

WEST WINDSOR DEVELOPMENT REVIEW BOARD

Draft Minutes
December 13, 2011

Present: Glenn Seward, Shannon Harrington, Hal Pyke, Genevieve Lemire, Barbara Truex, Martha Harrison

- 1) Call to Order – DRB Chair Glenn Seward called the meeting to order at 6:35 PM.
- 2) Changes or Additions to the agenda – Glenn said he would like to do the public hearings listed as items #4, 5, and 6 first, and will recuse himself from the public hearing listed as item #3. Shannon said she will recuse herself from item #3 as well. Glenn requested the DRB’s permission to lump some of these things together. The DRB agreed.
- 3) Public Hearings - Epstein, Hudson & WWVFD: Glenn opened the hearing on application #2466 by Michael and Susan Epstein (parcel #2-91) at 517 Bible Hill Road, application #2467 by Alan and Louise Hudson (parcel #3-164) at 827 Route 44, and application #2469 by the West Windsor Volunteer Fire Department (parcel #3-162) at 889 Route 44. Glenn noted that all the applications are for work in a stream buffer area, as authorized by VT Stream Alteration Engineer Todd Menees, to restore property damaged during Tropical Storm Irene. Glenn added that each application is subject to review under Section 3.14 of the West Windsor Zoning Regulations. Glenn noted that there were site visits to each parcel on December 11th, beginning at 1:00 PM. Glenn noted that there are no applicants or interested parties present. Glenn asked Martha to give the DRB her take on how the permit applications are affected by the zoning regulations and how she arrived at the review criteria. Martha said she doesn’t consider it “development” to put rocks and dirt back where they were but, since our zoning regulations do restrict work in a stream buffer, she felt that the situation warranted DRB review. Martha said she did not go on the site visits but if any of the applicants put in extra fill that would raise the level of the ground and make future flooding worse down stream, the hearing on that application should be continued and should go through flood hazard review. Glenn said in his opinion the finished elevation on the Hudson property is lower than it was, the West Windsor Volunteer Fire Department property does not look appreciably different than it did before, and there was no indication of any significant disturbance at the Epstein property. Genevieve agreed that all the sites appeared to have been restored to their previous condition. Hal said the dirt had been put back and the areas re-seeded. Shannon said she had been to the Epstein’s prior to the flood and that looks the same except for the short extension of the stone wall. Martha noted that our regulations do not require a permit for a stone wall. Hal noted that the Epstein’s returned their little bridge to its previous location. Martha noted that the Epstein property is not in the floodplain anyway. **Glenn made a motion to close the hearings. Hal seconded the motion, which passed unanimously. Glenn moved to go into deliberative session. Hal seconded the motion, which passed unanimously.**
- 4) Public Hearing - Harrington: Hal opened the hearing on application #2458 by Matthew and Shannon Harrington (parcel #2-147) at 390 Harrington Road for work in a stream buffer as authorized by VT Stream Alteration Engineer Todd Menees to restore property damaged during tropical storm Irene. Hal noted that the DRB conducted a site visit to the Harrington property on Sunday, December 11th. Barbara commented that it appeared that the Harringtons were able to retrieve enough material from downstream to get their property back in shape. Barbara noted the Harringtons desire to plant some trees in the area, which does not require a permit. Genevieve agreed that the site visit showed that the area had been restored to its original condition. **Barbara made a motion to close the hearing and go into deliberative session. Hal seconded the motion, which passed with Glenn and Shannon abstaining.**
- 5) Minutes – November 8th: **Barbara made a motion to approve the minutes of November 8th as written. Hal seconded the motion, which passed unanimously.**
- 6) Other Business – Coakley litigation: Glenn said there is another phone conference among the attorneys for sometime in February. Genevieve noted that, as this goes on, the Coakley’s fine

continues to accrue. Barbara asked if any restoration work has been done. Glenn said the slope abutting the Kniffin property has grown in pretty well. Martha said the fines must be up to \$50,000. Glenn said he will ask Matt about putting a lien on the property.

- 7) Adjourn – **Glenn made a motion to adjourn. Hal seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison