

Monkton Development Review Board
Meeting Minutes
Monkton Town Hall & via Zoom
May 13th, 2024
(Approved: TBD)

Attendance:

DRB Members Present: Curtis Layn, Jaime Schulte, Philip Russell, Scott Gordon, Mark Boltz-Robinson, Chris Acker, Vicky Stern (alternate)

DRB Members Absent: Stephen Pilcher

Others in Attendance: Steven True (Zoning Administrator), Jeramy Broderick, Jim Carroll (Monkton Town Attorney), Kristine Kimball, Holly and Raymond Shepard

The meeting was called to order at 7:30pm by C. Layn.

Regular Business

- Review Agenda - no changes made
- Review of meeting minutes - postponed to next meeting
- Zoning Administrator Update - postponed to next meeting
- Questions and Comments from the Public Not Related to Agenda
 - Raymond Shepard asked if there had been any further action taken on the Pomarico project on Pond Rd. since the DRB's site visit. J. Schulte and C. Layn stated that no action has been taken by the DRB other than to conduct the site visit. There are no public notes from that visit, but the DRB's observations from the visit will become part of the next hearing. Our understanding is that the applicant is working on an Act 250 application and will come back to the DRB in the near future.

Old Business

- 1. Sketch Plan Review of Application 24-902: 5-Lot Planned Unit Development, Jeramy C. Broderick, 4863 Silver Street, Parcel ID# 13.101.038.001**
 - a. Update from S. True on discussion with the Planning Commission re: PUD existing boundary between two lots under the same ownership. The answer is that a PUD is a type of subdivision and lot lines within contiguous ownership can be reconfigured. The Planning Commission specifically called out that adjacent parcels can be used. C. Layn asked if the full Planning Commission confirmed this interpretation. S. True indicated that he spoke with the MPC Co-Chairs. C. Layn asked that S. True confirm the question again with the full Planning Commission.
 - b. The DRB indicated to J. Broderick that it is otherwise OK to move ahead to a Preliminary Plat hearing. S. True will work with the applicant to prepare for Preliminary if the answer from Planning remains the same.

- c. Note: later in the meeting, after the Sketch Plan concluded and J. Broderick departed the meeting, it was pointed out that we have been looking at a 20% Set Aside requirement. 20% was the rule when J. Broderick initially brought this approximate Sketch Plan to the DRB a couple of years ago. The current version of the UPD requires a 50% Set Aside in the rural district, which this parcel is located in. S. True will follow up with the applicant to see how he wants to proceed and prepare for Preliminary.

New Business

2. Sketch Plan Review of Application 24-402: Subdivision Amendment, K. Kimball, 1538 Boro Hill RD, Parcel ID #08.227.017.000

- a. This was originally a subdivision of Patricia A. Murphy in 2008. Kristine Kimball resides on one part of a 3-lot subdivision. The other two lots are not developed and the request is to reconfigure the layout of those two to have a north-south dividing line rather than an east-west line. K. Kimball will plan to work with LaRose Surveys on an updated Plat.
- b. Discussed how to re-open or modify the subdivision. Probably would need to go back to Preliminary.
- c. The Board considered the characteristics of the parcel, current building envelopes, Ridgeline District (which covers much of the parcel), septic/well/utility easements would be needed for the proposed western lot with a driveway easement.
- d. M. Boltz-Robinson asked about conservation or similar natural resource overlays that would apply to the parcel. The board reviewed the town maps and new Arrowwood maps. Ponds and streams were noted, along with the Ridgeline Overlay District and a mapped connectivity zone across Boro Hill Road.
- e. There was a question of whether a PUD would be required, but it was determined that the current UPD zoning regulations do not have that requirement. There was a question of whether the current Ridgeline Overlay District applies to this 2008 subdivision. Can a building permit be issued for the 2008 approved building envelopes or do current rules apply? The existing building envelopes might be usable, but it would be difficult to establish a new one on the proposed western lot. Reviewed the definition of the Ridgeline and whether the district map corresponds to the definition (upper 42%). How is that distance/elevation calculated? Distance perpendicular from the road at any given point? S. True will clarify with the Planning Commission about Ridgeline calculation and the correct approach to amending a subdivision.
- f. S. True will continue working with K. Kimball on next steps.

3. Executive session with legal counsel re: remand of Casey appeal.

J. Carroll joined the meeting. Discussed whether an executive session would be

needed. J. Carroll advised that it would be appropriate to go into executive session for the purposes of conferring with counsel in connection with the remand from the EC on the Casey appeal of the Guillemette declination matter. This is a two-step motion:

J. Schulte moved to find that executive session would be appropriate for the purposes of conferring with counsel on the matter of the remand of the Casey appeal to the DRB by the Environmental Court in that premature public visibility would put the Town at a potential disadvantage. M. Boltz-Robinson seconded. There was no discussion. All were in favor (7-0-0).

J. Schulte moved to enter Executive Session to confer with counsel regarding the remand of the Casey appeal to the DRB and to invite Jim Carroll and Steven True to join the Board. S. Gordon seconded. There was no discussion. All were in favor (7-0-0). Entered Executive Session at 8:50.

J. Schulte moved to exit the Executive Session. M. Boltz-Robinson seconded. All were in favor (7-0-0). Exited Executive session at 9:28pm.

Other Business

No other business offered.

Adjournment

P. Russell moved to adjourn the meeting at 9:30pm. So Voted (7-0-0).