

**Westfield Zoning Board of Adjustment
August 31, 2020 – 6pm Public Hearing
Westfield Community Center, 59 North Hill Road**

Public Hearing – Minutes

Pursuant to Title 24 VSA §4464 there will be a Public Hearing before the Town of Westfield Planning Commission on Monday, August 31st at 6:00 pm at the Westfield Community Center to consider the following:

∞ Application 2020-05 by Jerome and Darlene Rondeau to construct an accessory structure exceeding the 18' height limitation at 589 Corrow Basin Road.

∞ Application 2020-11 for a conditional use permit by Chad Prue to construct a new self storage building 20'x120' at 52 Freedom Drive.

Present: for ZBA: Loren Petzolt, Brian Dunn, Yvan LaPlume, Kitty Edwards, Pat Sagui, Chair. Interim ZA: Ellen Fox. Applicants: Jerome and Darlene Rondeau; Chad Prue. Members of the public: Gerard Croizet, Andrew Emery, Will Young

Prior to opening the Hearing, Town Clerk, LaDonna Dunn swore in Applicants and ZBA members.

Open Hearing: 6 pm

Chair gave a brief welcome and there were self-introductions by attendees.

The Chair then gave an overview of the Hearing process including that the Hearing was recorded.

Application 2020-05

Mr. Rondeau explained his inquiry to ZA, Tom Schrock (deceased) two years ago about the need for a permit to build a roof between two storage containers sited 16' apart. The ZA did not require an elevation drawing and told Mr. Rondeau he did not need a permit for this accessory use. During a town wide assessment it was discovered that the roof peak of the structure was 21' high, and there was no permit for it. Before he died, ZA Tom Schrock acknowledged to the ZBA chair that he did not inform Mr. Rondeau at the time of his request of the height limit. The ZBA chair confirmed the exchange with ZA Schrock had occurred and the history of the original permit request was as Mr. Rondeau had explained.

Question by Interim ZA Fox: When the roof structure was built did you know about the 18' height limit for accessory structures?

Response, Jerome Rondeau : No.

Question by ZBA Chair: Do you have a photograph of the structure?

Response by Rondeau: No, but we have a drawing.

ZBA Chair requested a copy of the elevation drawing.

Response, Darlene Rondeau: I can send a photo.

ZBA Chair asks her to submit photo and drawing.

The Rondeau's also asked about their permit for another storage container to site elsewhere on their Corrow Basin Rd property.

Interim ZA Fox response: Yes, the permit has been posted for 15 days. She also thanked the Rondeau's for posting the permit in a more visible location at the intersection of Corrow Basin Rd. and Balance Rock Rd.

Rondeau portion of the hearing ended at 6:28 and the Rondeau's left the Hearing.

Application 2020-11

Chad Prue presented an overview of his plan to add another storage building – 20' x 120' for 12 units. These will be full width units with access on east side, by enlarging the drive area on the west side of the existing storage building to 24'. He is working with Kirsten Sultan at Act 250 (district 7) to amend the existing permit for the site: 7R135-A.

Question by Chair: Permit says no power to structure, will there be solar lighting or any other exterior lighting on the proposed building?

Response by Prue: No.

Question by Loren: What about drainage?

Response by Prue: Putting on gutters. There is a culvert tied to existing building foundation drain installed by Roger (Audet, former owner). Prue upsized 6" culvert to 15"

Question by Yvan LaPlume: Looks like a new ditch has been dug

Response by Prue: No, Roger dug it when he put in the driveway.

Comment by Gerard Croizet (abutter north of ROW at north edge of property) that there is now a lot more water in the southeast corner of his field.

Response by Prue: Agrees with Croizet and that he is also have water/drainage issues. He speculated it's because the culvert under Carmel Rd (the ROW) is only 6", gets blocked by brush, and that is where flood water is coming from, affecting three properties: Croizet, Prue, Breault.

Response by Chair: The flooding issues mentioned are not part of ZBA permit review, but may be of interest to Act 250.

Discussion about who owns ROW and is responsible for maintenance. Chair will check Deeds with the town.

Interim ZA Fox mentioned need to clarify measurement to natural waterway.

Discussion about unclear set back measurements on the site diagram submitted with the permit.

Prue: acknowledges that he only paced off from ROW to north edge of proposed building.

Question by Chair: Do you have a copy of the Act 250 permit for the first storage building?

Prue: Yes.

Prue portion of the Hearing ended at 7:50. Prue and Gerard Croizet left.

Deliberative Session

Motion by Loren, 2nd by Yvan to go into Deliberative Session. Unanimous vote.

Motion by Loren, 2nd by Yvan to allow Will Young and Andrew Emery to participate in Deliberative Session as pending new ZA and Ass't ZA. Unanimous vote

Exit Deliberative Session

Motion by Loren, 2nd by Yvan to exit deliberative session. Unanimous vote.

Announcement of Decisions:**Application 2020-05**

Motion by Loren, 2nd by Yvan to issue a Conditional Use Permit

Unanimous vote.

Application 2020-11

Motion by Loren, 2nd by Brian for continuance and Prue site visit Friday, September 4th at 6:30pm.

Unanimous vote.

Exit Public Hearing

Motion by Loren, 2nd by Kitty to exit Public Hearing at 8:12 pm.

Unanimous vote.

Continuance

Site visit Friday September 4th at 6:30 pm

Present: Loren Petzoldt, Yvan LaPlume, Brian Dunn, Kitty Edwards, Pat Sagui

Using stakes placed by the owner, Chad Prue, ZBA measured proposed length of building, and width of proposed expansion of drive area to 24'.

Lot corner pin was located and measurement taken to confirm the proposed building as staked out would meet the 30' side setback.

Pictures of the site were taken to accompany permit since the site was deemed currently out of compliance by Interim ZA due to site work commenced before permit was issued.

Satisfied that setbacks would be met with current siting plan there was a Motion by Loren, 2nd by Brian to close the Hearing at 7pm. Unanimous vote.

Westfield Planning Commission
Regular Meeting August 31, 2020
Following the Zoning Board of Adjustment Hearing 6:00 pm – Westfield Town Office

Present: Brian Dunn, Kitty Edwards, Ellen Fox, Yvan LaPlume, Loren Petzoldt, and Pat Sagui (chair)

1. Call Meeting to Order

Pat Sagui called the meeting to order at 8:12 pm.

2. Additions/Changes to the Agenda

Pat added an agenda item; to meet Will Young and Andy Emery as candidates for Zoning Administrator and Assistant Zoning Administrator, respectively.

3. Approve Minutes from May 20, 2019 Meetings

Kitty made a motion to approve the minutes from the July 27, 2020 meeting. Loren seconded the motion. Approved unanimously.

4. Recommendation for Zoning Administrator and Assistant Zoning Administrator

Will introduced himself. He lives in Westfield and has knowledge of building specifications and conceptually understands Zoning Bylaws. He wants to be of service to the Town. Andy expressed a desire to learn about municipal zoning and would like to serve as back up when Will is away or unavailable. There was discussion about how the ZA's fee would be split between two positions. Ellen suggested that whoever signs the permit would receive the fee.

Kitty inquired about the relationship between the work of Will's dad, Danny, and the zoning work. Danny is a lister. The lister's assess property value in the town and so the Zoning Administrator provides permits to all the listers to prompt them to assign a value to any new structures.

Pat resicnded her leadership and vote on the matter. Loren led the vote and made a motion to recommend Will Young as the Zoning Administrator, and Andy Emery as the Assistant Zoning Administrator, to the Selectboard. Brian seconded the motion. The motion passed, Pat Sagui abstaining.

5. Update on Housing Assessment

Pat gave an update that there has been some response to the housing survey. The survey is available online or a paper copy can be filled out at the town office. Pat encouraged everyone to complete the survey by Sept 14, and to ask others we know to complete the survey.

6. Bylaw Revision

Pat confirmed that NVDA will not be providing an intern to help rewrite the Bylaw. We have submitted a municipal planning grant to hire a consultant to help with the rewrite. There is also a smart growth grant in the works to have as matching funds.

7. Other Business

Ellen mentioned a Zoning Permit application from Marion Muller-Powell for an existing deck at her property which she is using as a wedding venue. Because of its location in the river corridor, the issue will likely need a hearing. Possible dates are September 28, or the following Monday, October 5.

8. Next Meeting

The next regular meeting will be September 28 at 6 pm and the Westfield Community Center.

9. Adjourn

Kitty made a motion to adjourn, seconded by Loren and the meeting adjourned at 8:40 pm.

Minutes respectfully submitted by Ellen Fox