

**Town of Ripton Planning Commission, Zoning Board of Adjustment  
Meeting Minutes  
Aug. 5, 2014  
Ripton Town Office, 7:00 p.m.**

**Members present:** Warren King, Charles Billings, Alison Joseph, George Phinney; Leonard Tiedemann, zoning board of adjustment alternate member. (Initials WK, CB, AJ, GP, LT are used in motions/votes).

**Visitors/active participants:** Irene Poole to take minutes during the hearing, 7:00 – 8:30 p.m.; applicants, Giles Hoyler, 7:03 - 7:10 p.m.; Kate Corrigan, Sebastian Miska, Wolfgang Miska, 7:00 - 7:55; concerned neighbors/interested parties of Miskas, Marcia Croll, 7:40 to 7:55, Frank Russell, 7:25 to 7:55, Michael Hans Winter, 7:10 to 7:55; Jonathan Heppell, zoning administrator.

**Motions made/votes taken:**

- Moved/seconded/voted approval of minutes of 07-08-14: GP/CB/all.
- Moved/seconded/voted to change the October 2014 meeting date from the second Tuesday to the first Tuesday, 10-07-14, 7:00 p.m. CB/GP/all.
- Moved/seconded/voted to continue Planning Commission Hearing #13-1 to 10-07-14, 7:30 p.m. CB/GP/all.
- Moved and seconded CB/GP, approved/all to enter deliberative session at 8:00.
- Moved/seconded GP/CB to approve the Miska subdivision application with conditions listed in a notice of decision to be prepared by the chair, including:  
Copies of deeds for lots 1 and 2 with description of 30' right-of-way; documentation of approval of drilled well on lot 1; State of Vermont Wastewater System and potable Water Supply permit; documentation of isolation distance from the spring on parcel 06-02-20 that provides drinking water for properties owned by Marcia Croll. All approved.
- Moved/seconded/voted to adjourn at 9:07 p.m.: GP/AJ/all.

**Discussion:**

Chair, Warren King, called the meeting to order at 7:03 p.m.

1. **Minutes:** With no amendments proposed, the 07-08-14 minutes of the Planning Commission were approved (see motions and votes).
2. **Continuance of Zoning Board of Adjustment Hearing #13-1, parcel 06-02-40, 668 Chandler Hill Road:** This is a continuance of a hearing for an accessory dwelling begun August 2013 continued to Sept., Oct., Nov., Dec. 2013; and Jan., March, May, July, August 2014.
  - a. The hearing re-opened at 7:05 p.m.
  - b. At the July meeting, Mr. Hoyler reported a June 16<sup>th</sup> notice from the State that he would receive his wastewater permit within 45 days. However, the State required ANR Form 4 regarding certification of notice to neighboring property owners as part of the application. Mr. Hoyler received a form confirming notification of two property owners from the engineer for his signature today. It may now take another 45 days for approval. Mr. Hoyler left the meeting at 7:10 p.m.
  - c. It was moved/approved CB/GP to continue the hearing October 7, 2014, 7:00 p.m.

[From 7:15 to 7:30 there was a break until the next hearing.]

3. **Planning Commission Hearing #14-6, parcel 06-02-20, 1652 Lincoln Rd.:**
  - a. Warren King called the hearing to order at 7:32 p.m.
  - b. Interested parties (KC, SM, WM, FR, MHW) were sworn in.
  - c. Applicant, Sebastian Miska explained his proposal to divide his 22.5 acre parcel with a dwelling into 1 parcel (lot 1) of 10.65 acres with the existing dwelling and a second parcel (lot 2) of 11.8 acres with a proposed 2-bedroom cabin. The property is in the LDR-10 zoning district, and the proposed parcels conform to 10-acre minimum lot size. Only lot 1 has road frontage. Access to lot 2 is proposed via a deeded right-of-way along an existing woods road. The lots, r.o.w., existing and proposed dwellings were shown on a survey plat from Short Surveying Inc., dated May 8, 2013. A proposed septic plan from Vermont Contours showed was also presented.
  - d. At 7:40 Marcia Croll arrived, was sworn in, and brought up to date on the meeting. Ms. Croll's primary concern is that her water supply, which comes from a spring on Tom Christiano's land, not be polluted by the proposed septic system, or by livestock. Ms. Croll asked if something could be written-in to protect the spring. It was determined that the proposed septic, for a 2-bedroom dwelling, complied with state requirements for safe distance and setbacks, and should pose no threat to the spring and water supply. It was alUse of the property and animal ownership by future owners may differ.
  - e. Other discussion included that: the Miskas plan to sell lot 1 and retain lot 2; use of the property by future owners, and animals on the property may differ; development at lot 2 would be "off-grid"; other right-of-way locations were ruled out. With no further questions, Marcia Croll, Kate Corrigan, Sebastian and Wolfgang Miska, Frank Russell, and Michael Hans Winter left the meeting at 7:55.
  - f. It was moved, seconded CB/GP, and approved by all to enter deliberative session at 8:00, with zoning administrator Jonathan Heppell attending.
  - g. The commission came out of deliberative session and continued the hearing at 8:30.
  - h. It was moved/seconded GP/CB to approve the Miska subdivision application with conditions to be listed in the notice of decision to be prepared by the chair. (see motions/votes) All approved. 8:35 p.m. Mr. Heppell left the meeting.
4. Town plan revision: Article X: Employment and Economic Development and Article, and Article III: Transportation were discussed.
5. Other business: none
6. Call to adjourn: 9:07 p.m.