

Moretown Development Review Board

Minutes of DRB Hearing Held December 20, 2012

Members of the Board present: Erick Titrud; John Riley; Jim O'Neill; David Russo and Eric Howes (Alternate)

Application #12-38(A) - Randall George and Eliza Cain for three bedroom residence on Olivia Lane.

John Riley called the meeting to order at 6:30 p.m. Randall George and Eliza Cain own a 6.59 acre parcel at the end of Olivia Lane off Farnham Road. Olivia Lane is a private road. The proposed use and structure requires DRB approval under Section 4.1(A) because the lot does not have frontage on a town road. Randy George is present for the Applicants. Randy outlined the proposed house location as well as the location of the septic site under the amended State permit. According to the plan attached to the application, it appears the right of way for Olivia Lane is 50' in width. The road has been constructed and is in place up to the parcel boundary line. Eric Howes moves to grant DRB approval of the application as submitted on the condition that Olivia Lane be maintained all seasons of the year sufficient that emergency vehicles, including fire trucks, can access the proposed residence. David Russo seconds. All approve.

Application #12-39 - Jenna Rossbach for change of use from office to residence and a cottage industry at 171 Pony Farm Road.

Present is the applicant, Jenna Rossbach. Also present is Marilyn Spaulding on behalf of the Estate of Helen Austin which owns the parcel contiguous to the subject lot. Also present is Leslie Logan who lives with her husband directly across at 148 Pony Farm Road.

Ms. Rossbach has worked in landscaping in the Mad River Valley and over the last 4-5 years has operated her own business with a partner. Recently, Jenna acquired the former Austin property at 171 Pony Farm Road. The property consists of 1.4 acres with house/office and attached greenhouse. Jenna is not currently living in the property, renovating the previous office into residential space. The northerly portion of the property is a field of approximately one acre which is separated from the house by a 16 foot right of way that provides access to the Helen Austin Estate property located to the rear of the lot.

Ms. Rossbach plans to use the greenhouse to grow annual plants (mainly flowers) that she will utilize in her landscaping business, intending to sell excess to other landscapers in the Mad River Valley. She also hopes at some point to conduct sales to the public,

mostly of the annuals but she will be starting vegetables in the greenhouse, and growing them in the adjacent field and may sell those as well. At some point in the future she would like to bring in products from elsewhere that she would sell such as tropicals and compost.

Ms. Rossbach is also proposing a sign though she has not settled on a particular location or type. This property was previously a two bedroom residence with office. As part of the renovation Jenna is making improvements to the septic system and working with McCain Consulting. Marilyn Spaulding inquired about a recently installed drain pipe which runs onto the Austin estate property. Ms. Rossbach indicates it diverts roof runoff and that the excavator shortened the pipe to not be located on the Austin property.

The residence is approximately 800 square feet and there is space for three parking spaces in front of the residence. Ms. Rossbach indicated that a portion of the residence will be office space. Also, a portion is a garage area approximately 10 feet deep that may be used for storage. No lighting is planned at present. Ms. Rossbach does not anticipate owning or maintaining farm equipment, planning to hire out any tilling.

Leslie Logan expressed safety concerns because of poor sight visibilities for vehicles traveling from the south on Pony Farm Road. The property sits at the crest of a hill and there is a blind spot such that when exiting the Rossbach property, one cannot see oncoming cars on Pony Farm Road. Ms. Rossbach indicated one can see beyond the blind spot, and that she has learned to hesitate a few seconds when existing to verify no vehicles are coming. Ms. Logan indicated that the road has a moderate amount of traffic, especially at commuting times.

There was further discussion of the square footage devoted to the residence and that of the greenhouse. The greenhouse is 32 x 18' or 576 square feet. The dimensions of the house are 40 x 16' or 640 square feet but a portion of that may be garage and office space. Under the Cottage Industry provisions in Section 3.7(E), a cottage industry is to occupy less than 50% of the combined floor area of all structures on the lot. The ordinance goes on to state that the DRB may permit the use of floor space in excess of 50% provided such space is limited to storage of goods and materials associated with the operation of the cottage industry, and that such storage occurs in an accessory structure.

Also discussed was to what extent the proposed use of growing and selling agricultural products on site may be exempt from municipal zoning under state law.

It was agreed that the Board would conduct a site visit to better understand the safety concerns which have been raised. Erick Titrud is unavailable but other Board members will conduct a site visit Saturday, December 22 at 8:30 a.m. Erick will personally visit and view the site when he can. Upon motion duly made and adopted, this proceeding is

continued to Thursday, January 10 at 5:30 p.m. at the Town Office. The scheduling is intended to allow the hearing to not conflict with the public forum on potential locations for new Town Offices scheduled for 7:00 p.m. that day.

There being no further business, the meeting adjourned at 7:50 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "J. P. Riley". The signature is stylized and cursive.

John P. Riley
Acting Clerk