

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

Minutes of Continued Hearing Held August 24, 2023

Application No. 23-20 of Brenda Convery for Setback Waiver For Deck at 164 River Road.

Present for the Board were John Riley, Paula Woods, Dave Russo and Jim O'Neill at the Town Office. Applicant was present at the Town Office with her adult daughter and Town Zoning Administrator Karen Sauther also attended. Board Member Greg Nagurney participated via Zoom.

The hearing began at 6:55.

Prior to the Continued Hearing Board Members received copies of the Scribner Zoning Board of Adjustment Variance Application from 1996, and the Minutes and Decision of the ZBA dated June 12, 1996.

At the July 27, initial hearing the Board noted it is a five member body and it would take three affirmative votes to approve a variance request. The Board continued the application so additional Board Members could participate and to provide an opportunity for Karen Sauther to determine if the 1996 DBA minutes could be found so the Board could better understand why a variance was granted for the residence in the first instance.

In 1996 the ZBA granted the then-owners a 19 foot variance from the front setback criteria as requested by the Scribners. As noted in the initial hearing, at the time of the 1996 variance the front setback of 65' was then measured from the center of the road. This resulted in the property owner have the right to install the new residence 46 feet from the center of River Road.

Currently the Ordinance measures setbacks from the edge of the municipal right of way. It is presumed that River Road is a 3-rod right of way (approximately 50 feet) meaning the edge of the municipal right of way is 25 feet from the centerline.

Brenda Convery reported that Walker Construction of Waterbury-Stowe had visited the property and measured the current distance from the center of River Road to the front edge of the residence. This distance was 53 feet.

The proposed front access stairs will extend 6 feet from the house towards the road. Thus, after construction the front extension of the stairs will be approximately 47 feet

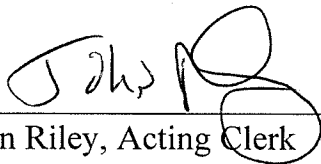
from the centerline of the road, and not encroach further towards River Road than the existing 19 foot front yard setback variance granted in 1996.

A motion was made by Jim O'Neill, seconded by Paula Woods to approve the Application as submitted based upon the conclusion that the proposed project does not violate the previously granted setback variance. As a condition of approval the Applicant will submit the report of Walker Construction confirmed the existing residence lies at least 53 feet from the centerline of River Road. All approved.

There being no further business the meeting adjourned at approximately 7:35p.m.

Dated this 24th day of September, 2023.

Moretown Development Review Board

A handwritten signature in black ink, appearing to read "John Riley", is written over a horizontal line. The signature is stylized and includes a large, circular flourish at the end.

By John Riley, Acting Clerk