

Town of Danville Development Review Board Hearing Minutes

10/3/18 (Approved as submitted, 10/17/18)

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Attendance:

Present DRB Members: Mike Smith (Chair), Rob Balivet, Brian Henderson, Doug Lamothe, John McClung, Henry Pearl, Theresa Pelletier

Zoning Administrator: Linda Leone

Public: Mike Malaney, Julie Parrish, Noel Peel, Keith Schnell

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

Permit Hearings:

Permit #2018-56

Applicants: Noel and Fredda Peel

Site: 828 Channel Drive, Joes Pond, West Danville; JP 200-209.000, Bk 155, pages 353-355.

Zoning: MDR II

Project: Enlarge existing 6'x24' deck by adding 14'x16'.

Relevant Bylaws:

Medium Density Residential II - MDR II, Section 205.7, page 18.

Variations, Section 809, page 50.

Bylaw Application: Section 809.1 requires a hearing.

Discussion:

1. Applicant is responsible for State's review of proposed project under the Shoreline Protection Act.
2. New deck will have ½" gaps between decking material and pervious gravel underneath the deck.
3. Applicant met with State SPA's Lindsey Miller.
4. Alternative configurations of the new deck were discussed. The proposed configuration was justified.

Findings of Fact/Conclusions of Law:

1. The rear (Joes Pond) setback is 28' where 50' is required.
2. A variance for the rear setback is required.

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.

Decision:

Theresa Pelletier moved; Henry Pearl seconded motion to approve permit application with variance. Motion passed.

Permit #2018-58

Applicant: State of Vermont (represented by Keith Schnell)

Site: West Danville, State Right-of-way for Lamoille Valley Rail Trail, South of Route 2; State ROW, Bk 51, pages 521-523. Zoning: Route 2 District

Project: Construction of approximately 50' of black-colored vinyl-coated steel chain link fence, 48" height, between LVRT along Joes Brook outlet of Joes Pond above the dam in order to prevent pedestrians from falling into dam intake.

Relevant Bylaws:

Route 2 District, Section 205.5, page 14.

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Administrative Review, Section 804, page 45.

Permitted and Conditional Uses, Section 807, page 48.

Bylaw Application: Section 807.2 requires a hearing.

Discussion:

1. State met with West Danville residents and Planning Commission member Jennifer Lavoie. They expressed concern about safety of pedestrians next to dam.
2. Doug Lamothe recommended State include bottom rail to fence rather than just wire hemmed fabric.
3. State has a contractor on board, ready to install fence.
4. DRB members agreed installation of the fence is a safety issue justifying waiving the 30-day appeal period.

Findings of Fact/Conclusions of Law:

1. A fence is a Permitted Use under Accessory Structure in Route 2 District.
2. Lack of a fence is a safety issue.
3. The 30-day appeal period is waived in order to address a safety issue.

Conditions:

1. State will add a bottom rail to the fence.

Decision:

Henry Pearl moved; Brian Henderson seconded motion to approve permit application. Motion passed.

Permit #2018-59

Applicants: Martin Beattie (owner) and Julie Parrish (tenant)

Site: 15A Hill Street, Danville; VW 002-001.000, Bk 154, pages 491-492. Zoning: Village Core District

Project: Establish a hair salon and hair cutting, coloring, manicure and pedicure business.

Mount a 3'x5' exterior sign on wall above business.

Relevant Bylaws:

Village Core District, Section 205.2, pages 5-7.

Signs, Section 314, page 28.

Permitted and Conditional Uses, Section 807, page 48.

Bylaw Application: Section 807.3 requires a hearing.

Discussion:

1. Hair salon's business hours will be 8:00 am to 5:00 pm Monday through Saturday.
2. Julie Parrish has discussed shared parking with neighboring businesses. The Creamery, in particular, offers parking space during business hours. She indicated appointments will be one person at a time, spaced apart.

Findings of Fact/Conclusions of Law:

1. A hair salon business is an Essential Service included in Conditional Uses for the Village Core District.
2. Parking will be shared with other businesses whose hours do not conflict with proposed business, such as the Creamery Restaurant.
3. The proposed sign complies with Section 314, including Table 314.6.

Conditions:

2. 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.

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Decision: Theresa Pelletier moved, Henry Pearl seconded motion to approve permit application.
Motion passed.

Approval of Minutes: Mike Smith moved; Henry Pearl seconded motion for approval of minutes from the DRB hearing of 9/19/18 as presented. Motion passed.

The hearing was adjourned at 8:00.

Respectfully Submitted,
Rob Balivet