

MARSHFIELD DEVELOPMENT REVIEW BOARD

Meeting Minutes • Thursday, June 13, 2013 • 7:00 p.m., Old School House Common

DRB members present: James Arisman (acting Chair), Vince Feeney, Michael Schumacher, and alternates from the Planning Commission: Les Snow and Faeterri Silver. DRB member absent: Paul Brierre. Also present: Bob Light (Zoning Administrator), Barbara Burkhalter (recording secretary), Brian Carter, Tom Carter, Marielle Charron, Ronald DeVincenzi, Darlene DeVincenzi, Sarah Henrich, Bill Seilonen, and Rich Phillips.

Site Plan and Conditional Use Application from Tom and Susannah Blachly, 38 Ennis Hill Road, to change the use of the second floor of a residential accessory building (garage) to a commercial use, to hold 10 to 12 concerts per year. Parcel ID #EN002:

At 7:03 p.m., James opened the hearing by reading a letter from Tom Blachly requesting a continuance. The members voted to grant a continuance and move the hearing to July 11, 2013. Abutters are to be notified of the new date.

Conditional Use Application from Sarah Henrich & William Seilonen to establish a kennel for up to 10 personal dogs within an existing accessory building at 3962 US Route 2. The property is presently owned by Ronald and Darlene DeVincenzi. Parcel ID #RT09:

At 7:12 p.m., with a quorum present, James opened the hearing. All parties intending to testify were sworn in and it was confirmed that notice had been sent to the neighbors.

Sarah Henrich and Bill Seilonen, the prospective buyers of property owned by Ronald and Darlene DeVincenzi, are proposing to turn the attached garage into a kennel for their 10 personal, retired show dogs. They own a variety of breeds and they are kept as household companions. These are well-trained, well-groomed dogs. The dogs will be crated during the day while Sarah and Bill are at work and will be given free time outdoors in a fenced area when they are home and are kenneled by 9 p.m. They plan to soundproof and insulate the kennel. They do not plan to breed or show dogs anymore. Sarah and Bill want to make sure they would be in compliance before they purchase the property.

Comments from the DRB:

- James verified with Bob that the Conditional Use Application is the appropriate application (kennel in the rural residential area)
- 10 dogs or fewer? Yes.
- What kind of sound-proofing do they plan to use? Whiteboard over insulation.
- How close are the nearest neighbors? About 100' (Marielle Charron).
- As they are not a commercial operation there will not be people coming and going for sales, breeding, grooming, or boarding purposes.

At 7:36 p.m., there being no further testimony or questions, James moved to recess. The DRB will issue a written decision within 45 days.

Appeal and Request for a Variance from the Town of Marshfield for the construction of a canoe access at the Martin Covered Bridge property on US Route 2. Parcel ID #RT026:

At 7:38 p.m., with a quorum present, James opened the hearing. All parties intending to testify were sworn in.

Bob explained that the initial application had been denied because the proposed project is in a flood hazard district and the boat/canoe access ladder was not any of the structures permitted and it didn't fall under any of the conditional use criteria.

Rich Phillips presented a Memo from Michael Zahner, Chair of the Marshfield Conservation Commission (Exhibit 1), recommending approval for the granting of a variance, and verifying that no Eastern Pearshell mussels are located in the area of proposed construction (per Steve Fiske's mussel survey at the project location), but that the Vermont Department

of Fish & Wildlife may need to be contacted to determine whether an endangered species permit is needed. Rich presented an email from Mark Ferguson (Exhibit 2), zoologist for the Vermont Department of Fish & Wildlife, saying that they do not see a need to require an endangered species permit for this activity (based on Steve Fiske's aforementioned survey).

It was stated that the canoe access ladder was part of the Martin Covered Bridge grant project when the bridge was redone in 2009, but it was never built. Someone from the VT River Conservancy looked at the site with Rich and found the best location for it. The area selected gives close access to the parking area. The area is reinforced with rip rap. The Friends of the Winooski had approached the Selectboard requesting this canoe access be built (there is one behind the Plainfield Co-op and one by Twinfield School).

It is a high velocity area and if the ladder got washed out of place it would not impede the flow of the river.

Comments from the DRB:

- The site is one reinforced with rip rap, so that area had once been washed out and was rebuilt with foreign material. Siting needs to be looked at more closely. Rich stated that there is no place to build the canoe access on native ground as there are vertical banks on either side and that's why they chose a fortified area instead
- The Vermont River Conservancy stated that they would be responsible for removing the ladders in case of a flood or flash flood. The likelihood of this actually happening is slim.
- The Town owns the land and carries liability insurance, but the Town would not own the ladder and would not be responsible for the upkeep.
- This project may need approval from the Agency of Natural resources to see if it meets state requirements.

At 8:23 p.m., there being no further testimony or questions, James moved to recess. The DRB will issue a written decision within 45 days.

At 8:28 p.m. James made a motion for the DRB to enter closed session to deliberate the pending applications, Michael seconded the motion, and all were in favor. The DRB entered deliberative session.

At 9:00 p.m. James moved to adjourn deliberative session, Vince seconded the motion, and all were in favor. DRB returned from deliberate session.

At 9:05 p.m. James moved to adjourn the meeting, Vince seconded the motion, and all were in favor. The meeting was adjourned.

Respectfully submitted,
Barbara S. Burkhalter

Final
Approved July 11, 2013