

**Town of Londonderry, Vermont
Development Review Board**

**Regular Meeting Minutes
Wednesday, April 17, 2019**

Twitchell Building - 100 Old School Street, South Londonderry, VT

Board Members Present: Denis Pinkernell, Terry Hill, John Lancaster, Bob Maisey, Sven Fedorow and Esther Fishman (arrived 5:46).

Board Members Absent: Chris Laselle

Others in Attendance: Town Officials – Town Administrator/Zoning Administrator Shane O’Keefe, Assistant to the Town Administrator, Sharon Crossman. Members of the Public – Jennifer Veech.

1. **Call meeting to order** Board Co-Chair Denis Pinkernell called the meeting to order at 5:35 PM.
2. **Additions or deletions to the agenda** – The Board decided to address this meeting’s **Agenda Item 5. Other Business, prior to Items 3 and 4**, since Jennifer Veech, Applicant, was present.

Application 039-18 Sara Stoesser Veech Trust subdivision – Consider acceptance of narrative relevant to Bylaw Sections 314(2), 502, and 504 of the Zoning Bylaw per condition of approval previously granted by the Board and Board request.

Denis Pinkernell invited Jennifer Veech to proceed with her presentation. Ms. Veech led the Board through the narrative response previously prepared and submitted by Brownson Spencer PE, pursuant to the Board’s request for “written justification for each of the requested waivers or, in alternative, inclusion in the plat previously submitted with the Application,” as communicated to Mr. Spencer in a letter from Shane O’Keefe, Zoning Administrator, dated March 28, 2019.

In summary, Jennifer Veech stated that the surveyor had walked the Stoesser-Veech property to observe and notate the specific natural resource layers that were referenced in the Board’s request. She said Mr. Spencer maintains that most of the specific resources mentioned are not present at all, or if present, seem to be best described as “common” rather than “critical,” thereby re-confirming the initial request for waivers. Ms. Veech stated that she agreed with this assessment and supported the waiver request as submitted.

Sven Fedorow suggested that the term “waiver” presented the need to “waive something” which was misleading to the Board. He acknowledged that the supplemental information provided serves to address the Board’s questions by indicating that most of the natural resources mentioned do not exist on the property or are insignificant, which renders them ‘not applicable’ to the application, rather than in need of a “waiver” of specific Bylaw standards.

Motion by Esther Fishman, seconded by Sven Fedorow, to accept the document submitted by Brownson Spencer and presented by Jennifer Veech, having concluded that the conditions have been met. Motion PASSED unanimously.

Jennifer Veech left the meeting at 5:42 PM.

3. Minutes

Motion by Esther Fishman, seconded by John Lancaster, to approve the minutes of the meeting of March 20, 2019. Motion PASSED unanimously.

4. Preliminary Review of permit applications:

A. Application 2019-07 by West River Montessori School for change of use from mixed use to school and apartment only on Parcel 104012.000 located at 3650 VT 100 North.

Denis Pinkernell recused himself from this application due to his wife being on the Board. Shane O'Keefe stated that he did not believe that situation would require recusal.

Montessori School Director Renata Sawyer, who prepared and submitted the permit application for Change of Use, was not present. In Ms. Sawyer's absence, the proposed project was outlined by Shane O'Keefe with the objective of confirmation by the Board that the application is essentially complete "as is," or in need of any additional information prior to the public hearing tentatively scheduled for May 15, 2019.

In their preliminary review of the application for the proposed change of use, the Board discussed the sufficiency of information provided regarding the following: new use of building, number of students, unique nature of parking and traffic circulation, water/wastewater, building capacity and exemptions applicable to schools.

O'Keefe said the type of change - from mixed use to school and apartment - is subject to Site Plan Review, and subject to some State public school exemptions.

Sven Fedorow noted that there is a bit of encroachment by the flood zone at the driveway entrance. O'Keefe stated that he had contacted State Flood Plain Manager John Broker-Campbell in this regard and was informed that there is no change proposed in this area, so the project is not subject to State review.

The Board agreed the Montessori School permit application appears to include sufficient information to proceed to a public hearing that will be warned for May 15, 2019.

B. Application 2019-08 by Town of Londonderry for land disturbance to improve grading and drainage on Parcel 101015.000, located at 100 Old School Street.

O'Keefe explained the nature of the project proposed by the Town of Londonderry including grading and new drainage features around the Town Office building and grounds as Phase 1 of the Town Office Planning Project known, also referred to as TOPP. He added that the project as designed by Marble Valley Engineering PC went out to bid and a bid has recently been awarded to Hodgkins and Sons of Bellows Falls/Walpole area.

There are significant identified wetlands on the property and all work will be outside the designated 50-foot vegetated buffer required by Bylaw Section 416 and the State Wetland

permit for this project received in 2017, O’Keefe said. He stated that the project also includes waterproofing the foundation to help resolve moisture issues inside the office building, but the application proposes no inside work.

The Board made a site visit to the lower level of the Town Office building to observe the current conditions. Subsequently, the Board agreed the Town’s permit application appears to include sufficient information to proceed to a public hearing to be warned for May 15, 2019.

5. Other Business – see Item 2.

6. New Business

The Board discussed the recent news of a prospective sale of the Big Rock / Howe gravel pit on Rowe’s Road and the potential impact to the current bonding required by the local zoning permit. O’Keefe stated that the permit ‘runs with the land’ but the bond does not. He agreed to look up the permit and conditions to determine any action needed as a result of a sale, should that occur.

7. Next regular meeting date – Wednesday, May 15, 2019 at 5:30 PM.

8. Adjourn

The meeting was adjourned at 6:47 PM.

Respectfully submitted,

Sharon Crossman, Assistant to the Town Administrator/Zoning Administrator

Approved on May xx, 2019

Denis Pinkernell, Co-Chair