

Town of Danville Development Review Board Hearing Minutes

6/5/19

(Approved as revised, 7/3/19)

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Attendance:

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

Absent DRB Members: Theresa Pelletier

Zoning Administrator: Linda Leone

Public: Denise Briggs, Melissa Deppisch, Tim Ide, Eleanor and John Perry, Ken Linsley

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

Permit Hearings:

Permit #2019-20

Applicants: Peter and Jeanne Gallerani

Site: 552 Peacham Rd, Danville; SA 003-022.000, Bk 87, pages 661-663. Zoning: LDR

Project: Subdivide 43.87 acres into two lots: Lot #1 to be 17.82 acres; Lot #2 to be 6.05 acres.

Relevant Bylaws:

Low Density Residential - LDR, Section 205.6, page 19.

Subdivisions of Land, Section 806, page 47.

Bylaw Application: Section 806.2 requires a hearing.

Discussion:

None of substance related to application.

Findings:

1. The permit application's project was found to comply with the applicable referenced Bylaws.

Conditions:

1. A mylar copy of the certified survey map identical to the submitted survey map must be submitted within 30 days to the Town Clerk via the Zoning Administrator.

Decision:

John McClung moved; Brian Henderson seconded motion to approve permit application as submitted. Motion passed.

Permit #2019-23

Applicant: Melissa Deppisch

Site: 71 Hill St, Danville Village Core; SA 002-009.000, Bk (TBD), pages (TBD). Zoning: Village Core District

Project: Change use from Permitted Use of Single Family Dwelling to Conditional Use of Day Care Center with a day program for children and young adults (clients) with intellectual and/or developmental disabilities, office space, and parent training.

Relevant Bylaws:

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

Conditional Uses, Section 207, page 21.

Off-Street Parking and Loading, Section 311, pages 24-26

Bylaw Application: Section 207.1 requires a hearing.

Discussion:

1. Book and pages are not cited as property is being purchased. Once property deed is entered, Zoning Administrator will enter the appropriate Book and Page numbers.

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2. Construction of a two-story building addition is currently underway and was approved as a Permitted Use under application 2019-22 approved by ZA on 5/15/19.
3. Parking quantity depends on occupancy quantity as specified by Section 311.1(f) Parking Table. Applicant indicates 10-12 clients with one-on-one staff. Parking Table indicates 1 parking space per 1-10 children or adults. This results in an occupancy quantity of 24, or 3 parking spaces. There will be drop-off/pick-up of clients. Applicant indicates at least 6 parking spaces will be provided. If overflow is anticipated, applicant is advised to negotiate overflow parking terms with adjacent Congregational Church.
4. Neighbors Eleanor and John Perry request visual screening of parking from their residence – vegetation, rather than a fence. Applicant is agreeable to work with the Perrys to provide screening.
5. Noise levels should not be a problem, as clients will not generally be outside as a group.
6. The playground will have clients managed by one-on-one staff. Staff will control impulsive “bolting” of clients by being within arms’ length.
7. Concern for snow storage and removal will be addressed such that required parking spaces and drop-off/pick-up traffic circulation is maintained.
8. Facility will have State certification and insurance oversight.
9. Facility will do business under the name of Spectrum Services, LLC.
10. An 8”x24” sign will be provided.
11. Applicant anticipates opening for business at the end of August 2019.
12. Sketch of existing site is inadequate to show proposed parking plan to accommodate business.
13. Doug Lamothe made a motion to go into Deliberative Session to consider the application. Rob Balivet seconded.

Findings:

1. Day Care Center is a Conditional Use for Village Core District.
2. Number of proposed parking spaces (6) exceeds required parking spaces (3).

Conditions:

1. Proposed sign will be submitted to Zoning Administrator for approval.
2. Applicant will provide visual screening between parking and adjacent residence in cooperation with the Perrys.
3. Parking and drop-off/pick-up loading will comply with requirements of Section 311, and applicant is to provide a dimensioned engineered site plan that addresses traffic circulation for drop-offs and pick-ups in compliance with Section 311 for approval.

Decision:

Brian Henderson moved for approval of Conditional Use application with stated conditions; John McClung seconded. Motion passed.

Approval of Minutes: John McClung moved; Doug Lamothe seconded motion for approval of minutes from the DRB hearing of 4/17/19 as presented. Motion passed.

Other Business:

1. Update on status of Interim By-Law changes: Mike Smith noted that Alison Low, NVDA Senior Planner, reviewed the proposed changes. She responded that the changes look complicated and suggested that waiver provisions used by the city of Barre serve as an example for Danville. DRB advised Ken Lindsley, Select Board Chair, that variances for Joes Pond may not be

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approved in future applications due to risk that DRB variance approvals would be rejected by Environmental Court should they be challenged. Ken Lindsley will look at NVDA comments and discuss with Select Board and Planning Commission.

2. Planning Commission update: The PC is working on By-Laws update and will forward them to DRB for comment. PC anticipates draft changes will be ready for review by November/December 2019. This will be followed by two hearings.

The hearing was adjourned at 9:05 pm.

Respectfully Submitted,
Rob Balivet