

**TOWN OF ELMORE, VT**  
**Meeting of the Development Review Board**

**MINUTES**

**Meeting Date:** Thursday, July 5, 2018 at 6:00pm

**Meeting Location:** Elmore Town Offices

**Minutes Version:** V1.0 - Draft

**DRB Members:** Jill Lindenmeyr – DRB Chairman, Paul Roussele – DRB,  
Caroline DeVore – DRB, Jay Kennedy – DRB

**Zoning Administrator:** Kristen Howell

**Additional Meeting Attendees:** Kathleen Churchill, Rikk Taft, Tanya Chambers, Prudence Fournier

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**NOTE: DRB MAY ENTER EXECUTIVE OR DELIBERATIVE SESSION(S)**

**CALL TO ORDER:** Jill Lindenmeyr, Chairman

**6:05pm**

Approve or amend meeting agenda

Agenda approved as drafted.

Introduction of members and meeting attendees

Swearing in of participants

Review and approval of previous month's meeting minutes

June minutes approved as drafted.

Motion P. Roussele, Second: C. DeVore

Vote: Yes, unanimous

**A. SPECIAL TOPICS: (Items requiring expanded discussion)**

**1. Conditional Use Permit Review**

Town District: Developed Shoreland District

Applicant: Francis: "Rikk" Taft

Project: Construction of a deck

Location: 786 Draper Farm Road, Lake Elmore

Notes: ZA reviewed permit application describing the property and reference materials provided to the board prior to the meeting. Several DRB board members visited the property prior to the meeting and were familiar with the lot, house, existing retaining wall and deck area as described.

After the ZA's review of the permit request the board heard testimony from Mr. Taft and Ms. Chambers regarding the project. The ZA noted that the existing building was not in compliance with current zoning regulations but had been grandfathered in its current state. The existing retaining wall was within the original footprint of the grandfathered building.

Motion: After hearing all testimony, P. Roussele made the following motion:  
The DRB shall grant the conditional use permit as presented with the following conditions:

- Existing retaining wall remains and is not removed for the project. The retaining wall sets the boundary of the new deck structure. No part of the deck structure

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shall extend beyond the current retaining wall including support posts, railings, decking, etc.

- Sediment control must be used during construction of the deck.
- Stairs added to the lake-side of the deck that extend beyond the existing retaining wall shall be constructed and applied as a removable/non-permanent structure. The stairs will be removed outside of the summer/lake access season.

Motion made by P. Rousselle, Seconded by J. Lindenmeyr; Vote: Yes, unanimous

### **2. Conditional Use Permit Review**

Town District: Developed Shoreland District

Applicant: Kathleen Churchill

Project: Construction of an 8' x 12' shed within setback

Location: 103 Wigner Road, Lake Elmore

Notes: ZA reviewed permit application describing the property and permit reference materials provided to the board prior to the meeting. Several DRB board members visited the property prior to the meeting and were familiar with the lot and shed that was already in place.

After a discussion of the permit application, the board heard testimony from Ms. Churchill regarding the project. The ZA noted that the existing house and 3 outbuildings conformed with lot coverage regulations and setbacks. An extensive discussion reviewed the existing three sheds placed on the property as sleeping cabins. Ms. DeVore noted that she had been contacted by concerned lake area residents that the new shed would be used as an additional outbuilding/sleeping cabin.

A review of the Town Lister's information for the property notes that the 3 existing out buildings are listed as storage sheds, not accessory buildings, or dwellings. Ms. Churchill offered testimony that the cabins were permitted as sleeping cabins by a previous DRB and were used as outbuilding/sleeping cabins during the summer months only (cabins are not heated). The cabins have electricity and are arranged as bedroom (not storage rooms) and are all connected to the main house via a deck.

The main house and sleeping cabins offer a total bedroom capacity of 5 rooms with overnight sleeping capacity of 12. Ms. Churchill noted that the septic system was replaced in the last 10 years and would accommodate the number of bedroom located on the property.

Ms. Churchill noted that the new 8x12 shed would not be used as a sleeping cabin and would only be used for tool storage. The DRB reviewed two possible locations (noted in the documents as sites "A" and "B").

Motion: After hearing all testimony, P. Rousselle made the following motion:  
The DRB shall grant the conditional use permit as presented with the following conditions:

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- Newly assembled 8x12 storage shed shall be located at site “A” as noted in the reference materials. This is the current location of the shed as reviewed prior to the hearing.
- The shed shall remain a temporary structure that can be removed at any time. The structure shall not be permanently installed on the property but shall continue as placed on cinderblocks (or the like) as it exists at the time of the hearing.
- Shed to be used for tools, residential lawn mower and/or recreational items storage only.
- No electricity, insulation or other modification will ever be applied to the shed so as create either permanence or to create a temporary living quarter (e.g., den, day cabin, picnic area, sleeping cabin, etc.
- The shed will never be used as a sleeping cabin or extension of residential sleeping capacity on the property.

Motion made by P. Rousselle, Second by J. Lindenmeyr; Vote: Yes=3, Abstain=1 (DeVore)

ZA noted that she will research the previous permit issued for sleeping cabins and update lists on status of the cabins as accessory buildings not sheds.

Following the vote, the board noted that this shed was permitted because it was a temporary structure only without permanence in its installation; this structure is akin to a dock that could be removed.

#### **B. NEW ITEMS: (Schedule, minimum. 1 wk. prior to meeting)**

#### **C. CONTINUING ACTIVE ITEMS: (Update status, by item, by DRI)**

1. UPDATE: Andrews Permit – Worcester Ridge: K. Howell  
Review penalties for permit violation  
Note: ZA updated the board on status of project and on violation penalties as set forth by the State.
2. UPDATE: Duchassi Property / Zoning Compliance Status – Worcester Ridge: K. Howell  
Note: Property owners have agreed to plant screening trees in area where trees were removed. Planting is underway.

Motion to Adjourn: Make by J. Lindenmeyr, Second: P. Rousselle, Vote: unanimous at 7:09pm.