

WEST WINDSOR DEVELOPMENT REVIEW BOARD
Approved Minutes
November 22, 2016

Members Present: Shannon Harrington, Barbara Truex, Jane Hoisington, Dick Beatty, Genevieve Lemire

Others Present: Scott Monahan, Daniel Kogut, Preston Bristow

The meeting was called to order by chair Shannon Harrington at 6:30 pm.

The **public hearing on application #2640 by Scott Monahan** for a variance or waiver to construct a 2-car garage within the required front and side setbacks at 853 Silver Hill Road (parcel #5-92) was opened with a reading of the hearing notice. No DRB member disclosed any ex parte communications or conflicts of interest. No one requested status as an interested person. Scott Monahan and Daniel Kogut were sworn in.

Scott Monahan and Danny Kogut seek to construct a 24-foot by 24-foot by 20-foot-high 2-car garage adjacent to the existing driveway access at the 11-acre residential property owned by Scott Monahan. The applicant requests permission to place the garage at a setback of 40 feet from the center of Silver Hill Road and 45 feet from the nearest boundary with the Weber property.

The Monahan property is in the Rural Residential (RR-5) District where the required front setback is 30 feet from the edge of the road right-of-way or 55 feet from the road centerline (30'+25') and 50 feet from side boundaries. Therefore, the requested dimensional variance or waiver is 15 feet on the front and 5 feet on the side.

Scott Monahan and Danny Kogut provided the following application materials:

1. Zoning Permit Application requesting a Waiver
2. Answers to Waiver Criteria (Section 6.9)
3. Variance Application
4. Answers to Variance Criteria (Section 6.8)
5. Answers to Conditional Use Review Standards (Section 5.3)
6. Photos of proposed garage site and proposed garage appearance
7. Vermont Natural Resource Atlas map of Monahan property
8. Survey of Monahan property

Scott Monahan and Danny Kogut stated that they applied for both a Variance and a Waiver at the recommendation of administrative officer Preston Bristow.

The DRB determined that the application did not meet criteria (2) of the Variance criteria under section 6.8 that "there is no possibility that the property can be developed in strict conformity with the provisions of these regulations" and the application therefore does not qualify for a Variance.

The DRB reviewed “Section 6.9 Waivers” and found that the application appeared to meet the requirements for a dimensional Waiver. Although the property is 11 acres in size, most of the property is wet or open agricultural land. Due to ledge, topography that would require excessive fill, and an existing septic system, alternate sites near the dwelling are not feasible. Sites further along Silver Hill Road are not convenient to the house and would detract from the goals of preserving open space, agricultural land and scenic views.

The requested dimensional Waiver would not reduce the property line setbacks by more than 50% and would not result in a structure with a setback of less than 10 feet from a property line or right-of-way.

The size, style and placement of the proposed garage would be compatible with the scale and design of structures in the surrounding neighborhood. The applicant intends to increase the natural screening with additional hemlock and birch plantings.

The DRB decided the annotated survey provided was sufficient and that a site plan prepared by a surveyor was not required.

The hearing was closed at 7:10 PM. Scott Monahan and Danny Kogut left the room.

Following deliberation, the meeting was adjourned at 7:35 PM.

Respectfully submitted,
Preston Bristow