

**TOWN OF THETFORD  
DEVELOPMENT REVIEW BOARD**

**MEETING MINUTES  
3/8/16 HEARING**

Members Present:

Bill Bridge	Jesse Anderson	Don Longwell	Sean Mullen (chair)	Tim Taylor (vice-chair)	Mary Ellen Parkman (ZA)
<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>absent</b>	<b>X</b>

Attendees: David Wurtz, Amanda Wurtz, Chuck & Joan Solger, Diane Pingleton, Danielle Basta, Sam Casella, Don Newton

Sean Mullen called the Public hearing to order at 7:10 PM, read the agenda and moved directly to Agenda Item #1.

1. Warned Hearing on Application (#ZP16-06) for Re-Subdivision to adjust a lot line of a previously approved subdivision plat (TSD#560) by Donald and Joyce Newton. This property is located in the rural residential district at 106 Newton Lane, North Thetford, VT.

Mr. Mullen asked the applicant to join the DRB at the table to discuss his application. Don Newton joined the DRB and explained that he wanted to adjust a property line for his previously approved PUD/Subdivision which was permitted as TSD# 560.

The proposal adjusts the property line between Lot # 5 and Lot #4 with Lot #5 to gain .1 acres and a 17'x22' building with a height of 14'.

Mr. Newton explained that the garage should have gone with the house on Lot #5 to begin with. The proposed property line is located to allow for a 15' setback between the building and property line.

Mr. Mullen made a motion to approve the subdivision application with the condition that the final plat meet all subdivision regulation requirements.

The vote passed unanimously.

Bill Bridge	Jesse Anderson	Don Longwell	Sean Mullen (chair)	Tim Taylor (vice-chair)
<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>absent</b>

Mr. Mullen then moved to Agenda item #2.

2. Continuation of Warned Hearing on Application (Permit #4123) for Conditional Use w/Site Plan Review by David & Amanda Wurtz to operate a small Engine Repair Shop (which was previously approved as a Home Business). This property is located at 682 VT Route 244, Post Mills, VT

Mr. Mullen asked the applicant to join the DRB at the table to discuss his application. Mr. Wurtz joined the DRB. The Zoning Administrator explained that after the previous hearing she had met Mr. Wurtz onsite to discuss a site plan to help him better define his plans. Mr. Solger was also in attendance. Ms. Parkman attempted to assist Mr. Wurtz in presenting his site plan along with an explanation that the new plan did not include personal property because she had been told by the Town's council that the DRB has no jurisdiction to review personal items and residential use of a property. The DRB told the ZA that she was not a member of their Board and that they would make that decision. Ms. Parkman turned the site plan over to Mr. Wurtz and resumed taking notes.

The proposed site plan provided for a separate entrance for the business and residential use of the property with business storage clearly indicated as being in the pole barn to store the tractor and skid mounted tank.

Mr. Wurtz indicated that he would no longer have a dumpster and any trash associated with the business would be located inside the garage until picked up curb side.

The DRB noted that the business use is shown as consolidated along the property line that is shared with the Solgers. There will need to be some screening along this line.

Ms. Solger asked how tall the screen would be and if Mr. Wurtz would be required to remove an overhead door he recently installed? Mr. Wurtz indicated that he installed the door in December, not last week and he planned to use the door. Mr. Mullen responded that he had not heard anything yet that would result in asking him to remove the door.

Mr. Mullen called for all interested parties to agree to allow Mr. Anderson to participate in this process as he was not able to attend the previous hearing but was in attendance for the first. All interested parties were in agreement.

Mr. Solger again stated that his deck looks right into the side of Mr. Wurtz's garage where all of the activity and noise will be. He questioned why the hours of operation have to be for 7 days? He hears air wrenches, music, etc. and he is retired and doesn't want it. He has spent a lot of time and money on plantings to screen the rear yard but there is not sufficient screening in the area near the building.

Ms. Pingleton asked what happened to the screening on her side that was discussed at the site visit. The DRB responded that there is no business use of the property in the area adjacent to her property line so at this point it doesn't seem pertinent.

Mr. Longwell stated that he liked the new layout but the new layout puts more activity along the property line and the result is a greater effect on the Solgers.

Mr. Anderson agreed but said that he did not have reservations regarding the proximity but would like to review the noise standards as noise seems to be an issue.

Mr. Mullen stated that the DRB could ask Dave to come back with dBA levels of all of his equipment. Ms. Parkman suggested that there is a free app that gives dBA levels and getting some readings while the activity is occurring now could be a way to consider the standard.

Mr. Wurtz said that he could consider changes to the hours of operation but would like to be able to do some work on weekends as those are the days he repairs his van.

Ms. Pingleton read a letter addressing her concerns which reviewed prior concerns and talked about being a good neighbor.

Mr. Mullen responded that we all live differently, neighbors are not always ideal but that is the way it is. He can empathize but must review the application in regards to the Zoning Bylaw.

Mr. Mullen asked the other DRB members what their thoughts were. Are they ready to decide? Do they still have concerns? Do we need another site visit?

Mr. Longwell said that he was skeptical moving forward because of the proximity. Mr. Anderson said that proximity was not a problem for him and he thought that screening and noise abatement by requiring the door to be closed when using power tools would address concerns. Mr. Bridge said that he would be more comfortable if we moved the business to the other side of the property so that the access and parking were not so close to the property line. He also liked the idea of the door closed and wanted screening.

Mr. Mullen asked the question, what would be appropriate screening? A stockade fence and evergreen plantings were discussed. The Solgers and DRB seemed to be in agreement that an evergreen screen opposite the building screening the view from the Solgers' deck was appropriate. The limits were debated until the DRB determined that a second site visit would be beneficial.

The DRB reviewed the Site Plan and stated that they liked to idea leaving the parking as shown but making the space available for both uses. There could be a stockade fence running between Route 244 and the building to define the space and block the view of the cars. These spaces would be accessed from the existing primary drive. This would limit the vehicular activity along the Solger property line.

Mr. Solger indicated that he was not concerned about looking at cars or the number of cars coming and going. He didn't want to see the mess on the property or hear the noise. He did not care where the access was.

Mr. Longwell said that he wanted to see a revised site plan at the next hearing for review.

Mr. Mullen made a motion to continue the hearing to a Site Visit on March 22, 2016 at 6:15 PM with a continuation hearing immediately following at the Town Offices.

The vote passed unanimously.

Bill Bridge	Jesse Anderson	Don Longwell	Sean Mullen (chair)	Tim Taylor (vice-chair)
X	X	X	X	<b>absent</b>

Mr. Mullen adjourned the meeting at 9:03 pm.

Respectfully submitted,  
Mary Ellen Parkman

Approved on the \_\_\_\_ day of \_\_\_\_\_, 2016.

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Sean Mullen, Chair