



Town of Waterford
Development Review Board
Meeting Minutes
05/20/2024
7:00 PM

In Attendance: Ann Fielder, Robin Migdelany, Daphne Bullock. Attendance sheet attached.

Call to Order

- Chair Anne Fielder called meeting to order at 7:00pm.

Approve minutes of April 15, 2024

- Robin Migdelany motioned to approve the minutes as amended, Ann Fielder seconded the motion. Motion passed by acclamation of members present.

Administrator's Report/Community Concerns

- Zoning Administrator Chris Brimmer is pursuing a few violation complaints. He is still working on the issue with squatters on Kidder Road. The state has taken interest in the case and may conduct further investigation.
- Robin Migdelany asked about tarps laid on some property on Shadow Lake Road. ZA said the tarps are in compliance with the solid waste ordinance which dictates waste needs to be screened, not removed. The property owners have a driveway permit and still need a wastewater permit.
- Tom Thomas asked for an update on the short-term rental ordinance. ZA noted that there is trouble with enforcement. Robin Migdelany suggested attaching a notice with tax bills to inform people they need a permit to do short-term rentals.

New Business

- No new business.

Warned hearing 24-V-01, Adam Teal, 2606 Old County Road South, Waterford VT 05819, tax parcel 7-2-777; Variance, appeal of permit denial to restore a non-conforming footprint.

- Zoning Administrator Chris Brimmer gave a brief report. He couldn't write a permit for Mr. Teal, and the situation does not qualify for a conditional use permit.

- Adam Teal gave an introduction including his history with the town and the property. There are two structures on the property. Mr. Teal started working with ZA in 2020 and presented his plans for the property. He demolished the larger structure in 2020 with plans to rebuild. He ran into significant setbacks due to the COVID-19 pandemic and changed his plan for the property. He rebuilt the smaller structure into a cabin so he and his family could have a place to stay while they rebuilt the larger structure. He planned for the cabin to be the primary dwelling and the larger structure to be an accessory structure- a workshop with a bathroom and space for overflowing sleeping arrangements. The Board pointed out that if a structure has a bathroom and a bed, it is considered a dwelling, and the auxiliary dwelling cannot be larger than the primary dwelling. Mr. Teal agreed to change his plans and will not build a bathroom or prepare it for sleeping so it can meet the qualification to be considered an accessory structure.
- The decision to postpone rebuilding the demolished structure and rebuild the smaller structure first put him out of compliance with the timeline required to rebuild a demolished structure. He is requesting an exception citing the uncontrollable circumstances created by COVID-19 that led him to change his plans and caused the delay.
- The foundation of the demolished larger structure does not meet the current restrictions set by Table 204.3 of the bylaw stating the structure must be 65 feet from the center of the road. Mr. Teal hired Ben Bean, a certified engineer in the state of Vermont, who states the foundation is 48 feet from Old County Road S. When the new setback requirements were introduced, there were allowances for current structures to be grandfathered in. The grandfather period fell out while Mr. Teal was building the cabin on the smaller structure. He is requesting a variance to restore the non-conforming footprint citing the COVID-19 complications that led to the delay in rebuilding.
- Stephen Chisholm, an abutting property owner, addressed the Board. He stated Mr. Teal's septic overshadows his property and is worried leaching could be mitigated onto his property. He is concerned that the original inspections completed and permits Mr. Teal has acquired are no longer relevant due to the significant changes made to the building's design. He filed a violation with the DEC. He also noted Mr. Teal has two driveways when only one driveway is permitted.
- Mr. Teal responded to the Board saying he hired the Fenoffs, a local contractor, to make one driveway and one field entrance which was approved by the highway department. He is in the process of filing with the State of Vermont Wastewater Commission. The Board clarified that it does not affect this hearing.

Adjourn

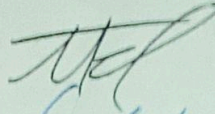
- Daphne Bullock motioned to adjourn. Robin Migdelany seconded the motion. Motion approved by acclamation of members present. Meeting adjourned at 7:55pm.

DRB 5/20

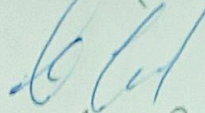
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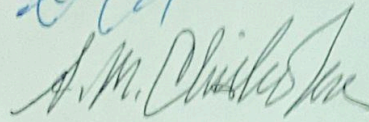
Michael Teal



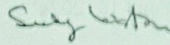
Adam Teal



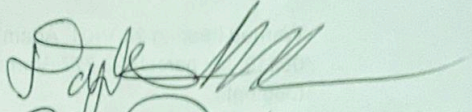
Stephen Chisholm



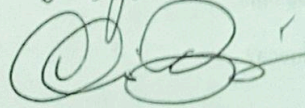
Suey Watson



Tom Thurner



Daphne Bullock



Chris Brimmer