

Calais Development Review Board  
October 30, 2014

In Attendance DRB members: Margaret Bowen, Ruth Porter, Barbara Weedon, Mike Loignon, Nedene Martin, Jane English and John McCullough. Others, Renee Carpenter zoning administrator, Dot Naylor, Cy Lamberton, Dalton Sherman, Patricia Ludwick and Dexter Lefavour.

At 7:30 PM the meeting was called to order at the Calais Town Office.

**Hearing on Judy Fitch Robert Application #2014-30**

John McCullough recused himself as he was representing the applicants; those serving were Margaret, Ruth, Barbara, Mike, Jane and Nedene.

It was noted that the property is in the rural residential district and they are seeking a permit for construction and operation of a farm stand under the criteria for agriculture and farm markets. John McCullough explained that the applicant, Judy Robert and her husband Bernard are growing grapes on the property. They anticipate offering pick your own grapes. Mr. Robert bakes baguettes and will be selling them. The stand will offer syrup for sale, not produced on the property and may make wreaths and offer other items for sale.

The DRB received a copy of the review conducted by the Design Advisory Board (DAB) which conducted a site visit. The DAB indicated that the project was within the guidelines for the historic district with either unpainted vertical siding or red-painted clapboards. John said the farm stand will be 12 feet x 16 feet and will have a front overhang, making a total footprint of 15 feet x 16 feet. It will be located partway up the driveway, not directly adjacent to the main road. The lighting and signage are not anticipated, however, the stand may deploy a flag of some type to attract customers. Also in response to questions John indicated no parking lot is anticipated as there is room in the driveway for several vehicles and most business at present comes from people passing by. The Roberts do not anticipate hiring any employees.

The DRB closed the hearing and will be issuing a decision within 45 days.

**Continued Hearing on Dalton Sherman Application # 2014-23**

Nedene Martin recused herself as she had not been present at the initial hearing or site visit. Those serving were Margaret, Ruth, Barbara, Mike, John and Jane.

Margaret noted that Mr. Sherman said he had not been present at the initial hearing on October 9, 2014, because he had not received written notice of the decision made by ZA of the place and time of said meeting. It was noted that the first hearing had served to set the next hearing for October 30 and the site visit on October 26. There were also two separate site visits conducted by members who could not attend the October 26<sup>th</sup> site visit.

Margaret enumerated all relevant documents that should be in the possession of the DRB members, including two letters regarding wastewater and two sewer permits stamped by the state in 2010 and 2012. The property is located on Woodbury Lake Shoreland District on a private road off Route 14 in East Calais. The applicant appealed ZA decision, requesting a variance, and this hearing is regarding the variance. The DRB indicated that prior to commencing any construct on the site the applicant would need to obtain a shoreland permit from the State of Vermont in addition to any permits received from the Town of Calais.

It was noted that the application specifies a 24 x 24 foot structure and the design had not indicated any doors or entrances.

In response Dexter Lefavour, the engineer on the project, indicated that there would be a full basement and that the structure would be two stories, possibly story-and-a-half. There will be a walk-out basement on the pond side and steps off the driveway in front of the house. He said there is no overhanging or roof anticipated above the steps. No deck is anticipated at this time.

It was noted that there was a 10 foot distance between the foundation and the sewer leach field. In digging the foundation there is a 4 foot swath beyond foundation structure size for concrete and construction workers to work on the outside of the foundation. Dexter Lefavour indicated that the additional width of the swath would not cause problems.

In response to questions Dalton Sherman said that he acquired the property in the early 1980's. Clarifying he purchased 3 lots from Ms. Turner in 1986 and one additional lot from her later. Dexter Lefavour gave the acreage of the lots as lot 1=0.11 acre; lot 1A= 0.23; lot 2 = 0.16 acre and the fourth lot, which is also called lot1 = 0.15 acre. The total acreage of the four lots is 0.65 acre. It was noted the minimum acreage under current Calais shoreland zoning is 3 acres. Mr. Sherman was asked whether he was aware of the zoning when he purchased the lots. He indicated that Mrs. Turner told him the land had been subdivided.

Dexter Lafavour clarified that the well location which seemed to be marked on the top of the ridge will actually be 20 to 30 feet down the slope from the top of the ridge on the side away from the lake. Mr. Lefavour indicated that the contours on the map are not precise and should be disregarded. It was noted that the driveway does not allow for any turnaround. A vehicle will need to pull into it and back out

It was noted that there are several dead trees will need to be taken down and additional trees will need to be cut in order to provide access for the well driller. In response Mr. Sherman confirmed that the well driller will need to cross Cy Lambertson's land, which Cy confirmed he has given permission. Mr. Sherman did inform the DRB that the waterline would be located entirely on his property. Discussion concluded that the oil tank will be in the basement. It was also confirmed that the proposed house is 10 feet from the property line with Cy Lambertson.

Margaret stated that the project differs from the minimums in regards to road frontage, side and rear setbacks, setback from the mean water mark, amount of shoreline frontage and total acreage. She asked if Mr. Sherman was aware the road is a private road, the maintenance is shared among

the owners. She reiterated that he would need a shoreland permit from the state and should file for the same.

The DRB left the hearing open, in case there was further information that would be needed.

Respectfully submitted,  
Nedene Martin  
11/01/2014

Approved by DRB