

Fairlee Development Review Board
August 25, 2009

7:00 PM Meeting called to order.

Board members present: Ray Coffin; Anthony Gahagan; Peter Berger; David Fracht (Chair), Amy Record.

- 7:00 Zoning Administrator Tracy Thurston will not attend the meeting. Irene Wheeler, Clerk to the DRB sent the Chair a letter of resignation. Juanita Titus will not be taking the clerk position, so the Board is still seeking a clerk. Ray Coffin mentioned that his Daughter in law might be interested in the position. He will have her contact David Fracht if she is interested.
- 7:03 Review and approve DRB minutes from August 11, 2009 meeting. Changes to the minutes were discussed. Lange Subdivision was changed to the Grambling Subdivision on Maurice Roberts Highway. Date for the SB meeting with discussion of enforcement and violation was July 20th,

MOTION: (RC) To accept minutes from the August 11, 2009 meeting as corrected.

SECOND: (PB > no discussion > VOTE: unanimous (3-0).

7:10 **Minor Subdivision Application # 09-SUB-6 (Richard and Jessie Hall)**

The applicants are proposing to divide their 3.8 acre lot as follows: Lot 1; .671 acres, Lot 2; .998 acres with existing acres and Lot 3: 2.131 acres with shop. The property is located at 698 US Route 5S and is further identified as Tax Parcel # 8-3-18. The survey map was presented and discussed with the Board. Ritchie explained the property lines and shown by the Survey map. The Board questioned the Halls about any backup septic design required by the State. Question of whether there is a difference between it being Commercial property in the Adam's application vs. Residential property in the Hall's case. This was to be followed up by the ZA. As there were no further questions from the Board the hearing was closed. The map was accepted by the Board and the deliberative session to be held later this evening with the corresponding letter from the Board to follow after Labor Day.

7:30 **Report on Zoning Regulation updates by all members of working groups**

Industrial and Flood Plain Districts: sections are being worked on by Peter Berger, Ray Coffin, and Ken Driscoll. One meeting was held by committee and it was agreed that the essential regulations would remain unchanged. It would stay as no residential development permitted within the Flood Plain zone except for Ag buildings and Wildlife Refuges. The feeling within the committee was that the current Regulations needed to contain the added appropriate language regarding use in the Flood Plain. This was to be followed up with both TRORC and the ANR to have them provide the correct language.

Rural Residential District - Tony Gahagan; John Larrabee; Bob Doyle.

This district to remain pretty much unchanged, there was discussion about the lack of a lakeshore district and questions about how or when this was removed as there were certain aspects of this area that would only pertain to it and would be different than most properties in the Rural residential zone.

Village Area District: Roxanne Mathews; David Fracht; Paul Sargent.

Will have not a lot of changes. Discussion of permitted uses:

Single Family Dwellings;	Accessory Structures	Retail Stores
Filling Stations	Garages	Banks
Financial Institutions	Post Office	Restaurants
Professional Offices	Child and Senior Care	

Conditional uses:

Multi Family(Max of 4;	Craft, Carpenter shops	Schools
Other Educational centers	Laundromats	Light Industrial uses
Public Utilities	Home Occupations	Community schools
Libraries	Churches	Municipally owned buildings

The committee discussed definition of a structure and what the average measured setback. Fracht feels that possibly one to two meeting to finalize the changes. Discussed the actual area of the Village from the Bridge to NH to the Lake Morey Rd.

7:45 Continuation of discussion of enforcement issues

The Board discussed the recently acquired Thompson property and violations. ZA received a letter from the Thompson attorney. DRB would request changes in the language contained in the letter. Seek to have ‘clean the cement’ changed to ‘remove the cement’ accept the top covering of ‘Sta-pack’. David Fracht to discuss with the ZA. Who is to sign and who is to negotiate. The letter contains sound proposals and little worry that they will uphold their end of the agreement.

Further discussion of who in Fairlee could still be in violation, recommendations is to have the ZA put together a list of the possible violations in conditional uses exist in town. The Cumberland Farms shed was discussed as well as how many exist with other possible violations. The DRB needs to have a clear policy of violations; how many exist and should anything be done by them. With no statute of limitations on a properties’ conditional use permits there are existing violations that have passed along with the sale of individual properties.

MOTION: (PB) To have the ZA research and create a list of the violations of the conditional use permits that exist in the Fairlee files and granted by the DRB.

SECOND: (AG) > Discussion followed about the intent of the list and that it would serve the ZA to do this type of research. The point would be to gain an understanding of what has and hasn’t worked for the past Zoning Administrators regarding conditional use permits. This is not a situation where the idea is to initiate violations but to gain information about both the types of conditional use permits and history > VOTE: unanimous (5-0).

8:15 Other Business

Tony Gahagan had a question for clarification about the letter written to the Gaywalden applicants about the abutters and future subdivisions or use. The Board clarified the issue as being directed to each property owner and would need to create a new Subdivision application. The letter from the Board was to clarify that any further change or subdivision would require new Subdivision applications.

8:32

MOTION: (RC) To adjourn. SECOND: (AG) > no discussion > VOTE: unanimous (5-0).

Respectfully submitted,

Peter Berger

David Fracht -Chairman