

North Hero Development Review Board  
Thursday, February 18, 2016 7:00 P.M. | North Hero Town Office

In Attendance: **Board:** Kate Kinney, Richard Fetterman, Mary Jane Healy, Chip Porter (alternate), Bobby Miller

**Absent:** Joe Poquette, Joe Latimer, Jim Blandino

**Guests:** Kathie Dustira, Ashar Nelson, Katya Wilcox, Patti Malone, Dick Malone, Scott Homsted, Annesa Hartman, Ann Porter, Stephen Bedard, Stephen Trombley, Bart Wilcox, Karl Raacke, Jeff Sikora, Michael Magoon, Kevin Kadish, Bob Ayers (Zoning Administrator)

CALL MEETING TO ORDER

Meeting was called to order by Kate at 7:00PM.

ADJUSTMENT TO THE AGENDA

None

NEW BUSINESS

**Hearings:**

**Geoffrey & Ruth Anderson – Subdivision: Application 2015-55SUB, recessed October 15, 2015**

Kate re-opens application 2015-55SUB. Owners Geoffrey & Ruth Anderson of Butler Island, parcel ids 08-00-49.11 & 08-00-49.12, are requesting a subdivision.

Michael Magoon is present as the applicant's representative.

A sketch labeled 'Exhibit A' is circulated for board review. Michael states new information has been added to the sketch as required by the board. He has added a wetland area to meet the requirement for wetlands classification. Kate states she has previously reviewed the sketch and found all points of information asked for by the board have been added. She asks the board to review the sketch. Chip verifies the map submitted to the board by Mr. Magoon at the meeting is the same as the map on file with the application.

Kate swears in Michael Magoon.

Kate asks if there are any further questions from the board. There are none at this time.

Jeff Sikora states he is present as an interested party.

Kate asks if there are any further questions or comments. There are none.

Kate recesses the hearing.

**Hearings:**

**Island Arts – Conditional Use: Application 2016-02DRB**

Kate opens application 2016-02DRB. Owner Island Arts of 1127 US Route 2, parcel id 11-01-60.2, is requesting a conditional use.

Kate asks if any board members have a conflict of interest or ex parte communication to disclose. None do.

Kate asks all interested parties to identify themselves. Karl Raacke and Kevin Kadish identify themselves as interested parties. Kathie Dustira, Bart Wilcox, Patti Malone, Annesa Hartman, Ann Porter, Katya Wilcox, Scott Homsted (engineer) and Ashar Nelson (architect) are present on behalf of the Island Arts organization.

Island Arts is the applicant. Ashar Nelson will be presenting on behalf of Island Arts.

Kate swears in all parties present on behalf of Island Arts.

Katya Wilcox speaks about the Island Arts organization and their dream of building an art complex.

Ashar states the board has been presented with a long term plan which will unfold as fundraising allows. They are hoping to receive conditional use approval to begin having fundraising events this summer. He requests permission to submit a new sketch with significant changes to what was submitted with the application. The board accepts the new sketches. The driveway has moved from the north of the lot the south portion. Their curb cut permit with AOT is agreed to and will be final when the curb cut is fully constructed. The plan shows 70 parking spots to allow for approval of up to 150 people for future events. The septic system would be designed to the 150 person occupancy level. Kate asks if that number was based on seating. Ashar states the number is based on potential draw as the seating has the potential to be fluid depending on indoor or outdoor events. A brief discussion on handicap accessibility follows. Richard requests the town be ccd on correspondence that occurs with the applicant and various state agencies as they move forward with various permitting. A brief discussion on septic follows. Ashar states the application shows what they hope will be permit-able for the full capacity they are proposing but for this summer use most of the infrastructure will not be in place. Discussion on current and future landscaping follows. The board verifies the group is planning on using the property seasonally. A discussion on lighting and timing of events follows.

Chip states, given the current application is for a long term project, the board should deal with the immediate future in a separate permit. A discussion on what aspects of the proposed project would be in place by summer follows. Scott states he has verified with Jessanne Wyman at the state that a private property owner can have up to one event a month with the use of port-o-lets without a permit. A discussion on how parking would be handled for an August 2016 event follows. The board clarifies walking on US Route 2 would NOT be necessary.

Kevin Kadish asks about the boundary line on the western edge of the property. He states he has some concern about the approved future uses of the property if they include concerts or weddings that may go late into the night. Discussion about curfews and noise ordinances follows.

Chip suggests they make of list of the proposed activities Island Arts wants to do this summer and see what will need to be done for the board to consider approval for those items. Kate agrees and suggests the board also compose a list of concerns regarding the long term plans presented by Island Arts to facilitate collaboration on the project. Ashar welcomes any feedback for short term and long term aspects of the project.

Richard states Island Arts should come back ready to address these items:

- Sanitation, port-o-lets
- Projected start date of construction
- List of proposed summer events including times & dates which the public would attend
- Division of Fire Safety Sign-Off
- AOT permit completed
- Accessibility
- Parking & circulation, transportation plan for off-site parking, no US Route 2 parking
- Concession

Chip states the site should not be developed for the summer event in a permanent way which may affect the long term project proposal. Any permanent structures, i.e. handicap accessible ramps, should

be included in the short term application. He also suggests the short term permit expire September 15<sup>th</sup>. The board and Island Arts agree with that date.

Richard asks if any members of the public have further questions. An Island Arts representative, Dick Malone, asks the board to not table the long term plan as the approval is needed for fund raising. Kate states the application is currently in the preliminary review process. Kate states the DRB may require project phasing which would be a good option for this project.

Kate asks for further questions. Bob Ayers asks how Island Arts will know how to proceed. Kate states they should know what to prepare for the next meeting, March 17<sup>th</sup> at 7:00pm, based on tonight's discussion. Materials are due in the office 15 days before the meeting.

Kate asks if they are planning on any signage in addition to what is already on site. The group agrees to include any possible permanent signs in the additional information for the next meeting. Kate asks if they will have a need for a long term storage building and Katya states no.

Chip asks that the sketch presented for the next meeting show changes submitted to the board tonight.

Kate moves to recess the meeting until March 17<sup>th</sup> at 7:00pm.

#### DELIBERATIVE SESSION

At 8:50PM the board enters deliberative session.

Kate states the board has come out of deliberative session at 9:20PM and is ready to motion on the Anderson's application 2015-55SUB requesting a subdivision.

Mary Jane motions to accept the application as presented. Bobby Miller seconds and the motion passes 5-0 with no further discussion.

#### ADJOURNMENT

Kate adjourns the meeting at 9:20PM.

Respectfully Submitted,

Corinn Julow

CC: Board  
Zoning Administrator  
Town Clerk  
Web Page