

**TOWN OF WESTMINSTER
DEVELOPMENT REVIEW BOARD
July 10, 2023**

Members Present: Chris Potter (Chair), Tim Harty (Vice Chair via phone), Oliver Brody

Absent: Don Anderson & Ed Harty

Others Present: Jonathan Whitman, Rachel Brown, Luca Fernandez, Nancy Dalzell, Deanna Robles, David Gorham; Alison Bigwood (Interim - ZA) & Kelley Thayer (Recording Clerk)

1. Call to Order: Chris Potter (Chair) called the meeting to order at 6:30 P.M.

2. Adjustments to Agenda: None

3. Acceptance of Minutes: Chris Potter made a motion to accept the minutes as presented from the June 5, 2023, meeting with Tim Harty seconding it (via phone). Hearing no discussion, the Chair called for a vote and the motion passed 3-0-2 (Don Anderson & Ed Harty being Absent).

4. Communications and Public Comment: DeAnna Robles & David Gorham addressed the Board before applying for a permit to see if it were possible to get a variance to do a lot line adjustment to sell a portion of DeAnna's property to David Gorham. The Board said that they could look into the matter and see if anything could be done that would comply with the Westminster Bylaws

5. New Business: (Discussion / Action):

Application # 23-42 Application # 23-42 Jonathan Whitman (Owner & Applicant) property located at **18 Metcalf Drive**. The Applicant is requesting a Carport in the Historic Village. Application will be reviewed under **Section 311 Site Plan Review; Section 445 Historic Village District; and Article IX Historical Preservation Overlay District;** of the adopted 2017 Zoning Bylaws.

Oliver Brody began by reading the application. Oliver asked Jon Whitman to give a brief description of his request. Jon began by stating that the Carport would be Post and Beam. Jon informed the Board that if they say no to his application, he will build it anyway. Jon stated that the Carport faces the road, tucked behind a hedge row and is parallel with the Carport that already

exists on the other side. Nancy Dalzell asked Jon why he needed another Carport when he already had one. Jon stated he needed it for his Camper. He needed it covered for disability reasons. Jon stated that the proposed Carport would be placed on the pavement. The Historical Review Board (HRB) had previously looked at Jon Whitman's proposed application and stated the following: **"We met to review the Whitman application and request for a carport structure. In regard to the historical overlay in Westminster, and with respect to the charter of the HRB, we unanimously feel that this would not be consistent with the character of the village historically. In fact, it would represent a worse case scenario, where two carports hanging off one house would set a precedent that would be hard to challenge in the future. Please consider this our recommendation to the DRB."**

Hearing nothing further, Oliver closed this application #23-42 at 6:58pm.

Application # 23-43

Application # 23-43 Luca Fernandez (Owner & Applicant) property located at **539 Route 121**. The Applicant is requesting a Change of Use; Mixed Use, Residential and Home Business. Application will be reviewed under **Section 311 Site Plan Review; Section 445 North Westminster Village District; and Section 215 Zoning Permit Procedure** of the adopted 2017 Zoning Bylaws.

Chris Potter opened the Hearing reading the application. Chris asked Luca Fernandez to tell the Board his intentions for this application request. Luca stated that he would like to start a business in his basement growing Medicinal Marijuana. Luca stated that he was almost through the State permitting process and the Town Permit was part of the process before he could finish with the State permitting. Luca stated that this business was for cultivation only and would be selling to dispensaries. No one will be coming to the house for purchases so there will be no increase in traffic. The Board told Luca that this was a conditional use and wanted to confirm that all State Permits were in place, and the appropriate parking was available for a home business. Luca stated that he may need to hire someone in the future, but that would be the only need for an additional parking space. Luca told the Board that he may have a truck load of soil delivered every so often. Hearing nothing further, Chris Potter closed this application #23-43 at 7:12 pm.

6. Unfinished Business: None

7. Other Business (Discussion / Action): None

8. Date of Next Meeting: Monday, August 7, 2023

DELIBERATIVE SESSION: After coming out of Deliberative Session, Oliver made a motion, in agreement with the Historical Review Board, to decline application #23-42 for a second Carport request in the Historic Village. Chris Potter seconded and the motion passed 3-0.

Chris Potter made a motion to accept Application # 23-43 for a Conditional Use, Residential/Home Business contingent on completion of all State Permits. Luca is required to notify the Town when the permitting process for the State has been completed and the Town will then move forward with the Zoning Permit. Tim Harty seconded and the motion passed 3-0.

9. Adjournment: Chris Potter made a motion to adjourn at 7:26 PM with Tim Harty seconding. The motion passed 3-0 and the meeting was declared over by the Chair, Chris Potter.

Signature of Clerk

Date

Prepared by Kelley Thayer

(Note: These are unapproved minutes. Corrections, if necessary, will be found in the minutes of the next DRB meeting.)