

TOWN OF MONTGOMERY, VERMONT

ZONING OFFICE

**MONTGOMERY DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES**

Tuesday, August 16, 2016

Members present: Merle VanGieson, Howard Tatro, Lynda Cluba

Also present: Ann Lavery, Zoning Administrator

Applicant: Daniel Morris

Meeting was called to order at 6:05pm

1. **Approve minutes 10/6/2015, 7/28/2016.** No quorum present that had attended these meetings. No motion was made and the Unapproved minutes will be put on Agenda for next meeting.
2. **DEVELOPMENT REVIEW BOARD HEARING - Daniel Morris - DRB Application #16-17**
Application for Variance

Merle explained the purpose of the hearing. An Application for Variance was submitted to build a 26'X36' garage at 1283 North Hill Rd, Montgomery. An 11.4 acre parcel in the Rural Residential District, ID# 7.042X. Daniel was given the oath as witness. He affirmed.

Anne explained the road frontage was 277', while regulations state a minimum of 300' is required in this zoning district. The lot was grandfathered because the it was purchased as a separate parcel by the previous owners.

Daniel stated he chose this site on the property in order to avoid the power lines and culvert. Also the property drops off on the West side and in the back. He would like to utilize the driveway which is currently in place. The door to the garage would be on the down hill side of the building. He could move the garage to the West a couple more feet but still could not meet the setback requirements on the East side. The garage would still be 12'-15' less than the setback requirement of 50'.

Merle asked the Board if they had any questions. Merle asked Daniel if he had considered having the garage attached to the dwelling. Daniel stated that as the dwelling is only one story, the new garage would show above the top of the house. This concluded evidence submitted at the hearing.

The Board asked if they could visit the property. Daniel affirmed, and the Board will visit the property on Friday, August 19th at 3:00pm.

Lynda made a motion and was seconded to recess the hearing at 6:30 pm and to reconvene after the site visit on Friday August 19th.. So moved 3-0.

A site visit was conducted on Friday, August 19th at 3:05 pm. Present were Merle Van Gieson, Howard Tatro and Lynda Cluba. Applicant was present. Merle measured the distance from the proposed building and the property line. Daniel showed where the building would be located and the direction it would face. The

property is a narrow strip, with power lines running in front of the dwelling. The inspection committee concluded their visit and returned to the office. Merle called the Board to reconvene at 3:35pm. Merle made a motion and was seconded to enter deliberative session at 6:07pm. So moved 3-0.

After discussion, Merle made a motion and was seconded to leave deliberative session at 3:40 pm. So moved 3-0. The Board reviewed the 5 requirements for a Zoning Variance. Items # 1,2,& 3 were answered in the negative, items # 4 & 5 were affirmative. Because all 5 requirements were not affirmative, the board felt they could not approve the request. They felt there could be other options for the property owner to consider.

Lynda made a motion and was seconded to approve the Request for Variance. Motion was denied 3-0.
Roll call vote: Lynda - no, Merle - no, Howard - no.

3. Other Business - no other business was discussed.

Lynda made a motion and was seconded to adjourn at 3:50 pm. So moved 3-0.

Respectfully submitted: Lynda Cluba