

**TOWN OF WESTMINSTER  
DEVELOPMENT REVIEW BOARD  
December 2, 2024**

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

Others Present: David Gorham; Tom Amsden; Deanna Robles; Joe DiBernardo;  
David Walter; Alison Bigwood (ZA) and  
Kelley Thayer (Asst ZA and Recording Clerk)

**1. Call to Order:** Chris Potter (Chair) called the meeting to order at 6:03 P.M.

**2. Adjustments to Agenda:** N/A

**3. Acceptance of Minutes:** Tim Harty made a motion to accept the minutes as presented from the November 4, 2024, meeting with Don Anderson 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):**

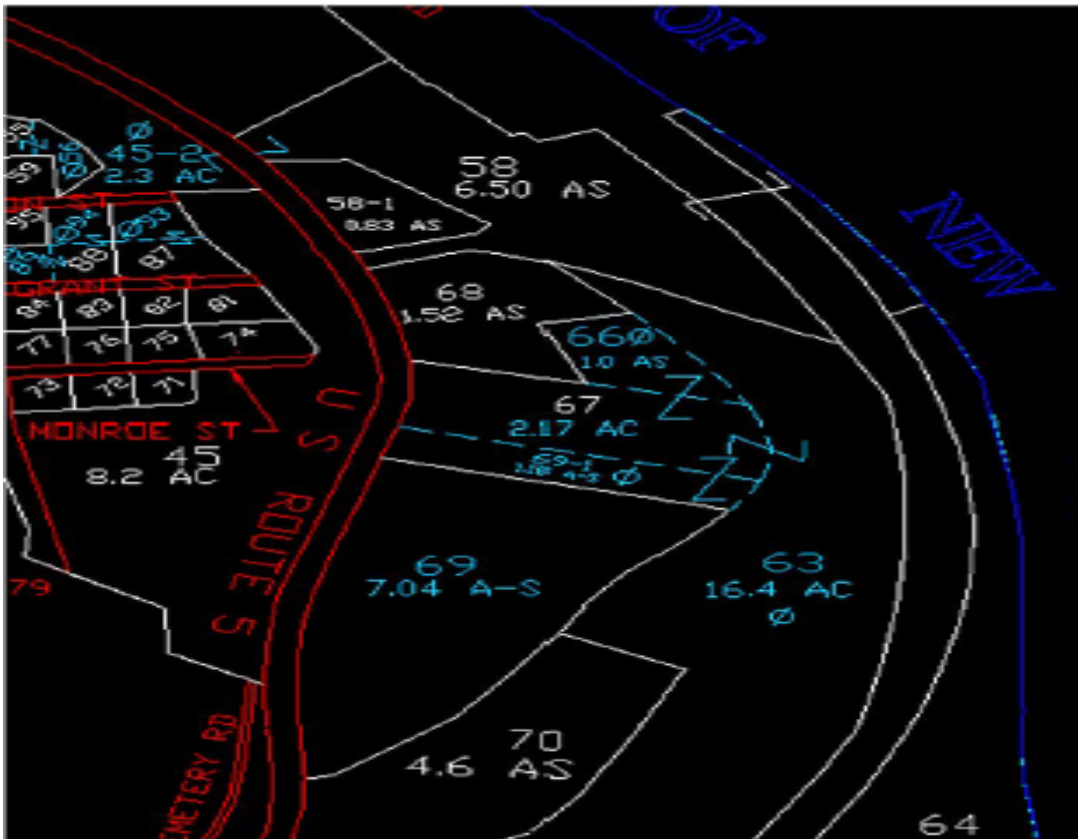
**Application # 25-28**

Application #25-28 David Gorham (Owner & Applicant) – property located at **7752 US Route 5**. The Applicant is requesting a Lot Line Adjustment. This Application will be reviewed under **Section 311 Site Plan Review, Section 444 Commercial/Industrial District; and Section 215 Zoning Permit Procedures** of the adopted 2017 Zoning Bylaws

Tim Harty read application # 25-28. Joe Dibernardo spoke on behalf of David Gorham, Tom Amsden & Deanna Robles. Joe Dibernardo stated the following:

1. The David D. Gorham Living Trust owns Map 4 Lots 63,66,67 & 69-1.
2. The BRB Enterprises Inc. owns Map 4 Lot 68.
3. Lucas Holdings, LLC owns Map 4 Lot 69.
4. David Gorham's Lot (Melsur Lot) is currently listed as Lot 67 but includes inactive lots 63,66 & 69-1. These can be seen on the most recent tax map. (See attached snapshot).

5. David Gorham is acquiring a 0.69 acre parcel from BRB Enterprises Inc. which includes the detached garage on the property that was recently occupied by Golden Cross. This 0.69 acre parcel will be annexed to Gorham's Lot 67 and become one continuous lot of record.
6. BRB Enterprises Inc. is acquiring a 0.70 acre parcel from David Gorham's inactive lot 63 out behind the old "Big Red Barn" to make their Lot 68 conform to the 2 acre minimum lot size because that lot has onsite septic. In addition, because the line for BRB moved to the north, a Right of Way was needed for Gorham's inactive lot 63. This shown as a dotted hatch behind the old "Big Red Barn" building and notated on the plan. This makes the Right of Way to Gorham's Inactive lot 63 conform to the 50' wide zoning requirement.
7. Gorham's inactive lot 69-1 is acquiring a 1.17 acre parcel from Lucas Holdings, LLC lot 69. In addition to acquiring the 1.17 acre lot from Lucas Holdings LLC, Gorham's inactive lot 69-1 is also acquiring a 10' wide easement for his exclusive use, mainly for the parking of his trailers, which is how they are currently using the property. The reason the easement is needed, is to conform to the 30' side yard building setback. Gorham is parking right up to the low concrete wall, but that wall falls inside of the 30' side yard building setback requirement.
8. Lucas Holdings LLC (Old St. J Building) currently has a Right of Way over Gorham's inactive Lot 69-1. The plan proposes to relocate that Right of Way, which is shown as a line hatch, and runs from U.S. Route 5 easterly and the curves to the north and back to the east and wraps around to the south to the proposed new boundary between inactive lot 69-1 and active lot 69.



Hearing nothing further, Tim Harty closed application # 25-28 at 6:16 pm.

**Application # 25-29** Application #25-29 Anthony Vastola (Owner & Applicant) property located at **543 Daigel Road**. The Applicant is requesting a Change of Use; from a barn to a residence. Application will be reviewed under **Section 311 Site Plan Review; Section 447 Rural Residential District; and Section 215 Zoning Permit Procedures** of the adopted 2017 Zoning Bylaws.

Ed Harty read application # 25-29. David Walter (Friend & Neighbor) spoke to the Board on behalf of Anthony Vastola in his absence. David Walter stated that Anthony wanted to turn the current barn into a 24' x 36' residence, to be used as a summer home. The septic & potable water permits from the state are in place and electricity has been connected. The application included two letters from Anthony Vastola and David Walter that were previously written back in July of 2022 when a sub-division was permitted. The letters content was stating that they were aware that there was only a 80' side setback instead of 100' and they were both okay with that. A waiver for side setback requirements was issued in September of 2022 along with the sub-division. Hearing nothing further, Ed Harty closed Application #25-29 at 6:22 pm.

**6. Unfinished Business: None**

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

**8. Date of Next Meeting: Monday, February 3, 2025 @ 6:00pm**

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

**Application # 25-28:** Tim Harty made a motion to accept the application with no conditions. Oliver Brody seconded and the motion passed unanimously 5-0 at 6:31pm.

**Application # 25-29;** Ed Harty made a motion to accept the application with no conditions seeing as there is a waiver on file in the zoning office for the side setback requirements. Chris Potter seconded and the motion passed unanimously 5-0 at 6:55 pm.

**9. Adjournment:** Oliver Brody made a motion to adjourn at 7:02 p.m. with Tim Harty seconding. The motion passed 5-0 and the meeting was declared over by the Chair, Chris Potter.

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Signature of Clerk

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Date

Prepared by Kelley Thayer

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