

Town of Londonderry, Vermont
Development Review Board (DRB)
100 Old School Street, South Londonderry, VT 05155

MEETING MINUTES

November 15, 2017

Town Office – Twitchell Building, 100 Old School Street, South Londonderry, VT

DRB members present: Terry Hill, Bob Maisey, Chris Laselle, John Lancaster.

DRB members absent: Esther Fishman, Dwight Johnson, Denis Pinkernell.

Others in attendance: Sharon Crossman (Interim Zoning Administrator), Robert Nied (Zoning Administrator), Jock and Lee Lawrason (Property owners).

Acting Chair **John Lancaster** called the meeting to order at 5:38 PM.

Zoning Administrator **Robert Nied** asked the Board if they had any objections to the electronic recording of the meeting to assure accuracy of meeting minutes. **Motion to permit electronic recording of meetings by Terry, seconded by Chris, approved by all in favor.**

A. Public Hearings as duly warned

Interim Zoning Administrator **Sharon Crossman** informed the board that Tom Platt (**Application 023-17**) was on the agenda to as part of a continued open hearing concerning plans to elevate the old Post Office building located at 2152 North Main Street, above the flood line but would not be attending the meeting because he had not yet obtained a copy of an engineering certification that was requested by the Board. **Sharon Crossman** stated that Mr. Platt hope to return at next month's meeting with the requested documentation and was not concerned about the delay because he did not expect to begin work until April. **John Lancaster** affirmed hearing on Mr. Platt's project would remain open until the December meeting.

Sharon Crossman suggested that the Board discuss whether to have a December meeting as the next scheduled meeting date was December 20th which is close to the holiday. Discussion that the meeting should go on as scheduled. **Sharon Crossman** indicated that she would inform Mr. Platt that the December meeting would go on as scheduled and he would be placed on the agenda to present and discuss the engendering certification for his project.

Sharon Crossman informed the Board that Jock and Lee Lawrason (**Application 031-17**) were in attendance and would like to address the Board concerning to build an addition on their barn located at 197 Reilly Road.

Robert Nied provided a status update to the Board regarding the Lawrason application, informing the Board that the Lawrasons had begun construction of the barn addition without obtaining the required approvals and permits and that he had informed both the Lawrasons and their contractor Kyle Joslyn, by phone, that they should stop work until the required approvals and permits were obtained.

Mr. and Mrs. Lawrason addressed the Board offering a detailed explanation of their plans relative to the property in question and invited the Board to physically inspect the property to gather a better understanding of the challenges faced by the Lawarsons in siting the barn addition and to possibly help identify options and alternatives for the addition that would be compliant with the Zoning Bylaws. **Jock Lawarson** detailed several points of confusion that impacted the chronology and progress of their project including the fact that the existing variance was not known to them until it was discovered by Interim Zoning Administrator Crossman, a mis-understanding over the setback distance, and a misconception about the difference, if any, between a structure with and without a foundation, which was made further confusing, by an opinion provided by a local contractor.

John Lancaster related to the Lawarsons the effort by the Board to find a way to accommodate their application within the constraints presented by requirements defined in the Zoning Bylaw. **John Lancaster** assured the Lawarsons that the Board deliberated at length and determined that there was no way to approve the application in its current proposed location because there was already an existing variance on the barn which would disallow an addition to an already non-conforming structure due to set issues. The Lawrasons thanked the Board for its work and again invited to Board members to visit the site to get a better understanding of the challenges to siting the addition. The Board members expressed a willingness to visit the site and, if possible, assist in identifying a solution that would be permissible under the Zoning Bylaw.

Robert Nied suggested that a clarification of what Mr. and Mrs. Lawrason were requesting of the Board would be helpful in determining next steps. **Sharon Crossman** stated that erecting the addition in a different place relative to the non-conforming part of the structure could very well be compliant with the Zoning Bylaw and be granted administrative approval.

Bob Maisey asked if the stone walls, which are in proximity to the barn, could be considered a “structure” and relevant to the discussion and permissibility of the addition. Discussion followed about the relationship of the stone wall to the main structure and the requirements defined in the Zoning Bylaw.

Robert Nied suggested that the Board conduct a deliberative session to examine its tentative decision to deny approval for the addition to the Lawrason barn and formalize or amend that decision. **Terry Hill made a motion to go into a deliberative session, seconded by Bob Maisey, approved by all in favor.** The Board began went into deliberations from 6:50 PM until 7:18 PM.

John Lancaster stated that the Board was confident that their decision to deny approval of the barn addition as proposed by Mr. and Mrs. Lawrason, was the only valid decision possible, given the clear requirements of the Zoning Bylaws relative to set-back requirements.

The Board unanimously agreed to issue a formal decision to Mr. and Mrs. Lawarson. **A motion was made by Chris Laselle to approve the draft formal decision as amended to correct several minor typos, seconded by Terry Hill, approved by all in favor.**

The Board then discussed a site visit to the Lawrason property. **Robert Nied** stated that a visit by a quorum of Board members would constitute a meeting and would need to be warned. Discussion followed about the availability of Board members to visit the property on various

B. Approval of Minutes

Approval of Minutes. The Board reviewed the minutes of the October 18, 2017 meeting. **A motion to approve the minutes was made by Terry Hill, seconded by Bob Maisey and approved by all in favor.**

C. Other Business

No other business was conducted.

D. Adjournment

A motion to adjourn was made by Terry Hill, seconded by Chris Laselle and approved by all in favor at 7:38 PM.

Respectfully submitted:

Robert Nied, Zoning Administrator

Approved by DRB: