

**Town of Londonderry, Vermont**  
**Development Review Board Meeting Agenda**  
**Wednesday March 17, 2021 – 5:30 P.M.**  
**100 Old School Street, South Londonderry, VT 05155**

1. Call Meeting to Order
2. Additions or Deletions to the Agenda
3. Minutes Approval
4. Announcements/Correspondence
5. Visitors and Concerned Citizens
6. Old Business  
Lasser ceramics has outgrown its home business permit.
7. New Business  
Redesign Construction Inc.'s application for site plan review for converting a two-family home on Middletown Rd into an office and an apartment.  
Kurt Hathaway's application to convert a woodshop on Rt. 11 into storage for a plumbing business
8. Adjourn

Join Zoom Meeting

<https://us02web.zoom.us/j/84197312548>

Meeting ID: 841 9731 2548

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*Posted and distributed on 3/15/21*

**Town of Londonderry  
Vermont Development Review Board  
Regular Meeting Minutes Wednesday, March 17, 2021**

*Note: This meeting was held remotely online with no physical presence – all attendees participated by video or phone, per the instructions provided in the public hearing notice and in the agenda posted in advance of this meeting, as indicated within these meeting minutes.*

**Board Members Present:** Esther Fishman Chair, Denis Pinkernell Co-Chair, Paul Abraham, Terry Hill, Chris Laselle, Bob Maisey.

**Others in Attendance:**

Nash Lancaster prospective board member, Kurt and Preston Hathaway representing the Hathaway application, Bruce and Susan Coffee, abutters to the Hathaway application, Josh Wengerd representing the Redesign Construction and Sharon Crossman application.

Meeting called to order at 5:35

Covid protocols were discussed.

The chair asked for additions or deletions to the agenda, the chair said routine business would be moved until after the two hearings.

The February minutes were approved

**Public Hearings**

Kurt Hathaway presented his application to convert an apartment/woodshop at 1347 Rt.11 into an apartment/storage for a plumbing business. There was discussion of the applicable zoning bylaws, and the long history of the property having a commercial use. There are only two abutters to this property, the nearest neighbor, the Coffees spoke at length and asked many questions of the board and the applicant.

Josh Wengerd presented his application to convert a two-family home at 2430 Middletown Rd into a home and an office. There was discussion of the applicable zoning bylaws, and of how many parking places would be required for an office where no meetings were held. The consensus that the requirements should be less than for a professional office, which is required to have as many parking spaces as a retail use. No members of the public spoke about the application. The question of whether the existing driveway was wide enough for travel and parking. Mr. Wengerd promised to measure the width and provide a new parking plan.

There was discussion of Lasser Ceramics having outgrown its home business permit.

The board went into deliberative session

The next meeting time and date were confirmed (4/21/21 at 5:30 P.M.)

The meeting was adjourned at 7:00

Respectfully submitted, Will Goodwin

Approved by the Development Review Board on April 21, 2021



\_\_\_\_\_  
Esther Fishman, Chair

## **TOWN OF LONDONDERRY VT.**

### **DEVELOPMENT REVIEW BOARD**

Application for Site Plan Review

Kurt Hathaway Storage for a Plumbing Business Permit Application No. 2021 #5

Location: 1347 Rt. 11 Parcel I.D.#: 112028.000

#### **INTRODUCTION AND PROCEDURAL HISTORY**

This proceeding involves review of an application for conditional use submitted by Kurt and Brenda Hathaway under the Town of Londonderry Zoning Bylaw as adopted in 2009.

The application was received on 3/15/2021.

A copy of the application has been available at Londonderry Town Offices, or by contacting the Zoning Administrator.

On 3/3/2021, notice of a public hearing was published in the Vermont Journal (the hearing was warned before the application was complete)

On 3/3/2021 notice of a public hearing was posted at the following places:

- a. The municipal clerk's office.
- b. 1347 Rt 11, the public-right-of-way most nearly adjacent to the property for which the application was made.
- c. The Londonderry and South Londonderry Post Offices.

On 3/3/2021 a copy of the notice of a public hearing was mailed to the applicant.

On 3/3/2021 a copy of the notice of public hearing was mailed to the owners of properties adjoining the property subject to the application (see attached)

The application was considered by the development review board at a public hearing on 3/17/2021.

Present at the hearing were the following members of the development review board.

Esther Fishman (Chair), Bob Maisey, Terry Hill, Christopher Laselle, Denis Pinkernell, Paul Abraham.

Also attending were Will Goodwin Zoning Administrator, Nash Lancaster potential board member, Sharon Crossman, Kurt and Preston Hathaway applicants, Bruce and Susan Coffee, owners of land adjoining the proposed project, and Josh Wengerd representing a separate application,

During the course of the hearing the following exhibits were submitted to the development review board: Zoning Application, Site Development Plan Checklist, site plan.

These exhibits are available at: Londonderry Town Offices or by contacting the Zoning Administrator.

# TOWN OF LONDONDERRY VT.

## DEVELOPMENT REVIEW BOARD

Application for Site Plan Review

Kurt Hathaway Storage for a Plumbing Business Permit Application No. 2021 #5

Location: 1347 Rt. 11 Parcel I.D.#: 112028.000

### FINDINGS:

Based on the application, testimony, exhibits, and other evidence the development review board makes the following findings:

The applicant seeks a site plan review permit to convert a commercial woodshop into a storage building for a plumbing business, and to remodel an existing attached apartment.

The subject property is a 1.5-acre parcel located at 1347 Rt 11 in the Town of Londonderry, tax map parcel no. 112028.

The property is located in the Village Residential District as described on the Town of Londonderry Zoning Map on record at the Town of Londonderry municipal office and section 201 of the Zoning Bylaw.

Site Plan review is requested for a mixed use as defined in section 311 of the Londonderry Bylaws.

The application requires review under the following sections of the Town of Londonderry Zoning Bylaw: 311, 413, 504.

The proposed project will not change the character of the neighborhood, since there has been a commercial use at this location since the lot was subdivided.

The storage area is a grandfathered and therefore permitted use under Section 412.a, The apartment is a permitted use.

There is no anticipated increase in traffic from previous commercial uses. Parking and the loading area as shown in the site plan meet the requirements of section 413 of the bylaws. Extra room was left for delivery trucks to turn around, and for the storage of the businesses' four trailers.

The applicant will screen the project from his neighbor in the rear with trees, these neighbors were present at the hearing and said that they would prefer trees to a fence.

Exterior lighting will be limited to motion sensor lights, which Mr. Hathaway said would be aimed downward, and would not cause glare on the state highway or abutters property.

The project maintains the consistent building lines and setbacks recommended for the district.

**TOWN OF LONDONDERRY VT.**

**DEVELOPMENT REVIEW BOARD**

Application for Site Plan Review

Kurt Hathaway Storage for a Plumbing Business Permit Application No. 2021 #5

Location: 1347 Rt. 11 Parcel I.D.#: 112028.000

**DECISION:**

Based upon these findings, and subject to the conditions set forth below, the development review board grants the application for mixed use consisting of an apartment and storage for a plumbing business.

As conditioned, the proposed development meets the requirements of Sections 311, 413, and 504 of the Zoning Bylaw.

The application will not have an undue adverse impact the capacity of existing or planned community facilities.

The application will not have an undue adverse effect on the character of the area affected, as defined by Section 504.e.1 of the Town of Londonderry Zoning Bylaw.

The application will not have an undue adverse effect on traffic and roads and highways in the vicinity.

The application will not have an undue adverse effect on utilization of renewable energy resources.

The development review board approves the application subject to the following conditions:

**CONDITIONS:**

Plant materials will be installed and maintained between the property and the Coffey residence to provide visual screening. Exterior lights will not be left on for long periods and will not cause glare on other properties. Trailers will be stored neatly and not be left full of rubbish, there will be no storage of recreational vehicles on the property.

Signed: \_\_\_\_\_



Esther Fishman, Chair

Dated at Londonderry, Vermont, this 30<sup>th</sup> day of March, 2021.

***NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the development review board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.***

APPLICATION FOR SITE PLAN REVIEW  
TOWN OF LONDONDERRY DEVELOPMENT REVIEW BOARD  
REDESIGN CONSTRUCTION INC  
2430 MIDDLETOWN RD, PERMIT # 2021-3

**INTRODUCTION AND PROCEDURAL HISTORY**

This proceeding involves review of an application for conditional use and site plan review submitted by Redesign Construction Inc. under the Town of Londonderry Zoning Bylaw.

The application was received by Will Goodwin on 3/1/2021.

A copy of the application is available at the Londonderry Town Hall.

On 3/10/2021 notice of a public hearing was published in the Vermont Journal.

On 3/2/2021 notice of a public hearing was posted at the following places:

- a. The municipal clerk's office.
- b. 2430 Middletown Rd., which is within view of the public-right-of-way most nearly adjacent to the property for which the application was made.
- c. The North and South Londonderry Post Offices

On 3/2/2021 a copy of the notice of a public hearing was mailed to the applicant.

On 3/2/2021 a copy of the notice of public hearing was mailed to the owners of properties adjoining the property subject to the application.

The application was considered by the development review board at a public hearing on 3/17/2021.

The development review board reviewed the application under the Town of Londonderry Zoning Bylaw, as amended 2009 (the Zoning Bylaw).

Present at the hearing were the following members of the development review board:  
Esther Fishman chair, Paul Abraham, Terry Hill, Chris Lasalle, Bob Maisey, Dennis Pinkernel.

Also attending were Sharon Crossman Planning Commission member, Nash Lancaster who is interested in joining the D.R.B., Josh Wengerd applicant, Kurt Hathaway and Preston Hathaway who were presenting a different application, and Bruce and Susan Coffee, parties interested in a separate application.

During the course of the hearing the following exhibits were submitted to the Development Review Board: a site plan, a zoning application, a site plan checklist, and a conditional use worksheet.

These exhibits are available at: The Londonderry Town Offices or by contacting the Zoning Administrator.

APPLICATION FOR SITE PLAN REVIEW  
TOWN OF LONDONDERRY DEVELOPMENT REVIEW BOARD  
REDESIGN CONSTRUCTION INC  
2430 MIDDLETOWN RD, PERMIT # 2021-3

**FINDINGS**

Based on the application, testimony, exhibits, and other evidence the development review board sites the following findings:

The applicant seeks a permit to turn a two-family structure into one apartment and one office. Site Plan Review is requested for the project as a mixed use as that term is defined in section 311 of the Zoning Bylaw

The subject property is a 1.5-acre parcel located at 2430 Middletown Rd in the Town of Londonderry (tax map parcel no. 06-20-22).

The property is more fully described in a deed recorded at Book 73, Page 372, of the Town of Londonderry Land Records.

The property is located in the V.C. District as described on the Town of Londonderry Zoning Map on record at the Town of Londonderry municipal office and section 200 of the Zoning Bylaw.

The application requires review under the following sections of the Town of Londonderry Zoning Bylaw: 311, 413, 504.

Both uses, an apartment and a business office, are permitted uses in the Village Commercial district.

The proposed project will not add significant amount of traffic.

There exist 4 parking spaces which is adequate for the apartment and a maximum of two people using the office. There is space for more parking spots if the minimum number is not enough, but not along the driveway, which was a parking area in the original parking plan.

There is a paved loading area.

The proposed project preserves historic structures, and the traditional compact village development pattern.

Exterior Lighting will be left off as much as is practical and will be aimed to prevent glare on other properties.

APPLICATION FOR SITE PLAN REVIEW  
TOWN OF LONDONDERRY DEVELOPMENT REVIEW BOARD  
REDESIGN CONSTRUCTION INC  
2430 MIDDLETOWN RD, PERMIT # 2021-3

**DECISION**

Based upon these findings, and subject to the conditions set forth below, the development review board grants the application for converting a two-family residence into an office and an apartment.

As conditioned, the proposed development meets the requirements of Sections 311,413 and 504 of the Zoning Bylaw.

The application will not have an undue adverse impact the capacity of existing or planned community facilities.

The application will not have an undue adverse effect on the character of the area affected, as defined by Section 504.E.1 of the Town of Londonderry Zoning Bylaw.

The application will not have an undue adverse effect on traffic and roads and highways in the vicinity.

The application will not have an undue adverse effect on utilization of renewable energy resources.

**CONDITIONS**

The development review board approves the application subject to the following conditions:

Exterior lighting shall be aimed down and kept on only as needed.  
Due to limited parking the office shall be used by a maximum of two people.  
Applicant shall submit a plan for future additional parking.

Dated at: Londonderry Vermont, this 1<sup>st</sup> day of April 2021.



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Esther Fishman, Chair

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the [planning commission/zoning board of adjustment/development review board]. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.