

Approved _____, 2017

Cornwall Development Review Board (DRB)

Cornwall Town Hall • Route 30 Station

May 3, 2017 • 7:00—9:20pm

MEMBERS PRESENT: Matt Bonner, Bruce Byers, Barbara Greenwood, Joe Severy, Annie Wilson; Gary Barnett, Alt.

ALSO PRESENT: Ashar Nelson (VIA, for J Brown); Cheryl Cesario, Shari Johnson

1. CALL TO ORDER: 7:08pm

2. QUORUM: Established.

3. AGENDA:

Barbara MOVED / Bruce SECONDED to approve the Agenda as presented. **Motion passed** (5 in favor, 0 opposed.)

4. MINUTES: April 5, 2017

Bruce MOVED / Annie. SECONDED to approve the **April** Minutes as presented. **Motion passed**. (5 in favor, 0 opposed).

OLD BUSINESS:

5. Board Composition & Rules of Procedure

- **Composition**—[Matt] The DRB's proposed change in its composition to 5 members with 2 Alternates, was approved by the Selectboard on April 18. The five members, as previously appointed are Matt Bonner, Bruce Byers, Barbara Greenwood, Joe Severy, and Annie Wilson, with Gary Barnett as an Alternate. One Alternate remains to be appointed.
- **Rules of Procedure**—[Barbara] The Rules were amended to reflect the compositional change back to five Members/2 Alternates. This engendered minor changes throughout the document to ensure references to the Board, where necessary, were in sync with the new numbers. Several additional change were made to clarify §1.3 b (duties of Alternates). §4.5 a. (failure to obtain three votes in the affirmative will be deemed denial) , *Article X*, §f. (decisions may be contained within Minutes). Bruce MOVED / Joe SECONDED to approve and adopt the *Rules of Procedure* as published November, 2016, and amended May1, 2017. **Motion passed**. (5 in favor, 0 opposed).

6. Brown Subdivision Hearing

- Matt opened the Hearing with a reading of the *Warning* as published.
 - He then inquired if there were any potential conflicts of interest on the DRB—*None*
 - Any "Interested Persons" present were asked to make themselves known.—*None*
 - Matt administered the oath, at 7:20pm, to Ashar Nelson, Vermont Integrated Architecture, representing the Browns
- The application concerns a Minor Subdivision of applicant's property on Robbins Road, to create two lots: *Lot 1*, 4.2 acres; *Lot 2*, 276 acres..

Documents: Duly stamped and placed in the appropriate folder in office of Town Clerk:

- **Exhibit A:** The Subdivision Application, dated March 20, 2017.
- **Exhibit B:** Survey of Lands of Joseph W. & Kristen P. Brown, Boundary Line Adjustment & 2-Lot Subdivision, Dated April 7, 2017, and designated as Drawing No.

PL-1, and signed by Michael J. Gervais, licensed land surveyor, State of Vermont, showing a portion of the premises in question.

- Exhibit C: Survey of Lands of Joseph W. & Kristen P. Brown, Boundary Line Adjustment & 2-Lot Subdivision, dated April 7, 2017, and designated as Drawing No, PL-2, and signed by Michael J. Gervais, licensed land surveyor, State of Vermont, showing the premises in question in its entirety.
- Exhibit D: Notice of Public Meeting, Town of Cornwall, published in the *Addison Independent*
- Exhibit E: Letter, dated April 22, 2017 from James Duclos, Cornwall Zoning Administrator, to Jean Terwilliger and Manfred T. Kincaid, approving the requested Boundary Line Adjustment, subject to two Conditions on said approval

Discussion

- *Ashar*: PL1 shows updated, boundaries. He noted that the water/waste water applications are underway. Initial project steps: get boundary adjustment and subdivision approvals, get water & waste water permits, build new 2,000sq ft guest house on Lot 1 (permit not yet applied for). No current plans for the main house.
- *Matt*: Noted that the two ZA conditions for the Boundary Line Adjustment (a) purchaser of the 1.48 acres shall remove the existing residence as near as possible within 12 months of the title closing and (b) obtain all applicable permitting approvals to comply with the State Wastewater and Potable Water Supply Rules. He also noted that PL-1 shows no sitings for well and septic systems and shields. *Ashar* indicated that the location of these systems have been altered and changed and will be updated on the Survey....the well moved North and septic moved South and West so that the well will no longer be on the adjacent lot.....Both systems will be located on the same lot (Lot #1) on the one property. And, neither system will overlap the other system. These amended positions will be submitted to the State for approval.
- *Barbara*: Asked about a curb-cut for Lot #1. *Ashar* noted that the drive for Lot #1 will be off of the Lot #2 drive. In the event of the sale of Lot #1, a curb-cut would be sought off Robbins Road.
- *Bruce*: Asked what impact the current request before the Cornwall Selectboard for the vacating approval of a portion of Robbins Road would have on the current minor subdivision application. *Ashar*: Little to no impact on this application. Any impact would be later when a permit is sought for the main house project. If the vacating request is granted, it will make any 100' setback issue for the Lot #2 disappear and it will provide 300" of road frontage, and it will also give the Town plows room to come in. It was noted that the Selectboard has set a hearing date of June 6 for the vacating of that portion of Robbins Road. Site visit at 6 PM at Robbins Road.

Note: The applicants filed two separate Applications in this matter: An application for the subdivision of property to the DRB dated March 20, 2017 and an application for a Boundary Line Adjustme , through the DRB dated April 19, 2017, to the Zoning Administrator, James Duclos.

Decision

As to the request for a two Lot Minor Subdivision, the DRB finds that the proposed subdivision complies with all of the Town of Cornwall's Subdivision Regulations, as well as all of its Zoning Regulations. Therefoer, on a Motion made by Joe Severy and Seconded by Annie Wilson, based upon the foregoing findings noted in these Minutes of

May 3, 2017, the DRB approves this Application for Subdivision Approval, in accordance with §254 of the Cornwall *Subdivision Regulations*, subject to the following Conditions:

- Mylars of Both Surveys (Exhibits B and C), PL 1 and 2, to be duly filed with the Cornwall Town Clerk and the following information shall be shown thereon:
- If the portion of Robbins Road is vacated by the Cornwall Selectboard, it shall be shown on both mylars
- Boundaries of both lots must be shown thereon
- Boundary line adjustment between Brown and Terwilliger/Kincaid properties must be shown thereon
- Water/waste water permits must be obtained and evidence of same duly filed
- As to the BLA application, a Copy of the Zoning Administrator's letter, dated April 22, 2017, shall also be filed with the mylars. Proof that the applicants have duly satisfied the two (2) conditions set forth in said letter within the time set forth therein (in the form of an Affidavit duly executed by Joseph W. and Kristen P. Brown) shall be filed with the Town Clerk of Cornwall. Failure to do so will cause the within matter to be re-opened by the DRB.

7. Change to Agenda—Matt MOVED/Joe SECONDED to alter the remaining Agenda sequence to allow the introduction of two potential DRB Alternate candidates. ***Motion passed (5 in favor; 0 opposed)***

8. DRB Alternate Position— The Board welcomed Cheryl Cesario and Sheri Johnson who attended the meeting to better learn what the DRB functions are. The two introduced themselves and explained their interests in becoming a DRB Alternate.

9. Deliberative Session—At 8:40, the Board entered into Deliberative Session to further discuss a determination on the Browns' airstrip application.

OTHER BUSINESS: *None*

NEXT MEETING: June 7 at 7:00pm, Town Hall

ADJOURNMENT: Matt MOVED / Joe SECONDED to adjourn the meeting at 9:20pm..
Motion passed (5 in favor, 0 opposed)

Respectfully Submitted,
Robin Conway, DRB Secretary

Matt Bonner, Co-Chair, Cornwall Development Review Board
Bruce Byers, Co-Chair, Cornwall Development Review Board