

Town of Moretown Development Review Board  
79 School Street, Moretown, Vermont 05660

Minutes of Hearing Held September 30, 2021

Present for the Board was John Riley at the Town office. Also present via Zoom were, Greg Nagurney, James O'Neill, Paula Woods, David Russo, and Craig Oshkello. Participation in the hearings held was as noted below.

Continued Hearing on Application of Joel and Toby Grubman for Conditional Use Approval of an Accessory Dwelling in the Agricultural District, No. 21-26

John Riley called the meeting to order at 6:30 PM. Present on behalf of the Applicant was Craig Oshkello for this continued hearing. David Specht, Zoning Administrator, was present at the Town office.

At the initial hearing August 26 only Greg Nagurney, Jim O'Neill and John Riley were available to participate for the Board. Present on September 30 were additional board members, Paula Woods and David Russo. John Riley asked Craig Oshkello if the Applicant was wished to waive any procedural concerns with Paula and David participating who had reviewed the application materials, and the August 26 minutes, but had not been present on the 26<sup>th</sup>. The additional board members would provide the Applicant an increased chance of achieving a majority vote in favor of the application. Craig waived any objection.

At the initial hearing the Board raised concerns about whether the existing structure could qualify as an "accessory dwelling" because it lacked facilities for food preparation and sanitation and was not connected to water or sewer. Craig Oshkello reported that based on the Board feedback the Grubmans wished to modify the application to seek approval for the building as an "accessory structure" with the understanding it does not qualify as a dwelling unit under the Ordinance, but can be used for purposes that are subordinate to the primary residence located on the same lot. The Board accepted the amendment and Jim O'Neill made a motion to approve the existing building as an accessory structure on the Grubman parcel. Greg seconded. All approved.

Application No. 21-35: Town of Moretown Request for Conditional Use Approval for the construction of stormwater retention ponds on Parcel 10-044.000 at 79 School Street in the Village Zoning District and Flood Hazard Overlay District

John Riley called the meeting to order at 7:00 PM. Present for the Board were the five members noted above, as well as Craig Oshkello who serves as an alternate. John Hoogenboom, a member of the Town Selectboard participated for the Town and was later joined during the hearing by Town Clerk, Cherilyn Brown. Howland Brown, an adjoining landowner participated via Zoom. Also appearing in person were John Schultz and his daughter, Megan Schultz, who are adjoiners as well. Prior to the hearing the Board received a copy of the Zoning Permit Application; the Development Review Board Application with Conditional Use Addendum; and an 8 ½ x 11 inch copy of “Gravel Wetland Plan”, No. C2.1 prepared by Civil Engineers Associates, Inc.”.

John Hoogenboom provided a brief overview of the application. The Town is applying for a Stormwater Mitigation Grant that would involve construction of two crushed rock retention ponds in the low area between the Town Office Building, and St. Patrick’s Church and Brown residence. The Schultz residential property lies northeasterly of the pond locations.

The submitted Plan is a reduced version of a larger Site Plan which covers the entire parking lot between the Town Office and Moretown Elementary School. Generally the intent is to improve drainage of the parking lot area as well as areas adjacent to the elementary school and to draw the water into the retention ponds so that sediment and other contaminants settle before the water subsequently travels along an existing drainage system that runs between the Brown residence and Church, before entering a culvert under Route 100 B, and continuing to the Mad River.

Questions were raised as to whether easements would be required of the Browns and/or Church. Also, as to the levels of water that may exist from time to time in the ponds. In general, the Consultant has advised at most times there would be no water present in the ponds, and in the event of an extremely heavy rainstorm it would be designed to dissipate within 24-48 hours with the height of water being fairly limited and not causing a drowning hazard.

David Specht noted that because the proposal involves construction in the Flood Hazard Area, he had referred the application to the Agency of Natural Resources for comments about whether the application meets requirements for construction within the flood hazard area. Initial informal feedback suggested ANR will not have an issue, but at the time of the hearing David had not received formal review comments.

The Site Plan available at the hearing was challenging to follow because of its reduced size. David Specht advised that he believed the Town received a PDF version that could be circulated electronically to permit a better understanding of the nature of the project.

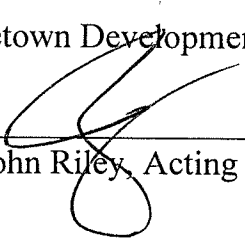
Also, it was discussed that perhaps the consultant preparing the Plan might be available, and a more detailed project overview could be submitted.

By motion duly adopted it was agreed to continue the hearing to October 21 at 6:30 PM.

Dated this 21<sup>st</sup> day of October, 2021.

Respectfully submitted

Moretown Development Review Board

  
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By John Riley, Acting Clerk