

Town of Plainfield
Development Review Board Meeting
August 9, 2017
Approved Minutes

PRESENT: Sarah Albert (Development Review Board Clerk), Janice Walrafen (Development Review Board Chair), Elaine Parker (Development Review Board Member), Karen Storey (Zoning Administrator), Cindy Wyckoff (Minutes Recorder), Kyle Farnham (Hearing for Kyle Farnham), Kelyn Farnham (Hearing for Kyle Farnham), G.H. Graves (Hearing for Northeast Washington County Community Health, Inc.), Denise Wheeler (Hearing for Northeast Washington County Community Health, Inc.), Gerry Tarrant (Hearing for Northeast Washington County Community Health, Inc.), Charles Cogbill (Hearing for Northeast Washington County Community Health, Inc.), and John Monahan (Hearing for Northeast Washington County Community Health, Inc.).

Janice Walrafen called the meeting to order at 6:43pm.

AGENDA

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| 6:30pm | Call Meeting to Order
Review Agenda, Make any Adjustments |
| 6:45pm | Hearing for Kyle Farnham ZPA 2017-18 CU Two-Family Dwelling in Forest and Agricultural Land District for Property Located at 1000 Upper Road |
| 7:15pm | Hearing for Northeast Washington County Community Health, Inc. ZPA 2017-16 Variance for Sign and Continuance for ZPA 2017-01 CU for Property Located 157 Towne Avenue |
| 8:15pm | Review and Approve Minutes of July 12, 2017
Review and Approve Decision of New Hamburger Cooperative's Application 2017-13 CU for Property Located at 154 New Hamburger Road |
| 9:00pm | Adjourn |

REVIEW AGENDA, MAKE ANY ADJUSTMENTS

- Sarah Albert added to the agenda a report on what she had learned at a recent instructional talk on Open Meeting Law. Walrafen added discussion of acquiring additional members to the Development Review Board.

HEARING FOR KYLE FARNHAM ZPA 2017-18 CU TWO-FAMILY DWELLING IN FOREST AND AGRICULTURAL LAND DISTRICT FOR PROPERTY LOCATED AT 1000 UPPER ROAD

- Walrafen read aloud an evidence affirmation oath, to which all public hearing participants affirmed.

- Walrafen opened the hearing at 6:45pm. Kyle Farnham presented Alan Farnham's deed that indicated an easement to the septic and a well report record for the existing well. Referring to the latter, he explained that, according to the State, the gallon-a-minute capacity would be sufficient if he installed a larger holding tank, the size of which he is waiting to hear back about from the State. He also presented property maps and existing and planned building drawings, which were reviewed by the Development Review Board. Farnham has not yet obtained the wastewater permit, however, the Development Review Board's decision will be contingent upon its submission. Walrafen went through Section 2.8 Conditional Uses of the Zoning Regulations, all of which it was determined will be met. Discussion followed on installing downward facing lighting, the location of the driveway and parking, and the State regulation that the proposed rental portion of the building be inspected by the Fire Marshall before it is rented out. Farnham drew in by hand the location of the proposed driveway, which did not appear on the site drawing. The driveway will have one curb cut. **Albert made a motion to approve the application for a two-bedroom addition to Kyle Farnham's house, which will convert it from a one-family to a two-family dwelling, with the following conditions: that any outdoor lighting be downward directed, that the Fire Marshall inspect the rental portion before it is rented, that the septic permit be submitted, and that a letter be submitted by the engineer after the septic field is constructed that it was constructed according to the engineer's specifications. Elaine Parker seconded the motion. The motion was approved unanimously. Walrafen signed the application.** Farnham will submit the contingency documentation to Zoning Administrator Karen Storey via the Town Clerk's office and Storey will forward the minutes from this hearing to Farnham once the draft is available.

HEARING FOR NORTHEAST WASHINGTON COUNTY COMMUNITY HEALTH, INC. ZPA 2017-16 VARIANCE FOR SIGN AND CONTINUANCE FOR ZPA 2017-01 CU FOR PROPERTY LOCATED 157 TOWNE AVENUE

- Walrafen read aloud an evidence affirmation oath, to which all public hearing participants affirmed.
- Walrafen opened the hearing at 7:15pm. On behalf of the hearing's interested parties, John Monahan requested a continuance of the hearing, stating that the parties are very close to drafting a full settlement agreement, which will be submitted to the Development Review Board prior to its 9/13/17 meeting. Health Center Attorney Gerry Tarrant stated that he will be away beginning 9/11/17 and that any questions can be responded to by those interested parties that will be in attendance at the 9/13/17 hearing. Walrafen noted that the variance for the sign should be addressed in the settlement agreement and clearly agreed upon by neighbors. Monahan and Tarrant assured that the sign variance issue will be addressed in the agreement. Walrafen read aloud a letter received on 8/4/17 from Brent and Karen Sleeper, owners of the property known as the Plainfield Post Office at 189 Towne Avenue, in support of the Health Center. Albert noted that when she writes up the decision, she would like to include the procedural history, which she expects will be quite lengthy. Because Albert will be away for a period of time following when the Development Review Board will make a decision at its 9/13/17 meeting, she asked Tarrant if there would be an issue if the written decision was not ready to sign within the required 45-day timeframe. Tarrant responded that if the Development Review Board makes its decision and the parties are advised of the decision, there would be no issue. Storey will assist Albert in gathering the historical information for the written decision. **Albert made a motion to continue the hearing until 9/13/17 at 6:45pm. Parker seconded the motion. The motion was approved unanimously.**

OTHER BUSINESS

- Following up on a couple of items discussed during the 7/14/17 Development Review Board meeting, Walrafen asked Albert if she had contacted the Planning Commission regarding strengthening the language in Section 3.15 of the Zoning Regulations to require that houses slated to be torn down first undergo a review prior to demolition. Albert responded that she had planned to raise the issue in person at the Planning Commission meeting, however, there was not a quorum so the meeting was not held. Albert is planning to attend the next meeting and will send an email to the Planning Commission regarding the issue in the interim. Walrafen asked Storey if she had followed up on Goddard College's plans to rent out one of its buildings on campus and if the issue should come before the Development Review Board. Storey responded that she had spoken with Jim Gallagher at Goddard College, who noted that the building will be rented to an educational institution. Gallagher had asked Storey if Goddard were to rent to a non-educational entity, how the college would go about removing the building from the tax roll. Storey had responded that Goddard would need to contact the Listers. If Goddard does rent to a non-educational entity, it would definitely need to come before the Development Review Board. A brief discussion followed on what conditions might be imposed since there are no previous conditional-use permits for Goddard.

REVIEW AND APPROVE MEETING MINUTES FROM JULY 12, 2017

- After Albert noted two corrections to the draft minutes, **Parker made a motion to accept the minutes from 7/14/17 as amended. Albert seconded the motion. The motion was approved unanimously.**

REVIEW AND APPROVE DECISION OF NEW HAMBURGER COOPERATIVE'S APPLICATION 2017-13 CU FOR PROPERTY LOCATED AT 154 NEW HAMBURGER ROAD

- **Parker made a motion to approve the decision on the application of the New Hamburger Co-op regarding the amendment to the conditional use permit presented at the 7/14/17 meeting. Albert seconded the motion. The motion was approved unanimously.**

OTHER BUSINESS: CONTINUED

- Albert related a number of items that she learned from attending a recent instructional talk on Open Meeting Law given by Jim Barlow, an attorney who specializes in municipal law. They included: that regular meetings of elected or appointed municipal boards whose meeting schedules are posted at the Town Clerk's office need only be warned once per year rather than having to be warned for each individual meeting; that the public has the right to attend the meetings; that during hearings, attendees do not have the right to speak other than during a period when public testimony is being heard; and that deliberations are exempt from the Open Meeting Law and can be held in private. Discussion followed on the latter point in terms of how the Plainfield Development Review Board, one of only a few in Vermont that deliberates in open session, should conduct itself in the future regarding the issue. It was agreed that this Board would reserve the right to deliberate in private if the issue being considered was emotionally charged and deliberations could not be openly discussed without acrimony among the hearing's interested parties. Albert agreed to contact Barlow to arrange for him to attend a Development Review Board meeting in the future to further discuss and answer questions on the issue.

- A brief discussion occurred on possible procedures the Town might implement for community events in terms of issues related to noise, parking, etc.
- Walrafen noted the need to add additional members to the Development Review Board.

ADJOURN

- **The meeting adjourned at 8:18pm on a motion by Parker. Albert seconded the motion. The motion was approved unanimously.**

Respectfully submitted by Cindy Wyckoff