

TOWN OF CORINTH

Board of Adjustment

July 25, 2016

Unapproved Hearing Minutes

Attending: Kevin Eaton, Maxine Slack, Frank Roderick – BOA Members; Karen Galayda, Administrative Officer; Laura Waterman

Hearing was called to order at 6:05 PM by Chairman Eaton

1) Approval of June 27 minutes – Eaton asked that paragraph 9 be amended to add that Secretary Roderick will have one more hearing in July before resigning and that Alternate Peter Allen will be unable to remain on the Board to fill that vacancy. A new member and alternate will need to be found and appointed.

Galayda noted that two recent projects that needed Conditional Use Permits went directly to Ned Swanberg at the Department of Conservation rather than through herself, the Administrative Officer. This complicated and confused the process and slowed the issuance of the permits. Galayda will discuss this with Swanberg to ask him to refer any applicants to the Administrative Officer to get the local process started.

Galayda asked to correct paragraph 6 to state that the Coburn Stream Alteration Permit will be saved in the Flood Hazard file in her office and not in the land record.

Eaton moved that the minutes be approved as amended. Second by Slack – unanimously approved.

2) The draft of the Wing / DuBois Conditional Use Permit was reviewed. No corrections of changes were needed and Eaton moved to accept the Decision as written. Second by Slack – approved unanimously.

3) Frank Roderick announced that he will resign from the BOA at the next Selectmen's Meeting on August 8. He noted that he was told that Russel Pazdro has agreed to be appointed to fill the vacancy on the BOA. No one has been found to become the Alternate to the BOA to fill Peter Allen's position.

4) Martin and Gabrielle Martino Conditional Use Request. The Martinos want to subdivide their property on Page Hill Road and want to sell a seven acre parcel with an approved septic plan and well location. Review of their application showed that the presented plan has the septic leach field located within the River Corridor as well as a portion of the driveway access to the house site. Ned Swanberg advised relocating the leach field outside the River Corridor and setting conditions on any improvements to the portion of the drive within the Corridor.

The Board examined a map of the area showing the Martino property and the abutters. They also reviewed a map from the DEC showing the River Corridor and one of the house site showing the proposed primary and secondary leach fields.

Russel Pazdro arrived at 6:40 PM.

Laura Waterman, an abutter, stated that having a driveway so close to the river was a bad idea. She suggested moving the house site somewhere else so that the drive would not be so close to the river. Galayda noted that Ned Swanberg suggested that the drive could be approved with specific conditions requiring a pervious surface and minimal widening.

6:50 PM - Monique Desrosiers, abutter, arrived. The Board reviewed the discussion of the Martino application and showed her the maps. There was discussion of the project scope and subdivision plans.

Chairman Eaton expressed his desire for the BOA to see the location of the driveway and how close it was to the river and its height above the river before acting on the Decision. He asked how the Board could limit moving the drive closer to the river. Galayda described how the drive is located on a bench below a slope and above the slope to the river. There is no way to move the drive in either direction easily. Roderick suggested setting a condition that the drive should to be limited to a single lane for the portion within the River Corridor. Waterman strongly suggested that the BOA should view the drive to see how close it is to the river and determine where the edge of the River Corridor is located. Desrosiers asked if anyone knew how closely floodwaters approached the driveway. No one knew.

Eaton expressed appreciation for Waterman's concerns, but felt the Board should move forward with a decision with strong conditions. Since membership of the Board is changing, any delay might complicate deliberations that, in the end, may not change the eventual decision.

Eaton offered to visit the site tonight with Waterman immediately after the hearing and if he found any big problem with the location of the driveway, he would ask the Secretary to hold off on drafting the Decision and the Board would wait until the August regular meeting to vote on the final conditions to include in the Decision.

Desrosiers asked if anyone knew how far along the river the drive / woods road extended. No one knew.

The Board discussed possible limitations to include in the Decision.

Chairman Eaton moved to grant the Conditional Use Permit with conditions:

- 1) The drive shall be a single lane in the area within the River Corridor.
- 2) The applicant shall determine the location of the edge of the River corridor to define the one-lane portion of the drive.

- 3) The drive shall have a surface of only gravel or other pervious material. No pavement is allowed in the River Corridor.

The motion was seconded by Slack. The motion was accepted unanimously.

- 4) Galayda told the Board that she received a newsletter from the Vermont League of Cities and Towns and found an article that reminded towns that a recent law mandated that Zoning Boards and other quasi-judicial Boards must have a Conflict-of-Interest policy. A Board of Selectmen can enact a policy that covers all elected and appointed officials. No one present was aware if the Town of Corinth had enacted such a policy. Someone will check to find out if a policy is in place.

The hearing was adjourned at 7:36 PM

Frank Roderick
Secretary