

**TOWN OF WESTMINSTER
DEVELOPMENT REVIEW BOARD
May 6, 2024**

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

Others Present: Robert Lamontagne; Peter Bennett; Jeanne Bennett; Rachael Brown;
Jessica Louisos; Rebecca Pfeiffer; Nancy Dalzell; Gregory Gay;
Kevin Brennan; Tony Perri; Yves Gakunde; Jose Guallpa;
Murray Krugman; Peter Terrell; Patti Terrell; Joe DiBernardo;
Alison Bigwood (ZA) and Kelley Thayer (Asst ZA & Recording Clerk)

1. Call to Order: Chris Potter (Chair) called the meeting to order at 6:00 P.M.

2. Adjustments to Agenda: None

3. Acceptance of Minutes: Tim Harty made a motion to accept the minutes as presented from the April 1, 2024, meeting with Oliver Brody seconding it. Hearing no discussion, the Chair called for a vote and the motion passed 5-0.

4. Communications and Public Comment:

5. New Business: (Discussion / Action):

Application # 24-35

Application # 24-35 **PRELIMINARY PLAT HEARING**
Jose Guallpa (Owner & Applicant) property located at **US Route 5 & Metcalf**. The Applicant is requesting a Major sub-division. Application will be reviewed under **Section 311 Site Plan Review; Section 445 Historic Village District; Article IX Historic Preservation Overlay; Article X Agricultural Overlay District; Article VIII Sub-Division of Land (Major Sub-Division)** of the adopted 2017 Zoning Bylaws.

Chris Potter began reading application # 24-35 (**Preliminary Plat Hearing**). Joe DiBernardo was speaking on behalf of Jose Guallpa. The application was requesting a major sub-division. Jose Guallpa purchased 5.08 acres from Anthony Perri to which he and his brother plan to build two homes within this sub-division (each parcel being 2.54 acres). The land is within the Agricultural Overlay as well as the Historic Village District. Each parcel will leave 60% as agriculture and 40% will be available for development. The two newly created parcels will share a **NEW** septic but will dig two separate wells. Jose Guallpa has a deeded R.O.W. across Shaw lands, 30 ft off Route 5, through Metcalf then a 50 ft driveway to Lot 2B. The second parcel has a 50 ft R.O.W through the lands of Tony Perri and Elaine Ingraham to Lot 2A. Nancy Dalzell and Murray Krugman expressed concern about added traffic on Metcalf and pulling out onto Route 5. The DRB will hear this matter in a **Final Plat Hearing** on June 3, 2024 at 6:00 pm in which they will further discuss their findings after research and answer any further questions from the abutters. Hearing nothing further Chris Potter closed application # 24-35 at 6:20pm.

Application # 24-36

Application # 24-36 Peter & Jeanne Bennett (Applicants) Kevin & Sarah Brennan (owners) property located at **160 Wright Way**. The Applicant is requesting a Lot Line Adjustment. Application will be reviewed under **Section 311 Site Plan Review; Section 448 Resource Conservation District; and 215 Zoning Permit Procedures** of the adopted 2017 Zoning Bylaws.

Oliver Brody began reading application # 24-36. Joe Dibernardo spoke on behalf of Peter & Jeanne Bennett and Kevin & Sarah Brennan. This property is located on 160 Wright Way. The applicant and owner are requesting a Lot Line Adjustment. Kevin and Sarah Brennan will be giving ownership of .49 acres (a small hatch close to the brook) to Peter & Jeanne Bennett to give them access to their R.O.W. / Driveway. Hearing nothing further, Oliver Brody closed application # 24-36 at 6:27 pm.

Application # 24-37

Application # 24-37 Ron Rhodes, Connecticut River Conservancy (Applicant) Vermont Agency of Transportation & Island Corp (Owner) Property located at **ROW adjacent to Granger Street and Paper Mill Road & 0 Granger Street**. The Applicant is requesting the removal of the concrete dam and timber cribbing. Excavation and removal of upstream sediment. Installation of heavy stone to protect US 5 bridge piers and restoration of access paths. Application will be reviewed under **Section 445 North Westminster Village District; and Article XI Flood Hazard Areas Overlay District**

Tim Harty began reading application # 24-37. Jessica Louisos, an Engineer for the State of Vermont, gave a presentation on the Blake & Higgins Dam removal and timber cribbing, excavation and removal of upstream accumulated sediment and installation of heavy stone fill to protect US Route 5 bridge piers as well as the restoration of the access paths. Below is a description of this project discussed in the presentation:

“The Blake & Higgins Dam (VTDEC# 235.01) on the Saxtons River in Westminster, Vermont is slated for removal. The dam is obsolete, partially breached in the center, generally deteriorated, and blocks the movement of fish and other aquatic organisms. This dam removal is being led by the Connecticut River Conservancy. The goals of this project include improving aquatic organism passage, restoring the river channel, reducing fall hazards, enhancing public access, and improving recreational use. The dam is a concrete gravity structure that includes a partially breached spillway that spans the Saxtons River channel including remains on the bedrock on river left, a deteriorated spillway, and remains of a dam back wall and buttress columns on river right. The dam is located on the Saxtons River less than 1,000 feet from its confluence with the Connecticut River. The structure is located within the Route 5 VTrans ROW and was considered for removal when the bridge was replaced in the 1980s. The project is located in a FEMA Special Flood Hazard Area for which a detailed study was conducted in 2007 (Figure 1). The FEMA Flood Insurance Rate Map (FIRM) shows that the Blake & Higgins Dam does not back up water or cause a clear change in the width of the 100-year floodplain in the vicinity of the dam as this area is influenced by the Connecticut River during a large flood (Figure 2). The FEMA effective model has not been obtained for this project. Water surface elevations in the effective model are controlled by Connecticut River backwatering at the project location. Our hydraulic model shows No Adverse Impact for this project. This project will improve public safety and river access and improve aquatic and wildlife passage and connectivity”.

This project’s approximate duration is 2.5 months to complete. Hearing nothing further, Tim Harty closed application # 24-37 at 6:50 pm.

6. Unfinished Business: None

7. Other Business (Discussion / Action):

8. Date of Next Meeting: **Monday, June 3, 2024 @ 6:00pm**

DELIBERATIVE SESSION: After coming out of deliberative session, the Board declared the following for the application reviewed in this hearing:

Application # 24-35: PRELIMINARY PLAT HEARING for a major sub-division: The FINAL PLAT HEARING will be heard on June 2, 2024 @ 6:00 pm. No decision was made at this hearing.

Application # 24-36: for a Lot Line Adjustment: Oliver Brody made a motion to accept as requested with no conditions. Ed Harty seconded the motion passed 5-0

Application # 24-37: for the Dam Removal: Tim Harty made a motion to accept as requested with no conditions. Don Anderson seconded the motion passed 5-0

9. Adjournment: Oliver Brody made a motion to adjourn at 7:37 p.m. with Tim Harty seconding. The motion passed 5-0 and the meeting was declared over by the Chair, Chris Potter.

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.)