

**TOWN OF GEORGIA ZONING BOARD OF ADJUSTMENT**  
**47 Town Common Road North**  
**Georgia, VT 05478**  
**Phone: 802-524-9794 • Fax: 802-524-3543**  
**Monday, February 4, 2019**

**Board Members Present:** James Powell, Gilles J. Rainville, Kyle Anderson, and Rich Hamlin.

**Board Members Absent:** Krissy Jenkins, Tony Gabel.

**Staff Present:** Cindy Deyak, Zoning Administrator

**Others Present:** Jay Renshaw and Derick Read from Krebs and Lansing Consulting Engineers, Alan and Lorie Bachand, Charlene Stech, and Kathleen Richards-Babcock.

**Approved November 4, 2019**

Meeting called to order at 7:00 pm by James Powell, Chair.

James Powell swore in those providing testimony.

**ZBA #001-19 Marguerite McCracken Revocable Trust, Owner; John and Marguerite McCracken, Applicants.**

Cindy Deyak read the Zoning Administrator's report.

“On January 7, 2019, applicants John and Marguerite McCracken submitted an application requesting conditional use in order to construct one building containing three units of elderly housing at 92 Mill River Road in the B (Business) zoning district...

*Multi-Tenant Elderly Housing* is a conditional use in the B zoning district and is defined as ‘multiple dwelling units with no more than two bedrooms per unit designed specifically to meet the physical and living requirements of the elderly or handicapped and restricted to occupancy by one or more persons over 55 years of age or handicapped as the principal tenant(s) of each unit.’

The subject parcel is a 2.12 acre parcel of land with 269 feet of frontage on Mill River Road, located on the north side of Mill River Road approximately 500 feet west of the intersection of Route 7. The parcel previously contained a single family dwelling with attached garage which was destroyed by fire in June, 2019. The remains have been removed leaving the existing foundation on the property.

Applicants are proposing to construct one 5,000 square foot building containing three two-bedroom units of elderly housing....”

Jay Renshaw from Krebs and Lansing Consulting Engineers, representing the applicants, presented an overview of the project, after which James Powell opened the meeting to board members and public attendees for questions and/or comments.

James asked if the entire structure would have a foundation or only the unit above the existing foundation. Jay responded that the entire structure will have a full foundation. There will be no walk-outs.

Charlene Stech asked whether or not there would be patios on the rear of the building. Jay responded that patios are provided in the front of the building for each unit but that there are no patios to the rear. Each unit will have a rear facing door with steps to the lawn.

Kathleen Richards-Babcock asked whether the project would share the same driveway as the events facility driveway immediately to the west of the parcel. Jay answered that the project would utilize the existing driveway and that the driveway would be widened to 20 feet.

Alan Bachand asked whether there would be any lighting to the rear of the proposed building. Jay stated that the only lighting in the rear would be building lights typical of residential use. There would be no pole lighting on the lot with the exception of an existing decorative pole light located on the front of the property near the existing driveway.

Kathleen Richards-Babcock asked about the traffic impact of the project. Jay responded that, for attached senior adult housing with three units, the ITE Trip Generation Manual projects less than one vehicle trip for the weekday peak hours between 7 and 9 a.m. and three trips for the weekday peak hours between 4 and 6 p.m. The highest vehicle volumes on a weekday are projected between 11:45 a.m. and 1:00 p.m. The project should not adversely impact neighborhood traffic, and the traffic impacts to the Mill River Road and Route 7 intersection would be negligible.

Kathleen Richards-Babcock also asked what the advantages or incentives are for elderly housing. Jay stated that the Georgia regulations provide a density bonus for elderly housing and the septic requirements for elderly housing are less than those required for the same number of bedrooms in a single family residence.

James Powell, Gilles Rainville, and Jay Renshaw discussed the proposed septic systems in detail. There is an existing wastewater system and corresponding septic tank currently located on the property, both of which will be abandoned. There are two new proposed mound-type systems to serve the tri-plex; one to be located in the northwesterly corner of the property which will serve two units and one in the southwesterly corner which will serve one unit. A new 1,500 gallon septic tank will be located to the rear of the building. There is an existing high yield well on the property which will be used for the project.

Kathleen Richards-Babcock asked whether the units would be sold as condominiums or whether the McCrackens would retain ownership and rent the units. Jay stated that he was not sure what the McCracken's intent was but thought that they intended to rent the units. Concern was expressed regarding the upkeep and maintenance of the property if the units were rentals. Jay stated that John McCracken owns all of the surrounding property and is very meticulous regarding lawn mowing and other required maintenance and would not anticipate any problems in that regard.

Lori Bachand asked how people were notified of the project. The zoning administrator stated that notice is posted in the Milton Independent and at three locations in town. Further, notices are personally sent to all abutting property owners. In this case, because the McCrackens currently own all surrounding properties on the northerly side of Mill River Road, as a courtesy, notices were personally sent to property owners abutting the surrounding McCracken properties.

Motion to close the hearing at 7:30 p.m., made by Rich Hamlin, seconded by Gilles Rainville. No further discussion. The ayes were unanimous; the motion carried.

The board reviewed and discussed the minutes from the December 3, 2018, meeting. Motion to accept the minutes of the December 3, 2018, Zoning Board of Adjustment meeting, as presented, made by Gilles Rainville, seconded by Kyle Anderson. No further discussion. The ayes were unanimous; the motion carried.

Motion to enter deliberative session made at 7:40 p.m. by Rich Hamlin, seconded by Gilles Rainville. No further discussion. The ayes were unanimous; the motion carried.

Motion to come out of deliberative session made at 8:00 p.m. by Rich Hamlin, seconded by Kyle Anderson. No further discussion. The ayes were unanimous; the motion carried.

Motion out of deliberative session to approve John and Marguerite McCracken's request for conditional use for three units of multi-tenant elderly housing to be located at 92 Mill River Road, with conditions, made by Gilles Rainville, seconded by Rich Hamlin. No further discussion. The ayes were unanimous; the motion carried.

Motion made to close the meeting at 8:15 p.m., made by Kyle Anderson, seconded by Gilles Rainville. The ayes were unanimous, the motion carried.

Respectfully submitted,  
Cindy Deyak  
Acting Secretary