

**Town of Strafford
Development Review Board
January 18, 2023 7 P.M.
Minutes**

Call to Order: 7:00pm

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

Other attendee's: Lisa Kendall, Curt Albee, Rocky Fuller, Tim Denny, Patricia Younce and Ben Younce, & Anni Praetorius

Approval of minutes: From November 16, 2022 Martha moved, and Terry seconded, all approve as written.

Report of Zoning Administrator: N/A

New business:

Tim Denny our town lister is here to discuss the Boles sale of a parcel of land to his daughter that was previously annexed but sold as a separate parcel without a subdivision. Tim is looking for guidance in terms of why the DRB noted in a previous meeting that it's a "Listers issue". Dan asked Tim to explain what Annexation and merger means so Tim read out of our zoning regulations each definition. The Boles deed and plot map noted that the land was annexed. Martha asked what Tim was hoping the board would do about this issue now and in the future should it arise again. Bonnie noted that at the time the board discussed the issue that we did not have all the information that is currently being presented. It's was noted in the previous meeting that it was unlikely that both attorneys would have missed that the parcels were annexed and that they would need be subdivided prior to a sale. So that the deeds must have not been rewritten to note the annexation.

Tim is now requesting that the board request that the Boles to have the property subdivided if possible. Terry noted that historically the DRB has not had an annexation come before us so that it's not something we have dealt with. Bonnie noted that it may be an attorney question and not be legal to go back to the Boles requesting they subdivide. Tim is hopeful that when the new regulations become adopted that they should prevent this from happening again in the future. Tim offered to help the board at any time moving forward should we have questions or need any help from the Listers office. It was left that at this time the board does not feel they have the authority to go back to the Boles requesting they subdivide.

Terry asked Tim how the Listers office is handling tiny houses, yurts, temporary housing, etc. Tim said anything that stays in one place for more than 180 days they can tax them or if it's fixed to the ground then it's taxable. Property that can be moved and isn't fixed to the land is considered personal property and will not be taxed. Temporary structures are supposed to have a zoning permit and can be renewed each year if necessary.

Curt Albee and a committee have been working on a proposal to double the square footage for the current town office in its current location. The town would need to acquire about .05 to .06 acres of land from Morgan Smith based on a survey done by Tom Otterman. Mr. Smith is willing to deed to the town the land that they need and the land would be along the south side and the back of the building to accommodate the setbacks. Terry has concerns about making Mr. Smith's 1-acre property nonconforming. The land the town owns is currently not enough to accommodate the new structure even with a variance from the DRB board and stay within its boundaries. Sean noted that he would have a tough time going to others whom have asked for a lot line adjustment and were denied because a lot would become nonconforming and although this request is for the town it doesn't seem to be a fair system to do it for the town.

Bonnie said that the town and Smith could do an easement and allow the town to use the land indefinitely which was discussed as an alternative option. Lisa asked if this lot line adjustment could fall under a variance within our zoning regulations and Curt read the definition which Dan noted did not seem to fit. Rocky said a survey might be the first step to determine that actual acreage that is owned by Smith since it's a small amount of land and the Smith land has not officially been surveyed it could be that he has more than an acre of land. Lisa noted concerns about the fee's associated with paying to have the land survey as the town has already spent thousands of dollars and if the acreage comes back at an acre or under were still at the same place and not moving forward without the board agreeing to do the lot line adjustment.

Third option would be to ask Susan Cluff if she would be willing to sell a small strip of land that she owns that borders the Smith property. If Mr. Smith could obtain this strip of land it would keep his lot conforming. The committee would like to get things moving and have construction begin in the fall of 2023 so hopefully this can all be worked out.

Younce hearing started at 8:08pm. Patricia showed us a new survey map that was completed by Larry Swanson, dated December 2022 that showed the board the new acreage. Terry moved that we approve the lot line adjustment with the following changes. The line between lot 2 and lot 1B should be removed and the appropriate total acreage be noted on lot 2 and additional language regarding annexed etc. be removed from the map. The final mylar should be a total of three lots, Sean seconded, all approved.

All structures will need to be located on lot 2. Martha reviewed the State Act 250 permit and its criteria and noted that our approval should be based on their approval and guidelines. Martha asked about noise control and how they would handle that which the Younces noted they would be mindful of that. Martha asked if storm water permits are required and the Younces noted that at this time they are not but that the Act 250 committee will decide if it is necessary and if it is they will implement as instructed.

Martha made the motion that we close the hearing and Sean seconded.

Dan made a motion that due to the hearing for conditional use our hearings have led us to a lot line adjustment and all building locations and the density will be on lot 2 which complies with the numbers of houses allowed on a lot. The State Act 250 land Use permit has spelled out conditions and requirements that we are relying on in their entirety for our approval of this conditional use permit.

The following conditions are:

1. DRB Approval is based on all State Act 250 guidelines and approvals.
2. State of VT WW and Well Approvals.
3. Widening of the driveways and 2 turn arounds at the end of each road for emergency vehicles.
4. Rentals not to exceed a month-long stay.
5. Yurt will be closed during mud season.
6. Parking will be on the applicant's property, a max of 2 cars at each cottage and sheds.

Terry seconded the motion and all approved.

Meeting adjourned at 8:45pm