

**TOWN DEVELOPMENT REVIEW BOARD  
MINUTES  
September 27, 2016**

**MEMBERS PRESENT:** Don Bourdon, Frederick Hunt, Charles Wilson, Kim French  
**MEMBERS ABSENT:** Ingrid Moulton Nichols  
**OTHERS PRESENT:** Brad Ruderman, Chris Higgins, Daisy Jacobs, Michael Brands

**I. CALL TO ORDER:**

Chair Bourdon called the meeting to order at 7:30 p.m.

**II. APPROVAL OF MINUTES:**

The minutes of the August 23, 2016 meeting were approved as submitted.

**III. PUBLIC HEARINGS:**

**A. Old Business:**

**1. T-4565-15 Pidlipchak**

Application is for Conditional Use Approval to reinstate Subdivision Permit T-4349-12 and to excavate within the Conservation Overlay District (wetland buffer). The property is located on 148 Iver Johnston Road and is zoned Residential Five Acres / Wetland Overlay.

Mr. Pidlipchak did not attend the hearing. After discussion, the TDRB agreed to grant the applicant until to November 15, 2016 to submit documents supporting the new septic system location.

**2. T-4623-15 Paul & Jan Maggi**

Application is for Conditional Use and Wetland Review approval to replace existing 1771 sq. ft. garage with 3400 sq. ft. garage and to change the driveway within Conservation Overlay Zone. The property is located at 938 South Road and is zoned Residential Five Acre / Wetland.

Mr. Maggi has submitted a request that the application be withdrawn “without prejudice”. He has sold the home but wishes to retain the option to build a building as submitted.

The TDRB acknowledged the withdrawal of the application.

**3. T-4682-16 Meadow Ridge Farm, LLC**

Application is for Conditional Use & Conservation District Overlay Approval to relocate

existing driveway with 1100 l.f. driveway within the Wetland Buffer. The property is located at 963 Grassy Lane and is zoned Residential 5 Acres / Conservation District.

The TDRB agreed to review both applications, T-4682-16 and T-4683-16, together as the driveway runs through the two abutting parcels which are owned by the same person. Two applications are required, one for each parcel. See below.

**4. T-4683-16 Meadow Ridge Farm, LLC**

Application is for Conditional Use & Conservation District Overlay Approval to relocate existing driveway with 1100 l.f. driveway within the Wetland Buffer. The property is located at 857 Grassy Lane and is zoned Residential 5 Acres / Conservation District.

The TDRB agreed to review both applications, T-4682-16 and T-4683-16, together as the driveway runs through the two abutting parcels which are owned by the same person.

The applications were continued at the July 26, 2016 meeting. The TDRB is waiting for the submittal of the State's wetland report. A letter from the State's wetland official, sent August 12, 2016 asked the applicant to remove the driveway or provide good reason for not using other methods of trespass deterrent.

**B. New Business:**

**1. T-4694-16 Patricia Clogston**

Application is for Conditional Use to subdivide parcel 32.02.15. (33.70 acres) into two lot of 27.10 acres and 6.60 acres (to remain with house). The property is located at 3231 Cox District Road and is zoned Residential Five Acre / Scenic Ridgeline.

Mr. Ruderman, surveyor, presented the application.

The TDRB reviewed the proposed survey.

The applicant proposes a two lot subdivision of a 33.70 acre lot: 1) 6.60 acres and 2) 27.10 acres.

An existing four bedroom home would remain with the 6.60 acre lot.

The State Waste Water permit was issued September 26, 2016 for a three bedroom mound system for the 27.10 acre lot.

The land has a 20-25% slope. The home site is a somewhat flat area located higher up the hill. Electricity would be placed underground.

A 1025 l.f. long driveway has been designed for the home site. The driveway starts at the north end of the lot to help reduce the slope. The entrance on Cox District Road has been approved by the Town Manager. Four culverts would be placed along the driveway. The steepest part of the driveway has a 9.8% slope. There is no need for a sprinkler system within the structure.

The northeast corner of the lot falls within the Scenic Ridgeline Overlay zone, but would not be built in or developed.

The TDRB reviewed Sections 713 Road, Private Access / Driveway and 714 Subdivision with the applicant.

Testimony was voted close.

**2. T-4696-16 Birch Hill Farm Investments Inc.**

The application is for Conditional Use Approval to construct 593 sq. ft. non-residential studio in the Scenic Ridgeline Overlay Zone. The property is located at 255 The Loop Road and is zoned Residential Five Acre / Scenic Ridgeline.

Ms. Jacobs, architect, and Mr. Higgins, manager, presented the application.

The TDRB reviewed site plan, photographs and a set of building plans.

The TDRB also reviewed the recommendation of the Conservation Commission to approve the request as presented.

The applicant wishes to replace an older single story barn with a slightly larger and more modern structure. The building contains a studio space.

The site is located within the Scenic Ridgeline which requires a recommendation from the Conservation Commission and a Conditional Use review from the TDRB.

The proposed building (593 sq. ft.) is more than 25% larger than the existing building (420 sq. ft.).

It was determined the structure would be slightly visible from the Loop Road.

The site would be served by underground electric wires. An existing septic system would be used for the renovated structure.

There is no road to the building. It is accessed by walking across a meadow.

The former building was built on piers. The proposed building would have a concrete slab with foundation walls which would be placed 15 inches into the ground. The new structure would be winterized, allowing use throughout the year.

The current structure is placed very close to a small grove of mature pine. Due to the foundation, the location may have to move north slightly to avoid damaging the tree roots.

The structure would have a flat roof and therefore a lower profile (- 4.3 feet) than the current building which has a pitched roof.

It was noted the Loop Road has very little traffic.

The building would be well screened by the large pines and the topography of the foreground as the hill slopes up from the Loop Road.

The building is placed on the south edge of the Scenic Ridgeline District and would not be visible from any northern view points.

The TDRB reviewed Section 405 Scenic Ridgeline District with the applicant.

Testimony was voted close.

**IV. OTHER BUSINESS:**

**A. Zoning Officer's Report**

**B. Town Zoning Regulation Amendments**

The Town Planner emailed a list of potential Town Zoning Regulation amendments. The TDRB discussed them briefly. The Planning Commission invited the TDRB to discuss the list of proposed amendments at their October 13, 2016 meeting.

**V. DELIBERATIONS:**

- |           |                  |                               |                  |
|-----------|------------------|-------------------------------|------------------|
| <b>A.</b> | <b>T-4578-15</b> | <b>Pidlipchak</b>             | <b>Continued</b> |
| <b>B.</b> | <b>T-4623-15</b> | <b>Paul &amp; Jan Maggi</b>   | <b>Withdrawn</b> |
| <b>C.</b> | <b>T-4682-16</b> | <b>Meadow Ridge Farm, LLC</b> | <b>Continued</b> |
| <b>D.</b> | <b>T-4683-16</b> | <b>Meadow Ridge Farm, LLC</b> | <b>Continued</b> |

**E. T-4694-16 Patricia Clogston**

**After discussion, the following findings of fact were established:**

1. The TDRB reviewed the proposed survey.
2. The applicant proposes a two lot subdivision of a 33.70 acre lot: 1) 6.60 acres and 2) 27.10 acres.
3. An existing four bedroom home would remain with the 6.60 acre lot.
4. The State Waste Water permit was issued September 26, 2016 for a three bedroom septic system for the 27.10 acre lot.
5. The land has a 20-25% slope. The home site is a somewhat flat area located higher up the hill. Electricity would be placed underground.

6. A 1025 l.f. long driveway has been designed for the home site. The driveway starts at the north end of the lot to help reduce the slope. The entrance on Cox District Road has been approved by the Town Manager. Four culverts would be placed along the driveway. The steepest part of the driveway has a 9.8% slope. There is no need for a sprinkler system within the structure.
7. The northeast corner of the lot falls within the Scenic Ridgeline District, but would not be built in or developed. The home site is 700' from the Scenic Ridgeline zone.
8. The TDRB reviewed Section 713 Road, Private Access / Driveway and Section 714 Subdivision with the applicant.

**After further discussion, Mr. Wilson moved with a second by Ms. French to approve the application as presented.**

**The motion passed with a 4-0 vote.**

**F. T-4696-16 Birch Hill Investments INC**

**After discussion, the following findings of fact were established:**

1. The TDRB reviewed site plan, photographs and a set of building plans.
2. The TDRB also reviewed the recommendation of the Conservation Commission to approve the request as presented.
3. Applicant wishes to replace an older single story barn with a slightly larger and more modern structure. The building contains a studio space.
4. The proposed building (593 sq. ft.) is more than 25% larger than the existing building (420 sq. ft.).
5. It was determined the structure would be slightly visible from the Loop Road. The building would not be visible from any northern vantage points due to its location of the south edge of the Scenic Ridgeline District.
6. The site would be served by underground electric wires. The existing septic system would be used for the renovated structure.
7. There is no road to the building, it is accessed by walking across a meadow.
8. The former building was built on piers. The proposed building would have a concrete slab with foundation walls which would be placed 15 inches into the ground. The new structure would be winterized, allowing use throughout the year.
9. The current structure is placed very close to a small grove of mature pine. Due to the foundation, the location may have to move north slightly to avoid damaging the tree roots.
10. The structure would have a flat roof and therefore lower profile (- 4.3 feet) than the current building which has a pitched roof.
11. The TDRB reviewed Section 405 Scenic Ridgeline District with the applicant.
12. The structure would be barely visible through the grove of pines when viewed from Loop Road .
13. The Loop Road has very little traffic, frequency of view would be minimal.
14. The building would be well screened throughout the year by the large pines and the topography of the foreground as the hill slopes up from the Loop Road.
15. The area behind the site is a mowed hillside, due to the natural topography make the small structure obscure.

16. The structure would be located just over 550' from the Loop Road vantage point. The structure is a single story and small in mass. The structure fits well with existing development which is a farm with numerous outbuildings.
17. Due to the above findings, the TDRB agrees the proposed structure would not create an adverse effect on the Scenic Ridgeline District.

**After further discussion, Ms. French moved with a second by Mr. Hunt to approve the application as presented.**

**The motion passed with a 4-0 vote.**

**VI. NEXT MEETING:**

The next TDRB meeting is scheduled for October 25, 2016.

**VII. ADJOURNMENT:**

The TDRB adjourned at 8:30 p.m.

Respectfully submitted,

Michael E. Brands, AICP  
Town Planner