

**TOWN OF WESTMINSTER
DEVELOPMENT REVIEW BOARD
February 3, 2020**

Members Present: Chris Potter (Chair), Don Anderson (Clerk), Ed Harty, Tim Harty & Oliver Brody

Others Present: Russell Hodgkins (ZA) and Kelley Thayer (Recording Clerk)

Interested Parties: Seth Sawyer; Brenda Mathews; & Tim & Stacey Allen

1. Call to Order: Chris Potter (Chair) called the meeting to order at 6:31 P.M.

2. Adjustments to Agenda: None

3. Acceptance of Minutes: Chris Potter made a motion to accept the minutes as printed for the January 6, 2020 minutes. Oliver Brody seconded and the motion passed.

Ex Parte Communications: Chris Potter (Chair) asked the Board if any member needed to recuse themselves from the hearings. For obvious reasons, Oliver Brody recused himself before hearing application 20-31.

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. Chris Potter stated that everyone will get a chance to speak and will get the chance to become an interested party. What that means is if the application did ever go on to the environmental court further down the road beyond us, an interested party would have the information needed.

Deliberative Session: The DRB members had previously agreed to make their decision in Deliberative Session, following the public hearing on the applications. It will be scheduled at the end of the Development Review Hearing.

4. Communications and Public Comment: None

5. New Business – DEVELOPMENT REVIEW:

Application #20-32

Application #20-32 (Catherine Kissell) – property located at 0 Back Westminster Road. The Applicant is requesting a “Revised” permit for a non-permitted subdivision in the Town of Westminster. This Application will be reviewed under **Section 311 Site Plan Review; Section 447 Rural Residential District Zone; and Article VIII Subdivision of Land** of the adopted 2017 Zoning Bylaws.

Oliver Brody began with a brief overview of Application # 20-32. Russell Hodgkins (ZA) informed the Board on behalf of Catherine Kissell in her absence of particular details of the application. Russell stated that back in 2012, Bill Jewell through the DRB approved the subdivision but the procedure was never completed. This application is a formality to complete the process so the property could be sold. The neighbor's that were present stated that they had no issues with the permit and were there to meet the new Owners. Upon hearing no further questions or concerns, Oliver closed the Application at 6:40 pm.

Application #20-33

Application #20-33 (Allen Bros., Inc.) – property located at 6023 US Route 5. The Applicant is requesting to install a new Fueling Canopy, Pumps, and Tanks moved slightly back and turned 90 degrees from Route 5 compared to the existing fueling station. Old canopy, pumps, and tanks to be removed in present location according to Vermont law. This Application will be reviewed under **Section 311 Site Plan Review; Section 444 Commercial/Industrial District Zone; Section 550 Off Street Parking Requirements (part G); and Section 611 Auto Service Stations** of the adopted 2017 Zoning Bylaws.

Tim Harty began with a brief overview of Application # 20-33. Tim Harty asked Tim & Stacey Allen to tell the Board what they are proposing for the requested Permit. Tim Allen stated that they will be replacing the existing canopy, which currently has 2 double gas pumps beneath it and replacing it with 3 double pumps (2 gas & 1 diesel) in which along with the canopy will be pushed back and rotated with a 90 degree angle to allow more parking. The existing diesel pumps and the stone wall will be removed in order to allow this process. The Planter will be removed in order to change the structure of the north entrance, changing the entrance from 80' to 50'. This change is to try and control the busy traffic coming in and out of the store. Upon hearing no further questions or concerns, Tim closed the Application at 7:00 pm.

Application #20-31

Application #20-31 (Oliver Brody) – property located at 1126 South Valley Road. The Application is requesting the Change of Use of the existing studio to a full time apartment (residence) in the detached building. This Application will be reviewed under **Section 311 Site Plan Review and Section 447 Rural Residential District Zone** of the adopted 2017 Zoning Bylaws.

Ed Harty began with a brief overview of Application 20-31. Ed asked Oliver to speak on his plans for the requested "Change of Use". Oliver stated that the building was originally built to be used as an Art Studio. Oliver then turned it into an Airbnb to help with the finances. Oliver has updated the Septic system, Kitchen & Bathroom in preparation to make this space a full time residence. Upon hearing no further questions or concerns, Ed Harty closed the Application at 7:10 pm.

6. Unfinished Business: (Discussion / Action): The ZA asked the Board to review last months “Findings of Fact” for final approval. All agreed that the two findings were accurate and the Chair asked that the Clerk sign them.

7. Other Business (Discussion / Action): The ZA told the Board that there was at least two applications for March.

DELIBERATIVE SESSION: The Board went into Deliberative Session at 7:21 PM.

Upon coming out of Deliberative Session at 7:42 PM:

* Oliver Brody made a motion to approve application #20-32 with no conditions at this time. Tim Harty seconded the motion and the motion passed 5-0.

* Tim Harty then made a motion to accept application #20-33 with the condition that all applicable permits and regulations are met and that all of the final plans and State permits be copied to the Town of Westminster for our records. Don Anderson seconded the motion and the motion passed 5-0.

* Ed Harty made a motion to accept application #20-31 without conditions at this time. Chris Potter seconded the motion and the motion passed 4-0 with one abstention.

8. Date of Next Meeting: Monday, March 2, 2020 at 6:30 pm at the Westminster Town Hall

9. Adjournment: Tim Harty made a motion to adjourn at 7:48 PM. Oliver Brody seconded the motion and the motion passed.

Signature of Clerk

Date

Prepared by: Kelley Thayer

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