

**DEVELOPMENTAL REVIEW BOARD  
MINUTES**

**December 9, 2019**

**MEMBERS PRESENT:**

Phil Carter, Chairman (phone) Julie Nicoll  
George Tucker, Jr. Dana Wilson (alternate)

**MEMBERS ABSENT:**

John Boehrer Doug Sheehan

**STAFF PRESENT:**

Rose Goings

**OTHERS PRESENT:**

Jim Briggs	Joe Karl	Lisha Klaiber, Recorder
Nancy Briggs	Steve Mongeon	Eric Chattergee – OV-TV
Brandon Durham		

**I. CALL TO ORDER**

1. Meeting opened at 6:00 p.m. by Chairman, Phil Carter (by telephone.) All members present, except John Boehrer and Doug Sheehan.

**II. OPEN THE PUBLIC HEARING FOR NANCY L. BRIGGS**

1. Phil Carter advised that this is an application to consider a re-subdivision of a 38.41 acre parcel to eliminate a previously approved subdivision of a 4.71 acre parcel to create two 3-acre parcels. The project is located on Preedom Hill Road North in the Town Residential District.
2. Rose Goings advised that this is application SUB 20-005. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website on November 13, 2019, advertised in THE VERMONT JOURNAL on November 20, 2019 and abutting property owners were notified on November 13, 2019.
3. Julie Nicoll administered the oath to all wishing to speak at this hearing (Steve Mongeon, Nancy Briggs and Jim Briggs)
4. Steve Mongeon advised that they wish to create two lots from one. They will be building lots to be sold.
5. Phil Carter read from the drawing provided:
  - a. Lot 2A will be 121,131 square feet with 125 feet frontage on Preedom Hill Road North
  - b. Lot 2B will be 121,877 square feet with 183 feet frontage on Preedom Hill Road North
6. Steve Mongeon said that the lots will satisfy all state regulations.
7. Phil Carter asked for clarification. He said that the warning says the subdivision of a 4.71 acre lot into 2 new 3 acre parcels.
8. Steve Mongeon said they will be using additional land from the 38.41 acres and doing away with the 4.71 acre parcel.
9. Phil Carter asked if there are any areas of historical interest or wetlands.

10. Steve Mongeon said it is upland, not wetlands, but there is sag that collects water. There is no historical interest.
11. Rose Goings advised that it's not Preedom Hill Road, but Preedom Hill Road North. The paperwork says Preedom Hill Road. She said the access is a sharp right off Commonwealth Avenue. It is listed as a re-subdivision because it incorporates the 4.71 acre parcel.
12. **MOTION by Julie Nicoll and seconded by George Tucker to close this hearing. Motion passed unanimously.**

### **III. OPEN THE PUBLIC HEARING FOR BRANDON DURHAM, T2B FITNESS ATHLETICS, LLC**

1. Phil Carter advised that this is an application to amend a Conditional Use Permit to change the use from a law office to a 24-hour gym. The project is located at 57 Pond Street, Okemo Markey Place in the Village Residential Commercial District.
2. Rose Goings advised that this is application 85-105-CU, Amendment # 17. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website November 22, 2019 advertised in THE RUTLAND HERALD on November 24, 2019 and abutting property owners were notified on November 22, 2019.
3. Julie Nicoll administered the oath to all wishing to Brandon Durham.
4. Brandon Durham said that he plans to take one wall down for classes and move the French door to make on door bigger.
5. Phil Carter asked if there will be any changes to the exterior.
6. Brandon Durham said no. He said that the Fire Marshal has been there and the only thing he said was to put a push bar on the back door. Everything else is okay.
7. Phil Carter asked if Brandon Durham had received any paperwork from the fire marshal.
8. Brandon Durham said that once the wall is down, the fire marshal will come back.
9. Phil Carter asked Brandon Durham to get a copy of the paperwork from the fire marshal to Rose Goings when he receives it.
10. Julie Nicoll asked about the letters from the fire, police and ambulance departments.
11. Rose Goings said that Chief Billings is on vacation and will be back next week.
12. Brandon Durham said he would like to open on January 1<sup>st</sup>. He said that he had called Chief Kolenda, but hadn't heard back.
13. Phil Carter said that the board can extend the closing date of the hearing, so that the board can accept new evidence.
14. Rose Goings suggested closing date of December 18, 2019 at 4:30 p.m. She said that would give Chief Billings time to respond. She said she would call Chief Kolenda.
15. Phil Carter said this board will be able to keep this hearing open until December 18<sup>th</sup> and will still accept evidence until that time.
16. **MOTION by Julie Nicoll and seconded by George Tucker to close this hearing effective 4:30 p.m. on December 18, 2019.**
17. Rose Goings said that once the hearing closes, the board can no longer accept evidence. If the board recesses this hearing, it will not reconvene until February. If they close it effective December 18, it will give Chief Billings and Chief Kolenda chance to get their letters in.
18. Brandon Durham asked if he can still take the wall down.
19. Phil Carter said yes. He added that any conditions required by the chiefs or be the fire marshal will be conditions of the permit. He said this would be the best way to make things work.
20. **Motion passed unanimously.**

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**IV. APPROVE MINUTES**

1. Phil Carter advised that the minutes to be reviewed are from November 25, 2019.
  - a. George Tucker noted that on page 2, item II, #7a and 7b and 9a and 9b are duplicates.
  - b. Julie Nicoll suggested that 9a and 9b be retained.
  - c. **MOTION by Julie Nicoll and seconded by George Tucker to approve the minutes from November 25, 2019 as corrected. Motion passed unanimously.**

**V. OTHER BUSINESS**

1. Planning Commission
  - a. Rose Goings advised that the Planning Commission will be updating the Town and Village Zoning Regulations. She said they will be working on improvements in parking, sidewalks and crosswalks. She said the Planning Commission's next meeting will be January 21, 2020 at 6:00 p.m. She invited DRB members to attend.

**VI. ADJOURN**

1. **MOTION by George Tucker and seconded by Dana Wilson to adjourn. Motion passed unanimously.**
2. Meeting adjourned at 6:20 p.m.

Respectfully submitted,

Lisha Klaiber

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Phil Carter, Chairman

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Doug Sheehan

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John Bohrer

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George Tucker, Jr.

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Julie Nicoll