

POSTED 8/5/18

Town of Wallingford, Vermont  
**Development Review Board (DRB) Meeting & Public Hearing Minutes**  
July 30, 2018 at Town Offices, 75 School St.

**DRB Members in Attendance:** William Brooks III (Chair), Jillian Burkett, Erika Berner  
Lucy Thayer, David Ballou; Jason Stone (Alternate, if required)

**Others in Attendance:** Jeffrey Biasuzzi (Zoning Administrator ZA & recorder); Justin Filskov & Shane Filskov (Applicants), Brian Ray, Ken & Laura Welch, Kathy & Bob Allen, Jack & Maryanne Ryan, Paul Rondinone.

The Hearing's audio was electronically recorded.

W. Brooks opened the Meeting at 7:01 p.m. , and introduced the DRB Members to those in attendance.

W. Brooks asked DRB Members to discuss any possible Conflict of Interest in reviewing the Application scheduled. L. Thayer disclosed that her employer had conducted business with the Applicant; but she was not involved. J. Burkett stated that she knows her neighbors use the Applicant's services; but does not use them herself. W. Brooks asked the other Board Members, the Applicants, and all in attendance if any considered DRB Members Thayer or Burkett to have a conflict of interest. There was unanimous agreement that no conflict existed.

Interested Parties giving testimony were sworn in by the Chairman.

**Public Hearing for Application 18-01**

W. Brooks then opened the Public Hearing for Application 18-01, a request by Justin Filskov to subdivide a 2.72 acre portion of his 13.5 acre property, located on the south east corner of Moranville Road and VT Rt. 140 E (Parcel #0290151). The application also requests construction of a 42' X 60' Morton steel building on the new lot, to provide office and maintenance space for his landscape and property maintenance business.

J. Filskov discussed his project and provided drawings of the proposed structure. The Morton Building was to have a silver, light grey, and dark grey color scheme . It would be accessed by a new driveway on Moranville Road. Access permits from the Town and VTRANS have been submitted. The building would be a minimum of 60 feet from the VT Rt. 40 Tight of Way, and 115 feet back from Moranville Road. There would be exterior security lighting, some controlled by motion switches. A freestanding sign was indicated on the site plan.

W. Brooks asked if there would be septic disposal and water supply systems to the building. J. Filskov replied that they are planned for the future, but not initially.

MA Ryan asked the need for a subdivision. J. Filskov stated that the building's size and numbers of employees did not conform the requirements for a Home Occupation; and so the business building was best located on its own parcel. J. Biasuzzi offered additional information on Zoning and Home Occupation.

J. Burkett asked about setbacks and any plans for screening and landscaping the property. J. Filskov stated the setbacks should conform to the Rules, and there would be some landscaping, but did not have a specific plan.

L. Thayer asked if the topography would allow the building to be sited differently. J. Filskov replied that the parcel was sloping, and that drainage issues and a possible (future) septic field site limited the area for the structure.

K. Walsh asked about the need for a wastewater disposal system. J. Filskov stated that the building was to shelter his equipment when not on job sites, and that personnel would not spend much time at the building.

K. Allen supported the Applicants business, but is concerned about the project's aesthetic impact to the area. She submitted two letters into testimony; from C. Browner (dated 7/30/ 18) and N. Burns (dated 7/30/18). Both letters offered the author's concerns about the project. (ZA Note on procedure: Neither letter was received directly from the senders to the ZA or DRB, and did not authorize Mrs. Allen to as an agent in which to deliver into testimony).

B. Ray expressed his concern that a large commercial building would spoil the traditional VT appearance of the neighborhood, and reduce the value of his adjacent property.

MA Ryan felt that a subdivision was a major concern, creating a commercial property, and the possibility of a future "eyesore"

S. Filskov stated that he respects the concerns of his neighbors. He also emphasized that that his Family has been in East Wallingford for over three decades. The two brothers and their parents all have homes on Moranville Road. The landscape business is what supports the current (and future) generation of VT residents, as well as provide employment for four other families. He assured those in attendance that this project is not intended to be detrimental.

P. Rondinone stated that the property was part of the headwaters for Roaring Brook, asked if a marble marker on the property was a grave stone, and expressed concern about the lack of sewer and water systems.

L. Welch (among others) offered her personal support for the Filskov Family and the service their business efforts have provided.

J. Ryan asked about the Notification requirements. He has only seen the road Poster up the day before the Hearing. When asked, the Applicant stated he had received his certified mail (sent on 7/14/18, and signed for on 7/24/2018) only days before the Hearing.

The Zoning Administrator noted that there were statutory Notice requirements for a Hearing; one being that the road Poster is to be displayed for 15 days before the Hearing. With the discovery regarding the inadequate Posting time, he ZA recommended that the Hearing be continued to a later date and time to be set, and with enough time to re-warn the continued Hearing.

E. Berner made a Motion to recess the Hearing until 7:00 pm Tuesday August 28, 2018, at Town Office at 75 School Street. J. Burkett seconded, all approved, the Motion passed and the Public Hearing continued to the Time, Date & Place set.

#### Other Business

W. Brooks asked for any Public concerns or comments; Hearing none.

W. Brooks asked for a Motion to approve the DRB past Minutes for 7/13/17 and 9/12/17. E. Berner Moved to approve the Minutes of 7/13/17 and 9/12/18 with the correct spelling of her name included. J. Burkett seconded. J. Burkett, D. Ballou. W. Brooks and E. Berner approved (L. Thayer abstained) and the Motion passed.

W. Brooks asked for a Motion to approve the Minutes of 4/9/2018. L. Thayer seconded, all approved, and the Motion passed.

#### Adjournment

J. Burkett Moved to end the Meeting, and meet on Tuesday 8/28/2018 at 7:00 pm at Town Office. L. Thayer seconded, all approved, and the meeting adjourned a 8:35 pm.

Respectfully submitted by: J. M. Biasuzzi



Approved by the Chairman, upon review of the DRB on APPROVED w/ CORRECTIONS 8/28/18

William Brooks III, Chairman