

**TOWN OF WESTMINSTER
DEVELOPMENT REVIEW BOARD MEETING
MARCH 2, 2015**

Members Present: Chris Potter (Chair); Kyle Skrocki (Vice Chair); Eric Anderson

Not Present: Cathy Mullins (Clerk); Phil Savoy

Alternate Members: Toby Young, Select Board member

Others Present: Russ Hodgkins (ZA); Karen Astley (Recording Secretary); Jerry Hiam, Bill Hickok, Abbey Welch, Tammy Kissell and David Kissell, Jr.

CALL TO ORDER: Chris Potter called this meeting to order at 6:58 PM in the Westminster Town Hall and welcomed everyone. He advised that meetings are tape recorded therefore asked anyone that wishes to speak to identify themselves.

ADJUSTMENT(S) TO AGENDA: Readjusted agenda to hear application 15-26, Alma & Nora Daniels first and then application 15-23, David and Tammy Kissell as applicant came in after meeting started.

MINUTES: Kyle Skrocki made a motion to accept the minutes of the February 11, 2015 meeting. Eric Anderson 2nd the motion. Motion passed with a 3-0-0 vote (approved, opposed, or abstained).

COMMUNICATIONS AND PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS FOR DEVELOPMENT REVIEW: Two new applications for discussion.

EX PARTE COMMUNICATIONS: Chris Potter asked whether any member would have to recuse themselves from the hearing. All were able to participate.

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.

Interested Persons: Jerry Hiam, Bill Hickok, Abbey Welch, Tammy Kissell and David Kissell, Jr.

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.

DEVELOPMENT REVIEW HEARING:

DRB Member Eric Anderson

Hearing was opened at 7:30 pm. Eric Anderson read the description.

Application: #15-26 Jerry Hiam representing Alma & Nora Daniel, property location off McKinnon Road, Waiver of Dimensional Lot Size to be in compliance with the zoning ordinance. Application will be reviewed under **Section 312 Waiver of Dimensional Requirements; Section 441.7 Existing Small Lots; and Section 442.5 Rural Residential Zone**, of the 2014 Interim Zoning Bylaws.

Testimony: Jerry Hiam, Putney Design, LLC representative for the buyer and Bill Hickok, representative for the property owner.

Jerry Hiam, requesting permit to build three bedroom residential home on an existing small lot, 3.14 acre. Applicant explained setback requirements are met based on district bylaws although lot size is smaller.

Bill Hicock, Realtor for seller stated that the property has a state septic permit in place.

DRB went through sections and agreed that Section 312 Waiver of Dimensional Requirements were not needed. Section 442.5 all criteria for permitted uses were in place. Area and dimensional requirements were all met expect for five acre minimum. DRB agreed Section 441.7 Existing Small lots create the exception requirement for this lot although it is 3.14 acres not the five acre required for the zoning district.

There are no other questions or discussion. **Chris closed application 15-26 at 7:10 PM**

DEVELOPMENT REVIEW HEARING:

DRB Member Kyle Skrocki

Hearing was opened at 7:15 pm. Kyle read the description.

Application: #15-23 David & Tammy Kissell, property location off Pine Banks Road, Minor Subdivision to be in compliance with the zoning ordinance. Application will be reviewed under **Section 312 Waiver of Dimensional Requirements, Section 442.5 Rural Residential Zone, Article X Agricultural Overlay District, Article VIII – Subdivision of Land** of the 2014 Interim Zoning Bylaws.

Testimony: Tammy Kissell, David Kissell, Jr. and Abby Welch

Tammy walked the DRB through the map. Property is in the rural residential district with 5 acre minimum requirement. Building a house is permitted.

From the map it appears there is not enough frontage for this subdivision. There is approximately 130 feet that is not road frontage for this proposed lot per the plan. The DRB asked the applicant why they did not propose the subdivision with this in mind? If they had, the subdivision would have been a two lot subdivision instead of a one lot and that would have complicated things further as the lot had already been subdivided. This ten acre lot does not meet the dimensional requirements of 250 feet of road frontage based on the plan. Applicant may need a Dimensional Waiver of Requirement.

Phil Savoy stated via telephone conference that if there is a R.O.W. into the parcel that R.O.W. can be used to meet the required road frontage per our Zoning Bylaws. The 50' private R.O.W. will be a part of the ten acre lot which gives the property the road frontage requirement.

No other questions from DRB. Subdivision permit, if granted, needs to file plan with town within 180 days. When construction begins applicant will have to come to the town for a new permit if all requirements of subdivision permit is met.

Kyle closed the hearing at 7:26 pm.

OTHER BUSINESS: No Action

Cote - Quarry property: From the town meeting the article was “postponed indefinitely” which Russ made clear the deal is off the table and the seller was moving onto the next interested party. The voters needed more information regarding R.O.W., cost to build the road and permit costs from the state. There was not enough information to vote on this item and the town couldn't move forward without owning the property.

Recess to Deliberative Session: There was a consensus of the DRB members to enter into a Deliberative Session. The time was 7:41 PM.

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.)