

**Cornwall Development Review Board (DRB)
MINUTES • March 7, 2018 • 7:00–8:15pm
Cornwall Town Hall**

MEMBERS PRESENT: Barbara Greenwood, Joe Severy, Gary Barnett, Magna Dodge

ALTERNATES PRESENT: Shari Johnson; Annie Wilson, (by special request)

GUESTS: David Anderson

1. **CALL TO ORDER:** 7:00pm. Barbara opened the meeting.
2. **QUORUM:** Established. Barbara asked Shari to sit in as a member of the DRB for this evening's proceedings, bringing the Board to its full 5-member capacity.
3. **AGENDA:** Barbara moved 1 item from the end of the Agenda to the front. She thanked Annie Wilson for all her time and effort on the DRB. She will be missed. Magna MOVED/Joe SECONDED to approve the Agenda as altered. Motion passed

4. MINUTES:

- **January 3, 2018**—Magna MOVED/Gary SECONDED to approve the January 3 Minutes. Motion passed
- **February 7, 2018**—Gary MOVED/Joe SECONDED to approve, as a pro forma record, the February 7 Minutes. Motion passed
- **March 1, 2018**—Tabled

5. MARKWELL SUBDIVISION HEARING

- **Barbara** opened the Hearing with introductions, an explanation of the purpose of the Hearing (to subdivide the property of Mary Markwell on Snake Mountain Road into two parcels, a 4-acre piece to be retained, and a 14 acre parcel to be sold), and a request to DRB members to come forth with any ex parte communications or conflicts of interest. There being none of either, she explained the procedures to be followed this evening, and administered the oath to those present who planned to participate. The usual "interested person" explanation was passed over as there were none present. Barbara noted that Annie, although no longer a DRB member as of Town meeting, had been asked to sit in as she and Gary were the two assigned to this project initially, she will contribute with any thoughts she and Gary had had when reviewing the application and making their site visit, but would not participate in the deliberations. Mrs. Markwell's representatives indicated they were comfortable with this.

Doumina Noonan, Mary Markwell's neighbor to the north is acting as her representative in these proceedings and has presented a Power of Attorney so indicating.

Richard Marshak, neighbor and potential purchaser, has been working closely with both Mary Markwell and Doumina to ensure that Mary's concerns and goals are addressed and her interests protected.

Before turning the Hearing over to Mrs Markwell's representatives, the mailing list and certification of notices mailed were accepted into evidence and marked as *Exhibit A*. The Power of Attorney in this matter for Doumina Noonan was accepted and marked as *Exhibit B*, and the Warning for the Hearing as published in the *Addison Independent* was accepted and marked as *Exhibit C*. The Subdivision Application was marked as Exhibit D, and the Preliminary Survey Plat by Vermont licensed surveyor Timothy Short, dated January 4, 2018, was marked as *Exhibit E*.

- **Applicant**—Richard Marshack explained the proposed subdivision project. Both he and Doumina explained that Mary's reason for selling a portion of her land was to raise funds allowing

her to remain in her home. There are no existing plans to further develop the parcel to be subdivided.

• **Board Questions/Comments**

- **Gary**—queried for more clarity on the Marshak/Landsberg anticipated use of the parcel if purchased. *Richard*: basically as protection for their own property. No construction or other improvements planned, possibly pasturing for goats or other small animals.
- **Barbara**—Preliminary Plat shows the existing Markwell septic site and indicates a future location for an alternative site should the current septic system fail. She would like to have a letter from Jeff Kelly, the geologist siting the future septic location, indicating that he certifies the secondary location as fulfilling the State's requirements. *Doumina*: Purchased her parcel from Mary Markwell in 2004, and thinks the secondary location may have been established at the same time. She and Richard will check Town records as well.
- **Gary**—Asked that all footages be noted on the Final Plat (e.g. frontages, distances from Markwell house to septic system, septic to water system, set-backs from road and remaining 3 property lines). The existing Marshak/Landsberg property on the west side of Snake Mountain Road needs to be identified as well.
- **Barbara**—Also, the plat needs to show the two power -line easements running across the properties. Barbara also introduced the Conservation Committee's Comment Letter as evidence, and marked it as *Exhibit F*.
- **Closing**—With no further questions from either the DRB members nor Noonan and Marshak, Barbara indicated she would bring the Hearing to a close. Richard reiterated the items which he and Doumina are to provide to the Board. He asked about the timeframe and wondered if there was any way to expedite the decision so they could close on their purchase. Barbara explained that the Board must receive the requested geologist letter re: the replacement septic system location first, and that there may be other conditions noted in the decision if it is approved. The DRB would issue its decision within 45 days, and be sent by certified letter to the applicant. Gary MOVED, Joe SECONDED, to close the Markwell Subdivision Hearing at 7:30. **Motion passed.** DRB entered its deliberation phase.

6. Revised Draft Rules of Procedure—Magna MOVED/Shari SECONDED, that the revised draft of the DRB *Rules of Procedure* be approved and adopted. **Motion passed**

7. Candidates—Barbara introduced David Anderson to the DRB and gave him the floor. David explained some of his background and his interest in joining the DRB. He has served the Town of Cornwall as Health Officer (9 years), and served on the Planning Commission, where he was involved in getting the DRB set up. Previously, he had been active in development issues in Potsdam, NY.

Barbara then gave Shari the floor to explain her interest in moving up from an Alternate on the Board to Full Membership. She then excused herself and went into the Library to give the Board an opportunity to discuss what they had just heard.

The DRB decided it will recommend to the Selectboard that Shari Johnson be appointed to a 3-year term as a Full Member of the DRB to fill Annie's vacant seat. (expiring 2021). David Anderson will be recommended as a 3-year appointee to fill Shari's Alternate position (expiring 2020). Barbara noted that Randy LaFramboise has written to her indicating that it was with some dismay he was tending his resignation, as he did not feel he had the necessary time to devote to DRB issues at this point. Thus, there remains 1 vacant Alternate position on the Board.

Shari resumed her seat at the table.

8. Other Business

- **DRB Email Accounts**—Members were reminded that they should have separate email accounts for any/all town business.
- **PC: Draft Consolidated Regulations**—Should be out soon
- **Draft Checklists**—Robin will send members a set of checklists developed to facilitate the review of applications. They are still a ‘work-in-progress,’ so feedback is encouraged.

9. Members’ Availability for next meeting—All expect to be available.

10. Deliberative Session—Short discussion.

NEXT MEETING: April 4 at 7:00 pm, Town Hall

ADJOURNMENT—Magna MOVED, Gary SECONDED, to adjourn at 8:15PM. *Motion passed*

Respectfully Submitted,
Robin Conway, DRB Secretary