

DRAFT MINUTES
DEVELOPMENT REVIEW BOARD
CALAIS TOWN HALL
TOWN OF CALAIS, VERMONT
August 25, 2022

MEMBERS PRESENT: Ryan Edwards (Vice Chair/Acting Chair), Stephanie Kaplan, Willa Farrell, and Dennis Shaffer (Acting Clerk). Quorum established.

MEMBERS NOT PRESENT: Anne Winchester, Dot Helling, Ashley Moore

OTHERS PRESENT: John McCullough (Zoning Administrator), Clinton Holt (Applicant)

RE: Request for Conditional Use Hearing – Clinton Holt, Permit Application #2022-18 for Single Family Dwelling and Accessory Structure (Garage) on 924 Blachly Road, submitted July 13, 2022

Acting Chair Ryan Edwards called the hearing to order at 7:01 pm. Public notice was posted on August 5, 2022 with requisite written notice mailed to adjacent landowners. Copies of the application and associated materials can be viewed in the Calais Town Office or on the Town of Calais website linked to the DRB website page.

Acting Chair Edwards summarized the application, described the procedure for this hearing and administered the oath to Applicant Holt. There were no other parties present to participate. He requested disclosure of any conflicts of interest or ex parte communications involving members of the DRB – none were offered.

A Zoning Permit Application for a Single Family Dwelling and Accessory Structure (Garage) has been submitted by Clinton Holt. The proposed building site is located within an Upland Overlay Zoning District which requires Conditional Use approval from the Calais Development Review Board prior to the issuance of a permit, per Table 2.5 of the Calais Land Use and Development Regulations.

The proposed building site is located on Parcel #211039 on the east side of Blachly Road, approximately .4 miles NNE of 501 Blachly Road. The address is 924 Blachly Road.

The DRB previously held a warned site visit on Thursday, August 18th and conducted the Request for Conditional Use Hearing on August 25th, 2022 @ 7:00pm.

Mr. Edwards outlined for clarity all of the pertinent Calais Land Use & Zoning Regulations that the Board will apply when making judgements pertaining to the Application as has been presented to us.

1. The pertinent regulations are as follows:

1. Article 2, Section 2.2, Zoning District Standards
2. Article 2, Table 2.2, Rural Residential District (RR1) in its entirety with special emphasis on Table 2.2, Section (F), District Standards
3. Article 2, Table 2.5, Upland Overlay District (UPL) in its entirety with special emphasis on Table 2.5, Section (E), District Standards
4. Article 3, Section 3.12, Protection of Natural Resources
5. Article 5, Section 5.3, Conditional Use Review
6. Any other applicable Regulations as referenced in the above Sections and Tables or as otherwise determined by the Board in their review of this Application.

Applicant Clinton Holt submitted two supplement documents for the record – a current Forest Management Plan for the property and the written approval of the Vermont Land Trust to release the two acre building site from the Conservation Easement that encumbered to full 27 acres. He did not provide a copy of the Vermont Land Trust Easement. Mr. Edwards noted that he would obtain a copy at the Town Office on behalf of Mr. Colt for distribution to the Board for review.

Mr. Holt than provided an overview of the proposed project. The subject tax parcel, #211039, consists of approximately 27 acres. The proposed single family 3 bed-room dwelling and detached garage will be located within a two acre building site. The building site is located approximately 220 feet from Blachly Road. The elevation is approximately 1600 feet.

Ms. Kaplan requested that the applicant provide some of the historical background on the property. The property was part of a larger parcel conserved by the previous owner via a conservation easement held by the Vermont Land Trust (see attachment)). The easement allowed for two building sites – an existing house and one future house. Mr. Holt originally purchased 25 acres including the option for one of the building sites. He later learned that in order to qualify for the Vermont Current Use Tax program he would need two additional acres which he purchased, bringing his total acreage to 27. The Vermont

Land Trust has approved the location for the second residential unit and has granted its written approval (see attachment).

Mr. Edwards led the applicant and the DRB through a review of the relevant regulations. Holt provided responses to the DRB questions and review of compliance with the relevant zoning regulations.

There was a discussion about the size of the building site. The residence and detached garage will be located within an envelope of less than 1 acre. The site was previously cleared as a log landing for forestry purposes. The two acre site as referenced in the application referred to the building site approved and released by the Vermont Land Trust from the conservation easement.

Ms. Kaplan noted that the septic system and well appear to have been constructed prior to the application submission. Holt responded that they were based on direction from the Town Zoning Administrator. Administrator McCullough stated that his interpretation of the Calais Zoning Regulations is that septic systems and wells are not structures and therefore do not require permits.

Holt provided testimony that:

- No building will exceed 35 feet in height
- No steep slopes
- No rock outcrops
- No shallow soils – minimum of 5 feet
- The location is not visible from a public road
- There will be no impacts to vistas and/or scenic values
- No open fields
- There is no known critical wildlife habitat (it was noted and discussed that the forest management plan and conservation easement include plans for resource protection and management in order to perpetuate that conservation values present on the property).

There was some discussion about a pole barn constructed outside of the building envelope. Mr. McCullough stated that the barn is exempt from needing a permit because it is agricultural.

After no further questions/discussions, Edwards described the process for deliberation and decision making for the applicant. Once the DRB receives a copy of the Vermont Land Trust easement, it will deliberate and issue a written decision without 45 days.

Kaplan moved and Farrell seconded that the hearing be closed. The DBR voted unanimously to close the hearing.

Respectfully submitted, Dennis Shaffer, DRB Acting Clerk

ATTACHMENTS (these will be posted on the Town of Calais website)

1. Forest Management Plan for Parcel 211039
2. Vermont Land Trust Conservation Easement Encumbering Tax Parcel 211039
3. Vermont Land Trust Approval To Release and Quit Claim 2 Acre Building Site On Tax Parcel 211039