

**TOWN OF WESTMINSTER  
DEVELOPMENT REVIEW BOARD  
September 11, 2023**

Members Present: Chris Potter (Chair), Tim Harty (Vice Chair), Oliver Brody, & Ed Harty

Members Absent: Don Anderson

Others Present: Peter & Patricia Terrell; Murray Krugman; Joe DiBernardo; Anthony Perri;  
Rachel Brown (on behalf of Jon Whitman);  
Alison Bigwood (Interim - ZA) & Kelley Thayer (Recording Clerk)

**1. Call to Order:** Chris Potter (Chair) called the meeting to order at 6:31 P.M.

**2. Adjustments to Agenda:** None

**3. Acceptance of Minutes:** Ed Harty made a motion to accept the minutes as presented from the August 7, 2023 meeting with Tim Harty seconding it. Hearing no discussion, the Chair called for a vote and the motion passed 4-0-1 (Don Anderson Absent).

**4. Communications and Public Comment:** None

**5. New Business: (Discussion / Action):**

**Application # 24-03**

Application # 24-03 Anthony Perri & Elaine Ingraham (Owner & Applicant) property located at **3338** US Route 5. The Applicant is requesting a major subdivision. Application will be reviewed under **Section 311 Site Plan Review; Section 445 Historic Village District; and Article IX Historical Preservation Overlay District; Article X Agricultural Overlay District; and Article VIII Subdivision of Land (Major Subdivision)** of the adopted 2017 Zoning Bylaws.

Ed Harty began by reading the application. Ed asked Anthony Perri to give a brief description of his request. Anthony began by stating that he is requesting a major sub-division of his last remaining 5.09 acres. One parcel being 2.08 acres and one being 3.01 acres. Anthony stated that his plan was to sell the 2.08 acres and had a potential buyer, but will be keeping the 3.01 acres and leaving it an agricultural piece and will loan it out to farming. This 2.08 acre lot will have a shared septic with Guinevere Shaw, and the Cottage of the Old Motel. This oversized community septic which is located on Lot 2 (see survey map) has a capacity of 1790 gallons per day. The 2.08 acres

is in the Agricultural Overlay District and will need to leave 60% of the property as such, leaving 40% to develop. Chris Potter stated that this meeting was just a Preliminary Plat Meeting, and a Final Plat meeting is needed for approval of this major sub-division. Chris stated that this information can be found in Section 840 Major Subdivision section of the Westminster Bylaws.

#### SECTION 840 MAJOR SUBDIVISION:

- A. Major Subdivision Preliminary Plat Approval:
1. All applications for a Major Subdivision shall require approval of a preliminary plat and approval of a final plat by the DRB. In addition to the site plan required by Section 820 and Section 215 B, the Preliminary Plat Application shall include all information listed below.
  2. If certain information is not applicable to the subdivision in question, the Preliminary Subdivision Plat Application shall so state.
  3. A statement detailing the proposed subdivision's compliance with the Westminster Town Plan, the Westminster Zoning Bylaws, including reference to any zoning variances, and other bylaws in effect.
  4. A complete survey of the boundaries of the subdivision parcel by a Vermont licensed surveyor.
  5. Description of proposed water supply system(s). If source is an existing community water supply system, evidence of the right to use such system and the adequacy of such a system to meet water supply requirements shall be shown. All design criteria shall be in accordance with applicable State and local health regulations.
  6. Description of proposed sewage disposal system(s). If on-site sewage disposal is proposed, then a State Subdivision permit is required as part of the application.
  7. If a community sewage disposal system is to be used, demonstrate that the institutional arrangements are in place addressing the legal relationships of parties responsible for the continued operation of a shared system and a financial mechanism to assure continued operation and maintenance/replacement in the event of failure.
  8. Preliminary grading plans showing areas of cut and fill and revised contours at a contour interval not greater than five (5) feet.
  9. Stormwater drainage plan, drawn at a contour interval not greater than five (5) feet, shall indicate the methods of collecting and discharging of drainage, as well as methods for temporary and permanent erosion control.
  10. All existing and proposed right-of-way boundaries, widths of roads, typical road profiles, dimensions of all lot lines and size of all lots, locations of all buildings, walkways, amenities, utilities and other manmade improvements.
  11. Calculation of stopping sight distances for new road or driveway intersections with Town or State highways.
  12. Landscaping plans showing plant types and size, ground cover, lighting and signage.
  13. All land proposed to be dedicated to open or public uses or to be reserved for screening and buffer purposes, and the methods for assuring and maintaining such dedication or reservation.
  14. Description of any proposed covenants, and/or deed restrictions which are intended to cover all or part of the subdivision.
  15. Description of the homeowner's association or other form of management organization, if such is proposed.
  16. In the event the subdivision grants an easement or right(s)-of-way, the Applicant must provide a recordable instrument delineating the responsibility for maintenance of easement or right(s)-of-way.

The Board required Anthony Perri to provide as much of the above information as possible when applicable before the Final Plat meeting can occur. Murray Krugman entered information of his personal research to be documented in the minutes (those can be found at the Town Hall if needed). Peter Terrell expressed his concerns about erosion to his land due to farming. There will be a 50-foot right-of-way (ROW) reserved for access to Lot 2-1 (2.08 acres) through the Perri/Ingraham land entering from Route 5. This ROW information is required to be documented in the deed when the sale occurs as well as the information on the shared community septic. Hearing nothing further, Ed Harty closed this application #24-03 at 7:27pm.

#### Application # 24-02

Lyanne Woodward (Owner & Applicant) property located at 3892 US Route 5. The Applicant is requesting to replace half of the shingled roof with a metal roof to match the other half of the existing roof. The Applicant is also requesting the replacement of six windows. 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.

Tim Harty opened application #24-02. The applicant was unable to attend. This application was requesting metal roofing for the other half of her home (one half has already been replaced with

metal) and 6 replacement windows. This parcel is in the Historic District. Hearing nothing further, Tim Harty closed application #24-02 at 7:41pm. The Board went into deliberative session at this time.

**6. Unfinished Business: None**

**7. Other Business (Discussion / Action): None**

**8. Date of Next Meeting: **Monday, October 2, 2023****

**DELIBERATIVE SESSION:** After coming out of Deliberative Session, the Board declared that a Final Plat Hearing is required for the Perri major sub-division application # 24-03 and the required documents in Section 840 (major sub-division) of the Westminster Bylaws need to be provided before this Final Plat Hearing can be held. No decision was made in this Preliminary Plat Hearing.

After coming out of Deliberative Session, Chris Potter made a motion to accept application #24-02 as requested with no conditions. Tim Harty seconded the motion and vote was held which passed 4-0-1 (Don Anderson was absent).

**9. Adjournment:** Oliver Brody made a motion to adjourn at 8:13 PM with Chris Potter seconding. The motion passed 4-0-1 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.)