

Town of Danville Development Review Board Hearing Minutes

11/15/17 (Approved as submitted, 12/6/17)

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Attendance:

Present DRB Members: Mike Smith (Chair), Rob Balivet, Doug Lamothe, Theresa Pelletier

Absent DRB Members: Ted Chase, John McClung

Zoning Administrator: Linda Leone

Public: Michael Hawkins (representing Rhea Y. and Hubert, Jr., Hawkins Revocable Trust),
Dee McKown, Tom and Doris Grazulis

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

Permit Hearings:

Permit #2017-62

Applicants: Michael Hawkins/Rhea Y. and Hubert, Jr., Hawkins Revocable Trust of 2001

Site: 884 Hawkins Road, East Danville/Goss Hollow; TH-64-006.000, Bk 100, pages 89, 93.

Zoning: Low Density Residential

Project: Subdivide Michael Hawkins undeveloped lot of 121.4 acres into one lot of 119.8 acres and one of 1.6 acres. The 1.6 acres is to be conveyed to the existing 1.8 acres of the Hawkins Revocable Trust. The existing 1.8 acres is a developed lot with house and barn. Conveying the 1.6 acres to the 1.8 acres will result in a developed lot of 3.4 acres.

Relevant Bylaws:

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

Subdivisions of Land, Section 806, page 46.

Undersized lot resulting from subdivision of land, Section 806.4, page 46.

Bylaw Application: Section 806.1 requires a hearing.

Discussion:

1. Locus marginally unclear locating site but acceptable after further investigation by DRB members.

Findings of Fact/Conclusions of Law:

1. Certified survey plat submitted depicting originating and derived lots.
2. When 1.6 acres is subdivided from 121.4 acres, it becomes not in conformance to LDR minimum lot size of 3 acres.
3. Proposed conveyance of 1.6 acres to originating 1.8 acres will result in a conforming lot of 3.4 acres.
4. The permit application's project was found to comply with the applicable referenced Bylaws.

Conditions:

1. There is a 30-day appeal period for this permit. An approved permit is issued once the 30-day appeal period has expired and any appeals have been completed.
2. A mylar copy of the survey plot plan must be submitted within 30 days to the Town Clerk via the Zoning Administrator.

Decision:

Rob Balivet moved; Doug Lamothe seconded motion to approve permit application for subdivision of land. Motion passed.

Permit #2017-63

Applicant: Edith Crocker McKown

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Site: 77 Cove Road, Joes Pond; JP 200-134-000, Bk 142, pages 312-313. Zoning: Medium Density Residential II – MDR II.

Project: Adjust common lot line of originating lot #1 consisting of 0.83 acres and originating lot #2 consisting of 0.3 acres by conveying 0.13 acres from lot #1 to lot #2. This will provide lot #2 direct access to Cove Road and “make parcel easier to build upon”. Upon conveyance, the resulting lot #1 will consist of 0.70 acres, and lot #2 will consist of 0.43 acres.

Relevant Bylaws:

Medium Density Residential II – MDR II, Section 205.7, page 19.

Subdivisions of Land, Section 806, page 46.

Undersized lot resulting from subdivision of land, Section 806.4, page 46.

Variances, Section 809, page 48.

Bylaw Applications: Sections 806.1 and 809.1 require a hearing.

Discussion:

1. Subdivision will provide Lot #2 direct access to Cove Road and “make parcel easier to build upon”.

Findings of Fact/Conclusions of Law:

1. Certified survey plat submitted depicting originating and derived lots.
2. Both originating and proposed lots are, and will remain, non-conforming to MDR II 1.5 acres minimum lot size requirement. Therefore, a variance is required.
3. The proposed subdivision will not alter the essential character of the neighborhood.
4. Both lots #1 and #2 are owned by the same person, Edith Crocker McKown.

Conditions:

5. There is a 30-day appeal period for this permit. An approved permit is issued once the 30-day appeal period has expired and any appeals have been completed.
6. A mylar copy of the survey plot plan must be submitted within 30 days to the Town Clerk via the Zoning Administrator.

Decision:

Theresa Pelletier moved; Doug Lamothe seconded motion to approve permit application for subdivision of land and variance for non-conforming lot sizes. Motion passed.

Approval of Minutes: Doug Lamothe moved; Theresa Pelletier seconded motion for approval of minutes from the DRB hearing of 11/1/17 as presented. Motion passed.

The hearing was adjourned at 8:51.

Respectfully Submitted,
Rob Balivet