

**TOWN OF THETFORD
DEVELOPMENT REVIEW BOARD**

**MEETING MINUTES
5/12/15**

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

ZA – Zoning Administrator

Attendees: Katherine Adams, Andrew Cook, Ted Levin, Alford Stone, Rhett Scruggs, Robert Stone, Joanne Kirsten, Jessica Eaton, Wayne Parks, Douglas Stone, Ford VonReyn, Stuart Rogers, Chris Hebb, Mark McElroy, Patrick Perry

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 on the property located at 136 Cross Street, Post Mills, VT (parcel Number: 0T0010.06, Tax Map Number: 20-20-53) to subdivide one lot into two.

Mr. Taylor invited the applicant to join the DRB to discuss their subdivision. Katherine Adams joined the DRB and presented a draft mylar by Tom Otterman. The DRB reviewed the property history and the fact that the property had a wastewater permit and legal State Subdivision and that the former owner never subdivided the lot with the Town.

A driveway permit was approved for a new driveway along the northern edge of the property for the back lot. There is one well near the existing house visible on site and there is a source of water to the mobile home in the back. Ms. Adams indicated that they are still determining whether or not both lots are fed from this one well.

Mr. Taylor asked if there were any interested parties in attendance. There were none.

The DRB stepped through the plat requirements outlined in Sections 4.01 and 4.02 of the Subdivision Regulations. The only deficiencies noted were that there was no signature block and language for the DRB’s approval.

Mr. Taylor made a motion to approve the minor subdivision with the condition that a signature block be added and that the final document complies with Sections 4.01 and 4.02 of the Thetford Subdivision Regulations.

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 #4065) for Waiver of Setbacks by Chris Hebb on the property located at 767 Barker Road, Post Mills, VT (Parcel Number: 0T0021.19, Tax Map Number: 01-02-47) to reduce the back setback from 15’ to 2’ to construct a 28x48 greenhouse

Mr. Taylor invited Mr. Hebb to join the DRB to discuss his application. Mr. Hebb explained that he wanted to build a 28x48 ft greenhouse to grow greens to sell. The property has several big maples in the area where the green house will go pushing the proposed location back to within two feet of the property line. The neighbor on that side, Linda

Thurston is okay with his proposal. A new wood boiler will be built on a slab near the house and this location would give the greenhouse access to this heat source while preserving his mature maple trees.

Mr. Taylor reviewed the language for waivers and asked Mr. Hebb which criteria he thought his request fell under. Mr. Hebb indicated that 6.08(B)2 is the criteria that fits his project best in that his attempt is to cluster his buildings to preserve his mature trees.

Mr. Taylor indicated that he would like a site visit. The DRB agreed.

Mr. Taylor made a motion to continue the hearing to a site visit at 6PM followed by a hearing at 7PM on May 26, 2015.

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). Continuation of 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 on the property located on Five Corners Road, Thetford Center, VT (Parcel Number: OT0061.TE, Tax Map Number: 06-02-18)

Mr. Taylor began the hearing by commenting that there was a new piece of evidence presented to the ZA, an account of past activities from Annual Town Reports. He indicated that he was happy to file and share the information and take notice but at the past hearing we closed the hearing to begin deliberation. He asked the other DRB members if they were feeling as though they supported the ZA's determination in finding that the Club was not in violation. Generally they indicated that they did but no vote was taken.

Tim indicated that he would like to hear from both the Club members and the neighbors as to what they felt should constitute an "organized shoot" and "casual shooting". He indicated that he would like to establish some findings in the DRB's decision as to the definitions of these words to guide the ZA in future compliance efforts.

Ms. Parkman indicated that this is a task that is her responsibility as the ZA. Compliance with permits falls within her duties and responsibilities and not with the DRB. She indicated that determining these definitions through this process will make compliance easier for her and will ensure that everybody is on the same page moving forward so she does not object.

Mr. Taylor asked that all interested parties submit their thoughts on these definitions to the ZA prior to the next hearing so that the DRB will have time to consider them.

Mr. Taylor made a motion to continue the hearing until May 26, 2015.

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 #4.

4). Warned Hearing on Application (Permit #4066) for Conditional Use w/Site Plan Review by the Town of Thetford, VT on the property known as the Recycling Center and located at 4706 Route 113, Thetford Center, VT 05075 (Parcel Number: 0V113C.37 TE, Tax Map Number: 06-02-46) for Seasonal Use of the Recycling Center to store materials for mud season; currently 1.5 minus crushed stone and crushed gravel

Mr. Taylor asked Stuart Rogers, Selectboard Chair, to join the DRB and discuss their application. Mr. Rogers indicated that the solar project associated with the school misplaced the Town's stone and gravel storage and the Town had nowhere to store the materials this spring. The decision was made to store them at the Recycling Center. Ms. Parkman indicated that a conditional use review was required so the Town filled out the application form. Vermont State Act 148 requires that the Town collect leaves and yard debris starting July 1st. At this point, the Town expects to use the space for that purpose so there will not be room to store materials in this location for next mud season.

Mr. Rogers indicated that the Town elects to withdraw their application.

There was some discussion by neighbors but evidence was not taken because the application was withdrawn.

One neighbor asked if this would happen again next year? Could the Town dump their materials there and submit an application and then withdraw it?

Ms. Parkman indicated that this would not happen again at least while she was ZA. She gave the Town the chance to apply and receive a permit before issuing a Notice of Violation just like she does with residents when an activity or building has begun and the owner was unaware that a permit was required but now that they know that the activity requires a permit it will be considered a violation in the event it happens next year without obtaining a proper permit.

Mr. Taylor then moved to Agenda Item #5.

5). Continuation of Warned Hearing to consider an Appeal of a Notice of Alleged Violation (NOAV) by Ruth Dwyer, on the property located at 2604 Sawnee Bean Road, Thetford Center, VT (Parcel Number: 0T0020.28, Tax Map Number: 01-01-41)

Ms. Parkman submitted a copy of a letter addressed to the DRB from Ms. Dwyer that her office received on 5/12/15. Mr. Taylor read the letter and indicated that he wasn't sure of the letter's purpose but it seemed to be inaccurate. The DRB did grant a continuance on 4/28, hence this continuation hearing. The letter was entered into evidence.

Ms. Dwyer was not in attendance and her letter seemed to indicate that she would not be participating.

The DRB reviewed the evidence that had been previously submitted. The evidence included two letters from Ms. Dwyer, The NOAV letter itself, and the definition of wall used by the ZA in determining the wall's compliance.

The DRB reviewed the definition of wall and agreed with its definition and determined that the structure on Ms. Dwyer's property was a wall.

Mr. Longwell added that they had already made this determination in the conditional use review hearing and the wall should not still be there.

Mr. Taylor made the motion that the DRB uphold the Zoning Administrator's determination in issuing a NOAV and its associated fine. This determination was not made in error and shall stand.

Bill Bridge abstained and the vote carried as follows:

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

Mr. Taylor adjourned the meeting at 8:30 pm.

Respectfully submitted,
Mary Ellen Parkman
Diane Osgood

Approved on the ____ day of _____, 2015.

Sean Mullen, Chair