

Town of Danville Development Review Board Hearing Minutes

11/20/19 (Approved as submitted, 12/18/19)

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Attendance:

Present DRB Members: Mike Smith (Chair), Rob Balivet, Kristin Barany, Brian Henderson, Robert Magro, John McClung,

Absent DRB Member: Theresa Pelletier

Zoning Administrator: Linda Leone

Public: Lisa Hantman, John E Moore, Jr., Melissa Deppisch

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

Permit Hearings:

Permit #2019-70

Applicant: Ernest Tobias Balivet

Site: 79 Park Street, Danville Village Green; TH094.004.000, Bk 134, page 425. Zoning: Village Core

Project: Renew Permit #2017-17 issued 6/15/17 for change in use from residential to mixed residential/office, add ramp, roof and railings to existing porch, attach 23"x37" sign, and approve variance for setback.

Relevant Bylaws adopted 5/3/18:

Village Core District, Section 205.2, page 5.

Conditional Uses, Section 207.1, page 21.

Administrative Review, Section 804.9, page 46.

Variances, Section 809, page 50.

Bylaw Application: Section 804.9 requires a hearing: "Zoning permits shall remain in effect for two years from the date of issuance. All development authorized by the permit shall be substantially commenced within this two-year period or reapplication shall be required to continue development."

Discussion:

1. Permit application was heard before the DRB on 5/3/17. The permit was issued 6/15/17.

Findings/Conditions:

1. Work on the approved application has not substantially commenced as of June 15, 2019, two years since the permit's issuance. A reapplication is required to continue development.

2. The project's scope remains the same as that previously approved.

3. Approval of continuance is permissible.

Decision:

Brian Henderson moved; Kristin Barany seconded motion to approve permit application 2019-70 for continuance of permit. Motion passed.

Permit #2019-72

Applicants: John E. Jr. & Deborah Moore.

Site: 3441 Keiser Pond Road, South Danville; TH 010-008.000, Bk 149, pages 53-54. Zoning: LDR.

Project: Subdivide 44.0 acre lot into 2 lots: Lot #1 to be 26.7+/- acres; Lot #2 to be 17.3+/- acres.

Relevant Bylaws:

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

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Subdivisions of Land, Section 806, page 47.

Bylaw Application: Section 806.2 requires a hearing.

Discussion:

1. Site survey shows a proposed 270' +/- line dividing the 44-acre lot into two lots.
2. No "legible inset locus" appears on the submitted mylar subdivision plot plan.

Findings/Conditions:

1. Section 806.3(a) requires a locus. The permit application's mylar does not show a required locus.
2. A condition to DRB approval is added to provide a locus on the mylar subdivision plot plan. Applicant is to submit revised mylar showing locus prior to issuance of permit.
3. There is a thirty day appeal period for this permit.
4. The subdivision permit is not in effect until all appeal periods have expired and/or all appeals are concluded and a final approved subdivision survey plat on mylar is submitted to the Zoning Administrator to be filed in the Town's land records.

Decision:

Kristin Barany moved, Brian Henderson seconded motion to approve permit application 2019-72 with condition to submit revised plot plan showing legible inset locus. Motion passed.

Permit #2019-23

Applicant: Melissa Deppisch

Approved permit stipulated condition #2: "Applicant will provide visual screening between parking and adjacent residence in cooperation with Perrys." Applicant provided DRB an update on project's progress, stating that resolution of the visual screening has not been reached with the Perrys.

Approval of Minutes: Brian Henderson moved; Kristin Barany seconded motion for approval of minutes from the DRB hearing of 11/6/19 as presented. Motion passed.

The hearing was adjourned at 7:45.

Respectfully Submitted,
Rob Balivet