

**TOWN OF NORTHFIELD, VERMONT  
DEVELOPMENT REVIEW BOARD  
Minutes of December 2, 2021**

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

The meeting was called to order at 7:03 pm by Chair Bill Smith.

**Roll Call:** Present for the meeting were DRB members William Smith, Tim Donahue, Paul Brown, and Steve Davis. Larry Garland was absent. Also present were ZA & DRB Clerk Mitch Osiecki along with applicants Matt & Kelly Ebert and Matthew Bettis. Others attending in person included Robert Perry (abutter of Ebert), Topper Morris (abutter of Sanders), Bernie Atwood (abutter of Smith), and Steve Hatch. Applicant Marie Sanders and residents Kevin Petrochka (no stated interest), Jeannette Marchant and Judy Marchant (both abutting landowners of Ebert) attended remotely.

**Approval of Minutes:** Tim Donahue moved to approve the minutes of September 28. Steve Davis seconded. **Vote to approve: 4-0 (Garland absent).**

**Conditional Use & Sign Permit for Matt & Kelly Ebert:** Matt & Kelly Ebert have applied for conditional use approval to operate a dog boarding, daycare and rehabilitation facility for up to 30 dogs at 1524 Stony Brook Road (property is under contract, pending permit approval).

Kelly Ebert presented the project. She stated that they plan to eventually care for as many as 30 dogs at the facility. She added that, in contrast to a typical kennel, their philosophy is to maintain much more engagement with the animals under their care.

Also requested a slight variation from original sign permit. They still plan to put a small sign on the building where animals are to be boarded, but no longer anticipate a sign at the base of the driveway.

Paul Brown: Asked for clarification about kennel service.

Response from Kelly Ebert: Yes, they will board dogs like a typical kennel, but they like to keep the dogs active and socialize with them during the day. The goal is that dogs will get plenty of exercise and human interaction during the day.

Matthew Bettis will be living on-site and will be the primary caregiver for the dogs. Matthew stated that he's been working with dogs for about six years and is experienced at managing dog behavior.

Jeannette Marchant (abutting landowner) read a statement into the record (a copy of which will be appended to these minutes. The Marchants are concerned that the facility will negatively affect their quality of life and wish to go on record in opposition to this project.

Kelly Ebert responded to several of the concerns raised by Jeannette Marchant:

They plan to clean up dog waste, just as any responsible pet owner would. Of course, it's not feasible to keep dogs from urinating outdoors.

Noted that a caretaker (Matthew Bettis) will be living on-site and will be responsible for the care of dogs at the facility.

Kelly stated that the facility will generate different noise, but not necessarily more noise than the auto repair business that had been operating at the site.

It is their intent to actively manage the behavior of the dogs under their care.

Judy Marchant: Expressed concern that dogs with behavioral issues will bark a lot. Fears that such noise will easily carry to their property. Also raised concern that having as many as 30 dogs under care will not be a healthy environment for the animals.

Bill Smith noted that animal boarding is a permitted use within this zoning district, but one the DRB has the authority to approve. The DRB may also impose conditions to mitigate concerns of abutting property owners.

Kelly Ebert stated that the former auto repair garage is about 40' x 60' and plans are to refurbish this building as the principle indoor shelter for animals at the facility. The structure is insulated. Owners are willing to address noise abatement via additional soundproofing if noise proves to be an issue.

An outdoor dog run has not yet been designed, but it will likely be about 30' x 100'.

Plans are that typical drop off and pick up times will be 7-9 am and 4-5 pm.

All dogs will be attended by a handler when outdoors.

Steve Davis: asked if the Marchants are permanent residents. Response – yes.

Matt Ebert: Stated that 30 dogs is the long-term maximum they plan to care for. Initially, they expect far fewer dogs on-site regularly. They will increase staff as the business grows.

Judy Marchant asked that, if the conditional use is approved, DRB will impose conditions to limit the number of dogs under management.

Mitch noted that the DRB can impose conditions on its approval of the permit. Though it's not often done in practice in Northfield, the DRB can require an applicant to return to the DRB for review if an existing business is significantly increased.

**Motion:** Steve Davis moved to approve the sign permit as amended and conditional use request as presented.

Paul Brown noted that the proposed use is a needed service in the community. But he agrees that the potential for excessive noise is a valid concern. He added that it will be difficult to "undo" approval once granted.

Bill Smith seconded the motion, and offered a friendly amendment requiring that, at such time as the business reaches a capacity of 16 dogs, additional staff will be required.

**Vote to approve, as amended: 3-1-0. (Paul Brown opposed).**

**Sign Permit for Northfield United Methodist Church** Lauren Wobby was planning to present the application, but was not present. The application indicates that illumination of the sign is proposed. Since that element requires discussion, this application was tabled until the next meeting.

**Subdivision request for Charles & Marie Sanders** Charles & Maries Sanders have applied to subdivide their property on VT Route 12 South.

The proposed subdivision will create two lots: Lot #1 will be about 27.2 acres and is undeveloped; Lot #2 will be about 13.7 acres and will include an existing single-family dwelling, garage and storage shed. Both proposed lots will meet minimum lot size for the Low-Density Residential District, and will have sufficient road frontage. No development is proposed at this time. A single-family dwelling will likely be proposed on Lot #1 eventually, but the applicants wish to defer site plan review until a later date.

An abutting property owner, Topper Morris, was in attendance, but expressed no concern about the proposed development. Mr. Morris addressed the DRB and stated that, as best he can tell, he's satisfied with what the survey appears to suggest as the boundary between his property and the Sanders. He asked if he might be able to speak to the surveyor for more information about pin locations.

Bill Smith advised that it's not the role of the DRB to intercede in such matters. The surveyor has been retained by the Sanders. With the Sanders permission, the surveyor may be willing to share information with Mr. Morris. Mitch offered to serve as a liaison between the parties.

No further questions from DRB members or other residents.

**Motion:** Paul Brown moved to approve as presented. Steve Davis seconded. **Vote to approve: 4-0.**

**Waiver of Setbacks for Donald Smith** Donald Smith has applied for a waiver of setback standards for the purpose of siting a shipping container (as an accessory structure) on his property at 2633 Union Brook Road.

Donald Smith was not in attendance. Mitch noted that he has reached out to Donald Smith. One item of concern is that his application does not clearly identify the specific waiver he desires. Mitch explained to Mr. Smith that setback standards in this district are 45 feet from the road center and 25 feet from side and rear property lines. Under the current zoning regulations, the DRB is authorized to grant a waiver of up to 50% of the district standards, meaning that if the waiver was approved, the structure would still need a setback of at least 22.5 feet from the road center and 12.5 feet from side and rear property lines.

Bill Smith observed that the structure is already sited and is far closer to the property line than the DRB has the authority to approve.

Bill noted two other concerns. The waiver provision of the zoning regulations specifies that the waiver, if granted, shall cause no undue adverse impact on the use of neighboring properties. Bernie Atwood, an abutting property owner, has advised the DRB that the proposed waiver does create an adverse impact on his property. Finally, the zoning regulations require that applicant prove (demonstrate) that the structure can't be reasonably sited elsewhere on the property so as not to encroach on setbacks. This has not been shown.

Steve Hatch addressed the DRB to raise concerns on Bernie Atwood's behalf that other zoning violations have been ongoing for some time, apparently with no resolution in sight.

Bill Smith acknowledged those concerns but advised that the DRB is not the appropriate body to resolve such issues.

**Motion:** Bill Smith moved to deny the waiver of setbacks. Paul Brown seconded. **Vote to deny: 3-0-1. (Steve Davis abstained).**

**Next Meeting:** January 27, 2022 at 7:00 pm.

**Adjournment:** Steve Davis moved to adjourn; Paul Brown seconded. **Motion carried, 4-0.**

Meeting adjourned at 8:15 pm.

Respectfully submitted,

Mitch Osiecki  
DRB Secretary