

Town of Moretown Development Review Board
P.O. Box 666, Moretown, Vermont 05660

Minutes of Hearing Held April 3, 2014

Application No. 14-06: Amici Associates, LLC For Change in Use at 6970 Route 100B

Present for the Board were John Riley, Erick Titrud, Tom Badowski, Jim O'Neill and Dave Russo. Present for the Applicant was Leonard Vecchione.

John called the meeting to order at 6:35 PM. Mr. Vecchione explained that he individually owns the subject property which consists of the former Turner Family Farmhouse on 1.5 acres. According to the application, the property is currently approved as a two unit residential structure. The proposal is to continue one unit as residential, with the Applicant seeking approval for the other unit as a "school", and seeking approval of the property as a mixed use under the zoning regulations.

Mr. Vecchione is an owner of Amici Associates which provides support services to individuals with developmental and emotional disabilities of a substantial nature under subcontract to Washington County Mental Health and its counterpart in Lamoille County. Mr. Vecchione explained that the State of Vermont contracts with Washington County Mental Health, which in turn can subcontract with providers it chooses. And that entities such as Amici Associates need not be separately licensed or approved by the State of Vermont to provide support services. Presently, Amici has contracts to provide support services for seven individuals with challenging behaviors.

These individuals do not reside on the subject property. The Applicant has for some time been using the partially finished second unit as an office space for one to two support staff who use it for administering the Company's programs. This is outlined in a February 25 letter from Applicant in support of the application. Mr. Vecchione estimated that approximately one day a week the space is also used to provide services to the Company's clients. One of the principals of Amici Associates is a licensed special educator, and part of the Company's role is to provide some educational services as part of individual educational plans of clients eligible for such services (that is, those under age 22 through their local school district).

Mr. Vecchione did acknowledge that many, if not most of such services, are provided in the community, and that the main purpose and function at present for the space at this location is as an office space. Mr. Vecchione also confirmed as stated in the February 25 letter submitted as part of the application that the space is used for weekly staff meetings at which time 10-15 individuals are present.

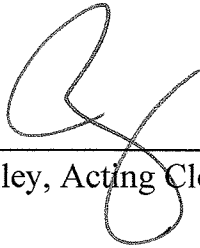
It was noted and discussed that there had been an application approximately two years ago to permit the property for office use but it was found to not qualify because a business office, or professional office, is not an allowed conditional use in the Agriculture/Residential zone.

There is no definition of “school” in the zoning ordinance. The Board believes it should utilize the common understanding of the term with typical elements being an instructor, defined curriculum and course offerings, leading to completion by students, with some certification of goals attained. Other than the fact that the present use involves some incidental provision of services for clients on IEPs, it does not appear the present and proposed use constitutes a school.

Tom Badowski moved to deny the application as it cannot fairly be considered a school, and so does not qualify as an allowed conditional use in the zoning district. Jim O’Neill seconds. All approved. The Board finds that the existing and proposed use is not a school within the meaning of the Moretown Zoning Ordinance.

There being no further business, the meeting adjourned at approximately 7:10 PM.

Respectfully Submitted,



John Riley, Acting Clerk