

**TOWN OF WESTMINSTER
DEVELOPMENT REVIEW BOARD MEETING
FEBRUARY 11, 2015**

Members Present: Kyle Skrocki (Vice Chair); Cathy Mullins (Clerk); Phil Savoy;
Eric Anderson

Not Present: Chris Potter (Chair)

Alternate Members: None Present

Others Present: Russ Hodgkins (ZA); Karen Astley (Recording Secretary)

CALL TO ORDER: Kyle Skrocki called this meeting to order at 6:59 PM in the Westminster Town Hall and welcomed everyone. A full Board was present. He advised that meetings are tape recorded therefore asked anyone that wishes to speak to identify themselves.

MINUTES: Kyle Skrocki moved to accept the minutes of the January 5, 2015 meeting. Cathy Mullins 2nd the motion. Motion passed with a 4-0-0 vote (approved, opposed, or abstained).

ADJUSTMENT(S) TO AGENDA: None

COMMUNICATIONS AND PUBLIC COMMENT: None

EX PARTE COMMUNICATIONS: Kyle Skrocki asked whether any member would have to recuse themselves from the hearing.

INTERESTED PARTIES: All interested parties that signed in agreed to affirm that the evidence they give in the cause under consideration shall be the whole truth and nothing but the truth under the pains and penalties of perjury. Any comments from the public should be directed to the DRB. If the person before you has spoken to something that you were going to speak to please try not to repeat the same information. Everyone will have any opportunity to speak during the meeting.

DELIBERATIVE SESSION: The DRB members had previously agreed to make their decisions in Deliberative Session, if needed, following the public Hearings on the applications. It will be scheduled at the end of the Development Review Hearing.

UNFINISHED BUSINESS:

DEVELOPMENT REVIEW HEARING: *DRB Member Kyle Skrocki*

Application: #15-15 David D. Gorham Living Trust, property location 7752 US Route 5, Planned Unit Development compliance with the zoning ordinance. Application will be reviewed under **Sections 710-735 of Article VII Planned Unit Development** of the 2014 Interim Zoning Bylaws.

Russ stated this PUD is for pre-existing businesses and the level of intensity deemed suitable is up to the DRB for review. DRB had two questions still pending, if you hit those questions that should be sufficient per Russ.

For the record Kyle reopened Application 15-15. Application continued from December 1, 2013 for additional information. Exhibits 6; Letter from Chris Moore and Exhibit 7; aerial map of property added to application.

Question 1: To Mr. Gorham were you ever asked to do anything with the entrance to make it smaller?

Mr. Gorham stated someone from the DRB mentioned the entrance and vehicles were parked at the large entrance to detour people from driving on the south end of the property from the high school. Traffic pattern is directed by a traffic arrow on the Melsur building that directs traffic around the building onto Route 5 and traffic usually merges left going towards Bellows Falls. Mr. Gorham stated this property was designed to handle the amount of traffic exiting and entering the property. Normally there is an excess of 100 trailers going in and out of here.

The state is good with entrance as they did repair the apron when they were paving last Fall and there was no discussion on changing the entrance by the state.

Question 2: What is the square footage of the building and is there sufficient parking for the size of the building. Chris Moore wrote a letter (Exhibit 6) addressing the question and the letter showed sufficient evidence to indicate that there is plenty of parking to support the businesses on this site.

Mr. Gorham stated when the Melsur addition was added they bought acreage from the Kissell Farm located behind the building to secure enough parking (Exhibit 7). All that was needed at that time was too have enough acreage to support the size of the building. This was met prior to this application.

Kyle thanked Mr. Gorham for employing so many people in this area. Going through this process for a PUD made sense as Mr. Gorham would not have to keep coming to the board each time a new business was to move onto this property. Kyle asked the DRB if there were any other questions for Mr. Gorham.

There are no other questions or discussion. **Kyle closed application 15-15 at 7:09 PM**

ACTION: Russ will update the Findings of Facts with the new exhibits and send to Kyle.

NEW BUSINESS FOR DEVELOPMENT REVIEW: No new applications for discussion.

OTHER BUSINESS: No Action

DRB was questioning whether or not the Findings of Facts were accurate as she felt she didn't have to do much work. There was quite a bit already done. Everything was laid out and DRB just has to answer questions on the Findings of Facts. DRB stated they have always made a comment for each item but that is not the case the last three times. No conditions but on the bottom of the FOF said with the following conditions. Conclusion of Law and Findings are two separate items.

Russ will resend the template to the DRB.

Russ presented the DRB a heads up on new applications coming up:

- 1. David and Tammy Kissell** application is almost complete. The application will need a survey plan. Phil Savoy to get a copy of a property map to the Zoning Administrator.
- 2. David Gorham** – Is buying 6109 US Route 5 (Old Tip Top Building) wants to convert the building back to a warehouse. Does he need a change of use permit? ZA can issue permit.

DRB's comments were no this does not need to go to the DRB as this was used as storage in the past. This is an existing use, no change in building size. Permit can go through ZA but the wording has to be specific and clear in the permit regarding use of building.

3. Land on McKinnon Road: Lot is nonconforming in size (3.14 acres) for the Rural Residential district (5.0 acres). Buyer would like to build a house. Application has been submitted.

OTHER BUSINESS: No action.

Cathy Mullins passed around a thank you note from Regina.

Quarry property: DRB will need to review if an application is submitted by the town. Property is in Ridgeline Protection area. Comment was made having a quarry in the ridge line area the town plan will have to be fixed. Ridgelines can be clear cut but no construction can be done. Question was asked whether the town would be required to obtain an Act 250 permit along with a reclamation plan. Can we sell material to other towns, the answer was no. The quarry is for town use only. Can the quarry be seen from I91? Restrictions will be in place if the town should purchase the property for quarry use.

Adjournment: Kyle Skrocki closed meeting at 7:40 p.m.

Recess to Deliberative Session: Deliberative session closed at 7:45 p.m.

Signature of Clerk

Date

Prepared by: Karen Astley, Recording Secretary

(Note: These are unapproved minutes. Corrections, if necessary, will be found in the minutes of the next DRB meeting.)