

**TOWN OF NORTHFIELD, VERMONT
DEVELOPMENT REVIEW BOARD
Minutes of April 28, 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 Chair Bill Smith.

Roll Call: Present for the meeting were DRB members William Smith, Tim Donahue, Steve Davis and Larry Garland. DRB member Paul Brown was absent. Also present was ZA & DRB Clerk Mitch Osiecki along with applicants Eric & Amy Davis (All Clean Waste) and John Stevens, Carolyn Stevens, and Carlos Pinkham (NCDN). Others present were Northfield residents David Hanna, Dave MacMartin, Mary Champany, Linda & Michael LaValley, and Collin O'Neil. DRB Chair Smith and NCDN member Carolyn Stevens attended remotely.

Approval of Minutes: Approval of minutes of February 24, 2022 was tabled once again, as only two of the three members present for that meeting were in attendance.

Motion: Tim Donahue moved to approve minutes of March 24, 2022; Larry Garland seconded.

Vote to approve: 4-0-0.

Conditional Use Approval (All Clean Waste Services, LLC)

Eric Davis presented plans to conduct a trash drop and recycling business at 94 Water Street. Eric explained that the business would operate much as he has previously conducted the same business elsewhere in town. The trash drop will operate Wednesday and Saturdays for now. He may expand operation to other days if it makes sense to do so later.

David Hanna addressed the DRB in support of Eric's plans. David identified himself as a friend and former neighbor and stated that Eric is extremely conscientious.

Dave MacMartin addressed the DRB. Dave stated that he is generally supportive of the business, but has some questions and concerns. Dave is concerned about odor, trash, noise, and rodent control. He also asked if there are plans in place to manage traffic in and out of the site. He asked if it would be possible to add a second curb cut to facilitate better traffic flow.

Eric responded that he intends to keep the space in tidy condition. With respect to traffic, Eric stated that he has a much larger lot than where he used to operate, and believes he can develop the facility in such a way that traffic issues on Water Street should be minimal.

Bill Smith suggested that the DRB might impose conditions on approval, such as requiring trash to be removed from the site at the end of each day and ensuring smooth traffic flow.

Eric agreed that those were generally reasonable conditions. He noted that the transfer station closes at 2:00 pm, while his trash drop will be open until at least 3:00 pm. Therefore, he's likely to have a small amount of trash that he can't remove promptly at the end of the day. He committed to removing and holdover waste either the next business day or within 48 hours. He also committed to storing any holdover waste securely to minimize odors or attracting animals.

Dave MacMartin acknowledged that Eric has made a commitment to being a good neighbor. He expressed concern about the possible transfer of the business to someone who might be less conscientious.

Bill Smith advised that any conditions Imposed by the DRB would carryover and apply to a subsequent owner of the business. He cautioned that the DRB does not have the authority to place additional conditions on a hypothetical future owner.

Collin O'Neil addressed the DRB and stated that he recognizes he need for this service in town. Asked for clarification of what materials will be collected at this facility – trash, metal recycling, compost? How frequently will containers be emptied and cleaned?

Eric responded that his practice is to empty containers as frequently as possible, because they need to refill them again.

He added that they will accept household compost material at this facility. Their practice is to keep compost barrels tightly sealed. Noted that if a racoon got into a barrel and made a mess, he'd have to be the one to clean it up. He also clarified that they will not process any compost. They will just collect scraps and haul away the compost material.

David Hanna spoke once again. Stated that when they were neighbors, his wellhead was only 100 feet or so from Eric's trucks. He had his water tested a few times and the tests always came back clean.

As for metal recycling, Eric stated that he would keep nothing stored on the ground – all metal will go directly into dumpsters.

Bill Smith commented that significant expansion of business operations will require review by the DRB.

In response to Eric's comments about his business being open later than the transfer station to which materials will be hauled, Bill Smith suggested a condition that trash and compost be stored securely while on site, and removed from the site within 48 hours. Bill also expressed comfort with modest extension of hours and one additional collection day without further review, but thinks expansion of the business beyond that point should come before the DRB for further discussion.

Eric stated that he may eventually wish to expand collection to five or six days per week, but no plans to do so at this time. He noted that adding another collection day could help relieve some congestion on Saturdays.

Collin offered that as long as trash is removed from the site within 48 hours, many of his concerns are alleviated. He wants to see the business succeed, and wouldn't mind seeing collections on additional days.

Eric added that he will not be accepting so-called e-waste or medical waste. Those items require special handling, and he has no interest in expanding to include those services.

In response to a question about maintaining water quality, Eric reiterated that he will not be storing anything on the ground at his facility. He also stated that he requires that all machinery is drained of all fluids before they will be accepted.

Clarification of a previous comment: they will collect household compost scraps, but it will not be stored long-term on the site. Compost scraps will be hauled off as soon as practical, just like trash.

Current hours are 8:00 am – 3:00 pm. Will not extend hours beyond 7:00 am – 4:00 pm.

Scrap metal may be kept on site for longer than 48 hours, but will always be stored in dumpsters. I may take as long as a week to fill a dumpster with scrap metal.

Collin expressed appreciation for Eric speaking about his business plans. He does not anticipate any difficulty talking to Eric and resolving any issues that might arise. Asked about recourse should an issue not be able to be resolved directly with Eric (or a subsequent owner).

Response: any conditions imposed would also apply to a subsequent owner. Any violations of these conditions could be addressed through a notice of violation.

With no further questions or comments from DRB members or abutting property owners, testimony was concluded.

Chair Smith invited a motion to approve conditional use, subject to several conditions:

1. All trash and recycling must be removed from the site within 48 hours or one business day.
2. Traffic flow is to be managed to efficiently get vehicles off Water Street.
3. All compost collected must be kept in secure containers while on the site, and hauled away within 48 hours or one business day.
4. Trash drop hours of operation are 8:00 am – 3:00 pm on Wednesdays, Saturdays; applicant may add a third day of collections as needed. With additional staff, hours may be extended to 7:00 am – 4:00 pm. Extending hours of operation beyond 7:00 am – 4:00 pm, or expanding collection days beyond 3 days per week will require approval of the Development Review Board (DRB).

Motion: Tim Donahue moved to approve; Larry Garland seconded. **Vote to approve: 3-0-1** (Steve Davis abstained).

Sign Permit (All Clean Services, LLC)

Eric Davis has also submitted a sign permit request. Applicant seeks approval for a 12" x 40" wooden sign over the door of his building, along with a couple of portable, sandwich board-type signs.

Motion: Tim Donahue moved to approve; Larry Garland seconded. **Vote to approve: 3-0-1** (Steve Davis abstained).

Conditional Use Permit for Northfield Community Development Network (NCDN)

Carlos Pinkham of the NCDN read into the record a statement describing the proposed project. A copy of the statement will be amended to these minutes.

In short, the project envisions the construction a recreational trail near the Dog River and adjacent wetlands connecting existing trails on Norwich University property and the Freight Yard Way neighborhood, which may facilitate future development of the area as part of Northfield's town center.

The project anticipates a footbridge and boardwalks within the Dog River flood corridor, which requires conditional use approval under Northfield's Floodplain Regulations.

Question from Larry Garland: Is this project subject to Act 250 review?

Response: Several state agencies have reviewed this project. Act 250 review is not required.

Follow up from Larry: Also reviewed by DEC? Larry's big concern is unnecessary degradation of wetlands. Insists that the developers of this project must comply with any directives of the DEC.

Clarification from Carolyn Stevens: An Act 250 permit is required for this project and the permit application has already been submitted.

As an aside, Carolyn commented that the NDCN paid the fee for his hearing, but is not sure if fee should have been required. NCDN would like fee waived if the town is able to do so.

Question from Steve Davis: What material will be used for the footbridge and boardwalk? Pressure-treated?

Response: Lumber is not P/T, but hemlock, which is rot-resistant and appropriate for this project.

Bill asked about expected lifespan of hemlock.

Response: Hemlock should last at least 10-15 years.

Carolyn Stevens stated that a longer-term goal is to make this trail accessible to people with mobility issues.

With no further questions or comments from DRB members, the hearing was concluded.

Motion: Larry Garland moved to approve the application as presented. Tim Donahue seconded.

Vote to approve: 4-0-0.

Next Meeting: May 26, 2022 at 7:00 pm.

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

Meeting adjourned at 8:18 pm.

Northfield DRB Meeting, 28 April 2022

Community Built Connections Recreation Path

Bill, Tim, Paul, Steve, and Lawrence, thank you for the opportunity to meet with you tonight to discuss the requirements for DRB review of the CBCRP. The elements of the recreation path that are under review are the catwalk and the bridge. Am I correct in assuming you have seen the plans for these two elements? Then you realize the proposed path will follow an existing right of way utility corridor owned by Norwich for access to the buried sewer pipe that connects Norwich to the Northfield waste treatment plant and that this corridor is mowed twice annually by Norwich.

The purposes of this project are 1) to provide a path that traverses near the Dog River and adjacent wetlands for recreational, scenic, and educational purposes, and 2) to provide a quick way to walk between Norwich and the Freight Yard Way to help facilitate the future development of the FYW as part of Northfield's town center.

The plans were drawn up by three Norwich students as part of their senior project and they have been reviewed by Vermont departments overseeing wetlands, flood plains, archaeological resources, agricultural resources, and streams, and the U.S. Army Corps of Engineers. Each has determined the project and its design does not require a permit.

According to Northfield's floodplain regulations (Section V.11), a structure "means, for regulatory purposes under this section of this bylaw, a walled and roofed building, as well as a manufactured home, and any related built systems, including gas or liquid storage tanks." According to this definition, the catwalk and bridge are not structures.

According to Northfield's floodplain regulations, development "means any human-made change to improved or unimproved real estate, including but not limited to structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials." It would seem that the catwalk and bridge would be considered as development in Northfield's floodplain regulations.

According to Section V.05 Summary Table: Development Review in Hazard Areas, Open Space and Recreation are exempted from permitting and review. Since the catwalk and bridge are strictly recreational, it would appear to us that these project elements are exempt from review.

According to Ned Swanberg, Regional Floodplain Manager for the Central Region, the project plans "look to be consistent with the requirements for the Town and under Act 250 and I will be able to support them under both applications."

Do you have any questions?