



**Town of Whitingham
Zoning Board of Adjustment**

MINUTES OF NOVEMBER 10, 2021 PUBLIC HEARING

Attendees:

ZBA members: Marshall Dix, Chair; Craig Aekus, Lyman Tefft, Troy Felisko, and Dana Dix
Zoning Administrator/ZBA Clerk: Gig Zboray
Applicants: Wayne Corse, Allan Twitchell
Others: John Gianoni, Seth Boyd, Leon Corse, Brad Lackey, Donald Campbell-VT Land Trust, Todd Wahlstrom, Phil Edelstein

Call to Order. Additions or Changes to Agenda:

Marshall Dix called the hearing to order at 6:33pm reading the official hearing notice.

Hearing of visitors (for concerns not on the agenda)

None

Make introductions of all in attendance

Introductions were made around the room.

Disclose any potential Conflicts of Interest

Marshall Dix noted that there are a few members of the ZBA that have worked for the Corse family over the years, he feels he can make an unbiased decision on this application. Dana Dix is an abutter, and he doesn't feel he will have a biased decision. Troy Felisko also has worked for the Corse family and feels that he can make an unbiased decision.

Hearing to address whether to approve a reserved lot waiver in accordance with Section 3.4.3 of the Whitingham Zoning Regulations for:

Wayne C. Corse, parcel 05-0225.00 - 4840 VT Route 100

Wayne Corse would like to conserve his land (east side of Wilmington Cross Road and the piece across Route 100 on the south side) for the future through the VT Land Trust. The land to be conserved is good grass, Leon Corse will be purchasing the land, the VT Land Trust will purchase the development rights. The 1.7 acres that would make a 3-acre lot will be conserved, that is why he is asking for a smaller lot size. The proposed small lot would be 1.3 acres. Wayne Corse addressed the tax consequences of this proposal, saying overall there will be a net gain to the tax roll. Mr. Campbell of the VT Land Trust addressed zoning and that the Town Plan encourages farming and conserving land.

The Land Trust is a private non-profit. They cannot transfer development rights back after those rights have been transferred to them. "It's pretty permanent", the land is still private, they are giving up the ability to subdivide, frack it, dig minerals, etc. The goal is that Roy Corse will have the good sugaring lands and Leon Corse will have the dairy lands.

Wayne Corse will have to pay the Current Use penalty on a 10-acre parcel of land that will be created by other land transfers not covered by this hearing.

Leon Corse noted that the smaller house lot is necessary to keep an access to the field, if the house lot was left at 3 acres, they would lose one important access point.

Leon Corse's land could only be sold for the agricultural value, they are giving up a lot to do this.

Mr. Felisko questioned why Wayne Corse wouldn't just sell the land to his brother, Wayne Corse responded that doing so wouldn't conserve the land, doing the process this way conserves the land.

After all the planning they did, this approval is the next step in the process. Once they have local approval, they must pursue state approval. Marshall Dix asked if ZBA approval could be contingent on the whole deal going forward. Everyone agreed that it would be.

Allan Twitchell, parcel 08-0737.00 – 243 Goodnow Road

Mr. Twitchell has been working on his sugar lot since he was a kid, he spoke with Roy Corse, and they made this plan together to put the land into the Land Trust. Mr. Twitchell had some troubles with moving the plan forward due to the septic system. He will get an easement from Wayne Corse to have a second septic system on a small piece of property that Wayne Corse will continue to own. Otherwise, Mr. Twitchell would have to cut some maple trees to allow for a new septic area. There are trees near his house, but his lawn area is 1.7 acres and that is what will be the house lot. Mr. Twitchell's land will be combined with Roy Corse's land for conservation. The Land Trust requires a forest management plan so it would be difficult for someone in the future to cut down all the maple trees.

Hear from all concerned

Mr. Boyd, Mr Gianoni, Mr. Wahlstrom, Mr. Edelstein all expressed their support of these waiver applications.

Acknowledge written testimony

Robert and Lori Walsh wrote a letter of support. Donna Gianoni sent an email of support.

Close hearing

At 7:19pm the hearing was closed.

Enter deliberative session

The board entered deliberative session.

Exit deliberative session

Craig Aekus made a motion to exit deliberative session at 7:23pm, seconded by Dana Dix, all in favor.

A motion was made by Dana Dix to approve both applications (Wayne C. Corse application # W-37-21 and Allan L. Twitchell application # W-36-21) on the basis that they fit into the requirements for a reserved lot waiver in accordance with Section 3.4.3 of the Whitingham Zoning Regulations contingent on the VT Land Trust deal going through, seconded by Lyman Tefft, all in favor.

Adjourn

Meeting adjourned at 7:25pm.

Respectfully submitted,

Gig Zboray, ZBA Clerk