

WESTFIELD DEVELOPMENT REVIEW BOARD HEARING
October 22nd, 2024 @ 6:00 p.m.
Westfield Community Center, 59 North Hill Road

Town Officials in Attendance: Pat Sagui, Development Review Board Chair; Ellen Fox, Development Review Board; Kitty Edwards, Development Review Board; Brian Dunn, Development Review Board; Will Young, Zoning Administrator; Niki Dunn, Development Review Board Clerk; Dennis Vincent, Selectboard; LaDonna Dunn, Town Clerk

- A. Welcome Participants:** Pat Sagui brought the meeting to order at 6:03pm. This hearing is regarding application 2024-17 for the property located at 757 Vermont Route 100, which is in the village district, brought forth by the Town of Westfield.
- B. Admissible Evidence:** The admissible evidence is the permit application, site plan, photo of the sign that would be purchased and state statutes regarding signs on state highways.
- C. Interested Parties:** There was no one present other than the Town Clerk, LaDonna Dunn and Selectboard member Dennis Vincent who were at the hearing on behalf of the applicant, The Town of Westfield.
- D. Oath:** Pat read the oath aloud and it was signed by the DRB Board members present as well as Dennis Vincent and LaDonna Dunn.
- E. Questioning Period:**
 - a.** Dennis explained what the town is applying for. The town would like to install a digital sign on the lawn of the Town Garage and Recycling Center. The sign would be out of the road right of way. LaDonna explained that the reason the town would like to do this is to increase town communication. There is one-time grant money that could be used to do this and to do it without asking taxpayers for money towards the purchase of the sign. Currently the sign used is a sign board on the common that is falling apart. Other towns have been installing these signs, including Lowell and Newport Center and businesses like the American Legion in Newport. This sign would come with the base and would not need a separate base built for the sign. The town would get in touch with Dig Safe and would be hiring someone to do the electrical work. LaDonna checked with Jason Sevigny at The Department of Transportation and gave the DRB a copy of the statutes that Jason sent. The sign was originally planned to be on the town common, but it became apparent when measuring that the sign would block the view of the traffic. There is not enough room for the sign at the library, so the location ended up being the Town Garage and Recycling Center. The reason for the larger size of the sign is due to getting more words on the screen at one time rather than having scrolling text which would be more distracting to drivers.

- b.** Ellen questioned if the sign can be changed from the town office building. LaDonna explained that it would be like the digital sign in the office and at the Recycling Center. Currently those are updated using a phone hotspot and a computer. It would be the same system.
- c.** Pat questioned if the top of the display would say “Welcome to Westfield”. LaDonna showed the DRB the mockup design but explained that it can be changed once the order for the sign is placed. Pat also questioned if the sign is 2-sided. LaDonna explained that it would be.
- d.** Ellen asked if this sign would replace the current sign at the Recycling Center. LaDonna explained that it would not, it would be on the other side of the driveway. Will noted that it would be centered to the end of the building. LaDonna also explained that they checked to see if the sign would impede the view, and it was felt that it would not.
- e.** Ellen questioned if it would be confusing to people to have another sign there. She felt it should say Town Garage and Recycling Center on the top. LaDonna noted that there is a space for the address on the sign, it could be looked into to have that part say Town Garage and Recycling Center.
- f.** Pat questioned if there would be a spotlight. LaDonna noted it would not. The top of the sign will be backlit. Ellen questioned if having two signs on the property exceeds the bylaws. Will explained that the total sign area for all signs on a given property shall not exceed 75 square feet.
- g.** Kitty –questioned that the applicant is the Town of Westfield, and she wondered who exactly that would be. Dennis explained that the selectboard represents the town.
- h.** Pat questioned if anybody checked with the insurance company regarding coverage. LaDonna spoke with the town of Lowell, and they explained that it just needs to be added to the insurance policy as a piece of equipment.
- i.** Pat questioned the electrical usage. LaDonna noted the estimate to install it would be around \$1000, but there is no estimate on what the yearly electrical usage cost would be.
- j.** Pat questioned when it would run. Dennis felt it should be left on 24/7.
- k.** Pat wondered if there had been any conversation with the supplier as far as warranty in case there are issues such as the plow breaking it. Dennis explained that it would be an insurance claim if that happened. It was discussed whether it should be moved back further from the road but was decided that it becomes harder to read the further from the road it gets.
- l.** Pat wondered if there are any pictures that would be displayed or if it is just lettering. LaDonna noted that it would be just lettering at this point.
- m.** Ellen noted that the overall dimension of the entire sign is 6x4 and wondered if the town could show that the sign is less than 20 square feet in any way. Will noted that the town is not asking for a variance, they are asking for it to be a permanent structure. Will also noted that town signs are exempt from getting a zoning permit, but no sign shall be more than 20 square feet. Calling it a municipal structure used for informational purposes puts it under a different section of the bylaws.
- n.** Pat asked if it would switch messages or just be one message all the time. Will explained that it would be one message at a time but rotates through a few messages that would change every so many seconds.
- o.** Pat questioned what would happen if someone wanted to rent space on the sign. LaDonna noted that she would ask the selectboard for a sign policy that would

include no advertising. Ellen wondered if there had been any discussion with the selectboard about what would be included or excluded on the sign. LaDonna explained that there had not yet. Will noted that under the bylaws the DRB can only question certain aspects and that questioning what is allowed to go on the sign is not germane to the hearing process. Ellen wondered if there were multiple messages would it just become a blinking sign of messages. LaDonna noted that she doesn't envision that happening but would recommend the selectboard create a policy.

- p.** Ellen questioned the security to upload to it and whether anybody could hack into it. LaDonna explained that you need an IP address to update it, but anything could be possible.
- q.** There is no DOT permit required as its not in the Right of Way.
- r.** Will wondered what the recommendation would be on the maximum number of messages that could circulate at one time on the sign if the DRB wanted to make that a condition of their findings. LaDonna felt that 6 was a reasonable number.
- s.** Ellen questioned where the funds to maintain the sign would come from, would they be approved each year as part of the budget. LaDonna explained that they would. She also explained that the town has applied for a MERP grant and one of the things included is solar panels at the Recycling Center which would offset energy costs of the town buildings.

There were no further questions. The DRB closed the evidence and testimony portion of the hearing at 6:47pm.

Ellen motioned to go into deliberative session at 6:48 pm. Kitty seconded. Motion passed.

Kitty motioned to leave deliberative session at 7:10pm. Ellen seconded. Motion passed.

Ellen motioned to approve application 2024-17, Kitty seconded. A roll call vote was taken, the following is the result of the vote:

Brian Dunn – yes

Kitty Edwards- yes

Ellen Fox – yes

Pat Sagui – yes

Motion passed.

- F.** Legal Trail Discussion: Will rejoined the meeting for this discussion. He explained that there will be a hearing November 12th that will be a joint DRB and selectboard meeting. The meeting will involve a legal trail/ town road issue. It will be a change of use permit where the applicant needs access by right of way. The wording in the bylaws is geared toward a new subdivision, whereas this property already exists. Will wondered if it was an undue burden on the applicant to get all the deeds of the properties on the road changed before coming in front of the DRB when the road has been in existence for decades. He did get an opinion from VLCT legal aid which refers to the DRB being able to impose restrictions on a legal trail as if it is a private road. The road may have changed from a class 4 to legal trail around 1986-87, and he is working on finding some information on exactly when/ why that happened. He questioned if the board felt it appropriate to move forward with the hearing without the applicant getting all deeds changed first. Ellen noted that if it is a legal trail, not a public

road, they would be looking for an easement that would need to be recorded for every property affected in the land records. Will noted the selectboard will also be discussing this at their regular meeting next week. Ellen felt it would be good for the selectboard to make a statement on what the road is currently classified as. Ellen feels this should go in everybody's deed going forward, to have a record for future generations. There is .3 of a mile that is in all the property owner's deeds however there is .67 mile of the legal trail section that is not in everyone's deeds. The DRB will go visit the road prior to the meeting, two can go at a time, but no more than two as that would create a quorum of members. Will can let the applicant know that the DRB may be visiting the road to his property. Will questioned if the applicant were not seeking a change of use, would the DRB have any say over what they do to the road. Ellen noted that they would not, that it would be negotiated between neighbors.

G. Kitty motioned to adjourn at 7:55pm. Brian seconded. Motion passed.

Minutes respectfully submitted by Niki Dunn.