

**Town of Fairfield**  
**Planning Commission**  
**Zoning Board of Adjustment**  
**Meeting Minutes Monday, June 7, 2021**

In Attendance: Demetrius Bolduc, Aaron Forbes, Melanie Riddle, Harry Goldhagen, Peter Burns, Melinda Antonucci, Casey Matthews, Aaron & Kelly Rivers, Joseph Cahill, Michel Lussier, Justin Holmes.

Additions to the Agenda:

Harry suggested we discuss the plan for resuming in person meetings.

**Antonucci-** Casey Matthews stated that this is an application for a basic duplex on Rugg Rd. Justin Holmes provided the application materials and went through the following:

Attached please find our Application for Conditional Use Approval to allow construction of a two household dwelling (duplex) within the Agricultural Zoning District on the existing unimproved 1.8+/-acre property located at 182 Rugg Road. The existing lot was created in 1978. As we have discussed previously, this property is a flag lot that is bisected by the St. Albans/Fairfield town line. The smaller portion of the property located within St. Albans Town includes a 30-foot-wide segment with frontage on Rugg Road. We will forward a copy of the St. Albans Town Curb Cut Permit upon receipt. The portion of the property within the Town of Fairfield is approximately 1.5 acres. A Class II wetland exists on the eastern portion of the property. Its approximate location is shown on the attached Site Plan based on a site visit with State Wetland Ecologist, Brock Freyer. The wetland and associated buffer will not be disturbed by the project. The property was previously permitted for a 3-bedroom single-family residence on the St. Albans portion of the property under Vermont Wastewater System and Potable Water Supply Permit #WW-6-3551 in 2019. Melinda Antonucci purchased the property in January of this year and proposes a duplex with four total bedrooms on the Fairfield portion of the property. A WW permit amendment has just been issued by the State (see WW-6-3551- 1 attached). The proposed on-site well location is unchanged from the previous approval. The proposed on-site mound leachfield has been lengthened to accommodate the additional bedroom. The leachfield extends into the existing Vermont Electric Cooperative utility easement, and a copy of the Easement Encroachment License is attached. The proposed two household dwelling is permitted by Conditional Use within the Agricultural District. The following are responses to the Conditional Use Review Standards identified under Section 3.3(D) of the Fairfield Land Use and Development Regulations: 1) The Capacity of Existing or Planned Community Facilities: The

proposed two household dwelling is a limited use. It is believed this use will not unduly burden community services or facilities. 2) The Character of the Neighborhood Area or District Affected: The proposed use is consistent with other similar residential uses in the area. Three new 1+/- acre residential lots were recently permitted on adjoining properties. Several residences exist to the north. The existing lot is wooded, and numerous trees will remain helping to shield the proposed building from view of neighboring properties. 3) Traffic on Roads and Highways in the Vicinity: In accordance with the ITE Trip Generation Manual, it is estimated the proposed duplex will result in fewer than 15 daily vehicle trip ends and fewer than 2 peak hour trip. This is a very minimal increase in traffic that will not impact the capacity of Rugg Road and nearby intersections. 4) Conformance with Applicable General Regulations, Development Standards and Specific Use Standards in Articles 5, 6 and 8: The proposed two-household residence complies with the requirements of Article 5, more specifically: At least 2 parking spaces per unit are provided. As mentioned previously, access will be provided by a driveway permitted by the Town of St. Albans. The proposed development will not emit offensive or uncharacteristic odors, noise, dust, smoke, etc. It will not present unreasonable risk of fire, explosion or threat to safety. The wastewater disposal and water supply systems will be installed in accordance with WW-6-3551-1. No signs are proposed. A two household dwelling is not one of the specific uses described in Article 6 so it's not applicable. In Article 8, only Section 8.3 applies to a two household dwelling. As discussed previously, access is provided to Rugg Road within the Town of St. Albans. The Curb Cut Permit will be forwarded once received. No private or public roads are proposed as part of this project. Residents of the dwelling will have pedestrian access to Rugg Road via the proposed driveway. 5) Utilization of renewable energy resources: The proposed residence will not interfere with the use of renewable energy resources. There are no existing renewable energy projects in the immediate vicinity, and residential development of the existing lot will not impact the future availability of and access to such resources on adjoining properties. 6) Other Town Bylaws in Effect: The proposed two household residence meets the district dimensional standards identified in Article 4 with the exception of the existing lot frontage which is located outside the Town of Fairfield jurisdiction. See the "Fairfield Zoning Notes" table on the Site Plan.

Jason added that they have had the St Albans Curb cut approved and are proposing a 14' wide driveway to ensure adequate space for safety.

Abutters response:

Joe Cahill (attorney for Michel Lussier) had no general objections, wanted to request as many trees be saved for screening purposed on the boundary line between the Lussier property and Antonucci property in this project. Also wanted to note that he is concerned with the fact there is no exception to the road frontage requirement in Fairfield for new subdivision lots, when this property is able to be built on without any road frontage. Joe requested that the board consider amending the bylaws to make it more equitable with preexisting lots vs new lots with less frontage.

Aaron Rivers: Concerned that the well being drilled for this project would endanger his well. Justin responded that the state does not consider wells over 100' apart to be connected. He requested the flow rate from Aaron to determine if there was enough water for both wells. Justin again stated that the distance between the 2 wells should be sufficient and directed Aaron where he could find additional information. Harry questioned who Aaron could contact if there was an issue after the well was drilled. The well drillers log is viewable online and the state states that 100' away is far enough to not be directly affected.

There were no additional questions and the Zoning Board entered a deliberative session to discuss.

Deliberative discussion ensued regarding the application and further clarification on the road frontage requirement. A decision was reached regarding the Antonucci application: 4-0.

ZA Report:

Not a lot of permit applications, a lot of subdivision questions and certificates of compliance.

Discussion ensued regarding returning to in person meetings. All in favor with a remote option starting in July.

Meeting Adjourned