

**Town of Strafford  
Development Review Board  
July 19, 2023 7 P.M.  
Minutes**

**Call to Order:** 7:06pm

**Attendance:** Terry Garrison, Martha Walke, Dan Ruml, Bonnie Bergeron and Sean Lewis

**Other Attendees:** Tony Pippy, Mary Louise Pierson, Raelyn Rowsey, Shawn Ward, David Paganelli, Donald Graham, John Freitag, Anni Praetorius, Phoebe Mix, Shelby Colburn, Curt Albee, Rocky Fuller, Elizabeth Ruml, Karen Didrickson and Charlie Acker.  
Zoom Attendee: Morgan Smith, Rett Emerson, Alison Leithner, and Chris Boyle.

**Approval of minutes:** Martha moved to approve the minutes from June 21, 2023 meeting as written and Dan seconded. All approved.

**Report of Zoning Administrator:** not applicable

**New business:**

1. Hazel Family Trust has requested to subdivide their 41.85 acres into two parcels. Lot 1, 36.47 acres, to be retained; Lot 3 created, 5.38 acres. Hearing opened at 7:09pm. The applicants have started the process of finding a location for a waste water permit and State permitting. The lot meets the requirements for a minor subdivision. Terry moved to close the hearing at 7:13pm and Martha seconded. Martha moved to accept the subdivision application as presented and Sean seconded. All approved.
2. Morgan Smith has requested a variance to request giving the Town 0.05 acres from his 1+/- acre lot, thus creating a non-conforming lot of .95 acres. Terry opened the hearing at 7:33pm Sean asked why we are using a waiver for a subdivision when a variance application was submitted. Bonnie asked Donald Graham to explain to the board what his opinion was on the waiver and how it could work. Donald said he suggested to the Selectboard and Town Office Committee that they submit a subdivision request and work with the waiver under section 6 under subdivision regulations to give the board the ability to approve the subdivision to improve the Town Clerk's Office. Martha asked the committee if a survey was ever done and it doesn't appear to have ever been surveyed. Rocky Fuller noted that no surrounding properties have been surveyed either but the town lists the Smith lot listed as 1 acre. Tony Pippy asked the board for information on what needs to be done to get this resolved. Martha noted that as a board we are just trying to follow procedure and that we cannot use the Subdivision waiver to approve a variance request. Bonnie suggested that the board make it a requirement for approval that Morgan Smith submit new paperwork for a subdivision and move forward with the hearing because the hearing was warned. Terry agreed that the board can request the applicant to resubmit the application to be a subdivision and that

Morgan Smith is requesting we use the waiver in the Town Subdivision regulations. This waiver will allow the .05 acres to be separated from Smith's parcel to give to the town. Martha moved we close the hearing and Dan seconded, all approved at 7:46pm

Martha made the motion to approve the application for Morgan Smith to remove .05 acres of land from his 1+/- acre parcel to be gifted and then annexed to the town of Strafford land in order to improve the town office building based on the Subdivision waiver criteria under section 6. The condition for this subdivision is the applicant needs to submit a new subdivision application that will need to be resubmitted to the town. Dan seconded. Four (4) approved, one (1) nay.

3. Charles Acker and Karen Didricksen have requested to subdivide their 20.5 acres into two lots. Lot 1, the house side, 7 acres and Lot 2, across the road, 13 acres. Hearing opened at 7:57pm. Martha asked what is on lot 1 and the applicants noted the house, barn, shed, and pond are all on the house side of Turnpike Road, the smaller of the two lots. The other side of the road is mostly field and woods with a driveway. Dan asked the applicants why the house lot looks to be larger than the 13 acres across the road. Applicants agreed but noted that there is currently no survey on the property to determine the actual size. Bonnie mentioned that in the past the board has required an applicant to survey only one side of the road or the smaller of the two parcels, which in this case would be the house side. Terry asked if the applicants knew of the road frontage on both sides of the road.

Martha moved that we close the hearing and Terry seconded it.

Dan made a motion that we approve the subdivision contingent upon a survey and mylar being submitted that shows lot 1 and lot 2 demonstrate they both meet Strafford Subdivision regulations and have a minimum of three acres and at least 300 ft of road frontage on Turnpike Road. Martha seconded. All approved.

4. Ruml 2003 Revocable Trust, Elizabeth Ruml Trustee, have requested to move her property line between parcels. Lot 1 to have 45 +/- acres and Lot 2, 42 +/- acres. Elizabeth Ruml presented a map and noted that Dan Ruml lives on parcel 1 (45acres+/-) and Elizabeth lives on parcel 2 (42 acres +/-). Elizabeth is requesting the line be moved to give them more equal amounts of land. Dan Ruml has abstained himself from voting. Terry moved we approve the lot line adjustment and Martha seconded. All approved.
5. Rachel Kendall has submitted a Conditional Use Permit to use her barn and property as a wellness retreat, events, weddings, etc., located at 20 Kendall Road. Hearing was closed on June 21, 2023, board to go into executive session to deliberate a decision and vote. Chris Boyle, the Fondren's attorney, submitted a letter dated July 19, 2023 on behalf of the Fondren's, and Rachel Kendall also requested, that we not vote on the hearing tonight and, if possible, requested we reopen the hearing to extend the time line for a decision until our September 20, 2023 meeting. The board discussed the procedural

aspect of legally being able to reopen a hearing once it has been closed or can all parties agree to extend the time frame to vote. Bonnie suggested that she email Vermont League of Cities and Towns the question about legally reopening a hearing. If the attorney says we cannot reopen a hearing then Bonnie will ask if all parties agree on an extension for a decision deadline from the board, is this legal. Once Bonnie hears back on legal options to proceed she will organize a zoom meeting to officially update the Board and interested parties.

6. Policy review to help the Town Clerk's office handle applicants' request. Lisa and Regina are town employees and are dealing with unhappy applicants from time to time and are often subjected to misconduct that should not be directed to them. Martha feels it's appropriate for something to be put in writing helping them direct complaints, etc., to the appropriate person(s). Board talked about writing a procedures' page to explain to applicants how to handle disputes, etc., and attach this sheet to each application. Bonnie agreed to write this up and present it to the Board.
7. Approval of New Town Permitting Forms. Dan noted a couple of changes just to make the forms consistent but content was good. Martha moved that we accept the forms with the changes Dan suggested, Terry seconded. All approved.
8. Martha made the motion to adjourn the meeting and Sean seconded. All approved. Meeting adjourned at 8:55pm.