

**TOWN OF THETFORD
DEVELOPMENT REVIEW BOARD**

**MEETING MINUTES
4/14/15**

Members Present:

Bill Bridge	Jesse Anderson	Don Longwell	Sean Mullen (chair)	Tim Taylor (vice-chair)	Mary Ellen Parkman (ZA)	Diane Osgood (Zoning Assistant)
X	X	X	absent	X	X	X

Attendees: Marilyn Sturman, Ennis Construction, Jessica Eaton, Stuart Rogers, Brian Monahan, Al Stone, Rhett Scruggs, Bill Huff, Ken Robinson, Janice Robinson, Joanne Kirsten, Anne French, Rick Howard, Lori Howard, Doug Stone, Ted LaMontagne, Carolyn Lorie, Laurie French, Wayne Parks.

Tim Taylor called the meeting to order at 7:11 PM and moved directly to Agenda Item #1.

1). Continuation of Warned Hearing on Application (TSD #659) for Minor Subdivision by Woodchucks, LLC to subdivide one lot into two lots. This property is located in the Rural Residential district at 136 Cross Street, Post Mills, VT

Ms. Parkman indicated that the applicant had called today and indicated that they would like their hearing to be continued to a hearing on May 12, 2015 to give the surveyor more time to prepare documents.

Mr. Taylor made a motion to continue the Subdivision Hearing for Woodchucks, LLC to May 12, 2015. Mr. Bridge seconded the motion.

The vote carried unanimously:.

Bill Bridge	Jesse Anderson	Don Longwell	Sean Mullen (chair)	Tim Taylor (vice-chair)
X	X	X	Absent	X

Mr. Taylor then moved to Agenda item #2.

2). Warned Hearing on Application (Permit #4061) for Conditional Use, by Marilyn Sturman (Landowner) and Ennis Construction, Inc. (Applicant) for repairs and replacement where needed of existing porch and stairs. This property is located in the Village Residential District w/Historic Preservation Overlay at 2489 Route 113, Thetford, VT

Mr. Taylor directed the DRB to page 9 of the Zoning Bylaw and explained that because the project is in the Historic Preservation Overlay it is considered a conditional use and is subject to conditional use and site plan review.

Mr. Taylor asked the applicant to join the DRB and describe their project.

Ms. Sturman and a representative from Ennis Construction indicated that the home owned by Ms. Sturman has a porch that is in need of repair. The existing porch has an odd shape with a 6'x6' cut out section. The project will include repairs to the existing porch and may also include new structure in this area to create a rectangular porch. The materials will match existing and be consistent with the historic period. Colors will match existing.

The DRB reviewed the report by the Historic Preservation Committee dated March 31, 2015. The Committee found that the project does not destroy the distinguishing qualities or character of the structure or its environment. The committee recommended that the colors match and concluded that the project will be an improvement to what is now present.

The DRB then considered the standards under both the Site Plan Review and Conditional Use Review. The need for a full site plan was waived and all standards were determined to be not applicable other than Historic Structures under Site Plan Review and Character of the Area under Conditional Use Review.

The DRB determined that the HPC report clearly indicates that this project preserves the historic nature of the building and is appropriate for the neighborhood which it is situated.

Ms. Sturman indicated that she might want to add a light under the doorway. The DRB indicated that is should be dark sky compliant and that they could add a condition to allow for this under the approval.

Mr. Taylor made a motion to approve the project with any proposed lighting to be dark sky compliant. Mr. Bridge seconded the motion.

The vote carried unanimously:.

Bill Bridge	Jesse Anderson	Don Longwell	Sean Mullen (chair)	Tim Taylor (vice-chair)
X	X	X	Absent	X

Mr. Taylor then moved to Agenda item #3.

3). Warned Hearing to consider the Notice of Appeal by Ted Levin and Ford Von Reyn of the Zoning Administrator's determination regarding the compliance of the Upper Valley Fish & Game Club. Hearing will be held for the DRB to review the Zoning Administrator's determination that the Upper Valley Fish & Game Club is currently in compliance with their Conditional Use permit. This property is located in the Rural Residential district at Five Corners Road, Thetford Center, VT

Ms. Parkman joined the attendees and Ms. Osgood took a seat at the DRB table to act as the recorder for this hearing.

Ms. Osgood presented as evidence written correspondence received by the Zoning Office. These documents were entered into evidence.

Mr. Taylor began this hearing by doing introductions, both for the DRB members and the attendees. He then gave some history and explained to the room what the purpose for the hearing was and how it would proceed. He indicated that the hearing was to be held to consider whether or not the Zoning Administrator's decision to find that the Upper Valley Fish & Game Club (The Club) was in compliance should stand or be overturned.

Mr. Taylor indicated that the permit that governed activities at the club was a 1981 court hearing and its decision. There were a lot of smart people that worked on those court proceedings but all acknowledged that the standard of care in creating decisions was not then what it is now and this permit is our guide.

The Permit gives the club the authorization to run a rifle range, trap shoot, and general recreation area. The only restrictions placed on the club were:

1. No more than six (6) organized shoots per year further limited to:
 - a. No more than three (3) shoots in any two consecutive months and no more than two (2) shoots in any one month;
 - b. No more than four (4) hours at any one shoot, ordinarily from the hours of noon to four o'clock PM;

Ms. Parkman received correspondence from three neighbors of The Club that indicated that they believed that The Club was not in compliance with their Conditional Use Permit. She then considered all evidence presented and based on conversations she had had with Club officers in December found that there were no active violations and the Club was in Compliance. The current club officers did not fully understand the restrictions and were eager to comply with all permits moving forward. The biggest question during discussion was what about law enforcement agencies. Ms. Parkman determined that they would have to be sponsored by the club and counted as an organized shoot if the Club wanted to continue to allow them to use the range.

Mr. Taylor indicated that the draft lease is not under the jurisdiction of the DRB nor the subject of this hearing. Testimony presented should be related to The Club's lease and its conditions regarding organized shoots.

Rhett Scruggs of the Club indicated that he had talked to the ZA and didn't really agree that law enforcement agency use was an organized shoot by the club but did understand that if not considered one that they had no rights to use the range without a DRB hearing to review and approve the use. He indicated that the Club intends to uphold the permit conditions.

Mr. Taylor then took verbal testimony from any present that wished to speak. A log of this verbal testimony is available in the Zoning Office.

At 8:40, Mr. Taylor made a motion to close the hearing and continue the hearing for deliberative session on May 12, 2015. Mr. Bridge seconded the motion.

The vote carried unanimously:

Bill Bridge	Jesse Anderson	Don Longwell	Sean Mullen (chair)	Tim Taylor (vice-chair)
X	X	X	Absent	X

Mr. Taylor adjourned the meeting at 8:43 pm.

Respectfully submitted,
Mary Ellen Parkman
Diane Osgood

Approved on the ____ day of _____, 2015.

Tim Taylor, Vice-Chair