



**Town of Whitingham
Zoning Board of Adjustment**

MINUTES OF SEPTEMBER 5, 2024, PUBLIC HEARING

Call to Order. Additions or Changes to Agenda:

Marshall Dix called the meeting to order at 6:30pm. There were no additions or changes to the agenda.

Hearing of visitors (for concerns not on the agenda)

None

Attendees:

ZBA members: Marshall Dix, Chair; Troy Felisko, and Lyman Tefft

Zoning Administrator/ZBA Clerk: Gig Zboray

Applicants on Zoning Permit application #W-23-24: Robert Barbieri, Jr. and Emily Barbieri

Planning Commission members: Brad Lackey, Chair; Peter Barus, Keith Thompson, and Joe Saladino.

Others: none

Introductions were made around the room.

Open Hearing Mr. Dix opened the hearing, receiving permission to dispense with reading the warning

Applicant to explain what they are asking for

Mr. Barbieri recently purchased the property at 1912 Wilmington Cross Road, he is experienced in the towing business and would like to expand his CT business up here. At this point it would not be an all-out repair shop, he is not sure if it will be more towing or more repairs. He doesn't plan to have a large car lot on the property. If the business doesn't pan out, then he will have a really nice garage.

Hear from all concerned

Troy Felisko asked if the building was going to be heated, yes. Bathroom – not sure. Not planning on any full-time employees. No living space is planned for the garage. Mr. Dix questioned if the driveway was a town trail. A land surveyor had said halfway through the driveway was the property line. Mr. Dix noted it is a town trail so they can never block the driveway/trail, and they also can't stop snowmobiles from using the trail.

Site Plan Review

Maximum safety of traffic – already using the existing driveway from Wilmington Cross Road, proposed use will not significantly increase traffic.

Parking & storage – yes, he will bring 3 trucks, they will all fit in the building, there is plenty of room for parking.

Landscaping screening – no immediate neighbors: 183 feet from center line of Wilmington Cross Road to garage, right side setback would be against the trail at 70’.

Protection of renewable energy – n/a

Exterior lighting – probably not motion detection, lights would face the trail and the house. Down lights. Might put a light on the Route 100 side of the building in case he needs to get in the parking area there at night. Lights will be used as needed, not all night long.

Size location and design of sign – not planning anything now. Signage is not included in this application.

General Performance Standards:

Noise – no significant changes in noise level

Vibration – n/a

Air pollution – n/a

Temperature, moisture – n/a

Electronic emissions – n/a

Light or reflection – discussed above – downward facing lighting

Waste – oil – will likely install a waste oil furnace, contain it in drums. Other stuff is contained, absorbent pads, they will bring it back to CT or use local HHW event

Hazards – fire/explosives – nothing explosive expected, nothing out of the ordinary

Erosion control – plant grass

Storm water – no gutters, plant grass

Final questions/comments

Discussion ensued about commercial versus home industry. He will not have any employees; the proposed use fits the definition of a home industry.

Mr. Dix dismissed the applicants for deliberative session with the Planning Commission.

Decision on Barbieri Application (W-23-24)

Findings: The Planning Commission finds the site plan satisfactory.

The Zoning Board of Adjustment finds the proposed use would be HOME INDUSTRY. The setbacks meet the minimum requirements. No comments or concerns were heard from the abutters. An email of support was received from the Ryder Pond Homeowners Association president.

Conclusion:

A motion was made by Marshall Dix to approve Zoning Permit application #W-23-24 by Robert Barbieri, Jr. for the proposed 30’ x 40’ garage structure for use as a home industry (towing/repair garage) at 1912 Wilmington Cross Road, seconded by Troy Felisko, all in favor.

An interested person may appeal this decision within thirty (30) days to the Environmental Court as per 24 V.S.A. Chapter 117 § 4471.

Adjourn

Meeting adjourned at 7:37pm. Respectfully submitted, *Gig Zboray*, ZBA Clerk