

**Town of Plainfield**  
**Development Review Board Meeting**  
**November 9, 2016**  
**Approved Minutes**

**PRESENT:** Neil Hogan (Development Review Board Member), Rob Bridges (Development Review Board Member), Sarah Albert (Development Review Board Clerk), Karen Storey (Zoning Administrator), Cindy Wyckoff (Minutes Recorder), Patrick Tibbetts (Hearing Participant, Tibbetts CU Permit Application), Jennifer Bradley (Hearing Participant, Tibbetts CU Permit Application), Steven Farnham (Hearing Participant, Dolan/Armell Zoning Permit Application), William Basa ((Hearing Participant, Dolan/Armell Zoning Permit Application), Ginger Basa (Hearing Participant, Dolan/Armell Zoning Permit Application), Charlie Cogbill (Hearing Participant, Dolan/Armell Zoning Permit Application), Lucy Hutteman (Hearing Participant, Dolan/Armell Zoning Permit Application), Sandy Farnham (Hearing Participant, Dolan/Armell Zoning Permit Application), Donna Pettersen (Hearing Participant, Dolan/Armell Zoning Permit Application), Charlene Ibey (Hearing Participant, Dolan/Armell Zoning Permit Application), Barry Ibey (Hearing Participant, Dolan/Armell Zoning Permit Application), Bob Armell (Hearing Participant, Dolan/Armell Zoning Permit Application), Lori Barg (Hearing Participant, Dolan/Armell Zoning Permit Application), Rebecca Armell (Hearing Participant, Dolan/Armell Zoning Permit Application), Dan Dolan (Hearing Participant, Dolan/Armell Zoning Permit Application), Gabe Halberg (Hearing Participant, Dolan/Armell Zoning Permit Application), Matt Clark (Hearing Participant, Dolan/Armell Zoning Permit Application), Alalia Clark (Hearing Participant, Dolan/Armell Zoning Permit Application, Ben Graham (Hearing Participant, Dolan/Armell Zoning Permit Application), and Maureen DeForge (Hearing Participant, Dolan/Armell Zoning Permit Application).

**Rob Bridges called the meeting to order at 6:45pm.**

**AGENDA**

- 6:45pm Call meeting to order. Review agenda, make any adjustments
- 7:00pm **Hearing: Patrick Tibbetts Conditional Use Permit Application 2016-28 CU** for Plainfield Zoning Regulation Section 2.8 Conditional Use and 3.5.2 Cottage Industry Reception Barn: All Occasion barn rental for weddings, birthday, graduation, anniversary, family parties, reunion, corporate functions, farm stand at 865 Maxfield Road.
- 7:45pm **Hearing: Dan Dolan and Rebecca Armell Zoning Permit Application 2016-36** Conditional Use for Cottage Industry for Plainfield Zoning Regulations Section 2.8 Conditional Use and Section 3.5.2 Cottage Industry for short term rental two types: (1) Vacations and Retreats and (2) Weddings and Events at 375 Bartlett Road.
- 9:00pm Review and Approve Minutes of October 12, 2016  
  
**Review and Adopt Decisions for Donna Hutchins, George Springston, and Mary Rose Paul Zoning Permit Application 2016-27 for property located at 131 East Hill Road.** Boundary Line Adjustment: transferring 4.43 acres from 131 East Hill Road to 81 East Hill Road.

**Review and Adopt Decisions for Black Bear Biodiesel Zoning Permit Application (ZPA) 2016-31 CU Amendment to ZPA 2013-17 remand for property located at 252 High Street.** Addition of a Trash, Recycling and Compost Drop Service on Saturdays. Drop open from 8 am to 12 pm. No Trash, recycling, and compost left on site.

Adjourn

Bridges added to the agenda the review of next year's Development Review Board budget figures.

**UPDATE FROM ZONING ADMINISTRATOR KAREN STOREY**

- Storey noted that she is still working with Gerry Tarrant to get an updated site plan drawing for the Health Center, review of which may be included on the agenda for the January 2017 meeting.
- Storey stated that the Plainfield Co-op has met with the Tree Warden regarding the border tree in the vicinity of the proposed building expansion. According to the Tree Warden, the tree may survive with a 10-foot setback, but will not with a 6-foot setback.

**HEARING: PATRICK TIBBETTS CONDITIONAL USE PERMIT APPLICATION 2016-28 CU FOR PLAINFIELD ZONING REGULATION SECTION 2.8 CONDITIONAL USE AND 3.5.2 COTTAGE INDUSTRY RECEPTION BARN: ALL OCCASION BARN RENTAL FOR WEDDINGS, BIRTHDAY, GRADUATION, ANNIVERSARY, FAMILY PARTIES, REUNION, CORPORATE FUNCTIONS, FARM STAND AT 865 MAXFIELD ROAD.**

- Bridges reviewed the public hearing process and read aloud an evidence affirmation oath, to which all public hearing participants affirmed.
- Patrick Tibbetts gave a brief background on his proposed plan to rent out his pole barn/property for various-type events. The months of use will be from May through October, Friday through Sunday nights, with a 10pm cut-off time. Bridges read through the provisions of Zoning Regulations Section 2.8 Conditional Uses. In terms of the character of the area affected, Storey presented a letter from Robert Strong representing the Strong Family Trust property that abuts Tibbetts' property. Strong's letter stated that he supports Tibbetts' permit request with two conditions: 1) that Tibbetts makes sure that the border between the two properties is properly identified to his commercial customers and that he sees that they respect the boundary; and 2) that Tibbetts' marketing and promotional materials not include views from, or any reference to, the Strong property in connection to commercial activities. Tibbetts assured that these conditions will be met. Discussion followed, including square footage of the pole barn, maximum number of attendees, public safety, and water and waste water issues (including State wastewater guidelines pertaining to locations holding no more than one weekend event per month). Further discussion centered on adding a farm stand operation selling Christmas trees from November through December 24<sup>th</sup>, Friday through Sunday, starting in 2017.
- Bridges read through the provisions of the Zoning Regulations Section 3.5.2 Cottage Industry, with all appearing to be met. Bridges also read a correspondence from Development Review Board Chair Janice Walrafen, who was not present, supporting the permit application as long as all of the conditional use provisions are met and with support for his neighbors' concerns. Sarah Albert noted that the original application and warning to neighbors was for the event barn only and did not include the retail sales component. Bridges suggested that since the retail sales component would

not begin until November 2017, only the event barn would be considered at this time and that Tibbetts could request an amendment to the permit at a later date.

- **Albert made a motion approve the conditional use permit for the event barn on the Tibbetts property with the following conditions: that events will occur from May through October no more than one weekend per month; that the hours of operation will be from Friday through Sunday between 9am and 10pm; that there will be self-contained portable toilets to adequately serve the number of people in attendance; that all parking will be onsite with no parking on the road; that the border between Tibbetts' property and the Strong property be properly identified with assurance that guests will respect the boundary; that promotional materials will not include views from, or any reference to, the Strong property; that an access permit for the driveway will be obtained from the Town of Plainfield; that permission will be obtained from the Fire Marshal; and that the State's wastewater division will provide written acknowledgment that one weekend event per month does not trigger additional requirements. Neil Hogan seconded the motion. The motion was approved unanimously.**
- Tibbetts offered the Town use of the barn for events such as nature camps for kids in coordination with the Town Forest that abuts his property. Albert suggested that Tibbetts contact Select Board member Betsy Ziegler and/or EarthWalk Vermont Director Angela Gibbons to discuss such possibilities.

**HEARING: DAN DOLAN AND REBECCA ARMELL ZONING PERMIT APPLICATION 2016-36 CONDITIONAL USE FOR COTTAGE INDUSTRY FOR PLAINFIELD ZONING REGULATIONS SECTION 2.8 CONDITIONAL USE AND SECTION 3.5.2 COTTAGE INDUSTRY FOR SHORT TERM RENTAL TWO TYPES: (1) VACATIONS AND RETREATS AND (2) WEDDINGS AND EVENTS AT 375 BARTLETT ROAD.**

- Bridges reviewed the public hearing process and read aloud an evidence affirmation oath, to which all public hearing participants affirmed.
- Dan Dolan explained the proposal to continue use of the space on Bartlett Road for Airbnb rentals and weddings. Bridges read through the provisions of Zoning Regulations Section 2.8 Conditional Uses and Section 3.5.2 Cottage Industry. After Hogan and Bridges read into record three letters both in support (2) and against (1) the permit application, a number of neighbors present testified on the adverse effects the event business has had on the character of the neighborhood and their quality of life. Specific negative issues cited that have occurred within the past year include increased traffic and speeding on, and leading up to, the small residential dead-end road; inadequate parking; noise, loud music, glare from lights, and fireworks; duration and frequency of operation; property values and ability to sell in the future; trespassing on neighbors' private property; neighbors' security and safety concerns; directional signage on road; trash left on neighbors' property; safety and disturbance of pets and farm animals; commercial use within a rural district; compliance in and enforcement of State and local codes associated with commercial events such as emergency exits, availability of emergency services, liability insurance, State fire codes, water supply/wastewater, and liquor licenses; and other safety issues associated with the consumption of alcohol by large groups of people. Several giving testimony voiced support for its regulated use as an Airbnb, but opposed holding large events. After disputing some points raised in neighbors' testimonies regarding their guests' connection with past incidents, specifically trespassing issues, the applicants stated their desire to comply with zoning regulations and respect

their neighbors while also being able to exercise their right to use their property and derive income from it.

- Bridges called an end to the hearing at 9pm and announced that it would continue at the next Development Review Board meeting on 12/14/16 at 7pm. Bridges asked for confirmation that hearing participants are generally not in favor of the event component of the application, but that the Airbnb aspect might be acceptable with conditions. A question remained on the exact nature of the Airbnb portion of the operation and it was decided that it would be further defined when the hearing continues on 12/14/16. Sarah Albert noted the requirement of a wastewater permit if operations exceed one weekend per month and that any use of property involving the public needs approval from the Fire Marshal.

#### **DEVELOPMENT REVIEW BOARD BUDGET**

- Bridges noted that he would report back to Development Review Board Chair Janice Walrafen that the members agree with the proposed budget figures for next year.

#### **MINUTES**

- Albert noted the misspelling of Donna Hutchins' name in the agenda and minutes from the 10/12/16 meeting. **Neil Hogan made a motion to adopt the minutes from the 10/12/16 meeting as amended. Rob Bridges seconded the motion. The motion was approved unanimously.**

#### **REVIEW AND ADOPT DECISIONS FOR DONNA HUTCHINS, GEORGE SPRINGSTON, AND MARY ROSE PAUL ZONING PERMIT APPLICATION 2016-27 FOR PROPERTY LOCATED AT 131 EAST HILL ROAD BOUNDARY LINE ADJUSTMENT: TRANSFERRING 4.43 ACRES FROM 131 EAST HILL ROAD TO 81 EAST HILL ROAD.**

- **Hogan made a motion to accept the Findings and Decisions for the Donna Hutchins, George Springston and Mary Rose Paul Zoning Permit Application 2016-27. Bridges seconded the motion. The motion was approved unanimously.**

#### **REVIEW AND ADOPT DECISIONS FOR BLACK BEAR BIODIESEL ZONING PERMIT APPLICATION (ZPA) 2016-31 CU AMENDMENT TO ZPA 2013-17 REMAND FOR PROPERTY LOCATED AT 252 HIGH STREET. ADDITION OF A TRASH, RECYCLING, AND COMPOST DROP SERVICE ON SATURDAYS. DROP OPEN FROM 8AM TO 12PM. NO TRASH, RECYCLING AND COMPOST LEFT ON SITE.**

- **Hogan made a motion to accept the Findings and Decisions for the Black Bear Biodiesel Zoning Permit Application 2016-31 CU Amendment to ZPA 2013-17 Remand for property located at 252 High Street. Bridges seconded the motion. The motion was approved unanimously.**

**The meeting adjourned at 9:22pm on a motion by Hogan. Bridges seconded the motion. The motion was approved unanimously.**

Respectfully submitted by Cindy Wyckoff