

TOWN OF GEORGIA ZONING BOARD OF ADJUSTMENT
47 Town Common Road North
Georgia, VT 05478
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Monday, January 6, 2020

Board Members Present: James Powell, Krissy Jenkins, Gilles Rainville, and Kyle Anderson.

Board Members Absent: Rich Hamlin and Tony Gabel

Staff Present: Cindy Deyak, Zoning Administrator

Others Present: Charles Leeuw and Martin Courcelle from Champlain Consulting Engineers.

Approved May 18, 2020

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

James Powell swore in those providing testimony.

ZBA #004-19 Charles and Janece Leeuw, Applicants/Owners. Request for Conditional Use Amendment.

Cindy Deyak read the Zoning Administrator's report.

“On December 16, 2019, applicants Charles and Janece Leeuw submitted an application requesting Conditional Use in order to install an underground septic line under a state mapped stream and wetland with associated riparian buffer zone...”

Zoning Administrator Cindy Deyak explained that the Georgia Development Regulations require that all development within a riparian buffer zone, which includes all land within 50 feet of Type 1 streams and any associated Class II wetlands, must receive conditional use approval from the board and that the regulations require that the applicants' demonstrate that their proposal will not cause erosion or unstable soil conditions and that water quality will not be unduly impaired by the proposal.

Cindy further provided the board with a history of the property stating that the applicants had previously subdivided the parcel into three lots in January, 2006. At the time of that subdivision, Lot 1 was deemed deferred as it was not evaluated for septic and water supply. In November, 2019, applicants submitted a subdivision amendment application to the Planning Commission for the development of Lot 1 which is currently pending. Applicants received a state wastewater and potable water supply permit in July, 2016, for a three bedroom single family residence on Lot 1 with the proposed mound serving the new home to be located off-site in the area previously designated for Lot 2's previously approved replacement area. Under the current wastewater rules, mound type septic systems no longer require a designated replacement area. A force main would connect the proposed house on Lot 1 to the proposed mound system to be located on Lot 2. The force main would travel underneath a state mapped stream and wetland and the associated riparian buffer.

Applicants' engineer, Martin Courcelle, explained that the proposed boring for the force main is designed in such a way as to avoid the riparian buffer and designated wetlands altogether. Martin further

explained that fluid from the boring equipment empties into two pits. There is no impact on the stream or disturbance to either the riparian buffer or the wetlands.

Gilles Rainville asked whether a drill bit or water is used to do the boring. Martin indicated that a drill is used and then a flexible pipe is pulled back through. Gilles also asked whether a sleeve was used; Martin indicated that a sleeve is not used and further stated that the pipe is installed below the frost line.

James asked what the distance was from pit to pit. Martin stated that it is approximately 300 feet between the two.

Charles Leeuw stated that the state had been to the site to delineate the wetlands. The stream is deemed an intermittent stream; one side of the stream shows the 50' stream buffer and the other side shows the 50' wetland buffer. Martin added that neither the stream buffer nor the wetland buffer would be disturbed by the proposal.

James Powell asked whether anyone had any further questions. No further questions from the board.

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

The board reviewed and discussed the minutes from the December 16, 2019, meeting. Motion to accept the minutes of the December 16, 2019, 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.

The board reviewed and discussed the proposed McCracken Conditional Use Amendment Decision. Motion to accept the decision as written made by Krissy Jenkins, 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 Krissy Jenkins, 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 Gilles Rainville, seconded by Kyle Anderson. No further discussion. The ayes were unanimous; the motion carried.

Motion out of deliberative session to approve applicants' request for a conditional use in order to install an underground septic line under a state mapped stream and wetland with associated riparian buffer zone made by Gilles Rainville, seconded by Kyle Anderson. No further discussion. The ayes were unanimous; the motion carried.

Motion made to close the meeting at 8:10 p.m., made by Kyle Anderson, seconded by Gilles Rainville. The ayes were unanimous, the motion carried.

Respectfully submitted,
Cindy Deyak
Acting Secretary