

**TOWN OF THETFORD**  
**DEVELOPMENT REVIEW BOARD**

**MEETING MINUTES**  
**November 12, 2024, HEARING**

Act No. 78 (S.222). General provisions; public information; Open Meeting Law; temporary provisions an act relating to authorizing temporary Open Meeting Law procedures in response to COVID-19 This act provides temporary authority for public agencies to hold meetings through electronic means without designating or staffing a physical meeting location. A public agency that uses this temporary authority must use technology that allows the public to directly access the meeting by electronic means and by telephone. A municipal legislative body or school board that uses the temporary authority provided by this act must record its meetings held by electronic means. This act also permits a public body to extend the deadline for the posting of minutes, provided that the public agency has a staffing shortage due to COVID19. Finally, this act permits a public agency to post meeting notices and agendas in electronic locations.  
Effective Date: January 18, 2023

**Members/Admin Present:**

**For Agenda #1**-Tim Taylor (Chair) Angela McCanna (Vice Chair), Bill Bridge, Orin Pacht (Zoom), Sue Howard, and Kelly Gardner (ZA).

**Attendees/Applicants-** Jessie Engle and Heidi Hellmuth, Paula and Tom Gray.

1) **Warned Hearing on Application (ZP24-63) Consider by Jesse Engle and Heidi Hellmuth for a health and wellness practice to include retail and a garage for automotive maintenance. This property is in the village residential district.**

Mr. Taylor opens the meeting at 7:04 and states, “we just had a site visit, and we can incorporate some of the things we saw”. Mr. Taylor asks Ms. Hellmuth and Mr. Engle to explain what they would like to do. Mr. Engle introduces himself and states he would like to have a classic auto restoration business, being a private party and personal projects.

Ms. Hellmuth introduces herself and says she will be performing acupuncture and have small retail downstairs.

Mr. Taylor states, “we have to do a site plan review and a conditional use review, we do them at the same time, let's start with the wellness part. What we saw upstairs was one or two rooms you can use for your practice right? You are going to be the sole practitioner there and your asking in your notes hours from 8 to 7 or 9? Ms. Hellmuth says,” I think I put currently I practice 11 to 6. I will be the only practitioner; I did not write in there that if there were special events I might invite others. Mr. Taylor states, “can you elaborate on the special events? That seems vague to me”. Ms. Hellmuth says, “for example we just had a friend come and does singing bowls and he did a little singing bowl event for 8 to 10 people in Norwich. It was two hours, and it was on a Saturday. It was outside normal office hours. I would also like demonstrations or maybe a class”.

Mr. Taylor asks, “what is the scope, we need to have some sense of what it is you are talking about. Basically, in a conditional use we put conditions on, and a special event could be an ice cream social. Ms. Hellmuth, says, “we will call it health and wellness. Specifically, within health and wellness it would be somatic therapies or yoga, there may not be enough room for yoga, singing bowls. I just want to leave room for another practitioner to work in the space that I am in, doing similar things to what I am doing, which is acupuncture and herbalism.” Mr. Taylor says, “so in effect would you like to have conditions for another practitioner? Ms. Hellmuth says, “yes another practitioner within the scope of the practice.” Mr. Bridge says, “this would be on an occasional basis?” Ms. Howard notes that the space is limited. Mr. Pach states they would be limited by parking. Mr. Taylor says, “the parking is limitless”.

Mr. Taylor says to Ms. Hellmuth, “what you put in was pretty skimpy on answering all the questions that are listed here. So now I am having to do that job. In some respects, it would be easier to say that we are permitting you to have two practitioners there and that way we do not have to name who they are and it's on a rotating basis. Mr. Pach says, “It doesn't matter if it's once a year or a few times a year, that is to your discretion”.

Mr. Taylor says, “7:00 pm is kind of late. You probably are just trying to cover that. Ms. Hellmuth says, “actually, I will be honest, I have people that come to my office, now. I work in Norwich, and they come from 6pm to 7pm.

Mr. Taylor says, “If you had a second practitioner, and you talked about having a couple people would you say that there would be four or five cars parked there at one time? Ms. Hellmuth says, “no we wouldn't be two at a time. The other practitioner would be at a different time. Mr. Taylor says, “you wouldn't even be there necessarily.” Ms. Hellmuth says, “well I will be there. It's space for one practitioner, but I am saying if somebody else wanted to do a special event, say my friend Jane if she wanted to do a somatic therapy event, I want to be able to allow her to get in and I would be there for that event. Mr. Taylor says, “I don't understand the language, but the special events are within the scope of, would you say that again?” Ms. Gardner asks, “what is somatic therapy?” Ms. Hellmuth states, “It's people laying on the ground and breathing etc”. Mr. Taylor asks if Ms. Gardner understands what we are talking about. Ms. Gardner does.

Mr. Taylor asks for a little more information on the retail and what that will entail. Ms. Hellmuth says, “I do some fire ciders, some tinctures, and I am a licensed herbalist so I will be selling herbal remedies and if you have a cold and flu or anything like that you can come in”. Mr. Taylor asks if Ms. Hellmuth does essences. Ms. Hellmuth says, “sometimes, I know how to do it”. Electromagnetics is discussed. Chineses arts are all discussed. Mr. Taylor states an ancillary kind of thing and not your main purpose. Ms. Hellmuth says, “it is not going to be an open retail space. There are a bunch of apocalyptic places here and I am not into people just walking in and grabbing things off the shelf”.

Mr. Taylor says, “we are just trying to understand it, so that if you wanted to do more you could.”

Ms. Hellmuth says, “I want to leave it as broad as possible but not become a store.”

Mr. Taylor moves on to Mr. Engle. Mr. Engle says, “I want to do classic restoration. I have an older pick up that needs some repair work. If maintenance comes up, I will do that, but I am not trying to have a service station. My goal is to either take on private commissions or certain projects for restoration process. I also want to do sugaring repair, agricultural repair, but that would be mostly out of the shop. I have seventy-five acres on blood brook that I want to put in a sugar shack up there and outdoor recreational sort of things. My employment currently is timber framing and finish construction in carpentry currently, so I want to be able to have the space to maintain my own vehicles for that.”

Mr. Taylor says, “My primary concern would be the number of vehicles you have parked outside.” Mr. Engle says, “I would not go above six. The previous permit is discussed, as six vehicles overnight.

Mr. Taylor says, “If I was a neighbor, I wouldn't want to see cars outside for three or four junk cars and I am a little concerned about this.” Ms. McCanna states she thought the vehicles would be for sale but now understands that they are vehicles of a work in progress. Ms. McCanna asks if they would be visible from the road. Mr. Engle says, “yes.” Ms. McCanna asks about the private fence around the back. Mr. Engle says, “Simple energy had planned to put a fence around the property lines, which I would entertain if that would help with the visibility aspect.” Ms. McCanna agrees with Mr. Taylor's concern. Both Mr. Engle and Ms. Hellmuth want the place to look nice.

The discussions of U-turns and pull overs is discussed.

Mr. and Mrs. Gray are asked their concerns. Ms. Gray introduces herself as a neighbor, living right across the street. Ms. Gray states, “the way the building is situated it is like a giant amplifier directly into our house.” She in the past has heard every single conversation of the previous owners. Ms. Gray noticed the idling and revving of trucks happened with prior owners. Mrs. Gray states that people drop off cars at all hours of the night to be worked on. Mrs. Gray says, “the visual aspect of having to look at cars sitting in the parking lot for days and days and we are hoping that doesn't happen.” Mrs. Gray says, “hopefully there won't be neon signs in the vehicles saying that they are for sale and how much they are, because it is eye chaos” Mrs. Gray is concerned with the hours and operation. “What would be your hours would it be eight to five?” Mr. Engle says, “I do not plan to go horribly late with any kind of sound or activity, five or six. That's usually when I am done anyway.” Mrs. Gray says, “you have been a great neighbor so far.” Mr. Engle says, “I have no problem keeping the

doors closed. Does that help with the sound?" Mrs. Gray says, "oh yes." Mr. Gray says, "That is one thing that was a issue, butd the prior owners were confronted, they would say oh sorry and shut the doors. They were good about it." Mr. Engle says, "I am into green energy and solar, so my goal is not to park a bunch of junky cars there. Its was stated cars have been parked there for years and it looked like a used car lot." Mr. Gray says, "just the unsightliness of all the stuff." Mr. Engle says we will not be living there, "I do not want to have a used car lot." Mr. Gray asks Ms. Hellmuth if she would have a sign out front. Ms. Hellmuth says, "Yes, I will have a sign that says acupuncture, herbal medicine so I will advertise. I don't think its going to have every one peeling out." Mr. Engle says there is a spot on the building that is a little picture frame. "It is minimal. Its maybe two feet." Ms. Hellmuth says, ""it will just be me advertising. Mr. Engle says, "we are going to keep it as neat as possible." Ms. Hellmuth says, "yes we can add plants."

Mr. Taylor says, "with your background in timber framing, you could very easily build three foot high by four- or five-foot-wide planters and that would discourage the traffic, but you still could come in and get out. I don't think we are requiring that though."

Ms. Gardner reminds the board and the attendees that state roads structures such as signs have to be twenty-five feet from the center line.

Mr. Taylor would like to get the number of cars in the lot taken care of. Mr. Engle says, "as far as cars, I don't anticipate any more than six cars in the yard." Mr. Taylors asks the Grays if they are ok with this. Ms. McCanna says, "six cars including the one that you're driving every day?" Mr. Engle says "no, six parked then we would have our two cars." Ms. Hellmuth says, "it will be my people that are coming in also." Ms. Hellmuth says, "Mr. Engle has a trailer that he stores our bicycles in, then he has three trucks, that is four vehicles." Mr. Pachts states how about six vehicles but no more than two nonfunctioning vehicles. Ms. McCanna asks if Mr. Engles trailer was there tonight. Mr. Engle says, "it was."

Mr. Pacht states, "six rotting cars for three years is worst case scenario but if there are six functioning vehicles, that is not an issue at all." Ms. McCanna says, "we are trying to get away from having trucks sitting there for days." Mr. Engle says there is space behind the shop," and he is fine with putting any project cars back there. "I also think there is a property line. And if it's a visual thing I wouldn't mind putting up a fence. I measured out the slab and it is the full length of the building and twenty feet wide."

Mr. Taylor says, "so you said that project vehicles will be stored out back out of sight or in the bay. The rest of the vehicles, long term project vehicles are out back, short term project vehicles are limited to four." Ms. Gardner asks, "what does short term and long-term mean?" Mr. Pacht says anything shorter than a month can be out front. Ms. McCanna says, "anything that is running that you can move can be out front" and the things that do not move can be in the back." Mr. Taylor says, "this is what the conversation is about, so if we put four long term projects more than a month and your short term projects a week or whatever, limited to four, and from the land scaping point of view it would be wonderful if you did put somehow break that up in the front." Mr. Engle asks, "is there a permitting process for a fence?" The discussion is held on how to permit a fence in the town. Mr. Taylor says "I don't think you really want a stockade fence in a cute little village"

The discussion of possible planters would be a good idea. Mr. Engles says, "I just want everything so I can pick it up and move it in the winter." Mr. Taylor says, "We should note that this service is not open to the public. This car garage, when we say it doesn't means you wont have customers but after you have done these cars you are going to want to sell them. People will want to come and look at them. Mr. Engles says, "If I have that I will have inside the bay." Mr. Taylor says, "do you want to have an employee?" Mr. Engle says, "yes having one or two employees should be kept as an option." discussion of examples of car dealerships and act 250 permits due to them is had.

Mr. Pacht states, "you don't want to come and have to reapply for employees." Mr. Taylor notes two employees should be added.

Mr Taylor recaps, “there will be four vehicles out there that are short term vehicles, then we have both people driving a vehicle to work.” Ms. Hellmuth says, “I will have three short term.” Mr. Taylor says, “so there will be six cars and a possibility of customers and some special events so ten in total. It's not a condition is just a finding of facts.”

“Does this sound reasonable? ”Asks Mr. Taylor. Ms. McCanna asks if there is a dumpster onsite. Mr. Engles says there is. “It is in the back.” Mr. Engle says, “right now I go to Lebanon to the dump and scrap metal, I go to wilder. Ms. Howard asks about oil. Mr. Engle says, “I was going to get thirty-gallon barrels I can pick up with a forklift and it can be stored out back. Mcs. McCanna says, “I think we should say how often that is moved. Mr. Engle, “ says once every six months it will be moved. He may have a stove to burn it in the future. At this time anything they do have will go to the dump.”

“Hazard waste will be taken care of at least every six months.” Mr. Taylors says, “lets say, not necessarily is it a condition but a finding of a fact is you may do planters for landscaping in the front. “

Mr. Taylor says, “when noise is made the garage doors will be shut.” He asks how that will work on a hot day. Mr. Engle says, “there is a fan in the bay.” Discussion is made of sound. The hours are discussed as Monday through Saturday.

Mr. Taylor says, “what we are trying to avoid is neighbors fighting neighbors and our responsibility is trying to make things clear among neighbors so that they do understand what the responsibilities are but they don't find themselves in that kind of contest.” Mr. Pacht notes that protection of both parties is important.

Mr. Engles notes occasionally there might be a large truck there due to being on the waterboard. Mr. Taylor says, “you are in the 100-year flood plain and we could make an argument that the vehicles could obstruct the flow of the water.” The discussion is of a woodshed having to be built that had to be placed up.

Motion to approve this conditional use for acupuncture, herbalist, and retail and for the automotive restoration subject to conditions.

Approved 5/0

**Administrative:**

Discussion of how a board member could reclude if they choose to is had. The discussion of the minutes in the future is also had.

**Adjourn-8:15pm**

Please note: Hearings will be called in the order they appear above. If more than one hearing is scheduled and the applicant does not appear, the next applicant should be prepared to begin their hearing.

Respectfully submitted,  
Kelly Gardner, Zoning Administrator

Approved on the \_\_\_\_ day of \_\_\_\_, 2024.

---

Tim Taylor, Chair