

**Moretown Development Review Board
Minutes of DRB Hearing Held June 6, 2013**

Application 13-13 - Rick and Peggy Lord to Replace Home Lost in Tropical Storm Irene

Members of the Board present: John Riley; Tom Badowski; David Russo.

Others present: Rick and Peggy Lord; Tom and Martha Douglass; Dennis Gray and Charles Goodman (for second hearing).

John Riley convened the meeting held at the temporary town offices off Route 2. The Lords lost their residence at 91 Gambriel Drive off U.S. Route 2 in Tropical Storm Irene. They seek to build a replacement residence on a poured slab. As part of their application they have submitted an elevation certificate prepared by Donald Marsh, a professional engineer. This certificate indicates the base flood elevation is 435.5 feet at this location. According to the proposal, the lowest structural member will be at an elevation of 436.8 feet, and the top of the bottom floor of the new structure will be at 438.33 feet.

Under the zoning ordinance and Vermont law, applications in the flood hazard area are required to be submitted to the Agency of Natural Resources for review and comment. Upon questioning, Peggy Lord indicated Don Marsh sent the plans and a copy of the proposal by email to Sacha Peeler at ANR. Copies of the communications received by Ms. Lord reflected Ms. Peeler had received the communications on or about May 31, and after receipt of additional requested information had not seen issues with the design or proposal. John Riley suggested that Ms. Lord print a record of the communications, and forward them to the Town Zoning Administrator for placement in the zoning file.

Rick Lord explained that in pouring the slab foundation there would be anchoring such that the structure would be anchored to the foundation. Also, that the heating system and other utilities would be placed above grade and at the maximum height possible so that in the event of a flooding event above the base flood elevation, they might be protected.

Tom Badowski moved, seconded by Dave Russo, that the application be approved on the condition that it be completed upon the application and plans submitted and subject to the following conditions:

1. That the approval be stayed until the 30 day limitation period for the Agency of Natural Resources to submit comments, or actual receipt of comments stating no objections or concerns with the proposal;
2. That the structure and fuel supply be anchored as required for construction in flood prone areas.

All voted in favor.

Application 13-14 - Upper Valley Services, Inc. for Change of Use from a Barn/Storage Area to Professional Offices, Bathroom and Storage at 66 Dickerson Road

The hearing convened at 7:00 p.m. Dennis Gray was present for Upper Valley Services. Also present is Charlie Goodman of Charles Goodman Construction, the contractor for the project. At the hearing Mr. Gray provided a sketch plan prepared by Elma Gemst which had been submitted as part of the application and which provides additional detail as to the proposed renovations to the barn structure.

Upper Valley Services presently operates two programs at 66 Dickerson Road. One is known as VCIN or Vermont Crisis Intervention which is an in-residence program for an individual needing crisis intervention. The second program involves Upper Valley Service's program for developmentally disabled adults. Mr. Gray as Executive Director together with nine case managers and a receptionist presently work at the facility. Also, one day a week three therapists are in residence (one is only present two hours) and on another day a psychiatrist is in residence. Mr. Gray explained that the operation is cramped in its current quarters and the proposal is to renovate a barn storage area that is not presently utilized. The structure will be raised, and a foundation poured with radiant floor heating. The area slated for renovation is approximately 25 feet by 40 feet and will house three professional offices, a conference room, and a bathroom.

Mr. Gray indicated there are presently 20 parking spaces and that this has been sufficient for staff and visitors. He noted that a prior conditional use approval by the Zoning Board approximately 10 years before had stipulated that no parking is permitted on Dickerson Road. Mr. Gray did not have with him prior permits but stated that the Zoning Administrator had been able to access it and review it in conjunction with the application.

Mr. Gray does not know whether Upper Valley Services has an Act 250 permit or whether it needs one for the contemplated office expansion.

Presently Mr. Gray's program services 53-54 clients and he believes that they are at their upper maximum of employees and clients which can be served from this location. No additional staff is contemplated.

No exterior lighting is proposed except that existing. The Applicant has been in communication with McCain Consulting to seek an amended wastewater permit relating to the addition of the bathroom. According to Mr. Gray, the engineer believed it will be a simple process as the existing septic system is adequate to serve the additional bathroom.

Mr. Gray asked approval for the existing total of 15 staff people (nine case managers; executive director; receptionist; counselor for VCIN program; plus up to three contract therapists). Mr. Gray acknowledged that if the operations were to expand beyond those at present that it would require an amendment to the prior conditional use approval. Tom Badowski moved, seconded by Dave Russo, to approve the application as submitted on the following conditions:

1. That the project be completed consistent with the plans submitted;
2. That the number of employees and activities conducted under these programs not be enlarged or expanded without seeking an amendment to the existing conditional use approval;
3. That there be no additional exterior lighting beyond the existing.
4. That the Applicant obtain any required State permits for the project.

All voted in favor. Meeting adjourned at 7:45 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John Riley". The signature is stylized and written above a horizontal line.

John Riley, Acting Clerk