

**MARSHFIELD DEVELOPMENT REVIEW BOARD**  
**Approved Minutes of July 5, 2007**

DRB Members present: Jim Barlow, Dina Bookmyer-Baker, and Paul Brierre. Also attending were Bob Light, Zoning Administrator; Tom Carter, Mark McEathron, Alan Whitcomb, Ronald Pitkin, Charlie Hafner, and Pierre and Yolande Dumler.

---

*Carter site plan review*

DRB Members present: Jim Barlow, Dina Bookmyer-Baker, and Paul Brierre. Also attending were Bob Light, Zoning Administrator, and Tom Carter, representing the applicant.

At 7:15 p.m. DRB Chair, Jim Barlow, opened the hearing on the application from Gary Carter related to a conditional use and site plan review. The application included the following documents:

- a Site Plan Review application, marked received on June 1, 2007
- a drawing of the structure, marking the dates and dimensions of the additions and the distance to the right of way
- a note from Gary Carter, dated 6/1/07, addressed to Whom It May Concern, giving permission to someone else to act on his behalf
- a copy of the notice of the public hearing, to be held on June 7 regarding this project, and a list of the abutters notified, dated 5/24/07
- a Conditional Use application, marked as received June 1, 2007
- two pages addressing the conditional use criteria
- a drawing, dated 5/07, showing the commercial structure in relation to the house, the road, a double-wide, and a pole barn.

Mr. Carter and Mr. Light were sworn in. Jim explained to the applicant the hardship of going forward with a bare-bones DRB (with only three members present, the DRB must vote unanimously in the decision to have the application approved) and informed him that we could reschedule his application for another date, if he desired. Mr. Carter wished to go forward.

Mr. Carter described the project: he is planning to build an addition to the existing building, and change the use of an existing addition, marked as "20 x 30 2001" on the attached drawing.

Bob Light offered some history: In 2001, Mr. Carter requested a permit for an addition, not a commercial structure, but for residential use, in which to store a car. Bob issued the permit, based on the residential use permit requested. Recently, for this application for a new addition, when the Zoning Administrator did a site visit, he noticed that the 2001 addition was now being used for commercial use. He suggested to the applicant to also apply for a change of use on the entire structure.

The applicant has amended the permit application to include a request for change of use. Therefore, the entire structure will now be a commercial use. Bob notes that the setback requirements are met for the addition, because they were met for the original structure, and the addition is behind the existing structure. The drawing shows the 2001 addition as being 66 feet from the center line of the right of way. Setback requirements were the same in 1979, when the original shop was built, as they are now (Zoning went into effect around November 1972). The existing structure is closer than 65 feet to the right of way, but at this juncture, it is an existing non-conforming use.

Mr. Carter notes that the structure is located on a dead-end road. The building is fully enclosed. Regarding any increase in impact, Mr. Carter states that there will be one more car per day, as he plans to hire one more employee after the addition is complete. He has three employees now. The usual hours of operation are from 7:00 a.m. to 4:00 p.m.

The type of work done there is the manufacture of aircraft parts. Carter Machine is the name of the business. They are a third-hand subcontractor to other companies. The addition to the building is to handle increased business from the company they work for. The traffic to the shop includes UPS deliveries and customers sometimes come to shop, although, Mr. Carter and his staff do most of the pick up and deliveries themselves. They have operated the machine shop since 1979. Only once did he have a tractor-trailer truck come, and that was not for the business (it was a personal purchase). Tom makes trips to Connecticut to pick up and deliver parts and product. Their shop makes flight-control equipment, which is small. The building houses high-precision machine tools.

Regarding additional waste or fumes that might be created, Mr. Carter replied that each machine is equipped with a re-circulating cooling system. The only waste created is metal shavings. A company from New Hampshire comes twice a year to pick them up. Naturally, the frequency of this waste pick up might increase some, with more production. And he might make a few more trips to pick up parts and deliver products.

The building is located on a Class 3 road with a bridge. We do not know the posted limit of the bridge. The construction will probably require a concrete truck to come. (They have had a concrete truck come before, for earlier construction, and the route has not changed.)

Mr. Light pointed out that the bridge and road serve other houses. The zone is Agricultural / Rural Residential. He adds that it is a very quiet operation, that most people don't know that it's there.

Mr. Carter does not know the design capacity for the septic system that currently serves the building. The water supply is a spring. The square footage of the entire building is estimated at 4,057 feet. Therefore, the applicant needs room for 4 parking spaces, which he has.

For site plan review, the DRB asks about the compatibility of this use with adjacent uses. Mr. Carter estimates that his closest non-residential neighbor is about one-third of a mile away, and it is an agricultural use. There are no pedestrians accessing the business, he has no loading dock, and we already talked about the parking in conditional use.

Mr. Light requests the DRB to address in their decision, if approved, that this approval does not give the applicant permission to build. The applicant will still need to complete the zoning permit application. A member of the DRB explains that our permitting issuance is only for compliance with the town zoning regulations.

At 7:55 p.m. Paul moved to close testimony, seconded by Dina, all in favor. The DRB will issue a written decision within 45 days.

---

*VLT subdivision sketch plan review*

DRB Members present: Jim Barlow, Dina Bookmyer-Baker, and Paul Brierre. Also attending were Bob Light, Zoning Administrator, Mark McEathron, representing the applicant, Vermont Land Trust, and adjoining landowners Alan Whitcomb and Ronald Pitkin, who is also serving as spokesperson for relatives.

At 8:05 p.m. DRB Chair, Jim Barlow, opened the hearing on the application from the Vermont Land Trust related to a sketch plan review of a two-lot subdivision. The application included the following documents:

- An Application for Subdivision, received May 22, 2007
- An 11x17 inch color aerial photograph map of the property
- A letter from Siobhan Smith to the DRB, received June 26, 2007, describing an amendment to the application with respect to the frontage requirement
- A new 11x17 inch color map showing the redrawn frontage boundaries
- A letter from the Town of Marshfield to Mark McEathron, dated June 14, 2007, stating that the Town Selectboard voted to accept the gift of the Stranahan property to be used as a town forest
- A document from the Vermont Land Trust (VLT) describing the property that the Stranahan family wishes to donate to the town.

Jim welcomed everyone and mentioned to Mr. McEathron that previously our contact has been Siobhan Smith. Everyone intending to testify is sworn in. The DRB members avow that no interest or conflict exists with the applicant and no ex parte communication occurred.

The DRB found the application and sketch plan complete, designated it as a minor subdivision, and reviewed the process with the applicant that at this meeting we might make recommendations for proposed changes and final submissions.

Mr. McEathron pointed out to the DRB that the original application has been amended and the applicant is not requesting a waiver from the frontage requirement. Mr. McEathron states that the VLT has a purchase and sales agreement for the Stranahan property. The VLT will make the purchase and then transfer a parcel of approximately 622 undeveloped acres as a gift to the Town of Marshfield for conservation. The remaining 4-acre parcel with the dwelling will be sold (they are currently negotiating with the current resident) and the lot will have a permanent restriction on it limiting it to the one existing house, prohibiting further subdivision of the parcel, and making the lot perpetually affordable. The revised map includes an adjustment to make the road frontage 250'. The purchase and sales agreement is scheduled to close with the bank on September 30, 2007. (September 28 is the last business day.)

This is a minor subdivision. The proposed Lot 1 (of ±4 acres) falls entirely within the Agricultural / Rural Residential zone and the proposed Lot 2 (of ±622 acres) falls within the Agricultural / Rural Residential zone and mostly within the Forestry and Conservation District. In the Agricultural / Rural Residential zone, the minimum lot size is 2 acres, so Lot 1, at 4 acres, meets the requirement. The minimum road frontage for lots less than 10 acres is 250 feet and the lot frontage, on Jake Martin Road, as shown on the map, is 250 feet. Mr. McEathron stated that it is well more than 65 feet from the end of road to the building, although this is not marked on the map. He also stated that it is more than 40 feet from the side boundary to the dwelling.

Mr. Light instructed the applicant to record the distance from the structures to the front and side setbacks for the final plan. The DRB noted that the scale of the map, or maps, is slightly off.

Regarding requiring the housing affordability, this will be accomplished through a deed restriction. Mr. McEathron explained that the value is artificially suppressed (usually of the land, because that is where the escalation takes place). VLT is negotiating with the current tenant as the first buyer.

Mr. Whitcomb wished to clarify that this will be the only lot that will be subdivided from this property. Mr. McEathron stated that yes, while it is in the current ownership. If town accepts the gift, and later wanted to subdivide, they would have to meet the requirements of the spirit of the agreement, and it would have to be approved by the VLT. But there can be no additional residential development. Mr. Whitcomb asked about a Sugar House. Mr. McEathron read from a land management document for the Stranahan property that the VLT encourages the town to prepare a vision for the property, especially with respect to conflicting uses. An allowable use includes a sugar house.

Mr. Pitkin stated his concern that he is relieved that he doesn't have to pull together money from the family to protect the land. They support the subdivision and protection of the land. Mr. Pitkin is on the committee for the management plan of family property.

Mr. Light pointed out that to hay the fields, previously the haying equipment would go up the road and turn left before getting to the house, but looking at the new drawing, with the frontage extending down the left side of the road, the new landowners could prohibit the farming equipment to cross the property. Mr. McEathron stated that the VLT plans to include a right of way to provide access to the hay fields.

Mr. McEathron summarized that the conservation easement on the property that the town will own will include many uses, and the management plan will address satisfying them in a compatible way.

At 8:50 p.m. Paul moved to close testimony, seconded by Jim, all in favor. The DRB will issue a sketch plan determination letter within 30 days.

---

*Hafner subdivision sketch plan review*

DRB Members present: Jim Barlow, Dina Bookmyer-Baker, and Paul Brierre. Also attending were Bob Light, Zoning Administrator, Charlie Hafner, representing the applicant Alice Hafner, and Pierre and Yolande Dumler, who own property (a weekend place since 1965) across the road.

At 8:47 p.m. DRB Chair, Jim Barlow, opened the hearing on the application from Alice Hafner related to a 3-lot subdivision on Groton State Forest Road. The application included the following documents: an application for subdivision (received May 18, 2007), and a survey of the property (dated March 10, 2006) showing the proposed lots. All interested parties were sworn in. Jim explained to the applicant the hardship of going forward with only three members of the DRB in attendance tonight (who must vote unanimously in the decision to have the application approved) and informed him that we could reschedule his application for another date, if he desired. Mr. Hafner wished to go forward.

Mr. Hafner stated that there have been no changes to his application since he brought it to the DRB on June 7. His mother's trust owns 25 acre parcel. Her children are grown, nobody is using it much, so she is planning to subdivide the property and sell the 5 acre parcel with the dwelling. It is currently a summer camp, but it could be made into a year-round place with some work. After their mother passes, the two 10-acre parcels will be willed to Charles and his sister. They are not planning to build on these parcels at this time.

The proposed subdivision of the property into 3 lots deems it a minor subdivision. The property meets the frontage requirements. The lots are in the Agricultural / Rural Residential zoning district. It looks like the back-end of Lot 3 could be in the Forestry and Conservation District. All lots meet the minimum lot size for this zone.

Mr. Hafner addressed the right of way indicated on Lot 3: it is used daily by a year-round resident, and seasonally by the Discovery campground to access Groton State Forest. Mr. Hafner agreed that he will need to provide a final survey. He hasn't asked for a waiver. Lot 1 (of ±5 acres) has an engineered septic system in place. The DRB will discuss the state requirements for septic and perc testing for the final review.

Mr. Dumler explained that their reason for attending is to understand the scope of the project. They would hate to wake up one morning to find that a village has appeared in front of their house.

Mr. Light wanted the DRB to notice the right of way and that the bottom part of it is 50 feet wide, but the main branch is only 20 feet. He would like the right of way to come into compliance with current standards (of 50 feet wide) and asked if the DRB could address this in their decision.

At 9:15 Paul moved to close testimony, seconded by Jim, all in favor. The DRB will issue a sketch plan determination letter within 30 days.

---

*Deliberations*

At 9:20 p.m. the DRB went into closed session to deliberate the pending decisions.

At 10:50 p.m. Jim moved to adjourn the DRB meeting, seconded by Paul, all were in favor. The meeting was adjourned.

Respectfully submitted,  
Dina Bookmyer-Baker