

**Monkton Developmental Review Board**  
**Meeting Minutes**  
**August 26, 2014**  
**Approved: September 9, 2014**

**Attendance:**

DRB Members present: John Winsor, Peter Close, Scott Gordon, Philip Russell, & Chris Acker.

DRB Members Absent: Thea Gaudette, & Curtis Layn.

Others in Attendance: Ken Wheeling (ZA), Donald Paul, Stan Livingston, Tom Kenyon, Donna Barnum, Jackie Jerome, David Jerome, Sam Alderman.

John Winsor Called the meeting to order at 7:36pm

**Administrative:**

1. **Minutes:** The Board reviewed the minutes from 8-12-14. Corrections were made. Peter Close moved to approve the minutes as amended, Chris Acker seconded this motion. Motion carried with vote 5-0-0.

**Old Business:**

2. **Don Paul Preliminary 2014-15-MAJ:** Mr. Paul submitted a map with cross section of road, original deed description of the property, and the statement of conformance.

The Board ran the checklist: Mr. Larose had told Mr. Livingston that no storm water permit is needed. The Board had questions regarding the mention of a 5'x30' culvert to be installed during initial fill phase of the driveway, and they would like to know what this culvert is for and where exactly it is going. Mr. Livingston is only aware of an existing 3'x30' culvert, but will get more details from Mr. Larose. Mr. Paul still needs to submit waste water permit to the state.

Discussion: Donna Barnum brought to the attention of the Board that Mr. Livingston approached her stating some trees fell on to her stone wall while he was working. When she walked the length of this stone wall a few days ago with Jackie and David Jerome she also found that there are large sections of her stone wall that have been completely removed; it appears to have been ripped out. John Winsor told Mrs. Barnum that the purpose of the hearing was not to discuss a boundary line dispute.

Mrs. Barnum has indicated that the stone wall is not correctly depicted on the map that was submitted by Mr. Paul as her property boundary line is this stone wall. The board asked for a copy of the Barnum property deed for comparison, but she did not have this with her, and the original deed is from the 1800's so it would not show nor discuss the stone wall as the property line. Mr. Livingston showed the board on the map where he has been clearing out a path for the power lines, but where he was clearing is not the area marked on the map, so this will need to be updated.

Mr. Wheeling referred to an Administrative Cursory Deed dated in 1970 noting that 115 acres more or less is owned by Barnum, but no property lines were described in this deed. Jackie Jerome and Mrs. Barnum provided pictures to the board to show the damage done to the stone wall, and the debris that has been piled up and left

on their property. Tom Kenyon would like to have Mr. Livingston stop work until the set pins can be reviewed. Mrs. Barnum, David Jerome, and Jackie Jerome are saying that the property line is not a straight line as depicted on the provided map. The Board stated to Mrs. Barnum that she will need to contest the validity of the map through the court if she feels it is not accurate, and they, as the Board, can only assume the map is accurate since the land was surveyed by Mr. Larose who is a licensed land surveyor.

Tom Kenyon submitted to the Board a highlighted section from the UPD regulations, page 79, section 910(B) General Street Planning Standard: "Streets shall be arranged as to cause no undue hardship to adjoining properties".

Peter Close made a motion to have a site visit after Heffernan's has come to the property to assist in cleaning up the debris that is over the property line. The hearing will be recessed until after the site visit. Scott Gordon seconded this motion. Motion carried with vote 5-0-0. The hearing has been set to continue at 8:35pm on September 23, 2014. Don Paul was given a site plan application to fill out and submit.

### **New Business:**

1. **Sam Alderman Monkton General Store:** The building is a pre-existing non-conforming structure which would need a conditional use hearing and a variance. Ken Wheeling felt that this could be a conditional use with fact finding since this is currently a non-conforming structure. Because the building is within the setback a variance will need to be included. When the Board warns the Conditional Use hearing, there will be mention to discuss variance as well. The application needs to be checked for completeness. The Board will continue reviewing the application after the scheduled hearing.

(Continued) The Board ran the checklist for the conditional use application.

John Winsor feels the waiver is more appropriate for this project. The Board, upon further discussion, compared a waiver versus a variance and was in agreement that Mr. Alderman should apply for a waiver. Chris Acker made a motion to set the conditional use and waiver hearing on September 23, 2014 at 9:05pm. Scott Gordon seconded this motion. Motion passed with vote 5-0-0.

Philip Russell made a motion to amend the minutes from 8-12-14 to reflect that the dimensions should be adjusted to 9'x16'.

### **Adjournment**

Philip Russell made the motion to adjourn the meeting at 9:43pm. Chris Acker seconded this motion. Motion carried with vote 5-0-0

Respectfully Submitted,  
Miranda Boe  
**Recording Secretary**