

Monkton Development Review Board
Meeting Minutes
March 13, 2012
Approved 5/8/12

Attendance:

DRB Members Present: Peter Close, John Winsor, Janet Dermody, Chris Acker, Curtis Layn, Philip Russell

DRB Members Not Present: Thea Gaudette, Marsha Abramo

Others in Attendance: Ken Wheeling, Andrew Gill, David Shlansky

The meeting was called to order at 7:34 pm.

Brisson Stone/BMC

The board received a copy of the appeal from Brisson Stone; as well as a letter from Andrew Gill regarding Mr. Dumont's concerns. The board received a supplement of the appeal from Andrew Gill. Liam Murphy has been retained as the DRB attorney to guide the board through this process. John Winsor asked if Mr. Murphy would be attending a meeting to go over the information with the board. It was noted that the board should review the information and direct some questions to Mr. Murphy.

The DRB reviewed the timeline of the BMC application. BMC submitted an application which was denied by the zoning administrator. BMC requested a postponement because they felt the notice regarding the appeal was inadequate; lacking mention of a site plan review. BMC also felt the notice defective because abutting land owners had not been notified. Philip Russell suggested the board learn more about what is required for land rehabilitation. It was stated that originally the DRB felt the rehabilitation plan was independent of the permit from the zoning administrator. Following the denial of the permit the DRB decided that the board should hear the appeal first. The board received a letter from Mr. Dumont; who is representing Mrs. Orlandi, expressing concerns about the project. BMC requested that the letter from Mr. Dumont not be considered during the appeal. The DRB will consult their attorney and respond in writing to Mr. Shlansky.

Mr. Shlansky asked for clarification regarding the procedure of the appeal and how to present evidence. He noted that the hearing is regarding the appeal and it is not about the rehabilitation plan or application. He stated that the application is not 'live' until the appeal has been overturned. Peter Close stated that the hearing will be regarding the appeal only. Janet Dermody noted that it would be helpful to consult their attorney regarding the process of hearing the appeal and what will be included in the hearing. The DRB has 60 days to hold the hearing of appeal. John Winsor made a motion to set the Birchfield Management Company appeal for April 10th, 2012 at 8:00pm. Philip Russell seconded the motion and it was passed 5-0. Mr. Shlansky asked for clarification regarding how to inform neighbors of the hearing. It was noted that BMC should send a letter through certified mail or ask them to sign a letter stating they received the notification in person. The DRB will be reviewing the information and compiling questions for Mr. Murphy.

Willow Well

The board received a request to reschedule the hearing from Studio 3. It was unclear who is in charge

of this project. The board will request a letter from Willow Well regarding who will be representing them during this process. Chris Acker made a motion that the Willow Well hearing be postponed to May 8th, 2012 at 8:00 pm at the request of Willow Well. The DRB will warn the hearing and will require the applicant to notify all abutters. Philip Russell seconded the motion and it passed 5-0. The DRB clerk will send the applicant a letter regarding the date change, requirements, and warning fee. The board will draft a letter to Willow Well regarding information needed for the conditional use hearing at the March 27th, 2012 meeting.

Adjournment

Janet Dermody made a motion to adjourn, Philip Russell seconded the motion and it passed 5-0. The meeting adjourned at 9:48 pm.

Respectfully submitted,
Bailee Layn-Gordon