

Town of Danville Development Review Board Hearing Minutes

6/21/17

(Approved as submitted, 7/19/17)

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Attendance:

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

Absent DRB Members: Ted Chase, Theresa Pelletier

Zoning Administrator: Linda Leone

Public: Nathanael Hale, Bill Willis, Elaine Horne, Judi McAlenney

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

Permit Hearings:

Permit #2017-33

Applicants: Peter and Judi McAlenney

Site: 159 Brook Road, Harvey's Hollow; TH056-002.001, Bk 112, pages 581-583. Zoning: Low Density Residential

Project: Build 32'x10' front porch on existing house.

Relevant Bylaws:

Low Density Residential - LDR, Section 205.6(.8), page 20.

Design Control District, Section 208, page 22.

Bylaw Application: Section 208.2 requires a hearing.

Findings/Conditions:

1. The permit application's project was found to comply with the applicable referenced Bylaws.
2. There is a thirty-day appeal period for this permit.
3. The permit is not issued until the 30 day appeal period has expired and any appeals have been concluded.

Decision:

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

Permit #2017-34

Applicant: Nathanael Hale

Site: 199 Pumpkin Hill Road, East Danville; TH083-001.000, Bk 151, page 630. Zoning: Low Density Residential

Project: Dig a 45'x75'x8' to 10' deep man-made pond.

Relevant Bylaws:

Low Density Residential - LDR, Section 205.6 (.8), page 20.

Conditional Use, Section 207, page 22.

Bylaw Application: Section 207.1 requires a hearing.

Discussion:

1. Abutter Elaine Horne and her surveyor Bill Willis reviewed the proposed project's relationship with her properties, looking at the survey which shows leach fields, septic system and water sources.
2. Applicant stated that pond will be filled mainly by surface runoff as there appears to be no spring source.
3. There will be no dam, however, an overflow pipe will be provided.
4. Any overflow drainage will be directed to an existing runoff swale and will not affect

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abutter's property.

5. Pond will be used to drain area and for swimming. It may also have fish.
6. Applicant's existing leach field is at elevation higher than the proposed pond.
7. Elaine Horne stated she was satisfied that the proposed project would not affect her properties.

Findings/Conditions:

1. The permit application's project was found to comply with the applicable referenced Bylaws.
2. There is a thirty-day appeal period for this permit.
3. The permit is not issued until the 30 day appeal period has expired and any appeals have been concluded.
4. Condition: Applicant will obtain any State of Vermont permits, if required.

Decision:

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

Approval of Minutes: Doug Lamothe moved; John McClung seconded motion for approval of minutes from the DRB hearing of 6/7/17 as presented. Motion passed.

Other Business: Zoning Administrator Linda Leone asked an attorney with Vermont League of Cities and Towns (VLCT) if the DRB can refuse to approve a zoning application without a State permit. The attorney replied no, except if a sewer or septic system is part of the proposed project. Linda Leone will clarify his response, especially regarding such statutes as the Shoreline Protection Act. Next meeting is 7/19/17.

The hearing was adjourned at 7:35pm.

Respectfully Submitted,
Rob Balivet