

**TOWN OF THETFORD
DEVELOPMENT REVIEW BOARD**

**MEETING MINUTES
11/27/18 HEARING**

Members/Admin Present:

Bill Bridge	Jesse Anderson	Don Longwell	Sean Mullen (chair)	Tim Taylor (vice-chair)	Zoning Admin (ZA)
X	X	Absent	X	X	X

Attendees: Don Newton, Charles Zue, Thomas Stickney

Sean Mullen, Chair called the meeting to order at 7:10 PM and moved directly to Agenda Item #1.

1). Tonight’s meeting is for a discussion with Donald M. & Joyce A. Newton and the DRB regarding lands originally approved by the Thetford Zoning Board of Adjustment as a Planned Unit Development (PUD) under Thetford Subdivision Permit #560. This discussion will include options for dissolving this PUD. No action will be taken.

The DRB asked Don Newton to explain his reason for the hearing. Don explained that he originally owned property that was approved as a PUD by Thetford’s Zoning Board of Adjustment in a decision dated February 22, 2005 with several conditions:

- Prior to the filing of the Mylar or issuance of a zoning permit to finalize a decision, the master plan shall be amended to include a limitation on the footprint of any proposed commercial structure on Lot 2. The footprint shall not exceed 2400 square feet and the structure shall not exceed one story in height. The master plan shall also include that any development proposal for that lot shall be reviewed after public notice by the Thetford Planning Commission and /or the Zoning Board of Adjustment or its successor, if any, and that the Thetford Planning Commission and/or Zoning Board of Adjustment shall have site plan review jurisdiction over the aspects of any development plan for Lot 2 including lighting, traffic, landscaping, access, circulation , architectural review (to insure that the building blends with the rural character of the area) and parking.
- The applicants will obtain any state subdivision permits (septic) required for this planned community. They will submit the revised Master Plan to the Planning Commission for endorsement and pay the required rerecording fee. Lot 3 shall be designated as the “open space lot” on the plan that will be recorded with language that the lot cannot be developed with the exception of passive recreation.
- The plan shall be amended so that the last revised date shown is correctly recorded as January 7, 2005 and the plan shall otherwise conform to the requirements of the Thetford subdivision regulations.
- The covenants for the property that address the ownership and stewardship of the open space consistent with the commitments made by the applicants during the hearing process shall be filed with the Thetford planning and zoning office.
- The applicants are responsible for compliance with all applicable State and Federal regulations pertaining to this application.

On March 24, 2005 a Notice of Appeal was filed with the Environmental Court by Byron Hathorn. The final stipulation of settlement and Motion to Dismiss signed by both parties in 2009 including the following:

- Mr. Hathorne shall be relieved on any responsibility to purchase a lot in the Newton Subdivision
- The lot that Mr. Hathorne was prepared to purchase (Lot 2) shall not be sold or used for a commercial or related purpose.

The DRB Reviewed the requirements of the subdivision regulations and minimum lot sizes discussing that if a Re-Subdivision application was submitted the lots would need to meet minimum lot size requirements and geometric requirements. The currently joint owned green space would be added to each lot to accomplish this.

The DRB also reviewed the Requirements for PUDs under the Town of Thetford Zoning Bylaw Effective October 17, 2011. The Bylaw does allow for revisions to PUDs. All agreed that the intent of the original approval was to keep a green, undeveloped corridor along Route 5 but the property ownership was not the focus, only the use.

The members of the existing PUD are tired of owning a property jointly that they don't use. Annually Mr. Newton collects money to pay for insurance and taxes. All three property owners in attendance agreed that one owner of that property restricting its use to that intended was preferred.

The DRB advised Mr. Newton and attendees that at this time the DRB recommended that an application for revision to the PUD be submitted jointly by all owners.

Mr. Mullen adjourned the meeting at 8:30 pm.

Respectfully submitted,
Mary Ellen Parkman

Approved on the ____ day of _____, 2018.

Sean Mullen, Chair

DRAFT