

**Cornwall Development Review Board (DRB)
MINUTES • July 1, 2020 • 7:00–9:00pm
Hearing • Virtual via ZOOM**

MEMBERS PRESENT: Barbara Greenwood, Joe Severy, Shari Johnson, David Anderson,
Magna Dodge

ALTERNATES PRESENT: Joan Lynch, Cheryl Cesario

ATTENDEES: Richard Rheaume--*Applicant*; **members of the public:** A & P Oxford, P & D
Anderson

- 1. CALL TO ORDER:** 7:00pm. Barbara opened the meeting with introductions to those in attendance
- 2. QUORUM:** Established.
- 3. AGENDA:** Magna MOVED/Shari SECONDED to approve the Agenda. *Motion passed*
- 4. PUBLIC SIGN-INS:** In lieu of the usual paper sign-in sheet, Attendees were instructed to give their full names and mailing addresses when unmuted by David for signing in. The DRB Secretary will note names and addresses on a Sign-In form. Attendees also to indicate if claiming status as an Interested Person. After all attendees were signed-in, David administered the oath.
- 5. MINUTES:**
 - Shari MOVED, Magna SECONDED, to accept the **Minutes of Hearing, June 3, 2020** as amended. *Motion passed.*
- 6. HEARING—Richard Rheaume *Conditional Use Request for Double-wide Mobile Home***
 - Barbara explained how this virtual meeting would be run. David will be recused, having a personal interest in the proceedings as an abutter to the Rheaume parcel, and will not participate in the DRB's deliberative or decision-making processes for this hearing. Joan Lynch will take his place as a DRB member. David will have input only as an attendee during the Public Comment period. Other than that he will be handling ZOOM Host duties. The Board, Applicant, and attendees will all remain unmuted throughout, everyone requested to keep rustling of papers and other miscellaneous noise to a minimum to avoid disrupting the meeting. Additionally, the hearing will be recorded. All were requested to speak clearly and to identify themselves for the Minutes when commenting.
 - **HOUSEKEEPING**—Barbara began the Hearing with an introduction regarding the Conditional Use Application submitted by Richard Rheaume for installation of a 24' x 48' double-wide mobile home at 5777 Route 30. The double-wide is to replace the existing, older, mobile home with a newer model, and to change the footprint. She recapped the DRB's decision of December 21, 2018, pursuant to a previous request by Mr. Rheaume, and granting approval for installation of a mobile home different in size and configuration from the mobile home currently proposed. After some housekeeping, the Board will turn the hearing over to the Applicant to present his case. This will be followed by Board Question, then Public comments & questions. Members of the public will have three minutes each. The Applicant will have an opportunity to respond to the public following the Public Comments. The

Board and Applicant will have an opportunity for last questions and/or comments before the hearing is closed or adjourned to a specified date and time. First the Housekeeping:

- ***Ex parte Communications, Conflicts of Interest, Visits to the Site***—Barbara asked the Board to disclose any *ex parte* communications, conflicts, or site visits. She disclosed that she had made a site visit on June 29.
 - Shari and Joan indicated they had made a site visit on June 12. They had spoken with David at that time, getting from him some background on the parcel.
 - No other conflicts or *ex parte* communications were disclosed.
- ***Interested Persons***—Barbara reviewed the pertinent parts of 24 VSA 4465(b) wherein Interested Person is defined. She explained that participation (orally or through written comments) is required if one is to be enabled to appeal the Board's decision.
- ***Exhibits***—Barbara read, for the Record, the list of Exhibits which had been accepted into evidence for this Hearing:
 - *Exhibit 1*: Warning published in the *Addison Independent*, June 4, 2020; posted in Town in 3 places (including the property) and on the website
 - *Exhibit 2*: Tear-sheet from the *Independent's* warning publication
 - *Exhibit 3*: Proof of service of notices on abutters.
 - *Exhibit 4*: Application, filed May 11, 2020
 - *Exhibit 5*: Letter from Cornwall ZA denying Mr Rheume's earlier application for Zoning Permit because the existing mobile home is not in compliance with the front yard setback, the side yard setbacks, or the area of lot coverage, dated May 5, 2020
 - *Exhibit 6*: Email from Mary Dodge, Chair of the Cornwall Conservation Commission, indicating that the Conservation Commission has no natural resource concerns with the project as proposed, and has no changes to make in its review of the Rheume application in 2018, a copy of which is included in this Exhibit; dated June 23, 2020
 - *Exhibit 7*: Copy of December 21, 2018 decision of the DRB approving Mr Rheume's previous request for conditional use approval
- **APPLICANT PRESENTATION**
 - ***Richard***: reviewed his current application and compared the proposed mobile home to the recently removed structure.
 - Original approval (12/21/18) was for a 14' x 60' mobile home to replace the then existing 21' x 40' structure.
 - Most available used mobile homes were 70' long; he found a 1986 24' x 48' double wide
 - New mobile home will be on a pad, no foundation.
 - Front (west) and south proposed setbacks remain the same
 - North setback increased,
 - Garage to be kept (14' x 24')
 - Addition along north boundary removed, but 14' x 33' concrete pad remains. A portion of the pad will be beneath new double-wide, some may be utilized as a patio.

• **QUESTIONS FROM THE BOARD:**

- **Shari:** Does the proposed mobile home have 1 bathroom or more? *Richard: One*
- **Shari:** Is the area/location of the septic system known? *Richard: Yes.*
- **Joan:** New home will have 2 bedrooms, 1 bath, correct? *Richard: Yes.*
- **Joan:** Should existing septic system fail, is there a location on the property for a secondary/replacement system, perhaps a mound? Is concerned that a failure would cause State to take action if failure made parcel unsuitable for residential use. *Richard: Does not know about a replacement location, would have to check with the State. Based on his ownership of other rental properties, does not think, there would be any action State could take re: making residents leave.*
- **Shari:** Will remaining concrete pad be incorporated into new structure? And will the little shed be retained or removed? *Richard: some of the old pad will be used beneath the new double-wide. Uncertain about the shed. It's in poor shape but he has not considered it at all to this point, just left it alone.*
- **Magna:** On the drawings, the distance to the East boundary is not shown. Does Richard know how far away it is? *Richard: No, he does not know the specific footage, Jim told him the distance to East boundary did not matter.*
- **Barbara:** Previous decision indicated the East boundary to be about 130,' but is at least 50"? *Richard: Yes. Well over 100'.*
- **Barbara:** The previous application (2018) said the lot coverage was 3.86% which was over the allowed coverage for that District of 3%. Any idea what the coverage for this proposal would be? Board can not approve an increase in non-conformity. *Richard: No idea. Could move double-wide to spot more behind the garage if that helps, or remove pad.*
- **Barbara:** Is the plan to rent or to sell the lot? *Richard: Probably sell it.*
- **Barbara:** What about energy compliance---is this proposed mobile home similar to the one proposed in 2018? *Richard: Much improved, and he will be adding insulation . Previous mobile home had single-pane windows and little insulation.*

• **PUBLIC QUESTIONS/COMMENTS**

Barbara reminded speakers that they will have three minutes and each should begin by identifying who they are.

- **Peter Oxford:** Please confirm the dimensions of the proposed double-wide vs the previous structure. No issues with the project, aesthetics. *Richard: The dimensions of the removed dwelling were 21' x 45', the new one will be 24' x 48'.*
- **Amy Oxford:** No questions, just wanted to say it's nice to have it cleaned up.
- **Patty Anderson:** Reiterated how nice to see the parcel cleaned up.
- **David Anderson:** Also expressed appreciation for the clean up.

• **FINAL QUESTIONS OR COMMENTS—**

- **Magna:** Concerned about how Board will obtain accurate figures regarding lot coverage. Who made the calculation for the 2018 application and why a question mark there? *Richard: Jim Duclos had done the coverage figuring for him in 2018, so he assumed it was correct.*
- **Barbara:** Board should be able to determine by using square footages of buildings and remaining concrete pad. Review of sizes shows:

- Garage: 14' x 24'
- Pad remaining after addition removed: 14' x 33'
- Previous mobile home: 21' x 45'
- Proposed mobile home: 24' x 48' *Richard: Double-wide will overlap width of old pad; south end of double-wide to north edge of pad will be about 61'.*
- The 2 small entrances on previous home will be removed? *Richard: Yes*
- **Magna:** So coverage will be much less.
- **Joan:** Any idea about the driveway and parking square-footage? *Richard: Not really, the drive is the original driveway and there appears to be a parking spot in front of the garage for a car. He has considered possibly adding a walkway from the home to the front of the garage, but not solid just gravel.*
- **HEARING CLOSED**—The Board discussed whether or not they had sufficient information and were ready to close the hearing. At 8:15 pm, the Board having indicated they had sufficient material to move into the deliberative phase, Barbara determined there was no need for another meeting and closed the hearing. She advised those present that the Board would deliver its decision within 45 days.

Board Business Resumed—

7. CORRESPONDENCE: None

8. UPCOMING MEETINGS—

- **August 5, 2020:** All except Joe expect to be available.
- **September 2, 2020:** Barbara may not be available, others expect to be available.

9. OLD BUSINESS: Beaver Brook Properties LLC Final Decision, to be reviewed.

10. NEW BUSINESS: None

11. DELIBERATIVE SESSION: Cheryl recused/excused from the Beaver Brook discussion. David recused/excused from the Rheaume deliberation.

- Rheaume Conditional Use
- Beaver Brook Properties LLC, Final Decision

NEXT MEETING: August 5, 2020, at 7:00 pm, Virtual Meeting via ZOOM.

ADJOURNMENT—Meeting adjourned at 9:00p.m.

Respectfully Submitted,
Robin Conway, DRB Secretary