

Special Hearing and Deliberative Meeting
Zoning Board of Adjustment (ZBA)
Jamaica Town Offices, 28 Town Office Rd
Jamaica VT

December 20, 2018 7:00pm

Minutes approved at ZBA Special Meeting January 7, 2019

Zoning Board of Adjustment members present: Christopher Robbins (Chair), Rebecca Ohm, Bryan Zieroff, Jason Kass. Absent: Patrick McQuillan

Public Present: Doug Bowen, Beata Hasaj, Joel Bluming

Also present: Lou Bruso, Jamaica Flood Zone Administrator, Charlie Peck, former member of Jamaica ZBA

The hearing was started at 7:02

Christopher Robbins, Chair read the warning for the hearing in regard to the conditional permit application for the Hasaj permit

The Chair reviewed the order of events

No disclosures of conflicts of interest nor any ex parte communications were brought forward

The Chair reviewed the definitions the definitions of interested persons per 24 VSA § 4465(b)

The Chair explained that only interested parties who has participated in the proceeding can make a n appeal of the decision

Two people with interested party status identified themselves (on signup sheet), Beata Hasaj, applicant, and Doug Bowen, abutter

The applicant and interested person swore under penalty of perjury that the evidence they present is true

Written information presented to the Board:

Letter from Matt Beck, engineer certifying that the design of the proposed structure complied with the FEMA Flood Rules currently in force

Letter from Vermont State Flood Zone Administrator (currently DEC Southern Region Floodplain Manager John Broker-Campbell, CFM). I certifying that the structure was in compliance

A certificate will be filed after construction is completed re-certifying that the structure is in compliance with the FEMA elevation requirements

A current certificate of compliance with FEMA Flood Elevation requirements

ZBA member Bryan Zieroff stated that since all the documentation required by the Board had been submitted, and stated he had no questions.

Jason Kass made a suggestion about adding wing walls on the west side to deflect a higher velocity of water. Charlie Peck indicated that if that were to be required, a new permit would have to be applied for. Discussion ensued that clarified and affirmed the protections afforded by the current plans in submission and documents presented for the permit.

The abutter, Doug Bowen, asked if the house was technically a "guest house". Discussion ensued about exactly what the ZBA could do in terms of adjusting the zoning regulations and exactly what FEMA regulations are.

Lou Brusio outlined the procedures for issuing the permit (Board decides, Public Notice for 15 days, final permit, recorded)

The Hearing was adjourned at 7:35pm

At 7:36pm, The Chair entertained a motion for the the ZBA to come to order to deliberate. The ZBA minutes from the previous meeting were approved unanimously.

Chair asked if anyone had any questions or comments. All Board members indicated that they did not have anything else. The Chair asked that a post-construction certification by an engineer certifying that the structure was completed according to the requirements be added as a condition to the permit. In addition, Lou Brusio asked that no construction fill be brought in that could change the basic ability of the river to take the space it needs during a flood event. This would not include minor garden features; it just could not change the contour of the river. Excess earth removed from the act of construction would need to be removed.

The Chair moved to issue the permit subject to the two conditions outlined above. The Board unanimously determined that this permit be issued.

The meeting was adjourned at 7:50

Submitted by Rebecca Ohm, interim clerk for the Jamaica Zoning Board of Adjustment
January 3, 2019

TOWN OF JAMAICA

INTERESTED PERSONS RECORD AND SERVICE LIST

Mr. & Mrs.

Applicant Gregory Wasaj Application No. 02-068 Date of
 Hearing 12/20/2016

Under the 2004 revisions to Chapter 117, the ZBA has certain administrative obligations with respect to interested persons. At any hearing, there must be an opportunity for each person wishing to achieve interested person status to demonstrate compliance with the applicable criteria. 24 V.S.A. § 4461(b). The ZBA must keep a written record of the name, address and participation of each person who has sought interested person status. 24 V.S.A. §4461(b). A copy of any decision rendered by the ZBA must be mailed to every person or body appearing and having been heard by the ZBA. 24 V.S.A. § 4464(b)(3). Upon receipt of notice of an appeal to the environmental court, the ZBA must supply a list of interested persons to the appellant in five working days. 24 V.S.A. §4471(c).

This Interested Persons Record and Service List is intended to be used by the Clerk, or designated staff of the ZBA, to record information regarding persons who have sought interested person status. A separate Interested Persons Record and Service List should be used for each application considered by the ZBA. This Interested Person Record and Service List can be used in conjunction with a separate sign in sheet.

Name	Address	Participated in Hearing?	Evidence/Statement of Consent Offered
Doug Bowen	1897 PIKES FALLS RD.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Beate Wasaj	40 Crouberry Ln	<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	