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Sutton Development Review Board

December 10, 2014

Sutton Town Offices

In attendance: Paul Brouha (chair), Hank Parker, Joe Witt, Brandon Mazur,

Paul Brouha opened the meeting at 7:00 pm. Paul then read the warning of the hearing for all present. Paul asked all present if anyone desired additions or deletions to the proposed agenda. None were suggested.

No conflicts of interest were presented. Paul noted ex parte communication with Bruce Urie of the Vermont Land Trust seeking information on how their easement on the property might affect the application. Bruce offered that he was available for the Board to contact on the phone during the meeting if necessary.

Paul moved that we accept the application for consideration. Hank seconded and the motion was passed. Paul asked if there were any questions about the application. None were posed. Neither the applicants nor any interested public were present.

The meeting's purpose was to consider the request of Ryan and Marci Simpson, 722 Underpass Road, Sutton, VT 05867, for a variance to the Woodlands and Recreation District zoning bylaw (10 acre subdivision minimum area) to subdivide a two acre lot from their 655 acre property to construct a house on Burke Road.

Paul noted that the request requires the Board conform to the State of Vermont's Municipal and Regional Planning and Development Act's Title 24, Ch. 117, Sec. 4469, which details five requirements that must be met for Zoning or Development Review Boards to grant variances. Conforming to these stipulations, granting the requested variance is not possible for the Board. Paul noted that there is nothing in Sutton's zoning bylaws, however, preventing a landowner from constructing a permitted single family dwelling on their land without the requirement of a subdivision. Paul suggested the most appropriate course of action would be to write the applicants a letter notifying them of the impossibility of approving the variance request and suggesting the alternative course of action. Hank moved that Paul proceed with writing and sending such a letter, which Joe Witt seconded. The motion was then approved.

The hearing was closed at 7:25 pm and the meeting adjourned.

These minutes prepared by Brandon Mazur, Secretary