

**TOWN OF WESTMINSTER
DEVELOPMENT REVIEW BOARD
January 8, 2024**

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

Others Present: Joe DiBernardo; John Stebbins; Don Marcille; Jack Bell; Floyd Douglass; David Sault; Doug Barton; Peggy O’Toole; John Ewald; Shelley Rentas; Alison Bigwood (ZA) and 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: Tim Harty made a motion to accept the minutes as presented from the December 4, 2023, meeting with Oliver Brody seconding it. Hearing no discussion, the Chair called for a vote and the motion passed 5-0.

4. Communications and Public Comment:

5. New Business: (Discussion / Action):

Application # 24-22 Application #24-22; Picz Road LLC (John Stebbins - Owner) property located at 17 Picz Road. The Applicant is requesting a Change of Use – Residential to Professional Office Space. This Application will be reviewed under **Section 311 Site Plan Review; Section 446 Residential District; & Section 215 Zoning Permit Procedure** of the adopted 2017 Zoning Bylaws.

Chris Potter read application # 24-22 and asked who would be speaking on behalf of this application. Jack Bell, the General Manager for Longview Forest (Picz Road LLC) began, stating that they will be purchasing the home of John Stebbins and are requesting a Change-Of-Use, from a residence to office space. Jack said the business was growing and they needed more office space. Chris Potter asked Jack how many vehicles did he propose would be in this space on a daily basis. Jack said 3-5 vehicles a day. Shelley Rentas expressed her concerns and was hoping that the building would remain with a residential look and not a commercial look. Shelley asked Jack if she would be seeing more logs on the property or more equipment. Jack stated that

there would not be more logs or equipment because there wasn't anymore room for them, that they just needed the office space to spread out. David Sault stated that back in 2008 when the original permit was issued there was supposed to be a 25' vegetation parameter around the property to help block the noise and the logs and equipment from view. David stated that he would like to see this done. Hearing nothing further Chris Potter closed application # 24-22 at 6:55 pm.

Application # 24-18

Application # 24-18 **(Final Plat Hearing)** James & Linda Marcille property located at 122 Old Ledge Road. The Applicant is requesting a major subdivision. Application will be reviewed under **Section 311 Site Plan Review; Section 447 Rural Residential District; and Article VIII Subdivision of Land (Major Subdivision)** of the adopted 2017 Zoning Bylaws.

Before the start of the application, Don Anderson recused himself. This was the Final Plat Hearing for this application. Tim Harty began by reading the application. Joe DiBernardo provided all the necessary requested documents from Phil Savoy (Engineer). Peggy O'Toole, an interested party, wanted to express that she didn't feel it was accurate that Don Marcille owned the road as stated at the previous DRB meeting on December 4, 2023. Peggy provided a document (can be found at the Town Hall) from Windham Superior Court dated 10/19/1987 stating that the road is a public highway. Chris Potter read an email that was provided by Chuck Lawrence (Westminster Road Foreman) stating the following:

“I was recently asked to check out the condition of Old Ledge Road off of Quarry Road. At which time I found to be passable. I also received an updated road inventory from the State so that I could clear up some confusion as to whether or not Old Ledge Road was a class 4 Town road. I found that Old Ledge Road is not on the inventory list from the state as a town road of any class. With that being said the Highway Department does not have an opinion to the use or development of Old Ledge Road”.

Joe DiBernardo provided paperwork from the State showing that Old Ledge Road had been discontinued as a Town Highway and was an unidentified corridor (Pent Road) in which the right-of-way will belong to the owner. Joe said that the State does not recognize Old Ledge Road as a Town Highway.

“(G) After July 1, 2015, an unidentified corridor shall be discontinued, and the right-of-way shall belong to the owner of the adjoining land. If the right-of-way is located between the lands of two different owners, it shall be returned to the lots to which it originally belonged, if they can be determined; if not, it shall be equally divided between the owners of the lands on each side”.

Peggy stated that Lot 1 & 2 are wetlands and would like the DRB to do a site visit. Hearing nothing further, Tim Harty closed Application # 24-18 at 7:10 pm.

6. Unfinished Business: None

7. Other Business (Discussion / Action): The DRB had a brief discussion on changing the time of the Hearings. Tim Harty made a motion to change the start time of the Hearings going forward to 6:00 pm instead of 6:30 pm. Ed Harty seconded and the motion passed 5-0.

8. Date of Next Meeting: Monday, February 5, 2024

DELIBERATIVE SESSION: After coming out of deliberative session, the Board declared the following for the applications reviewed in this hearing:

Application # 24-22: Picz Road LLC (Longview Forest) for a Change-Of-Use from a Residence to Office Space: Accepted as requested with the condition that Longview reinstates the 4-season vegetation buffer along Back Westminster Road & Picz Road as the original condition stated with permit approval in 2008.

Application # 24-18: James & Linda Marcille for a Major Sub-Division **(Final Plat Hearing)**; The Board has accepted application # 24-18 as requested with the following conditions:

- 1) Any future development on the lands will come before the Board to ensure that the proposed building envelopes are being implemented accurately and the Wetlands are being considered.
- 2) The Board strongly recommends there be a Road Maintenance Agreement among everyone involved.

9. Adjournment: Oliver Brody made a motion to adjourn at 7:52 p.m. with Chris Potter seconding. The motion passed 5-0 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.)