

## NORWICH DEVELOPMENT REVIEW BOARD

### MINUTES

August 1, 2013

Tracy Hall Meeting Room

**Members present:** John Lawe, Stanley Teeter, Ernie Ciccotelli, Nancy Dean, Folger Tuggle, and Arline Rotman

**Members not present:**

**Alternates present:** John Carroll **Alternates not present:** Don McCabe

**Clerk:** Phil Dechert **Others:** Heidi Moran, Ann Kynor, David Bartlett, Nelson Kasfir, Liz Blum, Deborah Boettiger

1. The meeting was called to order by the Chair, John Lawe, at 7:08 PM

2. **Minutes** – May 30, 2013 were approved without changes.

### 3. Administrative Issues:

- Future Schedule & Agendas
  - August 15 – No Hearings Scheduled
  - September 5 – No Hearings Scheduled
- Membership - George Loveland has resigned. Carroll will apply for a member position. There will be two open seats for alternates.
- Subdivision Amendments – Adopted by Selectboard June 12 and effective July 3, 2013.

### 4. Boundary Line Adjustment:

**#33BLA13** - #06-055, b, Waterman Hill RD, Estate of George H. Stickney, Landowner, and #06-056, 275 Waterman Hill RD, James Barrett, Jr., Trustee, Landowner Heidi Moran, Applicant, to transfer 5.6+/- acres from 06-055, b to 06-056.

The Zoning Administrator presented the proposed BLA along with a chart and tax map showing proposed changes. The proposal will transfer 5.6+/- acres from 06-055.000, b (Stickney) to 06-056.000 (Barrett). The remaining property at 06-055, b will be purchased by Applicant, Heidi Moran.

Teeter moved that the proposed Boundary Line Adjustment conforms to the criteria in Section 2.1(E)(1) NSR and therefore the Zoning Administrator is authorized to issue an administrative permit for the Boundary Line Adjustment. The motion was seconded by Ciccotelli and was approved 5-1 (Dean against and Tuggle recused).

### 5. Public Hearing:

**#6BSUB11** – Final Plan Review of a Minor Subdivision Application by David Bartlett and Jennifer L. Moyer, Applicants and Landowners to divide Lot 20-183.000 into 2 lots of 2.0 acres and 3.06 acres at 59 Carpenter Street.

**Members Participating:** Lawe, Teeter, Ciccotelli, Dean, Tuggle, Rotman, Carroll

**Applicant/Landowner:** David Bartlett, Applicant and Landowner, and Ann Kynor, P.E. - Pathways Consulting, LLC

**Interested Persons:** Nelson Kasfir, Liz Blum, Deborah Boettiger

The Chair opened the hearing at 7:34 PM.

The record in this case includes the following documents:Submitted by Applicants

- A-1 Application #6BSUB11, submitted by Applicant, dated 3/21/11.
- A-2 Project Description, submitted by Applicant, dated 3/18/11.
- A-3 Site Plan for David V. Bartlett and Jennifer L. Moyer (Sheet 1), prepared by Pathways Consulting, LLC, dated 3/17/11.
- A-4 Subdivision Plan for Bartlett Property, prepared by Pathways Consulting, LLC, dated 3/18/11.
- A-5 Request for Continuance of Hearing to June 2, 2011, submitted by Applicant, dated 4/26/11.
- A-6 Correspondence re: supplemental information, from Pathways Consulting, LLC, dated 5/25/11.
- A-7 Revised Wetland Delineation Plan, prepared by Pathways Consulting, LLC, dated 5/23/11.
- A-8 Revised Site Plan for Bartlett Property, prepared by Pathways Consulting, LLC, dated 5/25/11.
- A-9 E-mail correspondence to Rebecca Chalmers, District Wetland Ecologist re: wetland determination, from Tim McCormick, Pathways Consulting, LLC, dated 5/24/11.
- A-10 E-mail response from Rebecca Chalmers, District Wetland Ecologist to Tim McCormick of Pathways Consulting, LLC's e-mail re: wetland determination, dated 5/31/11.
- A-11 E-mail correspondence from Ann Kynor, Pathways Consulting, LLC, dated 6/2/11.
- A-12 Revised Site Plan for Bartlett Property, prepared by Pathways Consulting, LLC, dated 7/1/11.
- A-13 Driveway Profile and Sections, prepared by Pathways Consulting, LLC, dated 7/1/11.
- A-14 Request for Continuance of Hearing to September 15, 2011, submitted by Applicant, dated 7/5/11.
- A-15 E-mails between Tim McCormick of Pathways Consulting, LLC and Martha Abair, US Army of Engineers, submitted on 9/15/11.
- A-16 Driveway Profile and Sections, prepared by Pathways Consulting, LLC (A-13), with written notations from Ann Kynor, submitted on 9/15/11.
- A-17 E-mail Request for 6-Month Extension for a Final Hearing (Decision Date 11/12/11), by Pathways Consulting, LLC, dated 10/8/12.
- A-18 Response to DRB Notice of Decision Recommendations for Proposed Changes and Requests for Additional Information, by Pathways Consulting, LLC, dated 4/26/13.
- A-19 Plans, submitted by Pathways Consulting, LLC, dated 4/10/13
  - a. Site Plan Sheet 1 of 3
  - b. Driveway Profile and Bioretention Facility Details, Sheet 2 of 3
  - c. Drainage and Erosion Control, Sheet 3 of 3
- A-20 Final Subdivision Plans, by Pathways Consulting, LLC, dated 4/25/13.
- A-21 Individual Wetland Permit, DEC ID #: NS12-0151, by the Vermont Agency of Natural Resources, Department of Environmental Conservation, dated 7/23/13.

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties list, dated 7/30/13.
- ZA-2 Ortho Base (2009) Photo of Site Plan, submitted by ZA, dated 3/11.

- ZA-3 Zoning Administrator Report, submitted by ZA, dated 4/4/11.
- ZA-4 Norwich Fire Department Report, dated 4/5/11.
- ZA-5 Revised Ortho Base (2009) Photo of Site Plan, submitted by ZA, dated 5/26/11.
- ZA-6 DRB Preliminary Decision, dated 11/12/11.
- ZA-7 Preliminary Peer Review and Recommendations Report, by CLD Consulting Engineers, Inc., dated 1/15/13
- ZA-8 Final Peer Review Report, by CLD Consulting Engineers, Inc., dated 4/29/13.

#### Submitted by Interested Parties

- IP-1 Memorandum, submitted by Nelson Kasfir and Elizabeth Blum, abutters at 48 Cliff Street, dated 4/6/11.
- IP-2 Letter from Daniel Haedrich, delegating Susan and Richard Haedrich to attend the public hearing on his behalf as an abutter at 49 Cliff Street, dated 4/7/11.
- IP-3 Letter from Deborah Boettiger, abutter at 31 Cliff Street, dated 4/29/11.
- IP-4 Letter from Richard Haedrich, 47 Cliff Street, received 5/4/11, dated 4/24/11.
- IP-5 Letter from Maria Cabri, abutter at 38 Cliff Street, received via fax 5/27/11.
- IP-6 Letter from Richard Haedrich, abutter at 47 Cliff Street, dated 5/30/11.
- IP-7 Memo from Nancy Gardner, abutter at 24 Cliff Street, dated 5/31/11.
- IP-8 Memo from Nelson Kasfir and Elizabeth Blum, abutters at 48 Cliff Street, dated 5/31/11.
- IP-9 E-mail from Johnson/Cantlin Family, abutters at 32 Cliff Street, dated 6/1/11.
- IP-10 E-mail from Martha Graber, abutter at 39 Carpenter Street, dated 6/1/11.
- IP-11 E-mail from Ann Marie Smith, abutter at 25 Carpenter Street, dated 6/14/11.
- IP-12 Memorandum to DRB from Nelson Kasfir and Elizabeth Blum, with attached letter from P. Scott McGee, Esq. and part of Applicants' revised site plan (7/1/11) enlarging area of proposed driveway, abutters at 48 Cliff Street, dated 7/4/11 and 7/5/11 respectively.
- IP-13 Memorandum to DRB from Richard L. Haedrich, abutter at 47 Cliff Street, dated 9/12/11.
- IP-14
  - a. E-mail from Heather Cantlin, abutter at 32 Cliff Street, dated 9/15/11.
  - b. Photos of Cantlin property lines with vegetation, submitted by Heather Cantlin on 9/15/11.
- IP-15 Letter from P. Scott McGee, Esq., submitted for Nelson Kasfir and Elizabeth Blum, abutters at 48 Cliff Street, dated 9/23/11.
- IP-16 Memorandum with photos from Chip Hedler, submitted for Maria Cabri, abutter at 38 Cliff Street, on 9/29/11.
- IP-17 Memorandum to DRB from Nelson Kasfir and Elizabeth Blum, abutters at 48 Cliff Street, dated July 29, 2013.
- IP-18 Memorandum from Jennifer and Sam Hopkins, abutters at 47 Carpenter Street, submitted and read (by Ann Marie Smith) at 5/30/13 hearing.

#### New Exhibits introduced –

- Exhibit A-21 Individual Wetland Permit from the State of Vermont;
- Exhibit I-17 Memorandum of Kasfir and Blum, abutters at 48 Cliff Street, regarding underground utilities and groundwater; and
- Exhibit I-18 Memorandum from Hopkins, abutters at 47 Carpenter Street, regarding water issues on their property.

John Lawe reviewed the status of this final hearing.

In response to questions from the Board, Kynor stated:

- The state wetland permit application is consistent with application documents submitted to Board and the project must conform to the plans and conditions approved in both permits.
- Utilities will be installed under road/driveway within disturbed area approved by the state wetland permit.
- The two bioretention basins (“Rain Gardens”) will absorb storm water from impervious surfaces created by the development for smaller events. Stormwater from larger events will be dissipated through perforated pipes under stone in an overflow weir near the top of the basins.
- The sewer lines to the wastewater systems are 4” gravity from the houses to the pump tank and 2” from the pump to the leach fields. Underground pipes through wetlands and buffer zones will have minimal impact and were approved in the state wetlands permit.

The amount of water in the area continued to be of major concern to abutters on both Cliff and Carpenter Streets. Teeter asked if it would help to plant more trees to absorb water. David Bartlett, the landowner, agreed that historically drainage is an issue in area and he would be happy to be part of solution in collaboration with the neighborhood.

Nelson Kasfir discussed the points raised in the letter he and Liz Blum sent to the Board (IP-17) asking the board not to approve the subdivision. Issues included the waiver request related to NSR 3.5(D) and allowing underground utilities.

Rotman moved to close the hearing. Tuggle seconded the motion and the motion passed 7-0. The hearing was closed at 8:40 PM.

The Board will deliberate and issue a decision within 45 days.

The meeting was adjourned at 8:45 PM.

Phil Dechert, Clerk

*APPROVED 10-3-13*