

**Town of Londonderry, Vermont Development Review Board
Meeting Minutes, Wednesday, 12/21/22,
Twitchell Building - 100 Old School Street, South Londonderry, VT**

Board Members Present: Esther Fishman-Chair, Paul Abraham, Scott Denkman, Christopher Laselle, Bob Maisey, Rich Phelan, Denis Pinkernell.

Board Members On Zoom: None

Others in Attendance: Will Goodwin ZA, Sharon Crossman PC chair (on zoom), Sarah Torrance, and Joe Pickard

Others on Zoom: None

Call meeting to order

Chair Esther Fishman called the meeting to order at 5:35 PM

Additions or deletions to the agenda

Add discussion of Russel Williams appeal to old business

Move discussion of old and new business until after the hearing

Moved R. Phelan, seconded D. Pinkernell, passed unanimously

Minutes Approval – Meeting(s) of 8/17/22

R. Phelan moved to approve the minutes of the meeting of 11/16/22 seconded by D Pinkernell, passed unanimously.

Announcements/Correspondence: None

Visitors and Concerned Citizens: The chair greeted visitors and asked what business they were interested in.

Hearings:

2022-46, Savoy and Sargent’s application for a 14x24 accessory dwelling with a large wrap around porch.

- Mr. Savoy described Mr. Sargent’s application for an accessory dwelling for one of his properties on Under the Mountain Rd.
- He talked about the requirements for structures in the district, and for accessory dwellings. He said that the state rules had changed, and that they would be required to get a state wastewater permit to transfer septic capacity from the principal dwelling to the new structure. The board asked what would prevent the applicant from still using the bedroom in the Main House. Mr. Savoy said that the state permit would clearly state what the septic capacity of each building was, and that would be binding on any owner of the property. Mr. Sargent said that the bedroom to be removed was in a basement and not very pleasant.
- The applicants said that the parking would not change, people in the accessory dwelling would have to walk 100 feet from the parking area.

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- Mr. Savoy said that the applicant knew that the accessory dwelling would have to be retained in common ownership with the principle dwelling.
- He added that the accessory dwelling would have a de minimus impact on traffic, community facilities, the character of the neighborhood, renewable energy use, and that it was well screened from the road,

Joe Pickard, a resident of the neighborhood said that this accessory dwelling was going to be a short term rental, and he spoke against short term rentals in general, and asked why it was allowed in the R3 district. The Board said that The Selectboard was addressing this issue of short-term rentals, and that they would appreciate Mr. Pickard's input. Mr. Sargent said that he would rather do long term rentals, but that in Vt. being a long-term landlord is not practical business model because of state mandate tenant protections.

D. Pinkernell moved that the hearing be closed at 6:10, and S. Denkman seconded.

Old Business: The board discussed an appeal of a notice of violation that had been dropped by the ZA because the camper that was being used as an unpermitted accessory dwelling had been moved off the appellants' property.

The board discussed a property where an accessory building is being built too close to the town right of way. The ZA said that he had missed the problem and approved the permit, and that he had told the landowner that the building would be considered nonconforming/granted in error by the zoning administrator, and that they could proceed with the building. The ZA said that the town lawyer had told him that he had made a number of mistakes in handling the problem, but that the town cannot appeal a ZA's decision. The board discussed reports that members of the Planning Commission had been calling the landowner directly, without talking to the ZA.

The ZA said that the problem could be prevented in the future by making the zoning application and the bylaws clearer (some members of the board countered that they thought the bylaws were clear enough). He also said that that he would be more proactive about explaining to applicants that the setback was measured from the edge of the town right of way, not the edge of the pavement.

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Adjourn

S.Denkman moved to adjourn the meeting, seconded by B. Maisey passed unanimously.
The meeting adjourned at 7:00 PM

The next regular meeting of the Londonderry DRB will be 1/18/23 at 5:30 PM

Respectfully Submitted Will Goodwin, Londonderry Zoning Administrator

Approved by the Londonderry Development Review Board

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Esther Fishman Chair