

Town of Wallingford, Vermont  
**Development Review Board (DRB) Meeting & Public Hearing Minutes**  
June 13, 2017  
Town Offices, 75 School St, Wallingford

**DRB Members in Attendance:** William Brooks III (Chair), Jillian Burkett, Erika Berner  
DRB Members Absent: Carol Ann Martin

**Others in Attendance:** Jeffrey Biasuzzi, Zoning Administrator (ZA) & recorder; Dave Ballou (pending Member), refer to Attendance Roster (to be attached to approved Minutes). The Hearing was partially electronically recorded (due to full recording device memory).

Chairman W. Books called the Meeting to Order at 6:35 pm. The DRB Members were introduced to the Public.

The Meeting Agenda was reviewed. E. Berner made a MOTION to accept the Agenda, J. Burkett seconded, all were in favor and the Agenda was approved.

There was no Public Input presented.

W. Brooks proceeded to Swear in all Interested Parties that intended to present testimony, and open the Public Hearings.

**Re: Application #17-12: Pike Industries Inc. request for a two lot subdivision of a 133 acre+/- tract on Creek Road (Parcel # 0020139), with the western Lot to be accessed by a private Right of Way (ROW) through the eastern parcel, to the town road.** James Manley, agent for Pike Industries, described the subdivision proposal. As the property has not been used in years, the company has decided to sell in two parcels. The eastern 49.58 acres (Lot A) enclosed the past industrial area and buildings. The western 83.67 acres (Lot B) was steeper terrain, mostly wooded, and irregular in shape. He referred to an existing VT Waste Water Subdivision permit of record, and an updated survey with current abutter information.

W. Brooks asked about the Act 250 reclamation requirements. J. Manley replied that Act 250 representatives inspected the property in Fall, 2016 and were generally satisfied. A small area behind the buildings still had exposed asphalt pile, which was to be covered with earth, seeded and mulched. This was planned to be done by the Fall of 2017.

W. Brooks asked if completing the reclamation was to be done prior to closing on any transfer. J. Manley stated this obligation may be delegated to a Buyer while negotiating a sale.

J. Biasuzzi asked about known soil contamination or Underground Storage Tanks remaining on the property. J. Manley replied that there were only small pockets of contaminated soil, focused around past storage tank locations, and that all tanks have been removed.

W. Brooks opened the Floor to the Public for question & input. Melissa Whitmore spoke as an officer of the Highland Homesite Association, and referred to a 1995 agreement with the Property Owners regarding reclamation. She asked how the upper section (Lot B) was zoned. The ZA stated that the entire ownership was in the Industrial Zoning District at this time.

Betty Ann Lockhart asked about future use of the property. She expressed concern about the steep exposed "cliff" (i.e cut face of the past quarry) presenting a danger to the public. J. Manley stated that his company had installed a chain link fence along the quarry face, per the Highland Homesite Association agreement, years ago.

Derek Carrara asked what prospective buyer want the property for. J. Manley replied that one possible customer for Lot A was a solar developer, but that there was no Purchase Contract in place, and that other uses are possible.

W. Brooks asked for any other comments or questions on the application. Hearing none, he asked for a MOTION to close the Hearing. E. Berner Moved to close the Hearing to testimony, J. Burkett seconded, all approved and the Public Hearing for Application #17-12 was closed at 6:55 pm.

**RE: Application #17-13: Recovery House Inc. request to construct a 27' X 32' two story addition to the south wall of the existing building at 98 Church Street, Wallingford Village (Parcel # 0170098)** W. Brooks opened the Public Hearing at 7:00pm. Dale Robb, as agent for the applicant, described the request to add five bedrooms (to accommodate 10 additional residents) and two baths to the existing residential substance abuse treatment facility; also know as "Serenity House". Presently, the facility employs a staff that includes counselors, nurses, a supervising physician, cooks and maintenance personnel. The facility works with a number of other private organizations and state agencies to address the major increase in opioid and alcohol abuse cases.

W. Brooks asked how often potential residents are turned away. D. Robb answered that there is a constant waiting list; especially after the recent closing of a large treatment facility in northern VT. The Serenity House is presently licensed for 24 residents, and the requested addition would add 10 residents.

J. Biasuzzi asked about the adequacy for parking, especially with the addition. D. Robb stated that the existing parking area was more than adequate for the existing staff and residents. Parking is sometimes congested, however, when there are a number of visitors, especially on weekends. One solution being reviewed is to stagger the visitor schedule, assigning specific visitation times so to prevent a parking overflow situation.

J. Burkett asked about security issues. D. Robb described present security measures:

- a. The facility has full camera coverage, inside and outside. The Charge nurse had the monitors in her office, and the system had multi-day recording capacity.
- b. Most residents are free to leave as they wish. The exception would be Department of Corrections inmates, who are not free to leave the premises.
- c. Present night staff is one to two employees. With the additional capacity, night staff would increase to two (minimum) to three.
- d. Exit doors are locked at 10:00 pm daily. While not all doors presently have alarms to signal being opened; this would be a possible security improvement considered.

D. Robb added that the Serenity House was not looking to make the neighborhood feel unsafe. Residents should be regarded as having a treatable illness; especially as VT is experiencing a 50% increase in opioid abuse, and a 2017 spike in alcohol abuse.

W. Brooks asked about the physical addition proposed. D. Robb stated that NFB Inc. was the architectural firm assigned to design & oversee construction. All the VT and federal permitting requirements would have to be addressed before construction could begin.

J. Biasuzzi asked if there was any fencing on the property line, or around the facility. D. Robb replied that none was present.

Richard Smith, a long time resident on Church Street, expressed concern about the increase in on street parking with the additional visitor attendance that could be expected. He was also concerned about the increase in traffic, which may not be appropriate for the narrow street and residential neighborhood. He also stated that he was "O.K." with the method in which the present facility has been operated.

Patricia Smith asked about the present volley ball and other outdoor activities going on at 82 Church Street, which is a residential ranch style house also owned by Recovery House Inc. There was brief discussion on this, as it was not subject to the application for 98 Church Street.

A discussion on the parking concern continued. J. Biasuzzi read the current section of the Zoning Regulations (page 12) that addressed off street parking (specific section to be attached to approved Minutes). These did not specify a minimum number of parking spaces for the use. D. Robb stated that typical daytime staffing was 11 people, and that very few residents have their own vehicles parked on premises. J. Biasuzzi mentioned that the application's site plan did not identify the actual number of parking spaces that

could be designated. There were other site plans in Town records that detailed the existing overall area for driveway and parking.

J. Burkett asked for clarification on night staffing. D. Robb anticipated a minimum of two staff, and possibly three if necessary, for the overnight shift.

D. Robb was asked how the business or how the project is funded. He described that (approximately) 80% of patient costs were covered by Medicare, 10% had various forms of private insurance, 5% paid out of personal resources, and 5% were un-insured (these were sometimes covered by government block grants). The construction would be funded by company resources, grants and loans.

Written submissions by individuals that could not attend the Hearing were read into testimony. W. Brooks read a statement from Wendy Savery, a Church St. resident and abutting owner, who was not in favor of the expansion. J. Biasuzzi read a statement from Edward & Adrienne Raymond (dba Vintage Homes LLC), as abutting owners, who was not in favor of the expansion. Both parties expressed concerns about increased traffic, outside noise, and the expansion of a commercial facility in a residential neighborhood. The written submissions will be attached to the approved Minutes, and the authors identified as Interested Parties to the Hearing.

Chairman Brooks asked for any other testimony or comment. J. Biasuzzi suggested continuing the Hearing. The would give the Applicant & ZA time to review the off street parking situation in detail and present to the DRB; and/or the DRB time to conduct a Site Review. The results could then be introduced into testimony.

After brief discussion on this suggestion, W. Brooks asked for a MOTION to Continue the Hearing for Application 17-13 until 6:00 pm, Monday July 3, 2017, to possibly conduct a Site Review and then reconvene at Town Offices at 75 School Street in Wallingford Village. E. Bernier so MOVED to continue the Hearing as requested; J. Burkett seconded; all approved and the Motion passed.

**RE: Application #17-15: Stacy Harshman request for a Conditional Use of an existing accessory structure at 1509 US Rt. 7s (Parcel #7011509) for Retail Sales, Art Gallery, and community events. Also request converting a permitted 2 sided non-illuminated sign to an exterior illuminated sign.** W. Brooks opened the Public Hearing at 8:00 pm.

Stacy Harshman, as the property and business owner, described her plans to have the first floor of the structure (last used as an antiques gallery) to exhibit and market art work, as well as some antiques and crafts. The second floor would be used for a variety of classes (art, yoga, etc.) and community events (music festivals, catered meals, family gatherings, etc.).

The new non-illuminated sign (approved by Permit #17-14) is being installed in the same location as the past owner's sign. The request is to have this sign directionally

up-lit by ground mounted flood light units. The lighting would target only the sign surface area, and not cast illumination or glare to neighborhood or roadway.

After a review of the sign design and brief discussion, W. Brooks asked for a MOTION to discuss a decision on the application in Open Session. E. Berner so Moved to and made the MOTION to approve the illuminated Sign as proposed. J. Burkett seconded, all approved and Motion passed.

J. Burkett then made a MOTION to approve the Conditional Uses proposed in the application and instruct the ZA to issue final permit. #15-15. E. Berner seconded, all approved, and the Motion passed.

E. Berner made a MOTION to close the Public Hearing for application 17-15, J. Burkett seconded, all approved and the Hearing was closed.

W. Brooks requested a MOTION to enter Deliberative Session, with J. Biasuzzi & D. Ballou permitted to attend. E. Berner so MOVED, J. Burkett seconded, all approved and the Board went into deliberative session to decide on application 17-12. E. Berner made a MOTION to exit Deliberative Session, W. Brooks seconded, all approved and Open Session resumed.

J. Burkett made a MOTION to approve the Pike Industries subdivision request, and instruct the ZA to issue Permit #17-12. E. Berner seconded, all approved and Motion passed.

As there was no Other or Miscellaneous Business, W. Brooks MOVED to set the next DRB Special Meeting to be at 6:00 pm, 7/3/17, at Town Offices, and adjourn this Meeting. J. Burkett seconded, all approved and the Meeting concluded at 8:26 pm.

Respectfully submitted by J. Biasuzzi, recorder  
Approved: 07/07/17

