

Poultney Development Review Board
Hearing Notes
Wednesday, December 18, 2024 – 5:30 P.M.
Poultney Town Office, 9 Main Street, Poultney, VT

Join Zoom Meeting

<https://us02web.zoom.us/j/87218573043?pwd=xndmJofpzSVkuHrAwH6m9iCwKoL1f4.1>

Meeting ID: 872 1857 3043 Passcode: 381386

Dial by your location: 1 929 205 6099 US (New York)

Purpose: Application for alterations to, and enlargement of, a Nonconforming Structure located at 2508 Westlake Road, Poultney, VT. Property owned by Joseph and Patricia Adams (Parcel ID. No. 150128). Property is located in the Lake Shore Zoning District.

The hearing was called to order at 5:30 PM, with notice read by Jaime Lee. No conflicts of interest or ex parte communications were declared, and interested parties (IP) were determined and acknowledged. An oath was administered to relevant participants. Attendees included board members Jonathan Andrews, Jaime Lee, Margaret Mug, Mark Teetor, Paul Donaldson, and Ben Thirkield (via Zoom). Interested parties present were Joe & Patricia Adams, Frank Urso (Counsel for Adams), Cindy Hellstern, and Justin Barnard (Counsel for Wildwood Lodge/Cindy Hellstern). Also in attendance were Mary-Sue Reed, Owen Zac Crawford (Contractor), and David Briggs (Brother-in-law of Applicant).

Applicant Joe Adams presented a new application. Justin Barnard, counsel for a neighboring property owner, distributed a memorandum. Frank Urso, counsel for the applicant, requested a continuance due to the last-minute submission of the memo. Discussion ensued between council members and the board regarding the request.

Discussion

The board discussed the need to define "Total Area," with Jaime Lee referencing the definition of "Gross Floor Area." Joe Adams pointed out the distinction between "total" and "gross" area.

Frank Urso reiterated the request for postponement due to the introduction of a new document at the beginning of the meeting.

No updated schematics were provided to show the impact on setbacks; a kitchen addition might be in violation. Jaime Lee requested an updated sitemap demonstrating impacts, particularly of the kitchen addition, on property setbacks.

Concerns were raised about a wastewater permit or ANR exemption. An occupancy affidavit suggested that a permit might not be necessary since the number of bedrooms remains unchanged; the state may resolve this matter. Transitioning from seasonal to permanent occupancy would require a permit. There was uncertainty regarding whether the existing system meets specifications; proof was requested.

In a discussion of variances, it was noted that a variance should be reserved for situations where no other use is realistically attainable.

Additional Documentation and Requests:

- Paul Donaldson requested an Occupancy Affidavit for board review.
- Joe Adams cited receipt of a State Lakeshore Protection permit approval via email.
- Adams contended that the property is already considered permanent and that conversion from seasonal status would require necessary permits.
- Jaime Lee emphasized the need for a site visit and an Erosion Control Plan.
- Paul Donaldson agreed to research the Occupancy Affidavit.
- Adams and counsel were instructed to provide a site map.

Motion to recess to a date to be determined: Made by Ben Thirkield, seconded by Margaret Mug. Motion carried unanimously.

s/ Jaime Lee, Chair