

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

MEETING MINUTES - DRAFT

Wednesday, August 16, 2017

Town Office - Twitchell Building, 100 Old School St., South Londonderry

DRB Members present: Esther Fishman, Terry Hill, Dwight Johnson, John Lancaster, Bob Maisey, Denis Pinkernell.

DRB Members absent: Chris Laselle

Guests: Sharon Crossman (Interim Zoning Administrator), Ryan Downey, Chad Landmon, Caroline Jopling, John Jopling, Gary Raponotti, Tom Platt

Co-Chair Esther Fishman called meeting to order at 7:01 pm.

Public Hearings:

Re-opened: Application 015-17 by Ryan Downey for Chad and Jessica Landmon for approval of boundary line adjustments within 3 existing contiguous lots on Parcel 015007 located at 342 and 344 Cobble Ridge Road and along the westerly side of Boynton Road. This case was re-opened to address the request for relocating the boundary line between Lot 1A (log house lot) and 1B (farmhouse lot), Ryan Downey stated that the Landmons wish to move the boundary along the existing shared driveway to the west side of the road from the point of beginning to the stone wall corner and opening, so the driveway is included in Lot 1A as shown on Post BLA plan sheet.

Ryan Downey also presented a map of Londonderry showing land parcels shaped liked 'dog-legs.' Chad Landmon stated that he disagreed with the Board's decision to deny the request for boundary line adjustment between Lots 1B and 1A on the basis that Lot 1B then has an irregular 'dog-leg' shape, not unlike the overall shape of his entire property. He further stated that the BLA requested addresses standards 314(1) regarding preserving natural features and 314(2) preserving existing historical features of the parcel. Chad Landmon restated his opinion that the project involves boundary line adjustment, not subdivision, and the Town's Bylaw standards for Subdivision should not be applied. Ryan Downey said the owners' intent is to create 3 adjoining lots to be owned by family members, share access between 2 lots, provide West River access for the farmhouse lot and continue public access to existing Viking ski trails.

The Board acknowledged that the project has created confusion as presented because it appears more like a typical subdivision than a boundary line adjustment which commonly involves one line between two parcels. The Board stated that Section 314 Subdivision can and has been applied to BLAs, lacking other specific standards. At 7:29 the Board requested a brief recess. The hearing resumed at 7:44. Ryan Downey requested that the Board reconsider the entire application to include testimony provided by Frank Pratt at the 7/21/17 hearing, and additional testimony presented on this date. There were no other comments regarding the proposed project. The Co-Chair closed the hearing at 7:49 pm.

Application 021-17 by John and Carolyn Jopling for 'after the fact' conditional use approval of an existing accessory apartment within an existing detached barn/garage on Parcel 001001.100 located at 216 Landgrove Road. The Joplings appeared to discuss the history of their existing barn/garage apartment. They confirmed that in 2010 they obtained zoning permit 026-10 for a detached barn/garage with storage on second floor adjacent to their existing 2925 square foot home. During construction, their son needed a place to live so the Joplings finished the second floor as an 1152 square foot apartment with 4 dormers, built to code with state permits for wastewater

and water supply. They said the apartment is now rented to a non-family member. The Joplings stated they lacked the knowledge that additional permitting would be necessary until the Town listers notified them in 2016 that the construction of the apartment required a permit. With direction from the ZA, they responded by filing a permit application after the fact for the detached accessory dwelling. The Board calculated the square footage of the apartment minus the inhabitable areas to determine that the floor area was slightly greater than the 60% threshold to qualify as an accessory dwelling. There being no other public comments, the Co-Chair closed the hearing at 8:19 pm.

Application 022-17 by Agent Gary Raponotti for Owner Susan Hartong for approval to re-subdivide Parcel 062030 of 99.2 acres, creating 3 new lots from 2 existing lots, located along the westerly side of Brooks Lane. Gary Raponotti appeared on behalf of the property owner to discuss the proposed re-subdivision of the larger lot to increase the acreage to be sold together with existing original dwelling, associated structures and pond. He said the plan also creates a new independent 3-acre lot for the existing detached ‘accessory dwelling’ known as the ‘caretaker’s cottage’ and barn. He stated that cottage was originally permitted as an accessory to the Owners’ dwelling, but the finished floor area exceeds the Town’s 1000 square foot limit for an accessory dwelling. He submitted a revised site plan #016-1126 dated 8/14/17 to replace the Preliminary Plan dated July 21, 2017. Gary Raponotti stated that Lot 3 will retain the existing wastewater and water supply systems and new Lot 2 includes an easement to individual systems located off pasture and in the wooded area as depicted on the plan – state permits pending. Lots 2 and 3 will continue to share existing driveway access off Brooks Lane. There being no other comments regarding the proposed project, the hearing was closed at 8:40 pm.

Application 023-17 by Thomas and Judith Platt for conditional use approval of for change of use and conditional use approval for elevating the existing structure known as the old Post Office located on Parcel 102046 at 2152 North Main Street (VT Route 11 West). Tom Platt stated the project is an approved FEMA Hazard Mitigation Grant Project (HMGP) for floodproofing after significant damage from Tropical Storm Irene to be completed by Nov 2018. He said the former Post Office building, one of the 3 buildings owned by the Platts that received HMGP grant funding, will be elevated 4.5 feet which is 1 foot above flood level, as required in the flood hazard area. Tom said he will continue to operate a woodworking/repair shop here as an accessory to the Garden Restaurant, Garden Market/Deli and multiple rental units. There will be paints and related flammables stored inside. He stated there will be no employees and no retail business. Tom said he has been working with the WRC, the Town Administrator and Zoning Administrator to achieve a complete application but is still lacking some necessary information. He submitted a “No-Rise Analysis” report by Beck Engineering. There were no other comments regarding the proposal. The Board acknowledged the complexity of the project and multiple potential risks to the Town and Owner requiring careful review and consideration. At 9:25 PM the Board decided to continue the hearing on September 20th at 5:30 pm.

B. Preliminary Discussion - None

C. Approve Minutes - The Board approved the draft Minutes of 6/21/17.

D. Other Business No other business was transacted at this meeting.

Deliberations and Decisions

The Board entered Deliberative Session at 9:30 pm. and emerged from Deliberative Session at 9:54 pm. Written decisions will be issued for permit applications 015-17, 021-17 and 022-17 based on discussion this evening. Co-Chair Esther Fishman adjourned the meeting at 9: 57 p.m.

Respectfully submitted: _____, Interim Zoning Administrator / Sharon Crossman

Approved by DRB: _____, Co-Chair – Esther Fishman