

Town of Plainfield
Developmental Review Board (DRB)
Minutes of Meeting held on June 12, 2013

Final Minutes Approved on: _____

PRESENT:

 X Janice Walrafen, Chair
 X Rob Bridges
(absent) Neil Hogan
 X Sarah Albert, Clerk
(Quorum of DRB in attendance)

Also present:

Karen Storey – Zoning Administrator (Z.A.)
Mary Lane – Administrative Assistant

Signed in for: Fred Meyer Final Plat Hearing: continuance for a 6-lot subdivision
Fred Meyer, Jay Meyer, Don Marsh, Steve Farnham

Signed in for: Cutler Memorial Library: Little Free Library: conditional use and
variance
Julie (Loona) Brogan (Librarian)

Signed in for Town of Plainfield, Fire Department Monument: variance
Pat Martin (Fire Chief), Greg Light (Fire Captain), Melinda Vieux (neighbor), Mary
Lane (neighbor); arrived later: Michael Peabody (Coop Employee)

6:47 P.M - Meeting called to order by Janice Walrafen, Chair

Announcements: while waiting for participants of Hearing #1 to arrive:

- **Better communication with other Town Boards/Commissions:**
- Chair Walrafen suggests the DRB members attend the Planning Commission's Town Plan Hearing on July 2, 2013; and one of their scheduled board meetings, held the 1st and 3rd Monday of the month. She suggests a combined DRB/Planning Commission meeting could be scheduled for July 15, 2013.
- Chair Walrafen reports she attended a Plainfield Select Board (SB) meeting to discuss making the planning and zoning process easier. SB member Bram Tobin suggested using a paired down version of an example on Burlington, Vermont's website. Chair Walrafen suggests that DRB members Bridges and

Hogan look at Cabot, Vermont's website to see what they do for zoning. Chair Walrafen suggests they report back at another meeting.

- **Other Business**

- Chair Walrafen reports she did not get an email from Irene. DRB member Bridges reports that he did get a draft. Decision made to discuss this at the next DRB meeting.

Agenda Item # 1 - 7:00 P.M. - Review agenda.

No changes made to agenda

Agenda Item #2 - 7:02 P.M. - Approve minutes and hearing decisions.

- **Minutes of May 8, 2013:**

- Board member Bridges and Community Member Farnham report: Page 1; Agenda Item #2, "Review of Minutes"; second bullet, 3rd sentence reads: "should be *continue* during the...", change to, "should be *continued* during the..."

- Clerk Albert reports: the name of a person attending the Young/Malloy Cottage Industry Hearing was written as "Pat *Scinnell*" throughout the minutes, and should be corrected to read, Pat *Scannell*. Also, throughout the Young/Malloy section, the initials "A&R" should read: *ANR*.

- Board member Bridges **moves** to accept the minutes as amended, Clerk Albert seconds, motion approved unanimously.

- **Hearing Decision on application of: Peter Young DBA Second Wind LLC Re: Conditional Use Review for Cottage Industry.**

- Board member Bridges reports typos on page 2, under DRB Findings & Conclusions #4, second bullet, end of 4th sentence reads, "Since oil *be be* transferred..." should read, Since oil *will be* transferred. Also, under #5, (c) reads "...since the proposed *used* will take...", should read, "...since the proposed *use* will take..."

- Chair Walrafen **moves** to accept the decision as amended, member Bridges seconds, motion approved unanimously.

Agenda Item #3 - 7:10 P.M. - Fred Meyer Final Plat Hearing: Continuance for a 6-lot Subdivision.

Janice Walrafen (Chair) swears in all who plan to participate.

- Chair Walrafen explains Clerk Albert, who is new to the DRB since the last hearing, but not new to zoning, did a site visit with Z.A. Storey, and a few new concerns have come up. She lists these as: 1) waivers, 2) 6 lot vs. 8 lot, subdivision, and Clerk Albert adds, 3) right of way (ROW).

- **Waivers:** Chair Walrafen reports the regulations were reviewed with a consultant and the DRB has the right to grant waivers that are brought before them. Those waivers need to be written into the decision, along with any conditions put on the lots, so any permits for building can be obtained as needed.

- Clerk Albert further clarifies that part of the DRB's decision will be that no lots can be developed without going through the reviews for any of the processes such as storm water review or wastewater permits for which waivers were received. Chair Walrafen agrees and states that the DRB will propose that language in the decision.

- **Six lot vs. eight lot:** In past hearings, the subdivision was considered to be 6 lots. However after a site visit, Clerk Albert believes that what was considered one lot is actually 2, because a road divides two of the lots. A lawyer was consulted by the DRB, who sent a letter agreeing that the subdivision is actually 8 lots. Along with this, the Town's Subdivision Regulations also state that a lot is a parcel of land, not divided by a road.

- Mr. Meyer and family members hold the opinion that because they do not want to see what would now be labeled lots 4 & 5 separated, that either they want it to remain as a 6 lot subdivision, or that the DRB decision include language that would convey those lots together in perpetuity. They are not happy that they have come to four other meetings, and in the final plat hearing, because one board member is not in agreement, they will now have to start over with another hearing.

- The board members discuss the pros and cons of leaving the subdivision as 6 lots. They read the Subdivision Regulations. Clerk Albert does not believe she can go along with a 6 lot subdivision because of the Regulations. Next, they discuss with the family how the lots can remain together. The board members do not want to write this into the decision, and think it would be best if the family do this in their estate planning, and with deed restrictions. They educate the family on what will happen if they do leave it as 6 lots, but want to split them in the future. Chair Walrafen reminds them of a proposal from a previous meeting that they pay a fee and amend the application, thereby avoiding another hearing.

- Clerk Albert tells the family that by calling this an 8 lot subdivision, it should in no way impede upon what they want to do with their land. Everyone agrees that Mr. Meyer will pay a \$200.00 fee, and they will amend the application to read an 8-lot subdivision. They once again refer to the Regulations to make sure that this decision is allowed in a Final Plat Hearing. Everyone is in agreement so the hearing continues.

- **Right of way (ROW)** Clerk Albert reports that after the site visit, she wants to go on record as saying that she cannot in good conscious agree with the decision that was made at a meeting when she was not in attendance. She states she listened to the tape and the DRB approved the ROW however what

looks good on paper, would not have been in compliance. The ROW does not follow natural contours and goes over a couple of wet areas to access the 5 acre lot. She reports there is a more natural and less disruptive route it could have taken, that follows an old farm road. They discuss with the family a way to do this if they want to in the future without having to go through a ROW change. Mr. Meyer agrees there are natural borders between the parcels, and was happy for the site visit.

- Chair Walrafen wants to state for the record that future major subdivisions should always have a site visit. She trusts the professionals and the landowners, but more minds can create a better solution. She proposes that prior to the Preliminary Plat Hearing, a site visit be done.

- Board member Bridges makes a **motion** to approve Mr. Fred Meyer's amended 8 lot subdivision application with the following conditions: For each lot of the subdivision except lot 4, all permits or processes for which waivers were granted must be completed and submitted to the Zoning Administrator before any development can occur on that lot, namely: A) Water & wastewater permit; also, each deed created for any of the 8 lots must contain the standard deferral language required by the Wastewater Division of the Agency of Natural Resources. B) Storm Water Management & Culvert Design. C) Erosion and Sediment Control. D) Construction Sequencing. Clerk Albert seconds. Motion approved unanimously.

- Chair Walrafen states since two (2) lots will have to be added to the Mylar, she would like to approve the paper version prior to the final Mylar.

Discussion ensues about how to label the lots. It was decided that lots numbered one (1) through eight (8) make the most sense.

Z.A. Storey leaves with the family to get the \$200 for the amended application. She returns and the meeting continues.

Agenda Item # 4 – 8:00 P.M. – Cutler Memorial Library: Little Free Library Conditional Use and Variance.

Chair Walrafen swears in all who plan to participate.

- Librarian Julie (Loona) Brogan updates the board with a description of the Little Free Library, and the location, which is to be on Marshal Stover's property on the corner of Mill St. and Hudson Ave. The Board discusses and decides the Little Free Library would be a structure, not a sign.

- Discussion ensues about which direction the front of the Little Free Library will face, and where it will be located in relation to the center of the road, and property lines. They decide a variance is needed.

- Board member Bridges states he would like to move to the motion, if no members object to this project.
- Clerk Albert states for the record that Cutler Memorial Library is a community organization that is supported by the taxpayers of Plainfield, and exists for the public good.
- Chair Walrafen makes a **motion** to approve the conditional use permit for Cutler Memorial Library's Little Free Library to be located on the corner of Mill St. & Hudson Ave. on said property, with the front facing Mill St. and the side facing Hudson Ave., with the following: a variance from needing a 10 ft. side lot set back on Hudson Ave.; and to grant the conditional use of a sign, with a variance waiving the required 50 ft. from the center of the intersection. Clerk Albert seconds, motion passes unanimously.

Informal discussion follows: Ms. Brogan informs everyone of an upcoming walking tour on June 21, 2013 that is a celebration of new and old interests in the Village.

Agenda Item # 5 – 8:20 P.M. – Town of Plainfield: Fire Department Monument, Variance.

Chair Walrafen swears in all who plan to participate.

- Fire Chief Pat Martin describes the monument as having a concrete footing with a granite base measuring 30 x 30 x 6 inches; placed on this will be a 4 sided granite section. He refers to a paper mock-up that has some writing, and emblems of flags and the fire department logo drawn on it. This will be the front of the monument and will face the street. On the left side (facing the Municipal Office) will be a list of the past Fire Chiefs, and written on the back side, will be a list of current roster members. The right side will be blank. A cap piece will be on the top. He explains the monument will be located between the fire station and the Coop sign. A board member suggests they go outside to do a site visit.

Everyone goes outside for a site visit to proposed monument site, returns and hearing continues.

- The board members discuss and decide that the monument meets all set back regulations, and because precedence is set with the Kiosk, and the Little Free Library, the monument is an accessory structure. This is also because the lettering would make it a sign, but the emblems make it an accessory structure in accordance with the Zoning Regulations. This is why a variance is needed.
- Chair Walrafen asks for comments from the neighbors.

- Melinda Vieux says considering the size and the design, she would like to see the location of the monument moved to Mill St. Park. She believes there would be more foot traffic there.

- Chief Martin reports he is not opposed to moving the monument, but Fire Captain Light wants it to be next to the fire station and neighbor Mary Lane agrees. Chief Martin is also concerned about vandalism, if it is at the park. He asks if relocating will hold up the process, as they are going to have a dedication ceremony planned for September 7, 2013. He is told that it would.

Mike Peabody (Coop Employee) arrives late and is sworn in.

- Discussion is held about the property lines. The Coop sign sits on Fire Department property as the Coop only owns the land under the building on the South and East sides, so the Town has granted *Right of Use* for the drive way. Mr. Peabody says he believes it is called *Adverse Possession*. The DRB members hope the Fire Department and the Coop can work together so the Coop can keep their sign where it is, and not be obstructed by the monument. There is further discussion about the Coop sign and it is decided that because it has been there since the early 90's (it has been repainted, but the actual sign has not moved), that it does not have to be addressed.

- Z.A. Storey asks the board members if it is permissible for the monument to have writing on three (3) sides. Board member Bridges makes a **motion** that a variance be granted for a free-standing structure with signage on 3 sides, to be located next to the Fire Department. However, the DRB does not wish to preclude another sign, namely the Coop sign, and that the Fire Department and the Coop work together to share the same lot. Clerk Albert seconds. Motion passes unanimously.

Agenda Item # 6 - 9:10 P.M. - Other Business: Light Industry/ Commercial Site Plan Review.

A site visit is needed for Black Bear Biodiesel (Jim Malloy)/Second Wind LLC (Peter Young). This is scheduled at 6:30 P.M. on July 10, 2013, with the hearing to immediately follow. This is a combined review, with a 15-day warning. In the event the site visit runs late, a note will be placed on the door to the Municipal Office to advise anyone who shows up early, that the DRB meeting will follow the site visit.

Other Discussion

- **Upcoming meeting times:**

- Z.A. Storey reports there will be many hearings during July. Chair Walrafen suggests an extra DRB meeting be held each month, so other business can get addressed. Or during the summer, at least one extra meeting will be held. Meeting times are:

July 2, 7:00 P.M. Grace Methodist Church, Plainfield: Planning Commission's Hearing on the proposed Town Plan. DRB members will attend if possible.

July 10, 6:30 P.M. Site visit for Young/Malloy Cottage Industry at 252 High St (US Rt. 2).

July 10, at 7:15 P.M. (following site visit), DRB meeting/hearings at the Municipal Offices.

July 15, (no time given): DRB members to attend Planning Commission Meeting, Chair Walrafen to confirm this in an email.

August 14, Regularly scheduled DRB meeting.

August 28, tentative meeting scheduled for DRB (deliberation of the consultant's work).

- **Agenda items for future meetings:**

Division of labor for DRB members
Discuss draft received from Irene
Discuss finding on Cabot's website.

Adjourn – 9:14 P.M.

- Board member Bridges moves to adjourn, seconded by Clerk Albert, motion passes unanimously.

Respectfully Submitted,
Mary Lane, DRB Administrative Assistant

