

**TOWN OF WESTMINSTER  
DEVELOPMENT REVIEW BOARD  
September 8, 2020**

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

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

Interested Parties: Owen Rounds

**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 June 1, 2020 minutes. Tim Harty seconded, and the motion passed 5-0.

**Ex Parte Communications:** Chris Potter (Chair) asked the Board if any member needed to recuse themselves from the hearings.

**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 #21-12

Application #21-12 (Owen & Amy Rounds) – property located at 88 Rounds Road. The Application is requesting the Construction of a Two Car Garage with a Connector. This construction will be closer to the property line than permitted so a “Waiver of Dimensional Requirement” is also being requested. This Application will be reviewed under **Section 311 Site Plan Review, Section 312 Waiver of Dimensional Requirements, and Section 446 Residential District Zone** of the adopted 2017 Zoning Bylaws.

Tim Harty began with a brief overview of Application # 21-12. Owen & Amy Rounds were not present, so Tim asked Russell Hodgkins – ZA to speak on their behalf. Russell stated that this construction was a permitted use within the District where it is located and the construction could not be placed in a different location, in his opinion because of the layout of the lot. The construction is proposed to be 16’ away from the property line and in the packet, given to the DRB this evening, was a letter from the neighbor giving permission for the Rounds to move closer to the property line than usually permitted in the Zoning District. Russell continued that if someone did buy the adjacent property, then they would be buying into an existing condition. The DRB was satisfied with the description of the cause of the waiver and upon hearing no further questions or concerns, Tim closed the Application at 6:41 pm.

#### **6. Unfinished Business: (Discussion / Action):**

- Chris Potter mentioned the “Camorama” off of the Heights Road to the rest of the Board. Both Tim Harty and Chris Potter have been at a neighbor’s and experienced the generators from the camp. They were so loud that the whole neighborhood could hear the roar of the large generators cooling the campers with air-conditioning. The ZA told the Board that he knew of the disturbance, but no one would step up and make a formal complaint so that he could do something about it. Russell continued that if he stepped on-site the campground would probably be shut down because of multiple violations that are apparent through conversations that he has had with the neighbors. Chris Potter volunteered to talk with the property owner and warn him of the violations and to please correct these items before he is shut down.
- Chris Potter requested confirmation of the final decision on the Sarah Lovell Child Care Facility. Russell Hodgkins told the Board that legal counsel for the Town explained the law to him and this is what was done with her application. The law, which is not written clear, is allowing a childcare provider to watch children (up to 6) with a valid license from them to use this income as a home occupation which is exempt from local permitting. Chris asked about how long is a child permitted in this care per day? The Town’s lawyer said that it was for day use only and would not cover a child who needs to spend the night for whatever reason.
- Tim Harty asked about the incident with Lucas DeCamp that he heard about pertaining to a permit that the ZA was demanding. Russell Hodgkins explained the Town’s policy that has been in place for many years for free Town generated fill and why it works is because all is communicated up front before soil is dropped by the Town. In this case, communication never happened because the applicant thought that he was being singled out when, he should have called the Town Hall after receiving the letter sent by the ZA to get all of the details of his actions. The ZA continued with, all was worked out after Lucas vented through the Selectboard and was given an explanation of the policy. Lucas has recently requested another permit for a garage extension.

#### **7. Other Business (Discussion / Action): None**

**DELIBERATIVE SESSION:** The Board went into Deliberative session at 7:15 PM. Upon coming out of the Session at 7:31 PM, Tim Harty made a motion to approve the application from Owen & Amy Rounds which is application # 21-12 for the construction of a garage with a connector to be constructed 16' from the property line with an approved Waiver of Dimensional Requirement without conditions at this time. Don Anderson seconded the motion. Hearing no further discussion, the Chair asked for a vote and it passed 5-0 with no conditions set to the permit at this time.

**8. Date of Next Meeting:** Monday, October 5, 2020 at 6:30 PM at the Westminster Town Hall - Outside (if possible, with weather). Inside if not.

**9. Adjournment:** Oliver Brody made a motion to adjourn at 7:38 PM. Ed Harty seconded the motion and it passed. The meeting was adjourned.

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Signature of Clerk

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Date

Prepared by: Kelley Thayer

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