

**TOWN OF NORTHFIELD, VERMONT  
DEVELOPMENT REVIEW BOARD  
Minutes of October 27, 2022**

**7:00 pm at Brown Public Library Community Room  
(also available remotely via Town GoToMeeting Account)**

The meeting was called to order at 7:00 pm by Vice-Chair Tim Donahue.

**Roll Call:** Present for the meeting were DRB members Bill Smith, Tim Donahue, Paul Brown, Steve Davis, and Larry Garland. Also present were ZA & DRB Clerk Mitch Osiecki; applicants Michael Delary, Nick Delary, Kevin Farrington, Curtis Dudley, and Amie Dudley; Elizabeth Clark (representative for Kevin Farrington); and abutting property owners Dale Kunkel, Jay Swann, Sarah Snow, and Mukam Harzenski (representative of Trijang Buddhist Institute).

**Approval of Minutes:**

**Motion:** Steve Davis moved to approve minutes of September 22; Paul Brown seconded.

**Vote to approve: 5-0.**

**Subdivision Permit and Site Plan Review (lands of David Carroll on Terry Hill Road)**

Nicholas and Michael Delary have applied for two-lot subdivision of a 71-acre parcel of land owned by David Carroll on Terry Hill Road. Each of the new lots will be 5 acres. Michael and Nick Delary intend to purchase both proposed lots; David Carroll will retain the remaining land. The immediate plan is to construct a single-family dwelling on Lot #1. The Delary's plan to eventually construct a single-family dwelling on Lot #2, but have no timeline in mind at this point.

Applicants presented an updated sketch plan that reflects the amended septic location. The sketch plan will be attached to final decision of the DRB.

Michael Delary also noted that both lots have been perc tested satisfactorily.

**Subdivision**

DRB members asked a few questions to gain better clarity as to the layout of the proposed lots. Michael Delary explained that the lot configuration was driven by steep slopes on downhill (southern portion) of the parcel. A deeded driveway easement along the NW portion of Lot #1 will provide access to Lot #2).

**Motion:** Tim Donahue moved to approve the subdivision as presented; Larry Garland seconded.

**Vote to approve: 5-0-0.**

### **Site Plan Review**

Michael Delary stated that Lot #1 has an existing driveway. Mitch noted that Lot #2 will need a driveway permit when development of that lot is proposed.

DRB members had no further questions regarding siting of well, wastewater system, or the proposed dwelling.

**Motion:** Tim Donahue moved to approve the subdivision as presented; Paul Brown seconded.

**Vote to approve:** 5-0-0.

### **Site Plan Review (Kevin & Laura Farrington)**

Kevin Farrington explained that he is working with Rob Townsend to complete the final survey plat for the parcel being subdivided. Rob is also working on the wastewater system and the well.

DRB members asked about ongoing construction on the property. Kevin responded that they have been building a deck and an addition for one of the campers on the site, which is going to be used for storage.

Mitch advised the DRB that he has been in touch with both Reiss Watters (current owner of the property) and the Farrington's (prospective owners) and has advised all parties that any structures being built on site will require zoning permits. In addition, any of the campers that are intended to be used for any purpose are also considered to be structures, and will also require zoning approval.

Construction of structures is not supposed to be undertaken until zoning permits have been issued and Mitch has advised Reiss Watters that, as the landowner, he bears responsibility for any zoning violations that occur on his property.

Kevin and Laura Farrington are in the process of buying this property, but the transaction has not yet been completed. Bill Smith advised Kevin that he should make sure to complete this process as quickly as possible.

Mitch issued a reminder that the subdivision was approved at the May DRB meeting, and that the survey plat must be recorded in the Town Land Records within 180 days of approval. Mitch will confirm the exact date with Kevin, but it is sometime around Thanksgiving – the week of Nov 21. Failure to record the survey plat ahead of the 180-day deadline will render the subdivision null and void.

Jay Swann, an abutting property owner, spoke. Jay expressed his concern that the prospective owners have not been following the rules that others have to adhere to. He noted that since the spring, several people have been living on the property without any approved dwellings. The prospective owners have also begun construction of additional structures without securing zoning approval.

Bill Smith responded that while he understands the frustration, the goal of the DRB is to get people into compliance, rather than to punish people for being out of compliance with zoning regulations.

Nancy Peck, another nearby property owner, asked what happens is not completed in a timely manner?

Mitch responded that if the survey plat for the new lot is not recorded in the Town Land Records within 180 days of when the subdivision was first approved by the DRB, the subdivision becomes null and void. If that were to happen, applicants would need to re-apply for approval of the subdivision.

Paul Brown commented that the site plan submitted is in many respects aspirational. Before the DRB acts to approve the site plan, Paul would like to see more progress on the elements that have yet to be addressed or completed (wastewater system completed, approved permits for the accessory structures that are under construction).

Mitch noted that the next meeting of the DRB is Thursday, December 1, by which date the survey plat will have to have been recorded.

**Motion:** Paul Brown moved to table this matter until December 1. Steve Davis seconded.

**Vote to approve:** 5-0-0.

#### **Sign Permit (Curtis & Aimee Dudley d/b/a Ralphie's Funhouse)**

Curtis Dudley shared details of signage for his shop at 32 Depot Square. Signage is already in place. No illumination of signs is proposed.

**Motion:** Paul Brown moved to approve as presented; Larry Garland seconded.

**Vote to approve:** 5-0-0.

**Next Meeting:** December 1, 2022 at 7:00 pm.

**Adjournment:** Tim Donahue moved to adjourn; Paul Brown seconded. **Motion carried, 5-0-0.**

Meeting adjourned at 7:48 pm.