



## DEVELOPMENT REVIEW BOARD MEETING MINUTES

Meeting Type: **Regular Meeting**  
Date: **Thursday, March 10, 2016**  
Time: **7:00 p.m.**  
Place: **Municipal Building Community Room**  
Address: **47 Bombardier Road, Milton, Vermont 05468-3205**  
Contact: **802.893.1186**  
Website: **miltonvt.org**

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1 **1. CALL TO ORDER**

2 The Chair called the meeting to order at 7:03 p.m.  
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4 **2. ATTENDANCE**

5 **Members Present:** Bruce Jenkins, Chair; David Conley, Vice-Chair; Henry Bonges, Clerk; Clayton Forgan

6 **Members Absent:** None

7 **Staff Present:** Jeff Castle, Town Planner

8 **Public Present:** None  
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10 **3. AGENDA REVIEW**

11 None.  
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13 **4. PUBLIC FORUM**

14 None.  
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16 **5. OLD HEARINGS**

17 None.  
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19 **6. NEW HEARINGS**

20 **6(A). Boundary Line Adjustment - 367 & 375 North Road - Kevin & Rosemary Hebert and Nancy**  
21 **McLaughlin (Hepp) Owners and Applicants.**  
22

23 The Chair read the following summary to open the hearing:  
24

25 **Kevin & Rosemary Hebert, and Nancy McLaughlin (Hepp)/Owners & Applicants** are requesting **Boundary**  
26 **Line Adjustment** approval to adjust the property boundaries between two adjacent lots located at **367 and 375**  
27 **North Road** described as SPAN# 11532 and 12314 and Tax Map 15, Parcels 128 and 127. The adjustment  
28 corrects an acreage error made on a previously recorded survey plat. The subject properties contain a total of  
29 approximately 1.57 acres and are located within the "Agricultural/Rural Residential" (R5) Zoning District and  
30 the "East Milton" Planning Area.  
31

32 The Chair administered the Oath to Interested Persons. Representing the Applicants were Kevin & Rosemary  
33 Hebert, hereafter referred to as "Applicant(s)." The Applicant gave a brief explanation of the history of the  
34 proposal, explaining the error that had been made on the previously recorded plat.  
35

36 In response to the following numbered items within the Staff Report:

- 37 1. The Chair felt that all proposed revisions to the Boundary Line Adjustment plat had already been  
38 explained by the Applicant.
- 39 2. The Applicant agreed that all conditions of the prior Development Review Board (DRB) Boundary Line  
40 Adjustment approval of November 27, 2014 are in full force and effect, except as further amended  
41 herein.

3. The Applicant agreed that all elements of the plat marked Final on February 6, 2015 shall be included in the revised Final Plat, except as further amended herein.
4. The Applicant agreed that the Final Plat shall include a note stating, "No further subdivision shall occur on Lots 127 or 128 pursuant to the Zoning Regulations (ZR) Section 621(2) and the DRB's Boundary Line Adjustment Decision dated \_\_\_\_ (to be determined) \_\_\_\_."
5. The Applicant agreed that the Final Plat shall be revised to indicate lot numbers according to the prior approval.
6. The Chair asked if legal review of the deeds was necessary simply to correct one typographical error. Staff advised that if no other language was changed other than the erroneous acreage noted, Staff may be able to approve the deed without the need for review by the Town Attorney; however if there are other changes to the deeds they will likely need to be reviewed. The Clerk mentioned making this a conditional requirement, to be used if needed. The Applicants indicated this was satisfactory to them.
7. The Applicant agreed to submit draft deeds and any other required legal instruments for all impacted lots for review by Staff and/or the Town Attorney, as discussed previously, and that any requested revisions will be completed before recording of the Final plat. The Applicant further agreed that only instruments approved by the Town may be recorded in the Town of Milton Land Records.
8. The Applicant agreed to submit one paper of PDF version of the revised final Plat for approval by Staff prior to submitting the Final Plat, and to submit one full-sized (to scale) paper plat depicting any requested changes, to be maintained in the application file.
9. The Applicant agreed that the Final Survey Plat shall be in compliance with SR610 and submitted on 18" x 24" mylar, signed by the licensed surveyor and the DRB Chairman, and recorded in the Land Records within 180 days of the date of the DRB's final approval, per SR940.

MOTION by Conley to APPROVE the Boundary Line Adjustment of 367 & 375 North Road subject to the requested changes to the Plats and Deeds; SECOND by Forgan. UNANIMOUSLY APPROVED.

Hearing no further questions or comments, the Chair closed the Hearing.

## 7. OTHER BUSINESS

### 7(A). Staff Update

Staff updated the DRB on the implementation of the recently adopted Fee Schedule amendment, as well as new services being offered such as Pre-Application Consultations. The DRB briefly discussed the new Fee Schedule and questions were asked and answered.

Staff advised the DRB of upcoming Hearings and applications that are coming in, as well as the status of several projects that recently received DRB approval.

## 8. MINUTES

### 8(A). Minutes of February 24, 2016

MOTION by Bonges to APPROVE the Minutes of February 25, 2016 as written; SECOND by Forgan. Unanimously APPROVED.

## 9. DELIBERATIVE SESSION

MOTION by Conley to enter Deliberative Session at 7:37 p.m.; SECOND by Forgan. Unanimously APPROVED.

Decision(s) Signed:

9(A). Boundary Line Adjustment Application -- 901& 917 Lake Road -- Janet Dooley; Sharon Meroa and Leslie LaPointe , Owners/Applicants.

- 1 Bruce Jenkins, Chair yea/nay/abstain/absent/recusal
- 2 Dave Conley, Vice-Chair: yea/nay/abstain/absent/recusal
- 3 Henry Bonges, Clerk: yea/nay/abstain/absent/recusal
- 4 Clayton Forgan: yea/nay/abstain/absent/recusal

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6 **9(B). Minor Conventional Subdivision Sketch Plan Application -- 165 Railroad Street -- Gordon LaFountain, Sr., Owner/Gordon LaFountain, Jr. & Jenna LaFountain, Applicants.**

- 8 Bruce Jenkins, Chair yea/nay/abstain/absent/recusal
- 9 Dave Conley, Vice-Chair: yea/nay/abstain/absent/recusal
- 10 Henry Bonges, Clerk: yea/nay/abstain/absent/recusal
- 11 Clayton Forgan: yea/nay/abstain/absent/recusal

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13 **9(C). Minor Conventional Subdivision Sketch Plan, Variance & Boundary Line Adjustment Application -- 28-30 River Street -- 28-30 River Street, LLC & 32 River Street, LLC, Owners/William Harrington; John & Leah MacRae, Applicants.**

- 16 Bruce Jenkins, Chair yea/nay/abstain/absent/recusal
- 17 Dave Conley, Vice-Chair: yea/nay/abstain/absent/recusal
- 18 Henry Bonges, Clerk: yea/nay/abstain/absent/recusal
- 19 Clayton Forgan: yea/nay/abstain/absent/recusal

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21 **9(D). Minor Conventional Subdivision Sketch Plan Application -- Poor Farm Road & Highland Avenue -- Poor Farm Acres, LLC, Owner & Applicant.**

- 23 Bruce Jenkins, Chair yea/nay/abstain/absent/recusal
- 24 Dave Conley, Vice-Chair: yea/nay/abstain/absent/recusal
- 25 Henry Bonges, Clerk: yea/nay/abstain/absent/recusal
- 26 Clayton Forgan: yea/nay/abstain/absent/recusal

28 MOTION by Conley to exit Deliberative Session at 8:00 p.m.; SECOND by Forgan. Motion CARRIED.

30 **10. ADJOURNED**

31 MOTION by Conley to adjourn at 8:01 p.m.; SECOND by Forgan. Motion CARRIED.

33 Minutes approved by the Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

36 \_\_\_\_\_  
37 Bruce Jenkins, Chair /kt

38 Draft filed with the Town Clerk this 16<sup>th</sup> day of March, 2016.

40 Filed with the Town Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2016.