

**Westfield Planning Commission and the Westfield Zoning Board of Adjustment**  
**Public Hearing December 28, 2020**  
**6:00 pm – via Zoom**

**Present:**

Pat Sagui (chair), Brian Dunn, Kitty Edwards, Ellen Fox, Loren Petzoldt

Applicant and representatives:

Marielle Demuth  
Sharon Rosenberger  
Devan Currier  
Nate Nadeau

Members of the public:

Wendy and Dana Berkowitz, interested party  
Heather and Bruce Johnson, interested party  
Will Young, Zoning Administrator  
Corey Hutson

**Call Meeting to Order:** Pat Sagui called the hearing to order at 6:05 pm. All attendees at the meeting introduced themselves.

**Welcome and opening remarks:** Pat welcomed everyone to the hearing and described the meeting as a public hearing to consider application number 2020-18 by Horizons Engineering on behalf of Mark and Marielle Demuth to subdivide property into 4 lots, three 3-acre lots and one 4.3 acre lot where a 40'x80' warehouse storage building and access road, and gravel pad will be constructed. Water and sewer connections are not proposed for the property.

Pat administered the Oath to the applicant and representatives.

*The Oath: Do you solemnly swear (or affirm) that the evidence you shall give, relative to the cause now under consideration, shall be the whole truth and nothing but the truth, under the pains and penalties of perjury?*

Marielle Demuth, Sharon Rosenberger, Devan Currier, and Nate Nadeau took the Oath.

Pat explained the scope of permissible comments as specific and germane to the matter at hand. She also explained basic Robert's Rules of Order. All comments are to be made to the Planning Commission rather than attendees discussing topics among themselves. The presentation will be made by the applicant, then the Planning Commission and others will have the opportunity to comment in order.

**Presentation by Petitioner:** Devan Currier clarified the exhibits he has provided to the Planning Commission as part of the application. He has submitted an application form, a parcel map of the site and an site plan showing the location of the proposed lots and building. He described the building as wood frame with metal siding, with one overhead door and a man door on the east side and one man door in the rear for egress. He described the one access road and turn around that will serve both the

warehouse and the residential lots. He mentioned that they have been in communication with VTrans to begin the process of an access permit for Route 100.

Questions from the Planning Commission:

Pat-

- Where is the DOT permit process? Devan made application today and is working with Nathan Covey.
- Nate added that DOT has made a site visit. A Letter of Intent from DOT is issued only after review by a committee at DOT. The timing of when and how the Town is notified of the review is not known.
- It is unclear when the driveway into the residential lots would be constructed. For this permit, the Planning Commission would be approving the easements and the location of the road, so to create subdivided residential lots that are not landlocked.
- Waste water permit designs and septic areas have not been identified.

Ellen

- Driveway that is proposed is a gravel surface? yes
- What is the grade of the driveway? Grade of the driveway will meet the DOT guidelines. It is around 8% in the current plan.
- Is there a vision for who maintains the drive to the residential sites for emergency services? Would kids walk to a school bus stop of the same drive as commercial vehicles? The warehouse will generally not be occupied. It will have very little traffic with large deliveries 3 or 4 times a year. Smaller trucks picking up materials once a week?
- Hours of operation? The business hours would be 7 am to 5 pm, weekdays.
- Route from storage would be from proposed warehouse onto Rt 100 to Cemetery Rd to Loop Rd.

Pat

- Occupation of warehouse? There will not be people or vehicles at the warehouse regularly.
- Describe the packaging. There will be tin cosmetic containers, maybe plastic bottles and pumps. No flammable materials.

Ellen suggested that the applicant speak with the Troy Fire Dept about a fire suppression plan or system. There is no fire suppression system in the current building plan.

Pat

- Commented about abutters that are not listed on the permit. Why are they not listed? It is the format of the permit that requests the property owners only on the left and right so those are listed.
- How have prime ag soils been avoided for development? Soil mapping was used to delineate the prime ag and statewide soils.

Ellen

- The building sites are not established, so could they be moved onto prime ag soil? The Act 250 permit process will provide a buildable area that will be approved, and this area is not on prime ag soil in the proposal going to Act 250 review.
- Has there been a conversation with the current farmer? Yes, the current farmer haying it is planning to continue haying it for now.

Pat

-Does the residential development also need an Act 250 permit? Yes, once the commercial building is under Act 250 review, the whole project will be under Act 250.

Kitty

-Would it be possible for a new owner of a lot to put a driveway straight to Rt 100? VTrans would likely not approve another access point to RT 100.

Loren

-Confirming that VTrans would need to approve another access for a new owner. Yes, VTrans would need to approve another access point, and the Act 250 permit access might even preclude approval of any other application for access.

Pat

-Lighting? At the doors, motion sensitive and shielded.

-15 ft building height? It is 15 ft to the eaves with a pitched roof, barn style. The full height at the peak is to be determined.

-Visibility of the building? The field is open and will be visible from most vantage points. Because of the grade only the peak is visible from Rt 100. Minimal visibility from the Daigle property and moderate from the Smith property.

-Setbacks to the wetlands are very close to the building. Is there impervious surface beyond the building? Very little disturbance around the building.

-Driveway storm water drainage plan? The proposal does not meet the 1 acre threshold that requires a full stormwater management plan. Will use sedimentation control for construction site. There will be grass lined ditches to the existing culvert and a new culvert under the access road itself.

-Length of the driveway? 350 ft with ditches on the first 200 ft on both sides.

-Grade of drive at rt 100 for 50 ft? 8% grade so there isn't a bigger cut.

**Comments from Will, Zoning Administrator:** Concern about building height. Accessory structure is 15 ft, no guidance for commercial structure in bylaw.

Wendy – Concerned about residences and wastewater. How big will the houses be? Increased runoff from the property into the culvert. Organic farm needs to have clean water. Concern about the character of an area and traffic on a small parcel.

Pat to Applicant

-Have you calculated the additional runoff from the project? No, applicant believes the increase is small and could be minimized with swales or similar if needed. Nate mentioned that this will be evaluated as part of the VTrans permit. It is unknown for the residences and would be determined at the time the houses are built.

Further discussion that what is approved in the Act 250 permit would determine the size of the wastewater design (and by extension the size of the house) and would be for single family housing only,

not an apartment building or multi family house. Also, the Act 250 review process is just now underway and whether the subdivision will be approved for an Act 250 permit is undetermined at this point.

Ellen mentioned that the Planning Commission does value and consider housing density and rural character of the town. The village area is surrounded by conserved land where the town cannot grow.

Heather- Will the property will be surveyed and blazed? Heather is concerned with the current marker. Nate commented that the overall property has been surveyed. Nate stated that he will communicate with Heather about the survey and she can call him or stop by his office.

Being no other comments from interested parties or members of the public, Loren motioned to suspend the presentation of evidence and comments. Kitty seconded the motion. Motion passed unanimously.

Loren motioned to enter deliberative session. Brian seconded the motion. Loren invited Will to join the deliberative session and the Planning Commission entered deliberative session at 7:32 pm.

Planning Commission exited deliberative session at 8:17 pm.

Ellen made a motion for continuance. Brian seconded. Discussion ensued to establish a date for the meeting to resume. There was consideration of the information needed to be gathered before the next meeting. Motion is to reconvene on January 11 at 6 pm by zoom. Motion carried. The zoom call ended at 8:23 pm.

Minutes respectfully submitted by Ellen Fox