are approximately 150 by 200 feet in dimension and in some cases they connect with septic fields that are approximately 100 by 150 feet in dimension. The clearing limits are shown on the detail plan that was included in the package of information. The plan “leaves a lot of bands of trees not getting any thinner than 80 feet wide” – “always leaving a significant amount of trees between the existing hillside open space and where the houses are going to be placed.” The houses step up the

hill going from an elevation of 940 feet up to the highest elevation of 1,080 feet. The trees are approximately 50 to 60 feet high and step up the hill as well.

Michael also pointed out that the eight-acre meadow (a clearing which measures approximately 600 feet long by 300 feet across) is not visible in the photographs. It is likely, then, that the smaller clearings for this project will also not be visible from Oak Hill Road. This is shown in the third photograph.

The fourth photograph taken from the Martel residence shows how the band of trees to the west will block the views of lots 3, 4 and 5 – the trees that you see there “will stay there.” The band of trees will be from 80 to 150 feet wide. The houses on lots 3, 4 and 5 will be “very well screened.” The trees in the Christmas tree lot, as they grow, will provide even more screening.

The fifth photograph looks towards lots 1 and 2. The lots are set back approximately 750 feet and will be well screened by the existing trees.

Further photographs were taken closer to lots 6 and 7 and show the tree type, trunk diameter, and density of trees. Photographs were also taken closer to lots 1 and 2 that show the thickness of the tree trunks in that area. “When the leaves are off of the trees, the tree trunks and the depth of them will provide a lot of screening.”

Michael concluded by stating that the photographs show minimal visual impact from public sites such as Lake Iroquois. The ninth photograph shows that when the project is complete, there will be very little visual impact. The current open area on the hillside has trees that continue to grow up and fill in as well.

Scott then asked for questions from the board.

Matt asked for clarification on the location of the septic areas since they had changed from the previous plans. Sheila stated that the septic areas had changed. The septic systems that were originally located up in the deer yard were relocated to individual lots since they were able to find suitable soils. Sheila pointed out where the septic systems will be located on the plan. Lots 1, 2, 5, 6 and 7 have their own septic system located on each individual lot. The septic systems for lots 3 and 4 are on an easement on lot 7.

Scott reviewed the questions submitted by absent board member, Connie Kendall. Question: Currently the Homeowners Association Declaration of Covenants has no reference that the homes are to be of camouflaged color. Will this be included? Sheila answered that specified camouflaged colors could be included to reduce the visibility of the homes.

Question: Will the stormwater basin areas, shown on lots 3 and 4 be clear-cut of trees? What is the likelihood that the stormwater basin areas would have to be relocated? The Homeowners Association Declaration of Covenants states in Section 2 Article 6 that the

Homeowners Association will be responsible for the replacement of the stormwater drainage and detention ponds. Would this require an additional area of trees to be cut? Sheila answered that yes the stormwater basin areas will be cleared of trees and graded in order to hold stormwater following the state rules. The Homeowners Association will be required to maintain the stormwater basin areas and periodically they will be monitored and cleaned out to make sure they are still operating under the state stormwater permit. Since they will not need to be relocated to a different area, additional trees will not be cleared. The clearing that is proposed for the stormwater basin areas now will be the full extent of the clearing that will be required. Tom Walsh added that the cleared areas are shown on the plan. Ed Hanson added that the enforcement of those requirements in the Homeowners Association agreement is not at the town level but at the state level under the state stormwater permit. Sheila stated that the requirement that the stormwater basins be inspected and maintained is at the state level through the State stormwater permit office but it is actually enforced at many levels including the town and Act 250.

Scott asked if the emergency access road will be maintained year round including snow plowing in the winter. Sheila answered, yes.

Scott asked about the enforcement measures for tree clearing - how the clearing limits that have been specified in the plan can be enforced by the state or the town rather than only being enforced by the members of the Homeowners Association. Sheila answered that the clearing limits that are shown on the plan will become part of the final approved plan and any clearing in excess of what is shown on the final approved plan will be an enforceable situation by the town. "At the state level through Act 250, which all of this is covered by Act 250, the same would apply – that they do have enforcement of permit conditions and they have the ability and do practice enforcing things like clearing limits and do require people to restore and replant areas that were cleared – that would be a part of the conditions." Ed Hanson added that the clearing limits would constitute the building envelope for the property and the set-backs which would be allowed. So if someone were to come to him for a permit for a shed which would be outside of those limits, then there would be a problem. Sheila answered that yes, the town would have a problem with that but the person building outside of the clearing limits would also be in violation of their Act 250 permit if they didn't get permission from Act 250 and they also would not be complying with their own Homeowners Association requirements - they would also need approval from the Homeowners Association. Tom Walsh added that the Act 250 program hired a new person that is a permit specialist who will be traveling the state looking for permit violations. "There is an enforcement attorney whose sole task is enforcing Act 250 permit conditions and compliance with the Act 250 program – also there is access to eight environmental enforcement officers who are staffed by the agency of natural resources and 25% of their time is allocated to enforcement and compliance investigations. Further, part of the job of all of the district coordinators is assuring compliance with Act 250. So, at the state level there are plenty of enforcement personnel. Finally, if any citizen in Vermont makes a complaint, that complaint is investigated at the state level and if there is a violation it is pursued".

Matt asked if the tree buffer zones are specifically measured out in feet and are the cleared areas measured in feet. Sheila answered that they are shown at what is necessary to maintain the aesthetic character, meet the stormwater regulations and to protect some of the existing drainage and run off systems that are currently on the site. Since it is a lot of work to figure the actual dimensions, Sheila will wait to show the actual dimensions on the final plan. Sheila also stated that they tried to pick house locations based on level grade and driveway access still allowing the homeowner some flexibility on where they will site their house within the designated cleared area.

Matt asked what would happen if a homeowner buys the lot for the view, “which is why everyone else is up there and why the lot is worth so much,” and just goes ahead and clears it. Sheila answered that the Homeowners Association, Act 250 and the town would enforce the no-clearing limits. Ed stated that unless there are specific limits in the approval of this PUD, he could not enforce the no-clearing limits because there is nothing in the town regulations that allows him to regulate clear cutting on properties. Sheila answered that it can be included in the deeds and in the Homeowners Association documents and the board would be approving those documents. Tom Walsh added that each of the homeowners has a cause of action against each other for violating the covenants – there could be a civil suit against each other. Matt said that he was operating under the impression that they all would want the view up there and that they all could agree that they want to clear cut. Tom responded that “Lakeview Farms could have an action against any of the homeowners for violating any of the covenants of the approved plans – so the developer could sue them as well. Also, the town is going to have an approved set of plans that the town will use for enforcement – the town could take it to the environmental court. And, whatever gets approved here goes to the Act 250 program for approval as an amendment under the existing Act 250 permit which will have similar conditions. Any violation or variation to the plan is an enforcement issue. So the state level can bring a lawsuit to demand that everything be put back the way it was suppose to be to begin with and to extract fines and penalties - and they do that all the time.” Ed added if the PUD is conditioned on the set of plans that is presented and finally approved during the final plat plan review then to the extent those limits are presented in the plans - he could enforce that even though there are no specific provisions in the town’s zoning regulations that allow him to control the cutting of trees.

Matt asked if tree cutting is not in our zoning regulations, is there a penalty associated with tree cutting? Would the town be left with the environmental court decision? Ed answered that he could issue a notice of violation stating the limits that were approved and it could be taken to the environmental court if the town could not get satisfaction from the individual homeowner. Matt asked what the satisfaction would be if the trees were cut. Ed answered that he presumed that the homeowner would have to replant but “we are talking about mature growth in that area, as shown in the visual impact studies, so the homeowner would not be putting back trees of the original size or quality.” Matt asked if it did go to the environmental court, what the penalties would be. Tom answered that there is no limit – every day of the violation there could be a \$25,000 penalty. As far as the size of the trees, he is involved with a development in Stowe where it is required that 60-foot trees be planted. Tom added that if the matter is significant enough, it could

also be referred to the Attorney General's office. The Attorney General could pursue not only civil enforcement but also criminal enforcement.

Scott stated that our subdivision regulations (section 700.3) talks about development providing sufficient open space for recreation. The subdivision plan mentions those spaces as being the roadways, the easements, and the retention ponds. Scott asked Sheila to point out on the map where those areas are and how they may be used for recreation. Sheila stated that the retention ponds are not for recreation. Sheila stated that each lot is of adequate size to provide recreation space – each lot is designed with open area for recreation for the homeowner. Matt asked for clarification that, in this case, open space means undeveloped land. Tom added that in addition to the open space on each lot there is a very large section of open space that is tagged for preservation.

Scott made the comment that, according to the visual impact study, if the houses are not going to be visible, no restrictions would need to be placed on house color or glazing.

Scott moved the discussion to water availability and started with comments submitted by absent board member, Connie Kendall:

Comment: I feel that more information on water availability is needed for these reasons: (1) adjoining landowners have stated that they are concerned about adequate water supplies in the area because they have low water yields. (2) I know of several discrepancies with the ANR Well Locator Map – some key well locations and yields are not accurate. The ANR Well Locator Map has a disclaimer “the data that appears on this map may not be accurate, current or otherwise reliable.”

Scott added that he looked through the well yield data that was provided which was helpful in providing data for the existing wells, but it did not determine that there would be adequate water for the proposed development. The big question is still the water supply. Scott requested that it be demonstrated that the water supply for the proposed project is adequate and that it will not adversely impact the neighboring residences. Scott stated that California, for example, requires hydrological studies to determine water availability. These studies are also used to determine if neighboring wells will be impacted. Scott asked if there is something that could be provided, aside from a simple well yield chart, which will demonstrate that there is enough water for both the proposed residences and existing residences. Sheila answered that based on her conversation with the state, they are agreeing with our engineer that there is no such thing as proof that there will be enough ground water supply or if there will be any impact on surrounding aquifers. What the state relies on is the ANR Well Locator Maps even though they realize that they are not always accurate. They are the best thing that the State of Vermont has even though everyone realizes that the well yields and locations can be quite a bit off in some cases. The well locations that are GPS locations and E911 locations are the ones that are more accurate. Sheila pointed out on the map which wells are most likely accurate but she stated that they are variable – very variable. Ray Martel said that his well is shallow and yields four gallons a minute. Jane Stowell said that her well is 150 feet deep and that she had an overflow. Sheila stated that Ray and Jane's wells are not located on the map but are the closest wells to the proposed development.

Matt asked if the proposed lots' wells could be dug in advance. Todd said that it would cost \$100 a foot to drill. Scott stated that the burden of proof is on the applicant to demonstrate that the site does have an adequate water supply and that it will not cause an undue adverse impact on neighboring properties. Scott said that he used the example of California's hydrological studies to make the point that there is a method to determine adequate water supplies and impact potential to neighboring residences. Sheila responded that all sorts of tests and studies could be done and interpreted but in the end they will not be proof. Scott responded that the engineer will have to put his or her stamp on the plan answering whether or not the development will have enough water. It is more than just an opinion. It is something that the engineer puts their stamp on the line for. It's a qualified opinion and this will be better than the current well yield data that is currently available. There are good wells in the neighboring vicinity but there are also neighboring landowners that have extremely small yields. It is the board's responsibility that those landowners with small yields will not be harmed. Sheila stated again that the well yields will be very variable. Scott asked if Sheila was concerned that any study undertaken would not be reliable. Todd said that it is the cost. Sheila questioned if it will be dollars well spent given the nature of the development in the area and the variability of the well yields.

Scott mentioned that a different proposed subdivision in St. George is looking at drilling the wells prior to selling the lots as a way to demonstrate water availability. Matt added that a fall back contingency is also in place for that proposed subdivision with the potential for a community well from an adequate water source. Sheila stated that the proposed subdivision does have to go through the state permitting process and that the state engineer will be reviewing the site as well for adequate water supplies. Matt asked how the state looks at the site. Sheila answered that they look at the data for the area. Scott asked if they consider only the availability of water for the proposed houses, or do they also look at potential impact to neighboring wells. Sheila answered that she was not sure and that she would ask the engineer. Scott stated that our subdivision regulations may have broader reaching requirements than the state.

Dan asked about parcel #9 and if the Vermont Land Trust has expressed an interest in buying into the property. Sheila referred to the letter from the Vermont Land Trust that was included with the application and that there still was an interest.

The length of the proposed road was reviewed. Sheila stated that the proposed road for the development is 1,875 feet. Tom added that from the emergency road to the end of the cul-de-sac is 708 feet; the dead end portion is 708 feet. Matt stated that the entire proposed road is a dead end. Sheila said that it is not a dead end because of the emergency road. Ron said that our bylaws limit the road length to 1,000 feet. Scott replied that in evaluating a PUD, we have the ability to change that.

Scott opened the hearing to the public for questions or comments.

Marie Mastro asked about the well data and stated that her well is 1,000 feet. She has hydro-fractured twice and her well went dry this past summer. This has made her very concerned about water availability and protecting her own water source. Other neighbors, John Aleong, Lynn Kabot and Dave Park, also at higher elevations have had failed water supplies and have either hydro-fractured or re-drilled. Marie said that she noticed that the well data did not include the well codes which would indicate if the well was a new source, a re-drilled source, an abandoned source, or a hydro-fractured source. Marie also wanted to make the board aware that there are three additional lots that are already approved and subdivided and these will be in addition to the seven lots that are proposed. Two of these lots are up at the higher elevations next to her. Sheila stated that since there is a lot of data provided on the forms from the state, she was trying to reduce the excess data that she thought the board would not be interested in, but she could provide the additional information or the data is on the Internet. Marie stated that the well codes would provide additional information for the wells that are at the higher elevations and to the south which have consistently failed or have had marginal yields. Matt asked at what elevation Marie was referring to. Joe responded that their house is at 1,000 feet. Matt asked what elevation lot # 7 would be at. It was determined that lot #7 is at 1,000 to 1,100 feet.

Matt asked if it could be required that the wells be drilled prior to subdividing. Scott said that he would check with the town attorney and restated that the burden is on the applicant to prove that there is sufficient water. Tom encouraged the board to think about the precedent that would be set because what the board would be saying is that no one could get a permit without proving that water is available. Matt responded that every location is unique and the circumstances lead us in a certain direction. Tom stated that asking the applicant to drill first before getting a permit to develop a lot would be an extremely burdensome expense and obligation to take on in advance of knowing whether they are going to get any lots produced. Tom added that he would like to consult with Lakeview Farms to see what they would like to do at this point. Matt agreed that would be extreme but he was hearing that the well yields can't be shown without drilling. Tom responded that you couldn't do it by drilling in this area because every location has a different result depending on where you drill. One area could be drilled on the site and then 50 feet over you could get totally different results. Ed added that if you drilled the wells, you would know what you would be delivering but you don't know how it's going to affect the neighboring wells unless you monitor normal usage over an extended period of time. Matt added that we would at least know that there is water there. Tom said that there can be evidence that there is water there. Marie said that she did not agree.

Charles Scott offered that someone who buys a lot and can't figure out how to get water out of a well is going to figure out some other way to get water maybe by tapping in with a neighbor and using their well or by some other measure. There isn't a lake under Mt. Pritchard. Water runs through the cracks of the rock. It's not a true aquifer and that's why you can drill 10 feet away and get one gallon instead of 12 gallons.

Marie said that she raised the issue to state the concern of adjoining landowners that have hydro-fractured and re-drilled and still have less than a gallon per minute. Areas north

are not as much of a concern as lots 6 and 7. Marie stated that she recognized the cost but the cost will be placed on someone, either the neighbor or the landowner. There is a cost to acquiring water.

Matt and Scott reviewed the sections of the town's zoning regulations that state that land shall not be subdivided until proper provisions have been made for water and for safeguarding the water tables.

Allan Keyes asked if someone could see to the west from the eight-acre meadow. Is there a view to the west? Ray answered, no. Michael answered that the 50 to 60 foot trees would block the view to the west. Allan said that he knew there was a view to the north. Allan pointed out that he owns the adjoining land on the southwest corner and that he was pleased that the plan shows that the large parcel will be conserved and wondered what conditions will be placed on the land in order for it to be maintained as conservation land. Sheila answered that the details have not been worked out yet but stated that it cannot be a condition to the permit - but it has been proposed that the land will be conserved as open space. Allan asked how it can be assured that it will be conserved if it cannot be a condition. Sheila answered that the town will be assured that it will be conserved through the proposal with a condition that requires that it will be maintained as open space but it cannot be required that the development rights be transferred to the Vermont Land Trust. Scott added that because this is being treated as a PUD, if they choose to develop that land in the future, they would need to come back to the board for an amendment to the PUD. There would be another review at that time. Sheila added that the site plans, the deed restrictions, the permit and the homeowners association will state that it is open land and will be maintained as open land - it is locked in the permitting at both the state and local level.

Charles Scott commended the Martels for preserving 90% of their land. Kelly Sayre agreed that she would be pleased if lot # 9 would be left undeveloped. "For people on the other side, the fear is that it won't happen." She also wanted to know what documents will be put in place to safeguard the conservation space so that the development rights "are gone" and a variety of resources are preserved.

Marie stated that from the perspective of those on the east side, the protection of land is also very important. Marie asked about the board's recommendation #1 - that the road be shortened and the lots be further clustered and relocation of lots # 3, 4, 5, 6 or 7 be considered to that end. Marie pointed out that the new proposal shows that the road was shortened but the two driveways were lengthened which she was not sure was in the spirit of what was intended. Also, none of the higher elevation lots were moved closer to Martel Lane. Marie asked why the higher lots were not relocated to provide more protection to the higher areas. Sheila stated that they were able to shorten the proposed road and many factors were taken into consideration such as finding better soils on lot 6 and 7 which made the land very well suited for houses to be sited there. "Closer to Martel Lane, especially clustering houses closer to the top of Martel Lane - in that area there are deer yards and wetlands. Although it was more desirable for us to move the lots closer to the top of Martel Lane, there were so many more over riding reasons why the

top of Martel Lane was not as conducive for development as the areas to the south. In looking at trying to move more lots to the top of Martel Lane, we ended up taking lot #1 and significantly reducing the size of it and then clustering lots 1 and 2 together in an area that avoids the wetland areas. There isn't more space there to put additional house lots. The areas where lots 6 and 7 are located are more ideally suited because of good soils. The access to them, as far as grades go, works well and the house lots are at the same elevations as the other houses in the area so they fit with the surrounding development which is what the town plan calls for. The driveways will be shared driveways to reduce the amount of clearing".

Marie noted that moving the septic systems to lots 6 and 7 will require more clearing on those lots and this may create more temptation for additional clearing for a view. Marie asked "since clearing has been a concern expressed tonight, did you consider the mix of residential uses such as a two family or multiple family construction? This would meet the density that the applicants desired while reducing the clearing required. Section 815 and 815.2 of our zoning bylaws encourages those types of structures particularly in PUDs. This would also meet a goal of our town plan which is to diversify the town's housing stock which is lacking on the east side of St. George". Sheila said that they did consider multi housing, "but this is a rural area and the town plan also requires that the development be compatible with surrounding development. Right now, the surrounding development is single family homes on 10 acre lots – but we have also heard that that is not the way the board wants us to go. So, we have done a PUD with clustered housing that is still compatible with the area – single family homes on single lots with open space. By doing multi family dwellings, often times you are consolidating the building area but you have additional requirements for things like septic disposal and water supplies in much closer proximity to each other. By doing single family homes on single family lots it allows us to spread the development out a bit so that you don't end up with larger clearing requirements, larger septic areas and larger homes. We can allow wooded area to be maintained between single family homes and break up the visibility of what otherwise could be a large cleared area in the woods".

Tom Walsh requested on behalf of Lakeview Farms that the evidence and further details on the water supply would be made available by Lakeview Farms at final plat review. "It wouldn't require any changes in project – nothing needs to be redesigned - it would be further evidence for your consideration." Scott responded that the water question is a significant enough issue that it should be investigated now and that there will be another hearing. Scott asked if Lakeview Farms would be able to provide more information at the next hearing.

Kelly Sayre added her concerns about water availability stating that her side of the mountain has been similar to Marie's side. "Neighbors have had to re-drill to 1,000 feet and it is because Mt. Pritchard is granite. You will have big bodies of rock in some places and big bodies of water in others." Kelly agreed that a little more research could be done to determine where the water is.

Ed asked Sheila if a month will be enough time to gather additional information. It was decided that the water issue will be further explored at the next hearing on December 12.

Sheila asked that since the topic at the next hearing will be well yields, will Michael Lawrence need to attend the next hearing. It was decided that Michael would not need to attend. Marie asked Michael if he considered the visual impact in the winter when the leaves are off the trees. Michael answered that the width of the retained wooded areas and the evergreens that are mixed in would provide good screening year round. Marie pointed out that she had taken a picture that showed the evergreens more to the back – Michael thought that there were evergreens closer to the edge of the woods. Michael added that the minimum 80 foot wide retained area (tree buffer) and in some places up to a 200 foot retained area along with the mix of evergreens will guarantee that in the winter time, the project will be well screened. Marie asked if the Martels are discontinuing the sale of the Christmas trees. Michael had stated that the Christmas trees in the Christmas tree farm will provide screening. Ray said that they will still be selling trees but some trees will remain; some of the trees are 16 to 20 feet tall. Marie asked Michael if the stormwater basins were included in his visual analysis. Michael said, yes they were.

Dan asked the Martels for more clarification on lot #9 and their future involvement with the Vermont Land Trust. It was decided that this will be discussed further at the next hearing.

Scott asked for final questions from board members. There were none. Lisa made the motion to recess the hearing until the December meeting. (December 12) Matt seconded the motion. No discussion. The motion passed unanimously.

Agenda item #2: Zoning administrator's report.

Marie began by referring to the letter that Ed had received from the Selectboard that listed two complaints from neighbors of the convenience store. The store is opening for business at 5:00 am and does not close until 11:30 pm on Friday and Saturday nights. Deliveries are occurring between 2:00 am and 4:30 am on a regular basis. The hours were to be from 6:00 am to 10:00 pm.

Ed said that the selectboard has referred the matter to him. Ed is drafting a letter to be sent to Mr. Handy that will cover the concerns and will state that the conditions of the permit must be met. If that is not successful, Ed will follow with a formal notice of violation. This will be discussed further with the selectboard since the issue could end up in court.

Marie stated that the Landscaping Bond / Landscaping Letter of Credit still had not been acted on by Mr. Handy. Follow up procedures were discussed.

Ed reported that he received a request for information from the Chittenden County Metropolitan Planning Organization. They are updating the Regional Bicycle and Pedestrian Plan and asked for input from the Town of St. George.

Ed also reported that the selectboard has asked him to review the zoning fee schedule. They have requested that Ed estimate the legal expenses that are attached to each kind of application that he receives and make an estimate of what the legal costs would be per year.

The meeting was adjourned.

TOWN OF ST. GEORGE
DEVELOPMENT REVIEW BOARD

INTERESTED PERSONS RECORD AND SERVICE LIST
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