

Town of Danville Development Review Board Hearing Minutes

9/2/15

Approved as submitted, 10/7/15

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Attendance:

Present DRB Members: Mike Smith (Chair), Rob Balivet, Doug Lamothe, John McClung

Absent DRB Members: Sue Pekala, Theresa Pelletier, Ted Chase

Zoning Administrator: Linda Leone

Public: Larry and Cheryl Couture, Pat Peck, Douglas R. Pastula, Henry Pearl, Isaac Pearl, Diane Chadderdon

The hearing was called to order by Chair Mike Smith at 7:00 pm. A quorum was established.

Permit Hearings:

Permit #2015-43

Applicant: Patricia I. Peck

Site: West of Village off (south of) Walden Hill Rd; UW002-028.00, Bk 106, page 147. Zoning: Medium Density Residential I (MDR-I)

Project: Subdivide 127+/- acres into 2 lots: Lot #2 to be 123+/- acres; Lot #3 to be 4.1 acres.

Relevant Bylaws:

Medium Density Residential I, Section 205.6, page 20.

Subdivision of Land, Section 806, page 46.

Bylaw Application: Section 806.1 requires a hearing.

Discussion:

Quantities shown on permit application differ from survey. Survey is correct; permit application quantities revised to reflect survey.

Findings:

1. The subdivided lot sizes, road frontages and setbacks comply with the applicable Bylaws.
2. There is a deeded 50' right-of-way (R.O.W.) to Lots #2 and #3 from Walden Hill Road.

Conditions:

1. Applicant is to provide survey plat mylar showing locus within 30-day appeal period.

Decision:

Mike Smith moved; Rob Balivet seconded motion to approve permit application. Motion passed.

Permit #2015-44

Applicants: Henry and Isaac Pearl

Site: 476 Pearl Road; TH039-012-000, Bk 148, page 524. Zoning: Medium Density Residential I (MDR-I)

Project: Subdivide 127+/- acres into 2 lots: Lot #2 to be 123+/- acres; Lot #3 to be 4.1 acres.

Relevant Bylaws:

Low Density Residential, Section 205.6(8), page 18.

Subdivision of Land, Section 806, page 46.

Bylaw Application: Section 806.1 requires a hearing.

Discussion:

1. Lot designations shown on survey differ from permit application. Proposed Lot #1 is 172.7 acres; existing Lot #2 is 8 acres; and proposed Lot #3 is 331+/- acres.
2. Status of access to Lot #2 via proposed Lot #1 is unclear: Is the access indicated by a dashed line TH #39? Is segment of TH #39 through Lot #1 'thrown-up' or still a legal road?

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Is access a deeded right-of-way?

Findings:

1. The proposed subdivided lot sizes comply with the applicable Bylaws.

Conditions:

1. Survey is to be corrected to show proper lot number designations, per discussion above.
2. Approval is conditional on applicants verifying that access to Lot #2 through Lot #1 is legally documented – either as a Town Road or a deeded right-of-way.
3. Legal status of access to Lot #2 through Lot #1 is to be legally documented.
4. Applicant is to provide survey plat mylar showing locus within 30-day appeal period.

Decision:

John McClung moved; Doug Lamothe seconded motion to approve permit application. Motion passed.

Approval of Minutes: Mike Smith moved; John McClung seconded motion for approval of minutes from the DRB hearing of 8/19/15 as presented. Motion passed.

Other Business: Chair Mike Smith distributed a draft 9/2/15 Order of Business for future discussion by DRB. This draft would supersede 8/3/14 draft.

The hearing was adjourned at 7:35.

Respectfully Submitted,
Rob Balivet