

**Unapproved 12-15-14**

Town of Moretown Development Review Board  
P.O. Box 666, Moretown, Vermont 05660

Minutes of Hearing Held December 11, 2014

Application of Town of Moretown For New Town Office Located at 79 School Street in Moretown Village

Present for the Board were John Riley, Jim O'Neill, Tom Badowski, and Erick Titrud. Alternate Eric Howes was scheduled to fill in for David Russo but could not attend.

Present for the Applicant were Clark Amadon, and Bill Gallup of Maclay Architects of Waitsfield. Arriving a few minutes after the hearing began was Zoning Administrator, John Weir.

John Riley called the meeting to order at 6:32 PM. As an initial matter John noted the meeting as warned was for conditional use approval pursuant to Section 2.4, Table 2.5 (5) for development within the flood hazard overlay district. John commented that the proposed town office would appear to represent a "public facility" which would also require conditional use approval under Table 2.1 relating to the Village District. The Board proceeded to discuss whether the meeting as warned gave sufficient notice that this could be part of the review.

Bill Gallup noted that the Village District under the ordinance only extends 250 feet from Route 100B. Areas beyond that distance are in the Agricultural/Residential District. The proposed location places the building partly in the Village District, and partly in Ag-Res. As a public facility is also a conditional use in the Ag-Res district this has limited significance. Clark Amadon confirmed that there have been several warned public hearings about the design and location of the proposed town office building. Notice went to abutting landowners providing notice that the hearing would involve conditional use review. After discussion, the Board concluded that there was sufficient notice and information that the application was subject to conditional use approval, and there was no prejudice to any party, if the Board's review included examination of whether the application meets criteria for conditional use as a public facility.

Bill Gallup provided a general overview of the anticipated site preparation and building design. A site plan dated May 17, 2013 prepared by Maclay Architects depicts the proposed location of the building structure and shows the boundary line of the 100 year flood plain which under the town ordinance and FEMA regulations defines the flood hazard area. Site preparation and construction of the building will not involve any disturbance of land area included within the flood hazard area. Included in the

application materials is a graph indicating in this area the 100 year flood plain elevation is 603.1 feet. According to the graph the actual Tropical Storm Irene flood level in 2011 was 608.72 feet and the 500 year flood level is 610.5 feet.

The proposed base elevation for the building is 611.5 feet and so about 3 feet higher than the Irene storm level. The present proposal also contemplates to construct foundation walls extending above the foundation slab, such that the structure will have additional protection against flooding to a 614 foot level.

The building design includes a cupola. Most of the building will be less than the 35 foot height limit applicable to the Ag-Res district, but the cupola portion (which will be within the village portion of the zoning district dividing line where the height limit is 45 feet) will be 38.1 feet. The ordinance allows that where a proposal lies on a district boundary that the DRB can extend the district boundary 50 feet in either direction to facilitate review (See Section 2.2(C)). Ordinance section 4.5 also allows the DRB as part of conditional use review to allow heights greater than 35 feet when consistent with the character of the surroundings. The Board believes under either provision it has authority to permit the height as proposed and the Board sees no issue with the proposed height and orientation of the structure.

The proposal's intent is to tie into the existing water system serving neighboring Moretown Elementary School, and its wastewater system as well. Construction of a pump station for sewage is anticipated and the building will require a state wastewater and potable water supply permit meeting state regulations.

Tom Badowski asked if the Town would have any objection to a permit condition requiring that upon completion the Town's engineer submit a flood elevation certificate attesting that the building was constructed at the proposed elevation. Bill and Clark indicated they did not see any problem with such a requirement.

There was discussion of grading and storm water dispersal. Bill Gallup indicated that the trigger for a state stormwater permit is if more than 5,000 square feet of new impervious surface is created associated with the project. As the square footage of the new building is approximately 2,000 feet, this, together with associated walkways and the new handicapped parking space are not expected to require a state permit. The issue of stormwater is still a criteria for the Board to consider under conditional use review. No final decision has been made as to roofing material. The likely choice according to Bill Gallup are asphalt shingles as they hold snow somewhat better and are lower in cost. Stormwater coming off the roof from the easterly side of the building will carry through the existing grassy area toward Doctor's Brook. The front of the building faces Moretown Elementary School and under the existing grading plan there will be a slope in that direction towards the community parking lot, and water then flow with the existing parking drainage to the low area between the proposed structure and St. Patrick's Church.

No significant lighting for the project is anticipated beyond the existing street light which illuminates the parking lot. There would be lighting both at the main entrance and side entrance similar to what was utilized for the prior town office and will be consistent with the lighting requirements set forth in the ordinance. In terms of landscaping, no specific plans have been developed. The two trees depicted near the main entrance on the site plan are existing and will be lost as part of construction.

Tom Badowski suggested the Town consult with Sasha Pealer who reviews projects for impacts on flood hazard areas in Washington County for ANR and obtain a letter confirming the proposal is not a concern from ANR's perspective.

At this point engineering plans associated with bidding the project have not been developed. In general, the submitted site plan does not provide finished grades and other details associated with the project. Tom Badowski raised a concern that in his view the application may not be sufficiently complete under Section 5.1 such that the proposal should be resubmitted and warned after a more complete application is prepared.

The Board discussed how best to proceed. As the present hearing involved more than two hours of presentation providing details of the proposal, the Board will utilize the information provided and continue the hearing to February 5, 2015. The Board asked that by Thursday, January 29 the Applicant submit to the zoning administrator additional documents and details with respect to the proposal consistent with Section 5.1. These would include a site plan of the type associated with bidding a project, and either in that plan, or an associated plan, provide proposed landscaping detail. Also, the subject parcel is jointly owned with the Moretown School District and the School District has provided approval of the Town office in this location. The Board questioned whether the school district as title holder needs to be included as an applicant, and asked that the School's approval agreement be provided.

Tom Badowski moved, seconded by Erick that the application be continued to February 5 at 6:30 PM to hear additional evidence. All in favor.

The Board then briefly discussed that a potential applicant had made inquiry with the zoning administrator as to whether the applicant could meet with the Board to informally discuss possible development of a parcel. John Riley had indicated there is no procedure under the ordinance to do so. Also, any actual development proposal must be noticed to abutters and publicly warned, and so the Board should not meet informally to provide guidance to an applicant. The Board concurred that this should continue to be the Board's policy.

Respectfully Submitted,

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John Riley, Acting Secretary