

Town of Moretown Development Review Board
P.O. Box 666, Moretown, Vermont 056660

Minutes of Hearing Held February 26, 2015

Continued Hearing on Application of Town of Moretown for new Town Office

Present for the Board were John Riley, Jim O'Neill, Dave Russo, Erick Titrud, and Eric Howes.

Present for the Town were members of the Town Office Committee, Clark Amadon and John Schmeltzer. Also Selectboard Chair Tom Martin and Town Administrator Cheryl Brown. Also present was abutting landowner Howland Brown, and John Weir, Zoning Administrator.

John called the meeting to order at 6:30 PM. Cheryl Brown submitted documents to help clarify that the location of the proposed town office is on the "Benedict Parcel". Included is an email summary provided by an attorney for the Town October 29, 2013 making reference to supporting evidence. It was based upon this review and analysis that the School District executed the Quitclaim Deed to relinquish any interest to the Town on the Benedict parcel. Clark Amadon stated that it was a requirement of grant funding that the Town provide evidence that it was the sole owner of the property where the facility is to be built.

Also among the supporting materials is an undated map from many years ago that appears to split the existing school/community parking lot at a point at about the middle of the Methodist Church parcel. Land lying northerly being that of Benedict, and that to the south being the "Playground". There is a separate map, currently Slide 60, and referred to as the Dewart Survey showing the playground parcel having been dedicated by Burton Ward.

Separately, the Town submitted a six page agreement dated April 7, 1995 between the Town, Town School District, and Eugene and Judith Grandfield. The Agreement describes the boundary between the Grandfield and municipal property by reference to a fence and hedge to be erected.

Based on the evidence presented the Board concludes that the Town has established that the proposed location for the new town office is on the parcel acquired from Benedict in 1958, and the School District has relinquished any ownership interest in the parcel. Also, that the existing access way appears to be fully owned by the Town such that good and legal access is established.

There was a motion to approve the application of the Town of Moretown for a new town office, including any required variance for the height of the cupola, subject to the conditions that the project be constructed consistent with the plans submitted (including the landscaping plans), and being further subject to the Town obtaining a State on site water and wastewater permit for the facility. The motion was by Jim O'Neil. Erick Titrud seconds. All approve.

Application Number 15-01 Craig Oshkello/Living Tree Alliance, LLC for Planned Unit Development Located off Freeman Hill Road, Parcel 11-0.17.001-002

John Riley called the hearing to order at 7:10 PM. Present for the applicant is Craig Oshkello and engineer Peter Lazorchak. Also present is Jessica Rubin who is a potential owner of a unit and Steve Robbins of Mad River Valley Real Estate who is acting as a buyer's agent for the Applicant in the acquisition of the parcel, presently owned by members of the Goodyear family. Also present were Treesah Elder and Meredith Martin who live on Route 100B in the former Goodyear farmhouse residence. Also, Brian Ward who lives on Freeman Hill Road; J. Arthur Loose; and Calvin and Sharon Ward. Also present were Deborah Feldman and John Weir, Zoning Administrator.

There were some initial concerns expressed by the Board that the plan submitted with submission of the application was insufficient to meet application requirements of Section 5.1. The existing and proposed property boundaries are not well delineated. There is no indication of zoning district boundaries, or identification of adjoining parcel owners. On the day of the hearing the Applicant submitted a more detailed plan and copies were provided to Board Members. John Weir printed an aerial depiction from Living Tree's website which he had copied and left with Board Members. John Riley noted the correct procedure is to have a complete application so the Board can review in advance and have a basic understanding of the land use proposal, and that any other interested party can do as well.

With some reluctance the Board allowed the Applicant to proceed and provide an overview of its proposed project. The presentation was made primarily by Peter Lazorchak and Craig Oshkello. Mr. Oshkello is a landscape architect and lives in a small planned community north of Keene New Hampshire. For a lengthy period he has investigated land parcels for a planned community in the Mad River Valley.

Living Tree Alliance has contracts to purchase the larger parcel owned by three members of the Goodyear family, as well as an additional 2.2 acre owned solely by MaryIna Goodyear. Although the large parcel has some frontage on Freeman Hill Road it does not have viable access, and the two acre parcel having an existing woods road from Freeman Hill Road provides the anticipated entrance.

There is an existing sugaring operation which has been conducted by Tim and Karen Crowley for some time and the Applicant anticipates this may continue. The access road will come in approximately 400 feet and the current proposal is for seven residential units. To the southeast there is an existing large meadow which is envisioned for agricultural production. The proposal is to cluster the housing on approximately 2.7 acres. The site plan depicts both class 2 and class 3 wetlands. No activity is proposed in the location of the class 2 wetland. The entrance roadway may impact somewhat the class 3 wetland. According to Mr. Lazorchak they have consulted Shannon Morrison of the Agency of Natural Resources and the project has not raised any objections from the Agency.

Several of the neighbors expressed concerns about traffic on Freeman Hill Road. This is a dead end road with some fourteen residences. Adding seven additional units will substantially increase traffic on the road. It was noted that the proposed entryway to the development is below all the existing residences except one.

Mr. Loose owns the closest residential property. He expressed concerns that he will be able to see at least two of the proposed unit locations. He has grown accustomed to peace and quiet. Also he operates a home based business involving metalsmithing which utilizes noisy equipment and is concerned that having additional residential units in close proximity may lead to neighbor conflicts.

Mr. Oshkello noted that he has had some communications with the Fire Department about the access road and the location of some of the living units a distance away. A concern will be that the development be accomplished such that emergency vehicles will have reasonable access to all residential structures.

Brian Ward suggested that the Board review mapping on the A&R database which depicts wild life habitat features on the parcel.

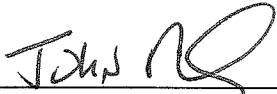
With respect to the question of how many feasible one acre lots could be created from the parcel Craig Oshkello indicated perhaps 25 could be permitted under the existing terms of the Ordinance.

The Board spent some time reviewing the PUD requirements set forth in section 5.3 of the ordinance. The section contemplates that an applicant may receive a density bonus and receive variances from normal ordinance requirements to encourage clustering of housing and preserve open space. A significant element of the proposal is to preserve 62.5 acres in a conservation easement. Mr. Oshkello has had initial discussions with the Vermont Land Trust. He has also spoken with the cross country coach at Harwood High School. The Harwood parcel abuts to the south and west and its existing running and ski trails might be extended onto the parcel.

It was agreed that the Applicant needed to develop a more detailed site plan. In particular a specific 2.7 acre development area. And then an overall parcel map showing boundaries. Tom Badowski suggested an orthophoto type map from an aerial view.

The hearing was continued to Thursday, March 12 at 6:30 PM. The Board will hold a site visit Saturday, February 28 at 8:30 AM.*

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John Riley", written over a horizontal line.

John Riley, Acting Secretary

* The Board held a site visit February 28. Present were Board Members Riley, Russo, O'Neill, and Badowski. Also present were Peter Lazorchak, Steve Robbins, and J. Anthony Loose. The access Woods Road had been plowed associated with the sugaring operation. The group walked/snowshoed to the meadow from which the sugar house is visible. The group then snowshoed the wooded area easterly of the class two wetlands to the Loose property boundary, and then back to Freeman Hill Road. The site visit lasted approximately one hour.