

Minutes
Development Review Board
Wallingford Town Hall
75 School St. Wallingford, VT 05773
29 June 2023
7:00 PM

Members Present: L. Thayer (Chair), J. Stone, D. Ballou, E Blaisdell
Member via phone: J. Burkett

Public: Lisa Thayer, Leighton Thayer, Dan Pelkey, Tim Page, Heather Page, Ben Pelkey, Thomas Carvey, Patricia Keyes, Shawn Boulger, David Buslee, John McClallen, Margaret Carvey,

Meeting was recorded by PEG-TV

I. Call the meeting to order, declare any Conflicts of Interest, establish rules of procedures:

The Chair called the meeting to order at 7:00. Members of the DRB introduced themselves to the public.

II. Review the Meeting Agenda:

L. Thayer called for any changes to Agenda. None were received.

L. Thayer asked that Rules of Procedures be discussed at the next meeting as J. Stone had not reviewed the packet. D. Ballou made a motion to accept Agenda. E. Blaisdell seconded. Motion PASSED.

III. All parties that intend to testify in the Hearing are to be Sworn in:

L. Thayer opened the hearing for Application 23-16 (Leighton Thayer) to operate a landscaping/masonry business with employees and materials.

L. Thayer asked if there were any Interest Parties and read the definition of Interested Parties.

Leighton Thayer was sworn-in, then read a statement to DRB (attached) describing the business and withdrawing the Permit application. However, Leighton Thayer would need 60 days in order to move the business to a new location. Discussion followed.

During discussion, L. Thayer (Chair) clarified that Leighton Thayer (Applicant) is not related to L. Thayer – for the record.

Discussion Followed with questions from public.

Shawn Boulger asked why the Town allowed the business to continue for 5 years before acting.

IV. Make Motion to enter Deliberative Session:

DRB left the Hearing Room at 7:15 for Deliberative Session.

V. Make Motion to exit Deliberative Session:

DRB came back to the Hearing Room from Deliberative session and reconvened at 7:25.

L. Thayer announced that a vote was taken to deny Permit to Leighton Thayer and was unanimously passed.

Ben Pelkey asked for information concerning how he could resolve the fact that part of his property is used as a driveway by Leighton Thayer. L. Thayer suggested speaking to the Zoning Administrator. Adding that it might need to go to the Environmental Court.

Another question (name not available) asked about a 90-day Permit. L. Thayer reiterated that no application was received and that the hearing was not warned as a 90-day permit and therefore the DRB could not take up the matter.

Discussion followed

Shawn Boulger stated that he was concerned that the ARR Zoning District would become a business Zoned district because of Leighton Thayer's business expansion. L. Thayer recommended he write a letter to the ZA and appropriate State Agencies.

David Bushlee asked that if Leighton Thayer should start moving dumpsters onto the property what would be done. L. Thayer again explained that enforcement is outside of the purview of the DRB authority.

VI. Continuance of Hearing from 8 June (T. Page):

L. Thayer started by asking T. Page if his Engineer was available. T. Page explained that the Engineer was not available.

T. Page explained the documents he had submitted: survey and site plan with off-sets. He also had sent an architectural drawing of what the building would look like late in the afternoon. E. Berner checked email and brought up drawing on computer screen to show DRB members.

L. Thayer read the list a request documents from the previous meeting:

1. Site plan showing:

- a. Property lines, encumbrances on the parcel (easements, right of way, etc.), river, streams, and utilities (mention of a manhole on the property at meeting)
 - b. Proposed setbacks/building location, 'development envelope' where buildings are allowed
 - c. Proposed garage floor elevation
 - d. Proposed second floor elevation (for living area)
2. If the applicant has a survey of the property, please provide it at full size (he mentioned they had one)
 3. Proposed tree and vegetation clearing information: Request for applicant to reach out to state agencies (ANR) regarding recommended vegetated buffer that should be retained along rivers/streams (floodplain, river management)
 4. Information on flood proofing: (written description, product info, images showing style of architecture, preliminary architectural info/description, or any other information the applicant has about flood proofing)

T. Page then explained the drawings. Discussion followed concerning drawings, Right of Ways, easements, and property line.

L. Thayer swore T. Page in again, for the record. Then asked T. Page if he could respond to other questions i.e., site plans. T. Page stated he was trying not to spend more money on this project unless he could have conditional approval.

A short discussion followed. J. Stone asked if T. Page would be willing to attest that he would be complying with all elevation regulations. T. Page stated he would not build a house outside of what the town regulations are. Further discussion followed. L. Thayer read from email received from Kyle Medash (Full email attached):

A complete conditional use application for the Town would include a site/architectural plan demonstrating the structure meets all the standards for residential development outlined in Section 310.7.2.

Lowest floor 1' above BFE, utilities protected/elevated, supports or foundation adequately anchored, made of flood resistant materials, provide adequate drainage around the structure, etc.

If the lower level is enclosed, it would have to include adequate flood vents for wet-floodproofing requirements.

I'd personally recommend elevating on posts or piers with an open bottom for the best chance at long term resiliency of the structure.
Wet-floodproofing the lower level could get complicated – if this is desired I'd recommend the designer check back in with me so we're on the same page.

There are many educational resources available from FEMA for doing this work....

L. Thayer polled the DRB members if there were any other questions. There were none.

D. Ballou made a motion to go into Deliberative Session. E. Blaisdell seconded. L. Thayer reminded DRB that the Hearing needed to be Closed. Motion was changed to Close the Hearing. Motion PASSED.

L. Thayer asked if DRB members wanted to go into Deliberative session. J. Burkett made a motion to go into Deliberative Session. E. Blaisdell seconded. Motion passed with D. Ballou opposing.

DRB went into Deliberative Session at approximately 8:05.

DRB came out of Deliberative Session at 8:06.

L. Thayer informed T. Page that the DRB voted to allow a permit with Conditions.

VII. Approve Minutes & Decision from Hearings 5 April 2023, 8 June 2023:
5 April minutes - Discussion followed with comments from J. Burkett, L. Thayer and J. Stone. D. Ballou reminded J. Stone that he had recused from that meeting and could not make comments.

J. Burkett made a motion to postpone approval until next month meeting. L. Thayer seconded. D. Ballou opposed.

Discussion followed. All edits to April 5 Meeting will be sent around and E. Berner will Draft and resubmit for July meeting

8 June Minutes – E. Blaisdell made a motion to accept the Minutes with changes as discussed. J. Stone seconded. Motion PASSED.

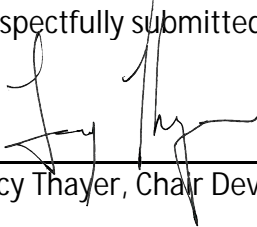
VIII. Open Meeting to Public Input (time limits may be imposed):
None

IX. Close the Meeting and Hearings. The next meeting of the DRB 27 July (last Thursday of month)

D. Ballou made a motion to adjourn the meeting. J. Stone seconded. Motion PASSED

- X.** Adjourn:
Meeting was adjourned at 8:25.PM

Respectfully submitted by: Erika J. Berner



8/2/23

Lucy Thayer, Chair Development Review Board