

**WATERBURY DEVELOPMENT REVIEW BOARD**  
**Approved General Minutes—February 15, 2023**

**Attending:** Board members present: David Rogers (co-chair), Tom Kinley (co-chair), Harry Shepard, Bud Wilson, Alex Tolstoi, Joe Wurtzbacher, George Lester

Staff: Neal Leitner (Asst. Planning & Zoning Administrator), Steve Lotspeich (Planning & Zoning Director), Patti Martin (Secretary)

Tom Kinley, Acting Chair, opened the public meeting at 6:30 p.m. and made the following introductory remarks: Applicants should have one spokesperson. Staff will give an overview of the project. The Applicant/Spokesperson will present any new information to the Board. The DRB members will ask questions, followed by staff questions and comments. The hearing will then be opened to the public for comments and questions. Note that the DRB is a seven-member Board, seven members are present; an approval requires at least four votes in the affirmative. If you wish you can continue your hearing to a later date, when more members may be in attendance.

- 1) **#114-22: Nelson Riley III/ Nelson Riley IV (owner/applicant)**  
Conditional Use & Site Plan review for a multi-family P.U.D. development of 50 two-bedroom units with 10 buildings each containing 4 to 6 dwelling units located at Parcel #100-5575 Waterbury-Stowe Road, near the intersection of Spruce Haven Rd and Route 100. (RT100/CNS)

The public hearing was opened at 6:34 p.m.

Present and sworn in: Nelson Riley III (owner/applicant), Nelson Riley IV (owner/applicant), Colen Johnson (Engineer for applicant), Douglas Brown, Leighton Detora, Tom Murphy, Bill Whitehair, Izzi Keiser, Kelley Speer, Jane Brown, Kim Brown, Erol Bayar, Lucy Nersesian, Duane Farling, Jim Sargent, Kevin Rogers, Lisa Scagliotti, Steve Janes, Cassandra James, Billy Vigdor (Chair, Waterbury Conservation Commission), Kathryn Carter, Silas Power, Emily & Nicholas Aswad, Brooke Dingleline (attorney for Waterbury-Stowe Fish & Game Club), Bonnie Tominack, David Crelling, Susan April, Tom Wawrzeniak, Tammy Hammond, Cheryl Gloor, George Bambara, Kendra Cyr, Margaret & Frank Tietje, Grant Eckfeldt, Joanne Newman, Dave Lachtrupp, George McCain, Don Schneider, Christopher Brown, David Bidwell

The applicants/owners along with their engineer presented project. The DRB members asked clarifying questions. The applicant stated that a traffic study is not required due to the anticipated trip generation for the development. A VTrans 1111 permit for access to the site from Route 100 will be required. A memo from Trudell Consulting Engineers regarding the environment review status and wildlife was submitted to the DRB members. The following additional information was requested:

- Additional information on the water supply and wastewater system is needed including the design flows and confirmation from the state that a public water supply system is not needed.
- Additional information on the proposed stormwater system is needed.
- Visual representation of what the development will look like as viewed from Route 100 is needed.

Town Fire Chief, Gary Dillon testified that the nearest fire hydrant is approximately two miles from the project site. Therefore, on-site storage of a large quantity of water for firefighting such as a fire pond is needed. If the buildings are sprinklered then the size of the fire pond could be reduced. The turn-around for fire trucks must be kept open and completely plowed of snow for adequate fire access.

Billy Vigdor, Chair of the Waterbury Conservation Commission testified that some of the plants on the plant list in the project plans are not native to Vermont. He requested that the east/west wildlife movement be modeled crossing Route 100 in the vicinity of the project and through the project site after the development is in place.

The following is a general summary of the comments that were made by neighboring property owners and other members of the public present:

- The section of Route 100 in the vicinity of the project has a high number of accidents.
- The large number and density of multi-family dwellings is out of character with the neighboring area that has residences that are mostly single-family dwellings.
- Silas Power, President of the Waterbury-Stowe Fish & Game Club and the Club's attorney, Brooke Dingleline, testified in opposition to the project stating that there is no legal basis for reducing the front double setback requirement for a PUD since there are other buildable areas on the site. A traffic study should be required addressing the project's impact on level of service and the high accident location. Due to the elevation of the proposed buildings above Route 100, the proposed screening is inadequate. Runoff from the development going into the wetlands to the south may contaminate those wetlands.
- The adequacy of the site to accommodate service by a school bus was questioned.
- The noise impact from the neighboring Fish & Game Club needs to be taken into consideration.
- On-site play space for children is not shown and the adequacy of the site to accommodate children was questioned.
- A number of residents of the area spoke in opposition to the project.

At 9:20 p.m. the hearing was continued to March 15, 2023 at 6:30 p.m.

**2) #002-23: Alan Hunt (owner/applicant)**

Downtown Design Review for the replacement of front porch half wall with railings at 9 N. Main St. (DWN/DDR)

The public hearing was opened at 9:24 p.m.

Sworn in:

Kim Brown, architectural designer for the applicant

The hearing was closed at 9:47 p.m. The Board approved the project with conditions and will issue the written decision within 45 days.

**3) #003-23: Gregory Sharp (owner/applicant)**

Conditional Use and Site Plan review for a Change of Use from a mixed-use

commercial and residential building to a 4-unit multi-family residential building at 4706 Waterbury-Stowe Road (RT100)

The hearing was opened at 9:48 p.m.

Present and sworn in:  
Greg Sharp, owner/applicant

The hearing was closed at 9:58 p.m. The Board approved the project with conditions and will issue the written decision within 45 days.

**4) Other Business**

**MOTION:**

Harry Shepard moved and Tom Kinley seconded the motion to approve the written decision for #101-22 and the general minutes of 2-01-23, as amended.

**VOTE:** The motion was approved 7 – 0.

**Adjournment:** There being no other business, the meeting was adjourned at 10:05 p.m.

Approved: David L Frothingham III Date: 3/15/2023  
David Frothingham III, Chair

**Next Meeting:**  
Wednesday, March 15, 2023