

TOWN OF PLYMOUTH PLANNING COMMISSION
AND ZONING BOARD OF ADJUSTMENT

JUNE 2, 2020

Chairman, Mike Coleman called the meeting to order at 7:00 P.M.

Board members in attendance were Mike Coleman, Rick Kaminski, Anne Brown, Jay Kullman, and Bruce Pauley.

Audience members in attendance were Patrick Cody of Okemo Valley TV, Donald and Cathie Spruck, and Tom Derlinga.

Bruce Pauley made a motion to approve the minutes of the last meeting on February 4, 2020, as read. Anne Brown seconded the motion and the board gave unanimous approval.

The Conditional Use hearing for Donald and Cathie Spruck to erect a boat house for kayak storage on their property at 1664 Scout Camp Road was discussed. Board members questioned the property owners regarding the placement of the structure in relation to the road and Echo Lake. They noted the structure is esthetically pleasing and will not be visible during summer months. The structure will not be placed in a flood plain and requires no foundation.

Next, the board discussed the Conditional Use application of Farm & Wilderness Foundation to demolish an existing cabin within the Shoreland Overlay, replace the footings and re-construct on the same footprint. Jay Kullman represented Farm & Wilderness Foundation and answered questions from the board regarding setbacks.

After both hearings were closed, Tom Derlinga addressed the board regarding the sub-division of Echo Estates in 2010. He stated the Waste Water Permit and Vermont state requirements have changed since his Conditional Use approval for the sub-division. He feels the waste water system that was designed and installed after the sub-division would not be permitted now. After careful review of the documents from Conditional Use application # 2010-002, the board determined that an amendment to the Decision Letter dated May 11, 2010 was not required with regards the approved Water Supply and Waste Water Disposal System. The board stated the State of Vermont, Agency of Natural Resources, Dept. of Environmental Conservation has jurisdiction over and issues permits for Waste Water Disposal Systems. Mr. Derlinga requested a letter from the board, signed by the chairman, stating that no change was necessary to amend the Planning Commission's 2010 decision.

Mike Coleman discussed the appeal to A.B.L.E. Waste Management's Conditional Use Decision for property located at 9139 Route 100. A complaint was received on May 8, 2020, regarding improper tree cutting on the property. A Zoning Violation Complaint Form was forwarded to the complainant on May 12, 2020. To date, no reply has been received.

Mike asked that copies of bills for legal expenses for Zoning permits be forwarded to the board.

With regards the Zoning Administrator approval of a 2 lot sub-division of an adjacent lot to 5340 Route 100, Mike Coleman made reference to the Zoning Ordinance, page 19, item 3.3 and the Vermont Agency of Transportation requirements regarding subdivisions and Site Plans with Frontage along state highways. A notification from VTRANS, dated February 3, 2020, stated "No deed purporting to subdivide

land abutting a state highway or a class 1 town highway can be recorded unless all the abutting lots so created are in accord with the standards of Section 111(k), as amended by Section 13 of Act # 150, including but not limited to the requirement to provide a frontage road or roads.”

This statute ensures that all lots have access and that a plan for access points was reviewed and approved prior to recording of a subdivision. VTRANS should provide a Letter-of-Intent to the applicant that can be provided with the site plan submission package.

Next the board entered deliberations of the Conditional Use applications heard.

Anne Brown moved to approve the Spruck application to erect a boat house / kayak storage shed at 1664 Scout Camp Road. Bruce Pauley seconded the motion. Mike Coleman noted that all application standards had been met, there is no proposed tree removal, the boat house is within the setbacks, its design is similar to the character of the area, and it will not impact planned community facilities. Approval of this application was unanimous.

Next, Anne Brown moved to approve the Farm & Wilderness Foundation application to demolish and replace an existing cabin. Rick Kaminsky seconded the motion. Mike Coleman stated that all the application standards had been met.

Jay Kullman recused himself from voting. Approval of this application was unanimous.

Rick Kaminski discussed the results of a survey of town residents conducted before town meeting in March. The primary response showed most residents in favor of maintaining current budget and funding levels.

Jay Kullman moved to adjourn the meeting at 8:20 P.M. Rick Kaminski seconded the motion.

Respectfully submitted,

A handwritten signature in cursive script that reads "Elaine Pauley". The signature is written in black ink and is positioned above the printed name and title.

Elaine Pauley
Secretary