

**Marshfield Development Review Board**  
**Minutes**  
**Thursday, February 9, 2017, 7:00 p.m.**  
**Old Schoolhouse Common, Town of Marshfield, VT**

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Present: DRB Members: James Arisman, Les Snow, Gary Leach, and Jenny Warshow  
Zoning Administrator: Bob Light

Not Present: Michael Schumacher

Witnesses/Attendees: Regarding Pigeon Pond & Gable Subdivision Matter: Ken Bailey and Craig Chase

Witness/Attendee: Regarding Smith Subdivision Matter: Ronald Smith

At 7:15 p.m., James Arisman, presiding for the DRB, called the meeting to order for the purpose of conducting hearings on applications. All witnesses were sworn in.

**Hearing #1: Subdivision Application of Ronald and Susan Smith**

Applicant Ronald Smith testified regarding the application for subdivision submitted by Mr. Smith and his wife. Mr. stated that the couple wished to subdivide their 65-acre parcel so that an existing house and 2-acre parcel, on which the house is located, could be sold. The house has been rented for approximately the past 20 years, and the renters now would like to purchase the house. Mr. Smith and his wife would like to be able to sell the property but first must subdivide the dominant parcel to create the 2-acre lot surrounding the existing home. The home is served by a new septic system and an artesian well. Mr. Smith testified that he and his wife have no plans for further development of the dominant parcel or further subdivision.

The Smith's submitted a written application for subdivision, accompanied by survey maps depicting the location of the proposed new parcel and the existing house located on it, with frontage on Hardwood Mountain Road. Testimony from both Bob Light, Zoning Administrator, and Mr. Smith corrected entries on the application to read as follows: Lot 1, 2 acres, road frontage 250 feet; Lot 2, 63 acres, road frontage, 1,250 feet +/- . The Smiths requested a waiver from the DRB for any requirement for surveying the existing, dominant parcel, due to the expense of doing so. The DRB took this request under advisement. The DRB also received during the hearing a list of adjoining landowners whom Mr. Smith testified had been notified in writing of the application for subdivision.

The DRB closed the hearing and will provide a written decision on the application within 45 days.

**Hearing #2: Subdivision Application of Pigeon pond LLC and Wanda Gable Estate.**

Ken Bailey, representing the Applicants, testified that the purpose of the requested subdivision is to allow the applicants to create a 3.92-acre parcel with an existing 3-bedroom home located on it that could then be sold. The home is served by well and septic systems. The existing home's address is 479 Pigeon Pond Road. Mr. Bailey testified that he had no further plans for subdivision of the dominant parcel. He testified that proposed Lot 2, with the existing house, had been surveyed to limit its size to 3.92 acres, so as to prevent further subdivision of that parcel in the future.

The dominant parcel is roughly 3,821 acres in size, with 1445 acres in Marshfield (1,300 acres are in Plainfield, and 1080 acres are in Groton). Zoning Administrator (ZA) Bob Light testified that DRB consideration of the application, in his view, should be limited to the 1445 acres located in Marshfield. The ZA and DRB member Gary Leach both pointed out that the proposed subdivision, if approved, would leave a narrow, isolated strip of land or dogleg to the northwest of the proposed Lot 2. This strip or dogleg would extend into the dominant parcel from Pigeon Pond Road.

The ZA and the DRB noted that Section 4021 of the Town's Subdivision Regulations disfavor irregular lot shapes, "Lots with irregular shapes such as curves, jogs or doglegs should be avoided unless warranted by conditions of topography, the location of natural features or existing roads." Mr. Bailey testified that the strip of land in question is now used for two purposes. It provides access to the dominant parcel from Pigeon Pond Road, because as Pigeon Pond Road extends to the east, just past the existing house on proposed Lot 2, the road becomes largely impassable. Mr. Bailey added that the narrow strip also is presently used for stacking and storage of firewood.

The DRB members, Mr. Bailey, and Craig Chase, land surveyor, also discussed the road frontage for the proposed Lot 2. The survey map submitted by Mr. Bailey and prepared by Chase & Chase, dated 1/6/17, indicated 369 feet +/- of frontage on Pigeon Pond Road. Discussion centered on the question of whether this frontage measure included portions of Pigeon Pond Road that become substantially impassable to the southeast of the house on proposed lot. (The impassable portion of Pigeon Pond Road may, in fact be designated as Class 4 road or trail. Mapping information available to the DRB at the time of the hearing was outdated and not relied upon by the DRB.) However, under Section 302 and Section 420 of the Town Zoning Regulations, Lot 2 would be required to have only 250 feet of road frontage. The survey map submitted with the application and representations by Mr. Chase averred that Lot 2 possessed the required road frontage. Craig Chase testified that when the Mylar survey map was prepared for filing, he would update it to indicate the setbacks for the existing structures on Lot 2 and the measurement of the road frontage for the strip or dogleg discussed above.

Mr. Bailey, on behalf of the applicants, requested a waiver from the DRB for any requirement for surveying the existing, dominant parcel, due to the expense of doing so. The DRB took this request under advisement. Mr. Bailey agreed that if the DRB were to require as a condition for subdivision approval that Lot 2 not be further subdivided that

he would agree to such a requirement. The hearing was closed at approximately 7:45 p.m.

At approximately 7:50 p.m., Member Leach moved that the DRB go into deliberative session to consider the respective applications. Member Snow seconded the motion. All members voted in favor.

At approximately 8:30 p.m., the DRB completed its deliberative session. Member Warshaw moved that the DRB adjourn. Member Snow seconded the motion. All members voted in favor.  
the Hollister Hill Apartments matter within 45 days.

The meeting was adjourned at 8:44 p.m.

Minutes By: James S. Arisman for the DRB

The foregoing is a true copy of the Minutes of the February 9, 2017 Meeting of the Town of Marshfield DRB.

By \_\_\_\_\_/s/\_\_\_\_\_, James S. Arisman, Acting Board Chair