



**Town of Whitingham
Zoning Board of Adjustment**

MINUTES OF November 6, 2025, 2025, PUBLIC HEARING

Call to Order. Additions or Changes to Agenda:

Marshall Dix called the meeting to order at 6:30pm. On the Betit hearing we need to add Site Plan Review by the Planning Commission at agenda item 4f.

Hearing of visitors (for concerns not on the agenda) none

Open SWORD Hearing Mr. Dix opened the hearing for Peter Sword, application W-33-25, receiving permission to dispense with reading the warning.

Attendees:

ZBA members: Marshall Dix, Chair; Troy Felisko, Lyman Tefft, Rick Gramlin, and Amanda Pike.
Zoning Administrator/ZBA Clerk: Gig Zboray

Applicant on Zoning Permit application #W-33-25: Peter Sword, applicant.

Others: Brad Lackey and Peter Barus, Planning Commission; Barbara Landers, Carol Dubie, Steve and Terrie Morse, abutters; Seth Viddal, working with applicant

Applicant on Zoning Permit application # W-37-25: Tyler Betit with Melody Hinkle

Introductions were made.

Discuss any potential conflicts of interest none

Applicant to explain what they are asking for

Mr. Sword submitted a zoning application to place a container type storage box on his property with a 45' setback from the center of the road which requires a waiver from the ZBA because 65' is the minimum setback allowed. After he submitted his application, he spoke to his neighbor who was opposed to the idea. He had requested to withdraw his application but hearing notices had already been sent out and posted in the newspaper. Mr. Sword stated he would like to make improvements to his property and the next flat spot is right in the middle of where he wants to do the work. He said the container would be behind a wood pile and he is willing to put up a row of trees to hide it from the road.

Hear from all concerned

Ms. Dubie understands why people want to use containers for storage. What is the standard to allow people to get waivers?

Steve Morse is disappointed that the town should be responsible for giving him a waiver, Mr. Sword has enough land, it just needs to be excavated. Mr. Morse is sure that once the container is set and loaded it will never be moved. Mr. Morse is fairly confident the property doesn't have a good septic system. Mr. Sword stated that he had a brand-new septic system put in 10 years ago. As far as the water supply is concerned, it got wiped out in a storm. There is no driveway, there is no curb cut.

Barb Landers sent a letter to the ZBA, stating several concerns including the container being an eye sore and not in keeping with the country look and feel of Maple Hill Lane, and that ZBA approval could set a precedent that would allow setbacks of similar fashion to anyone in town who would request one. She agrees with Mr. Morse's concerns about the state of the property.

Mr. Felisko asked if Mr. Sword planned to pour concrete? No. Any power in it? No. Terrie Morse asked if the container is taxable? Yes. Someone else asked if the container was considered a temporary structure? It could potentially be, but it would still need to meet the setbacks. Ms. Landers questioned if the container is not moved in 2 years what happens (if it were to be considered a temporary structure), it was explained that if the container is not moved in 2 years, a friendly request is first made, then a Notice of Alleged Violation, then a ZBA hearing, then potentially court.

Close hearing

A motion was made by Troy Felisko to close the hearing, seconded by Skip Tefft, all in favor.

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Open BETIT hearing

Mr. Dix opened the hearing for applicant Tyler Betit, application W-37-25, receiving permission to dispense with reading the warning.

Attendees:

ZBA members: Marshall Dix, Chair; Troy Felisko, Lyman Tefft, Rick Gramlin, and Amanda Pike.
Zoning Administrator/ZBA Clerk: Gig Zboray
Applicant on Zoning Permit application # W-37-25: Tyler Betit,
Others: Brad Lackey, Peter Barus, and Joe Saladino, Planning Commissioners; Seth Viddal, Melody Hinkle

Introductions were made.

Discuss any potential conflicts of interest none

Applicant to explain what they are asking for

Tyler Betit is currently living on his parents' property at 152 School Street and would like to open an auto repair shop doing repairs and conducting state inspections. This application also includes a sign for the business. The business will be run out of a preexisting garage structure (building farthest from the road). Additional parking is available across the street. Mr. Betit might park one car up on the hill (near garage), only if it can be pushed into the garage. He is not looking to expand this any further, he wouldn't mind if it became full time, but right now the plan is every other weekend and every other Friday. He is starting this as a side job; he doesn't want to burn himself out.

Hear from all concerned

Mr. Gramlin questioned cars parked across the street. Mr. Betit doesn't like the look of junk. Is there water in the garage or restrooms? No. Mr. Dix questioned if it would be appointment only?

Yes. No plans for a tow truck. Mr. Gramlin questioned the sign, it will be installed between the tree and the stone wall. Either hang from the tree or a post in the ground near the tree. Mr. Lackey believes that School Street is a 2-rod road, so it is only 33' wide. Mr. Lackey questioned if Tyler is living at the house, yes, he is there now. Lighting, no changes planned. No fuel tank on property.

Site Plan Review

Maximum safety of traffic between site and street – Mr. Betit doesn't think it will change the level of traffic on the road

Traffic circulation and parking - plenty of space to turn around up by garage, parking across the street,

Landscaping, screening, setbacks, etc. All the neighbors were notified, and no one attended this hearing

Renewable energy – n/a

Exterior lighting – no plan for adding anymore lighting

Sign - must be 18-20' off the center line of the road

General Standards:

Noise – work by appointment only, doesn't want to be the annoying neighbor. The level of noise would be the same as if he was working on his own car

Vibration – air compressor should not be an issue

Air Pollution – won't leave cars running, he's there to fix cars

Temperature, moisture – n/a

Electric emissions or signals – n/a

Light and reflection – not adding anything

Waste – used oil – it will be recycled, coolants will be stored in 55-gallon containers or less, he doesn't want to keep it around long

Explosives – danger to his property or others, will keep a fire extinguisher on hand and a spill kit

Erosion control – not adding any parking, the driveway is blacktop,

Stormwater – no changes to the property

Close hearing

A motion was made by Marshall Dix to close this hearing, seconded by Skip Tefft, all in favor.

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Other business

None

Enter deliberative session:

The hearings and meetings were closed, all visitors left. **A motion was made to enter deliberative session and to include Planning Commissioners and Gig Zboray, all in favor.**

Exit deliberative session:

The board exited deliberative session.

Findings on Sword Application W-33-25:

The Zoning Board of Adjustment finds the proposed setback of 45' will have an effect on the neighbors. Mr. Sword did not apply for temporary structure, so there is nothing to discuss in that aspect. The board finds that the container can be placed elsewhere on the property.

Decision:

A motion was made by Marshall Dix to deny Zoning Permit Application #W-33-25 by Peter and Nicole Sword, seconded by Amanda Pike, 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.

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Findings on Betit Application W-37-25:

Tyler Betit is applying to add a home industry of an auto repair business with state auto inspections. This is an allowable use in the village zoning district.

The Planning Commission approved the site plan.

The business sign must be placed 18'-20' from the centerline of the road.

The ZBA has no concerns.

Decision:

A motion was made by Rick Gramlin to approve Zoning Permit Application #W-37-25 seconded by Amanda Pike, 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.

Respectfully submitted,

Gig Zboray, ZBA Clerk