

Cornwall Development Review Board (DRB)

Cornwall Town Hall

June 7, 2017 • 7:00—8:45pm

MEMBERS PRESENT: Matt Bonner, Bruce Byers, Barbara Greenwood, Joe Severy, Annie Wilson.

ALTERNATES PRESENT: Gary Barnett, Alt., Cheryl Cesario, Alt., Shari Johnson Alt.

ALSO PRESENT: Vaughn Berno

1. **CALL TO ORDER:** 7:07pm

2. **QUORUM:** Established.

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

4. **MINUTES: May 3, 2017**

Short discussion regarding having decisions recorded in Minutes. The hearing notes contained within the May 3 Minutes (Brown Subdivision) will constitute the bulk of the decision and remain within the Minutes as a record of the proceedings.

Bruce MOVED / Joe SECONDED to approve the May minutes with the above noted caveats and the following specific corrections regarding the Brown Subdivision:

- *Exhibit D*—changed to read: “Notification letter dated to Town of Middlebury and other abutters advising of the proposed subdivision and containing a copy of the Notice of Public Hearing Warning as published in the *Addison Independent*”
- Removed from *Conditions*: “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.”

Motion passed - (5 in favor, 0 opposed).

NEW BUSINESS:

5. **Berno Variance—Informal Discussion**

- Hearing to be Warned for July 5.
- Vaughn’s initial application was denied by the ZA with the recommendation that he seek a Variance from the DRB. The requirements and the need to meet all of them as presented in both Cornwall Zoning Bylaws and State Statute were discussed at length.
- Bruce suggested that Vaughn look into a Waiver, seeking the advice of his attorney as to the pros and cons of a Variance versus a Waiver.
- Board discussed the option of changing the application from that for a Variance to one for a Waiver. This would save time, steps and fees for the applicant. Matt held a phone conversation with the ZA who agreed that this would be the most expedient route and presented no problems from his point of view.
- Timing reiterated: 28 days to July 5 Hearing; Submission of 8 copies of application and all required materials due 25 days prior to Hearing (i.e. June 9)

OLD BUSINESS:

6. West Street Properties, Inc—Review of Mylar Update

- Matt opened presented the DRB with an updated Mylar of the West Street Properties' land on West Street. The map has been updated to show 2 additional curb-cuts from West Street. These will provide access to the two southern-most lots which are currently accessed by means of a shared 3-lot drive. Of the two approved cuts, one already exists, the second will be created shortly.
- This information was presented primarily as an FYI to keep the DRB in the loop regarding the property development. No action from the DRB is needed.

7. Review of DRB Decision Drafting and Issuance

- The Board further decided that the Secretary will write up decisions as stand-alone documents, and send to DRB members for comment,. Once all comments/changes have been incorporated, the Decision will be finalized, then signed, filed, and mailed. Once the draft is ready for approval, the Board may do so at its next scheduled meeting or may call for a special approval meeting for which no warning is required, no public attendance is allowed, and only the specific decision deliberated may be discussed.
- The Board confirmed that hence-forth, all hearings (with the possibility of exceptions as moved and approved by a majority of the DRB) will end with a deliberative period as defined in the Regulations. During deliberations on the specific decision being contemplated, a draft decision will be sent to DRB members for comment and changes. This being a deliberative discussion, it is not subject to the Open Meeting Law.
- In general, it was felt that incorporating decisions in the Minutes is clumsy and leads to an extended wait time for the applicant as the decision can not be considered approved until the Minutes containing it are approved. This adds 30 days, roughly, to the 45-day post-approval issue period. The Board was not willing to cause applicants such an extended waiting period.

OTHER BUSINESS:

8. Resignation—Bruce announced his resignation from the DRB effective after the next meeting (July 5). He expressed his appreciation for the work and efforts of the other DRB members, and noted the great pleasure he has found in being on not only the DRB, but the Planning Commission, as well as other endeavors on behalf of the Town. He indicated his reason being that the time has come to cut back on civic duties and pursue other interests. The Board, for its part, is sad to lose him and appreciates all he has done to get the DRB running.

NEXT MEETING: July 5 at 7:00pm, Town Hall

ADJOURNMENT: Joe MOVED / Annie SECONDED to adjourn the meeting at 8:45pm.. 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