

WEST WINDSOR DEVELOPMENT REVIEW BOARD

Draft Minutes

May 11, 2010

Present: Glenn Seward, Shannon Harrington, Hal Pyke, Genevieve Lemire, Martha Harrison,
Absent: Pete Ladd

1. Call to Order - Chair Glenn Seward called the meeting to order at 7:00 PM.
2. Changes or Additions - Notice of Violation was sent out May 4th by Martha. Glenn suggested we take it up under Other Business.
3. Application for an extension of subdivision approval - Phil Hathorn made a request for an extension of Subdivision approval. Phil stated that they still wish to move forward but need to wait a year as they are still gathering information regarding septic and power. There was minimal discussion by the Board. The initial written determination approving the subdivision was issued on 12/7/09 and was effective for six months. Martha read Section 2.3-1(E) of the Subdivision Regulations. Limits on the granting of extensions were not found in the current Subdivision regulations. The owner felt that a one-year extension to June 7, 2011, would be adequate. **Hal made a motion to approve a one-year extension of the original subdivision approval, as requested, to June 7, 2011. Genevieve seconded the motion, which passed unanimously.**
4. Minutes - April 13, 2010: **Hal made a motion to accept the minutes of April 13, 2010 as written. Shannon seconded the motion, which passed unanimously.**
5. Other Business – Notice of Violation: Martha said she issued a Notice of Violation for the Coakley property on Sugarbush Road. Martha said the logging started in late 2005 and there were many complaints from neighbors about noise and runoff. The zoning regulations in place at the time did not have specific standards for the project, but Martha said she felt the operation met the definition for “development.” According to Martha, the Coakleys applied for, and received, a permit for a logging road at that time. Now, 4.5 years later, they are still working on the project and have blasted and excavated bedrock to quite a depth. It was quiet for approximately one year after the blasting, but the site has been active since at least October 2009 and more complaints have surfaced. Martha has recently visited the site and it is her opinion that the road being constructed is not a logging road. Martha said she sent Mr. Coakley a letter letting him know that, if the road was for more than just logging, he would need a permit. Martha said Mr. Coakley called her and insisted that it is just a logging road. Shannon asked why he is excavating ledge and asked if it’s a mining operation. Martha said it looks like a mining operation. Glenn said he saw an estimated 16-foot ledge cut to lower the grade of the road. Glenn added that the road is 16’-20’ wide with culverts, and some of the ledge has been crushed to use for the surface of the road. Glenn said, according to the logger, the logging was done three years ago. Martha said she thinks the owner has twenty acres +/- . Martha said that the contractor (Charlie Fairbanks) stopped by her house one day and was surprised to hear that the owner (Mr. Coakley) had told Martha that he (Charlie) did not have permission to be working on the property. According to Martha, Mr. Fairbanks said he wanted to seed and mulch and be off the site by April 9th. When that did not happen, Martha issued a Notice of Violation. Mr. Coakley called Martha after he received it. She told him of his options to put everything back the way it was, get a permit, or appeal the Notice of Violation. Martha said he will probably appeal. Martha said the Notice of Violation is a

matter of public record, and she and Glenn hand delivered a copy to Charlie Fairbanks. Genevieve asked if the DRB should read up on logging roads. Martha said she doesn't think there is a definition of "logging road" in the zoning regulations. Glenn said no stream waters appear to have been affected at this point. Glenn said when he commented to Charlie that the road does not look like a logging road, Charlie said, "It doesn't looking like a logging road to me either." Glenn said Charlie told him that the logging has been done for three years. JAM Golf workshop: Genevieve gave an overview of the workshop she attended at the VT Law School. Judge Wright gave the presentation. One strong suggestion was that words like "may" be eliminated from Town By-laws. Subdivision application form: A separate subdivision application form is still needed. Shannon said she will put a draft application together for the Board to review. Permit question: Hal asked if he needs a permit to fill in his swimming pool. Martha will review.

6. Adjourn – The DRB adjourned by consensus at 7:45 PM.

Respectfully submitted,
Shannon Harrington