

Town of Danville Development Review Board Hearing Minutes

10/17/18

(Approved as submitted, 11/7/18)

Page 1 of 2.

Attendance:

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

Zoning Administrator: Linda Leone

Public: James & Amanda Silva, Megan Haygood (representing Currier family)

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

Permit Hearings:

Permit #2018-60

Applicants: James Silva Jr. and Amanda Silva

Site: 340 Currier Road, Harvey's Hollow; TH 052-008.000, Bk 159, page 138. Zoning: LDR

Project: Construct 26'x28' two-car attached garage.

Relevant Bylaws:

Low Density Residential, Section 205.6, page 19.

Permitted and Conditional Uses, Section 807, page 48.

Variances, Section 809, page 50.

Bylaw Application: Section 809.1 requires a hearing.

Discussion:

1. 0.908 acre lot was created before Danville had Zoning Bylaws.
2. Applicants confirmed they own subject property.
3. Proposed garage location leaves 14' setback at left side where 35' is required. A variance is required.
4. Applicants were advised that DRB approval of a variance may be rejected if there were to be a legal challenge.
5. Existing well located to the rear/left of the house as well as the existing leach field and septic system to the rear/right of the house make adding a garage behind or on the right side very difficult. Applicant noted that adding the garage to the front/right side would place it closer than the required 50' front setback to center of road.
6. Abutting land belongs to Currier Family Farm, LLC. It includes a horse paddock.
7. Megan Haygood said that the Curriers have no objection to the application.

Findings of Fact/Conclusions of Law:

1. Garage is a permitted use.
2. Section 205.6 requires a side setback of 35'. Applicants propose 14' setback. Therefore, a variance is required.
3. Project meets all variance conditions itemized in Section 809.1, pages 50-51.

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. Applicant shall not begin work on the project until an approved permit is issued.

Decision:

Theresa Pelletier moved; John McClung seconded motion to approve permit application's variance. Motion passed.

Approval of Minutes: Henry Pearl moved; Theresa Pelletier seconded motion for approval of minutes

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Page 2 of 2.

from the DRB hearing of 10/3/18 as presented. Motion passed.

Other Business:

1. Training date – VLCT is going to suggest a date soon; probably first or second week in November. Henry Pearl will be gone 11/12-15. Linda Leone will notify DRB members.
2. Section 301: Existing Small Lots – The DRB discussed the ambiguity of applying the provision to “a village district”. Henry Pearl will bring the subject up to the Planning Commission.

The hearing was adjourned at 7:30.

Respectfully Submitted,
Rob Balivet