

TOWN OF ST. GEORGE
DEVELOPMENT REVIEW BOARD MINUTES
December 10, 2008

Members in attendance: Marie Mastro, chair; Scott Baker; Lisa Beliveau; Matt Palmer; Connie Kendall; Dan Pillsbury; Ron Arms

Also in attendance: Eugene O'Brien; Larry Young, Summit Engineering; Raymond Berard; Dennis Hill, attorney for King George Homes; Ed Hanson, zoning administrator

The meeting was called to order at 7:30 due to the deliberative session schedule from 7:00 to 7:30.

Agenda item #1: Final Plat Plan Review for Eugene O'Brien's 2 lot subdivision.

A description of the application was read and after reviewing the order of events, Marie asked for any disclosure of conflicts of interest or ex parte communication. There was none.

Marie said that this was a continuation of the final plat plan review and that, over the past month, the board was able to discuss the issues that had been raised at the last hearing with the town attorney.

One issue was the request of the board that Eugene obtain a letter from the fire department stating their approval that the proposed road would provide adequate access for emergency vehicles. Eugene said that he did contact the Hinesburg Fire Department. "They came out and did a site visit and said that there were no problems". Eugene said that he was told that a letter would be sent to the town office from the Hinesburg Fire Department. The letter from the Hinesburg Fire Department, dated December 8, 2008, was found in the town office and was submitted for the record. (At the past hearing, it was unclear if Hinesburg or Williston would be the responding fire department. Eugene established that Hinesburg would be the responding fire department.)

Marie said that there were three issues with the road – one, the board wanted to make sure that emergency vehicles could access the two current homes and the proposed home and two, that the road was maintained appropriately. The third issue was that the houses be clearly identifiable.

Marie said that the board reviewed regulation 800.7 of the St. George Subdivision Regulations which states that "all dwellings must be accessible to emergency and service vehicles". On advice of the town attorney, it is likely that the board will require that the road be named. Connie asked Eugene if he agreed with naming the road – Eugene indicated that he was fine with that.

Marie said that the town's coordinator for E911 services, Phil Gingrow, should be contacted for further information on the E911 recommendations for proper house numbering.

Marie said that the board discussed the issue of easements for ingress and egress and utilities. After consulting with the town attorney, the board will consider a condition such as: "Appropriate easements for ingress, egress, and utilities shall be included in the deed conveying an ownership interest of any subdivided parcel that does not directly abut a public right-of-way. The text comprising the easement to be included in all such deeds shall be submitted to the DRB for review and approval".

Marie said that the final issue the board reviewed was continued maintenance of the road and that it had already been discussed that the road will need to be maintained for emergency and service vehicles. The board will also consider a condition that states that the town will not take ownership of the road, converting it to a town road, at any time in the future. The property owners will need to establish a way to share the costs of road maintenance through some appropriate legal mechanism.

Larry asked if Eugene was to respond to the issues raised – "does Eugene have to draw this up and submit it to you?" Marie said, no – the board will be providing a written decision once the hearing is closed and as a condition of the decision the board will require language be written into the deed and added to the final plat plan. Scott added that since the hearing would be closed, Eugene would not have to come back to the DRB.

Marie asked if board members had any further comments or questions. Connie said that the wording "and year round emergency and service vehicles" should be added to the existing shared easement and proposed ROW portion of the final plat plan.

With no further comments or questions from the board, Marie asked Eugene if he had any questions. Both Eugene and Larry said they had no further comments or questions.

Marie made the motion that the hearing be closed. Scott seconded the motion. With no discussion, the motion passed unanimously.

Marie said that the board's decision will be sent within 45 days.

Agenda item #2: Final Plat Review of Ray Berard's 2 lot subdivision.

A description of the application was read and after reviewing the order of events, Marie asked for any disclosure of conflicts of interest or ex parte communication. There was none.

Ed Hanson submitted copies of a letter from Tom Carlson dated November 16, 2008. This letter confirms that Ray can connect a new residential lot to the St. George Town Center water system subject to the terms and conditions listed in the letter. Marie asked if the new residential lot was Lot B and not Lot A – Ed answered yes. Marie asked Ray if it was correct that he was not interested in connecting Lot A to the town water system – Ray answered “that is correct”.

Connie asked if the Vermont Electric Cooperative easement was shown correctly on the final plat plan. Ed said that he went back to the original survey of 1993 which was the only other survey done on the property. This survey was done when all of the properties in the town center were surveyed for the village center development. The 1993 survey shows a 50 foot easement – but the 30 foot easement shown on the current survey is the correct easement. Also, the 1993 survey shows Route 2A as a 3 rod road but they changed this just a few days later when they learned that Route 2A was actually a 4 rod road.

Marie asked about the sign that is on Ray’s property – if it is at the correct setback distance. Ray said that the sign placement is “a state matter”. Ed thought the sign was 8 feet into the public right of way but suggested that Ray leave it where it is - if the state requests that the sign be moved, then Ray could do so. This is something for the state to enforce, not the town – also, several signs along Route 2A are at the same setback distance as Ray’s sign.

Ray submitted 3 photographs for the record of a house that is very similar to what he will be building.

Scott asked if the power lines will be buried or overhead. Ray said that he would “prefer underground but he didn’t know for sure”. Matt said that the town plan states that the power lines should be buried - Scott agreed. Ray said that “they will be underground, then”.

With no further comments or questions from the board or from Ray, Marie made the motion that the hearing be closed. Scott seconded the motion. With no discussion, the motion passed unanimously.

Marie said that the board’s decision will be sent within 45 days.

Agenda item #3: Other items.

1. The Declaration of Planned Community for King George Homes.

Dennis Hill, attorney for King George Homes, submitted three copies of the revised Declaration of Planned Community for King George Homes.

Dennis said that he had been in contact with the town's attorney, John Klesch, and agreed with the changes recommended by John.

Marie said that the board will review the revised declarations. Dennis said that approval of the declarations would be needed before construction could begin - which would most likely be in the spring. He requested that he be made aware if and when they are approved. Marie said that the board will respond in the next couple of months.

Dennis also reported that they had submitted the final mylar for the subdivision as well as the master plan to be recorded. Ed said that he reviewed the mylar and determined that all that was annotated in the decision was included on the mylar. Marie said that she would sign the mylar before the December 23 deadline. (December 23 is the deadline for the subdivision to be recorded for the year 2008.)

2. Update from the Zoning Administrator

Town water – Dan said that he did some research and found that St. George Villa was not on the town's water system. At the last meeting, Ed stated that St. George Villa was a part of the town's water system. Ed agreed with Dan and said that he was able to “settle that with Tom”. The original plan was to include St. George Villa but “it never happened”.

Ed reported that the new fee schedule was adopted by the selectboard on November 20, 2008. Marie asked if all board members received a copy of the new fee schedule. Ed said that he sent a copy to everyone. Lisa said that it is also posted on the town's website.

Ed said that the only future activity that he had been made aware of so far was a possible application from T-Mobile to place antennas on the tower on Mt. Pritchard.

3. Approval of the November 12, 2008 Minutes

Lisa made the motion to approve the minutes from the November 12, 2008 meeting. Ron seconded the motion. With no further discussion, the motion passed unanimously.

The meeting was adjourned at 8:20