

**HYDE PARK TOWN DEVELOPMENT REVIEW BOARD  
MEETING MINUTES  
October 3, 2017**

*All minutes are draft until approved; please check future minutes for approval of these minutes.*

Members Present: Malcolm Teale, Chair; Craig Fowler, Vice-Chair; Gary Houston; Jim Fontaine; Tom Wawrzeniak  
Members Absent: Melvin Harvey; Pete Sweeney  
Staff: Ron Rodjenski, Zoning Administrator & DRB Clerk  
Guests: Eric Patch, Brent Cookson; Matt Morin; Deanna McKnight; David Hylander; Gary Smith; Brad McKnight; Melanie Todoroff; Carlton Billado; Brent Cookson; Eric Williams

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Mac called the meeting to order at 7:00 p.m.

1. **Welcome & Modifications to Agenda.** No changes to the agenda were made. Eric Williams asked for some time on the agenda to discuss maximum slope requirements in the zoning regulation and Mac agreed to discuss at the end of the meeting.
2. **PUBLIC HEARING** – Application #2017-48 submitted by Eric Patch for review and approval to add one 1,200 sf structure for home business use (Parcel ID# 15-006-064) at 1192 Battle Row Road under Section 7.8 – Home Business, in the 2017 Land Use and Development Regulations. The structure will be used for materials and equipment storage with one exterior parking area for vehicles. The project is in the Rural Residential 2 Zoning District.

Mac opened the hearing at 7:01 p.m.; swearing in Eric Patch. Mac reviewed the town zoning bylaws regarding home businesses. Eric stated that no sign is proposed and the only traffic will be his work trucks coming and going. No traffic increase beyond current levels and employees would come to the property in the morning and get into work vehicles. The new storage building will be “cold-storage” with no new exterior lighting on the new structure. Motion by Tom to close the hearing and move into deliberations. Seconded by Jim. Voting: 5 in favor, 0 against, motion passed.

3. **PUBLIC HEARING** – Application #2017-50 submitted by Brent Cookson to subdivide a 19.5-acre parcel (ID# 23-007-033.200) into two residential parcels for single-family use; Lot #3 being approximately 5 acres and Lot #4, being approximately 14 acres. The two lots will be served by a private road, Wildlife Lane, off Trombley Hill Road. The project is within the RR5 Zoning District.

Mac opened the hearing at 7:06 p.m. Brent Cookson was sworn in by Mac. Mac offered that the only issue appears to be the negative grade from Trombley Hill Road. Brent stated that the road has never washed out and there is a 4-foot negative grade from the shoulder. Jim Fontaine stated that the private access is built to shed water away from Trombley Hill Road. Motion by Tom to close the hearing and move into deliberations, Seconded by Craig. Voting: 5 in favor, 0 against, motion passed.

4. **PUBLIC HEARING** – Application #2017-51 submitted by Brad and Deanna McKnight to amend their prior DRB approval (#2107-20) to allow modification of the driveway location and design standards. The parcel (ID# 10-040-150.200) is located on Lot 9 off Levesque Drive in the Conservation 10 Zoning District and Core Forest and Wildlife Habitat Overlay.

Mac opened the hearing at 7:12 p.m. Mac swore in Brad McKnight. Brad presented his request to approve the existing as-built driveway and they feel they have the 8% slope. Mac read the email from the Town Fire Department, Brad Carriere, recommending a fire truck turn-around at the top of the drive where the driveway turns to the right, back to the house. Brad confirmed that a proposed parking area would serve that purpose. Brad asked that an engineer not be required to sign off on the driveway slope. Brad stated that the top of slope is 16-feet from the

property line. David Hylander, 264 McKinstry Hill Road, stated he was here to testify about the screening of the new driveway from his home and David volunteered to plant balsam and spruce along about 200-feet of their shared property line to create screening to prevent headlights from shining into his house. David submitted a letter of concern, dated October 3, 2017, to the DRB. Brad did not object to working with Mr. Hylander and David suggested working on plantings next Spring. Motion by Craig to close the hearing and move into deliberations. Seconded by Jim. Voting: 5 in favor, 0 against motion passed.

5. **Continuance of Application #2017-38** submitted by Melanie Todoroff on behalf of Todoroff Farm LLC for conditional use and site plan review to convert an existing barn on 105 acres to interior commercial storage space. The project is located at 1480 Battle Row Road (Parcel ID #15-006-090.200). The project will result in change in use of one existing agricultural structure, approximately 9,600 sq. feet on two floors, to warehouse use under Section 6.6, Table of Uses, in the 2017 Land Use and Development Regulations. This project is in the Rural Residential 2 Zoning District.

Mac opened the hearing at 7:22 p.m. and swore in Melanie Todoroff. Melanie explained that she would be present to open the barn and help bring the items into the barn. Melanie agreed that she would be open to creating a fire pond at some point in the future. Jim asked how the second-floor ramp off Battle Row Road, which is steep, would be navigated. The applicant stated that hay trailers used to go into the barn so there should not be a problem. Melanie stated that motion lights would be at the door and point down and no sign is planned on the property. Gary Smith expressed his concern that the new zoning requires that warehouse use be considered as a conditional use, but only when a majority of uses on the road are non-residential. Gary noted that the primary use in the area is residential with a couple commercial uses, like Draper's junk yard and Marcoux towing. Gary noted that the town bylaw's Use Index needs to be reviewed for compliance with the notation "2" and a DRB determination as to whether it is prohibited use in a residential area. Gary stated that the speed of Battle Row Road is sometimes 50 mph zone and boat trailers turning in the road as they enter the barn ramp to the second floor could be a safety issue. Melanie stated that trailers could drive straight in. Gary stated driving in would not be possible as the barn becomes fuller. Gary stated that the highway access permit needs to be issued. Melanie stated that she would use cones to let people know they were in the road. Gary stated exterior lighting is on the building and they shine into the road. Melanie stated she would make sure that they are tilted down. Gary asked if the warehouse use could be allowed anywhere, and Mac stated that the level of the proposed use is basically a home business use versus an industrial warehouse type use. Gary asked if the warehouse use could be worked around and allowed more, even if industrial scale, if it is found to be an acceptable warehouse use in a residential area. Gary asked for lighting to be controlled. Tom W. reviewed the use index footnote. Gary stated that he reads the footnote as requiring the DRB to first determine that the road has "a majority of existing non-residential uses", then it can be reviewed as a conditional use. John Henderson lives on Whiteface Drive and confirmed that this proposal was for only interior storage, and agreed that it is a 65-mph road, even though legally it has a 50-mph speed limit. John stated that the big barn is a welcoming site when coming home and he commended Melanie for working on the barn and enhancing the neighborhood. Motion by Tom to close the public hearing and move into deliberations. Seconded by Jim. Voting: 5 in favor, 0 against, motion passed.

6. **Other Business:** Eric Williams from the Town Planning Commission discussed the current slope requirements in the town zoning regulations and possible amendments. Eric asked if the DRB would appreciate more flexibility in the regulations and asked for specific ideas for zoning amendments. Jim offered that he has driven many town roads and the condition of the road is more important than the slope, noting that 6% could be hard without a stable surface. Jim noted that he felt that road slope for the McKnight's was good at under 8%. Eric stated that

meeting other fire trucks on narrow long drives was one concern he has heard from the North Hyde Park Fire Department. Tom agreed that short distances of more than 8% would be acceptable. Matt Morin agreed that working with the existing grade disturbs less slope on a smaller footprint. Tom agreed that there are some towns that have pull-offs at 350 feet or 450 feet to accommodate fire trucks. Eric offered that the town priorities should be reviewing impacts on town roads, streams and neighbors; possibly asking for engineering plans when these potential impacts arise from development proposals. The DRB agreed that the regulations should be amended to allow development in Town while balancing the impacts. Eric asked if there were any guidelines on what may be discussed in executive session and Ron stated that it was a closed session for the DRB members to discuss the matter and develop a decision. Ron relayed a recent 8% driveway compliance issue that resulted in the loss of a sale. Eric stated that more flexibility in the regulations is needed and the DRB agreed. Jim noted that the planning commission needs to work on the bylaw's slope requirements.

7. **Review the Minutes:** Motion by Tom to approve the September 5, 2017 minutes, as written. Seconded by Jim. Voting: 5 in favor, 0 against, motion passed. The April 4, 2017 minutes were deferred for lack of quorum.

8. **Adjourn** – Motion by Tom to adjourn. Seconded by Jim. Adjourned 9:45 p.m.

Submitted by Ron Rodjenski