

TOWN OF FERRISBURGH
ZONING BOARD OF ADJUSTMENT
Minutes of March 5, 2014

Present: Charlene Stavenow-Chair, Bob Beach, Alyth Hescocock, Mike Delaney, Rayne Herzog, Julie Adams and John Paul

Visitors: Bob Peisch, Loretta Lawrence, Sally Torrey, Steve Gutowski, Jim Benoit, Peter Welch, Carl Cole, Tom Denecker, Mike Capra, Brad Reibinowitz, David Waller, Cliff Collins, Amada Raab, Bob McNary, Arthur Adams, and Ken Wheeling, Zoning Administrator.

The meeting was opened at 7:00 pm. Bob Beach moves to approve the minutes of February 5, 2014 as written; second by John Paul.. So voted with Julie Adams abstaining.

14-004 Barry McDonald, Kimball Dock Road

The hearing is reopened at 7:05 pm. Peter Welch speaks for the permit. There was a site visit earlier this evening. The McDonalds have decided to tear down the old camp and build new; which would be less damaging to the property. They would move the camp four feet farther from the lake and two feet farther from the northern property boundary with the Freschettes. Peter has a site plan; all the excavation material would be removed from the site; no trees on the lake side would be removed; as few trees as practical will be removed; the new camp will be similar to the existing one. He feels this plan looks better than the original one. Peter will bring in the final site plan. This camp will be year round capable.

Mike Delaney moves to close the public hearing at 7:12pm; second by Rayne Herzog. So voted.

Bob Beach move to approve 14-004 as presented with the conditions that there is a final site plan on file; a letter from a septic engineer on file and they will replace a reasonable number of trees; second by John Paul. So voted.

14-009 Starry Night LLC, Route 7

Brad Reibinowitz and David Waller speak for the permit. They present a plan which shows what they would like to do. They have done septic and water upgrades to meet the State requirements. They have a State permit for a 77 seat restaurant. They would like a kitchen addition; to move the entrance; add a screened porch; define the gravel parking area; add outdoor down cast LED lighting that will be 14 to 16 feet high; a land scape plan and add trees and shrubs. The two railroad cars will be removed and a water system building will be added. They would like to start as soon as possible

Bob Peisch, a western neighbor and town health officer states that he has had calls on the rail cars. The removal of the rail cars will solve the problem.

Julie Adams moves to close the hearing; second by Bob Beach. So voted.

Rayne Herzog moves to approve 14-009 as presented; second by Bob Beach. So voted.

14-010 Allan Simon, Route 7

The public hearing is opened at 7:32 pm.; Allan Simon is not present. The hearing is recessed to April 2nd at 5:15 pm.

14-011 Denecker Chevrolet, Route 22A

Tom Denecker, Mike Capra, Cliff Collins and Amada Raab speak for the permit. They would like to construct an auto sales and service facility at the intersection of Route 7 and Route 22A on land they would purchase from the Town of Ferrisburgh. This project needs an Act 250 permit. They have preliminary site plans; General Motors has requirements for the design of the buildings. It would be a 19500 sq. ft. building with an outside parking area. Municipal water is available, underground power is available and there is proven onsite septic available. They plan to have propane heating. It will probably be two to three months before they have the final building design. They will provide the lighting design later; Efficiency VT wants to help with the project. There will be a small dumpster and recycling container outside. There will be a carwash that uses reclaimed water and has a grease separator. They need a storm water retention pond due to the 2.8 acres of impervious material.

Bob McNary, neighbor to the east, is concerned about the land between the building and Route 7 known as Area 2. There is very little screening and there should be no disturbance to the land. His old plan does not show the retention pond. He is given the new plan. Tom replies that the only disturbance will be to add the water connection. Tom would also like to grade level the area, add top soil and plant grass or hay which they would mow to make the building more visible. Bob states that the wetland problem was created when the Park and Ride was built and he is concerned about the drainage onto his property. Tom says the wetlands can be negotiated. Amanda Raab has met with the State and has a letter regarding the wetland and that the Army Corp of Engineers will need to be involved. They plan to keep away from the wetland. Bob says that the water line is owned by the State AOT from the main line to the Train Station. The design of the building is incompatible with the neighborhood. Where will the waste fill go? Tom replies that it will go to an approved Act 250 site. Bob asks about the storm water retention pond. The State has standards that must be met for the storm water retention pond. It will be 150 feet by 70 feet and about 6 feet deep and drain towards the west and possibly be fenced in. Bob would like to see the height of the building and the footprint on a site visit. Tom says it will be similar to the existing building on Monkton Road and it shows as 29 feet high on the plan. They want to have a rural design and there is some negotiability with GM on the design. The hearing is recessed to April 2nd at 5:30 at the site and will be first on the agenda at 7:05 pm.

Ken Wheeling, Zoning Administrator, has sent a letter to Pete Hawkins about the violation and outstanding bill and has received no response and needs to know how to resolve the problem. By consensus the Board agrees to waive the fee. Steve Gutowski, Selectboard member, and Ken will meet with Pete to discuss the problem.

The Board has received notice that the Vermont Supreme Court has upheld the permits issued to Champlain Oil for their convenience store and to the Handy Group for the Dollar General Store.

Meeting adjourned at 9 pm.
Respectfully submitted

Chet Hawkins Minute Taker