

**Cornwall Development Review Board (DRB)**  
Cornwall Volunteer Fire Department • Route 30 Station  
November 30, 2016 • 7:00—:8:40pm

**MEMBERS PRESENT:** Bruce Byers, Joe Severy, Barbara Greenwood, Gary Barnett, Barney Hodges, Annie Wilson

**ALSO PRESENT:** Jason Barnard, Licensed Designer and Surveyor; Doumina Noonan, property owner

**1. CALL TO ORDER:** 7:00pm

**2. QUORUM:** established. Matt Bonner, Chair, absent due to a family death. Thoughts and prayers of the Board are with Matt and family. In Matt's absence, Co-Chair Bruce Byers chaired the meeting.

**3. AGENDA:** Joe MOVED / Barney SECONDED a motion to approve the agenda as amended (corrected date of previous meeting Minutes to "October 26"). Motion passed – 5 in favor, 0 opposed.

**4. MINUTES October 26, 2016**

Barney MOVED / Gary. SECONDED a motion to approve the minutes as posted. Motion passed - 5 in favor, 0 opposed.

**5. NEW BUSINESS:** none

**6. OLD BUSINESS:**

• **Noonan Subdivision:** Final Application Hearing

- Bruce administered the oath to Jason Barnard and Doumina Noonan, who replied in the affirmative. Sign-in sheet passed and all present signed; Bruce added sheet to his document binder.
- Jason Barnard reviewed the site's survey and plan, documents provided to the Board.
  - He noted the State Water and Waste Water permits had been recorded at the Town Office.
  - The final plan differs little from the preliminary plan as seen by the Board—the northern portion of the property, the subject of this Hearing, consists of 6.35 acres. The remaining portion contains 6.51 acres. Minor differences in the preliminary and final sketches related to the water and waste-water shield and existing well location (no notice required for existing well).
  - Regarding a question about the barbed-wire fence, Jason noted it was, in fact, on an adjoining property, just north of the boundary between the two.
  - All set-backs and the building envelope all shown on sketch, all comply with requirements.
  - In answer to a question regarding the location of the drive relative to two maple trees, Jason answered that that was the location specified by the Town Road Commissioner.

- In response to a question regarding where the documents would be filed, Jason indicated that —once approved—only the Final Plat (an 18” x 24” mylar) is filed with the Town.
- Barney MOVED, Barbara SECONDED, a motion to approve the 2-lot subdivision plan of Doumina Noonan dated October 11, 2016 and signed by Licensed Land Surveyor Micheal J Gervais, VT Lic. # 735. *Motion passed.* 5 in favor, 0 opposed
- ***DRB Rules of Procedure, Review of Final Updates***—Barbara noted that the *Appendix*, relating to Executive Sessions, had not been circulated with the *draft* of November 2.
  - Barbara MOVED, Barney SECONDED, a motion that the DRB adopt as its *Rules of Procedure* the final draft of those rules as circulated by Matt via email November 7, 2016, to include the *Appendix* previously circulated. *Motion passed.* 5 in favor, 0 opposed. Bruce and Matt will sign as Co-Chairs.
- ***Discussion of Subdivision Survey Requirements***—Discussion revolved around several issues including what constitutes a “complete survey,” issue related to accuracy versus costs, consistency of requirements, and the meaning of “certified.”
  - Bruce began the discussion with—“Under Section 320 of the Subdivision Regulations, subparagraph #4, we find one of the six requirements for applicants to abide by in seeking approval of a minor subdivision. It states: ‘A complete survey of the boundaries of the subdivision parcel (note: NOT a partial survey of a portion of the property) by a Vermont licensed surveyor..’ ” Bruce goes on to state: “We at the DRB are required to follow the Subdivision Requirements and be consistent in each case to each applicant. It seems to me that the above requirements do not allow any applicant to submit to the DRB a survey of just a partial survey—it must, in meeting this sub section—be a COMPLETE SURVEY of the BOUNDARIES OF THE PARCEL...the entire PARCEL.”

A complete survey is one that is signed by the surveyor performing the survey and affixed with that surveyor’s seal (ie “certified”). A complete survey should be required before a case will be considered by the DRB. Anything less would be only a partial survey and thus not considered complete.

  - Barney asked if other towns have similar or different requirements. Jason noted that his firm had done a partial survey which had been accepted by the Middlebury DRB as complete for the purpose submitted.
  - Bruce questioned whether and where might be the point at which a full property survey might not be necessary.
  - Barney suggested that once a property has been surveyed and recorded, subsequent surveys would only be needed for the new lot created. Jason indicated that earlier surveys can be referenced, with markers from that survey used to define the survey bounds of the lot being created. Only the new lot survey need be certified by the current surveyor. Barney queried the group as to what might be the next steps on this issue so that the DRB can make their decisions with confidence.
  - Bruce suggested two or three DRB members devise criteria for what the Board would accept as the basis for a new lot’s survey.

**7. PUBLIC COMMENTS:** *none*

**8. OTHER BUSINESS:**

- ***December Meeting***—Barney MOVED, Joe SECONDED, a motion to cancel the December 28 meeting due to the holidays. The next meeting would be January 25, with the discussion on criteria to be continued at that time. *Motion passed* 5 in favor/0 opposed.

**ADJOURNMENT:** Joe MOVED / Bruce SECONDED a motion to adjourn the meeting at 8:40pm..  
*Motion passed* – 5 in favor, 0 opposed.

Submitted by Robin Conway, Substitute Minute-Taker