

TOWN OF CORINTH

Board of Adjustment Hearing June 27, 2016

Draft Minutes

The hearing was called to order at 5:58 PM by Chairman Kevin Eaton. Attending were Board members Eaton, Maxine Slack and Frank Roderick. Also present was Karen Galayda, Administrative Officer.

- 1) Changes to the agenda – Add discussion and approval of the text of the Decision on the Davis / Bochkov Conditional Use Permit.
- 2) Minutes from May 23, 2016 – Correct and amend the minutes to include how Kevin Eaton used a hand-held sight level to determine the elevation of the top of the ice damage to the trees along the river bank near the house and how with further sightings he estimated the elevation of the top of the deck of the first floor of the house to be approximately ten feet above the water level on that day in mid-May. Eaton mover to accept the amended minutes. Slack seconded. Minutes approved unanimously.
- 3) Review of the text of the Decision – Roderick presented a draft of the Conditional Use Permit. Eaton asked to amend the text to include his methodology used to estimate the approximate elevation of the top of the deck of the first floor of the house above the water level of the Waits River at ten feet. Eaton moved to accept the Decision as amended. Slack seconded. Unanimously approved.
- 4) Galayda asked that David Diamantis' name be corrected in the Decision and that the words "or crawl space" be deleted from the decision. Slack moved to accept the further amendments. Eaton seconded. Unanimous approval.

- 5) Request for Conditional Use Permit for a project by Dan Wing and Dina DuBois on their property along the Potash Brook in Cookeville. The project involves an upgrade to a small patio above the brook by removing a railroad tie retaining wall and replacing the wall with laid-up stone and adding a stone-paved surface over a crushed stone base. The Board viewed a photo of the patio site and a map of the river corridor provided by Galayda. The elevation of the patio above the water level of the brook is estimated by Wing to be approximately 20 feet.

Galayda reported that the project will not have any adverse impact to the river corridor. She also offered comments from a letter from Ned Swanberg, National Flood Insurance Program Coordinator for the VT Agency of Natural Resources, in which he notes the project is in the River Corridor, but that it is unlikely to suffer any damage from flooding and will not further degrade the river corridor at his location where historic mill site alterations have changed the terrain. There is a mature woodland buffer between the project and the stream.

Eaton moved to grant approval of the Conditional Use Permit. Slack seconded. Approval was unanimous.

- 6) Galayda introduced a project proposed by Daniel Coburn of Eagle Hollow Road. He wants to reinforce a section of river bank behind his house by placing erosion stone and fill. He has received a Stream Alteration Permit from Patrick Ross, VT Stream Alteration Engineer to perform Next Flood Measures by placing stone fill at a 2:1 slope and covering the stone with fill and then seeding the soil.

Galayda suggested that since the project already has a State Permit, a Conditional Use Permit is not required. A file for the project will be created in the Land Record. The Board

agreed and voted to not consider issuing a permit for this project since it already has a State Stream Alteration Permit.

- 7) Galayda reported that Michael and Rebecca Young have withdrawn their request for a Conditional Use Permit for their project on Tenney Road where they want to enlarge a pond and replace a small camp. A letter from Julia Foley, from the VT Watershed Management Division said they could enlarge the pond and renovate the camp without enlarging its footprint, but the Youngs demolished the old camp and want to build a replacement nearby. This action triggered the requirement for a Letter of Map Amendment from FEMA for the site or they have to prove the site is outside the flood plain. These requirements prompted the withdrawal of the Permit Request.
- 8) Galayda reported that Martin and Gabi Martino own property on Page Hill Road. They want to subdivide into two lots and sell one parcel with an approved septic plan. They contracted with Tom Otterman to design a septic system. When they learned of a potential problem with the River Corridor of the Waits River, they contacted Ned Swanberg directly to get input on the location of the septic system. Swanberg visited the site with Gretchen Alexander, River Scientist, and located the septic leach field locations and the existing driveway to the proposed house site. They found one of the leach field locations to be in the River Corridor and part of the driveway also to be within the Corridor. Swanberg suggested redesigning the leach fields to remain outside of the Corridor and to minimize any upgrades to the driveway to reduce the potential financial loss should the driveway be damaged by the river. He advised that if a redesigned septic plan and minimally improved access road were presented in an application for a Conditional Use Permit, the Board of Adjustment would likely grant a Permit. Since no application has been received, the Board cannot act at this time.

The hearing was adjourned at 7:26 PM

Submitted by Frank Roderick - Secretary