

TOWN OF MONTGOMERY, VERMONT
MONTGOMERY DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES

Thursday, September 26, 2024 @ 5:30 pm

Board Members: John Kuryloski, Vice Chair; Suzanne Wilson; Mary Garceau and Barry Kade

Applicants: John Barnes

Visitors: Carrie Roberts; Lynda Cluba, Clerk of DRB

Meeting was reconvened from August 22, 2024 at 5:31 pm.

John Kuryloski explained the process of how the meeting will be conducted. The hearing is recorded and all who speak must first state their name and be recognized by the Chair. He asked if any Board members felt they had a conflict of interest. Barry spoke and felt he had no conflict of interest but was not at the previous hearing and will read the minutes.

DRB Hearing - John Barnes has submitted an application for Hazard Area Review to make substantial improvement to an accessory structure. The application is to remove an existing garage and rebuild it in the same location at 46 Begnoche Farm Rd, on Parcel ID 26.003X of .40 acres in the Village 1 Zoning District. The structure is in the flood hazard area and substantial improvement requires Hazard Area Review.

John Kuryloski gave the oath to the applicant and all who wish to speak on behalf of the applicant. No interested parties were present.

Evidence submitted by the Zoning Administrator, prior to the hearing, includes 4 pages of email communication between the ZA and Carrie Roberts, who has permission from the applicant to speak regarding the application. Also a revised Building Permit application, received by the ZA on Sept 16, 2024, stating applicant wishes to tear down existing garage replace and add bonus rooms to upstairs . (Home office, game room, etc.)

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John, Vice Chair asks if a bathroom will be added. Carrie states they would unless that could prevent the permit from being approved. Barry explains the bathroom may need a state permit if the use would require plumbing. Based on a graphical overlay of the FEMA mapping, the northerly 4-5 feet of the existing garage/barn is in the Regulatory Floodway. The Board finds based on analysis per DAY land surveying PLLC the **BFE** is 525.7 ft. Barry asked if the slab will be built up above the current elevation. John Barnes answered in the affirmative. Barry stated no chemicals can be stored in the space at the back of the garage which is below **BFE**. . Montgomery Zoning Regulations 8.5 A)3 reads: " New construction and existing structures to be substantially improved in Zones A and AE shall be located such that the lowest floor is at least one foot above **BFE**; this must be documented, in as-built condition, with a FEMA Elevation Certificate."

John Kuryloski explained the Board will go into deliberation session and a decision would be mailed within 45 days. Hearing ends at 5:44 pm.

Mary made a motion and was seconded to go into deliberative session @ 5:46 pm. So moved 4-0. Sue made a motion and was seconded to exit deliberations @ 6:13 pm. So moved 4-0.

Based on the findings, the Montgomery Development Review Board **APPROVES** the application for Hazard Area Review at 46 Begnoche Farm Rd. to remove an existing garage and rebuild in same location, subject to not receiving an objection from Agency of Natural Resources by September 27, 2024 with the following conditions:

1. **The second floor of the garage will be limited to use for a home office and game room as stated in the application.**
2. **As written in the Town of Montgomery Zoning regulations 8.5 A), 3, the lowest floor must be raised 1 foot above Base Flood Elevation of 525.7 feet.**

John Kuryloski made a motion and was seconded to **APPROVE** the application for Hazard Area Review to make substantial changes to an accessory structure by removing an existing garage and rebuilding in the same location. Roll Call vote : John - YES; Suzanne - YES; Mary - YES; Barry - YES. Motion passed 4-0.

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Approve previous minutes: 5/23/2024 Suzanne made a motion and was seconded to amend the minutes by removing the word EXT. after the address Oberland Valley Rd on page 1. Motion passed as amended 4-0. **6/27/2024** Suzanne made a motion and was seconded to amend the minutes by removing the word EXT after the address Oberland Valley Rd on pages 1,2 & 3. Also to correct the parcel ID on page 2, to read 7.006A. Motion passed as amended 4-0. **7-25-2024** Barry made a motion and was seconded to approve the minutes as written. Motion passed 4-0.

Other Business - No other business was discussed.

Barry made a motion and was seconded to adjourn at 6:39 pm So moved 4-0

Respectfully submitted:

Lynda Cluba, Clerk