

Monkton Developmental Review Board
Meeting Minutes
January 27, 2015
DRAFT
Approved: XXXX

Attendance:

DRB Members present: John Winsor, Chris Acker, Curtis Layn, and Peter Close.

DRB Members Absent: Scott Gordon, Philip Russell, and Thea Gaudette.

Others in Attendance: Ken Wheeling (ZA).

John Winsor called the meeting to order at 7:45pm

Administrative:

1. **Minutes:** The Board did not review the minutes from January 13, 2015.

Old Business:

2. The board had no old business to discuss.

New Business:

3. The Board reviewed information regarding a pre-existing non-conforming property where there is a structure that was built 10 feet over the boundary line. There is evidence to show that this structure was built over 15 years ago. The existing footprint is protected as it is grandfathered. The current owner is attempting to sell this property, but cannot do so as the bank is requesting a letter of compliance.

Ken Wheeling suggested sending an administrative letter declining to act since this issue is beyond the statute of limitations. By cutting off a piece of the structure to bring it back on its own property, it could be argued that the structure was altered and voids the protected grandfather on the property. However, it was argued that by removing the piece of the structure that was over the boundary line, the act did not increase the level of non-conformance.

By not providing a letter of compliance this may stall the closure of the sale because the property would be considered non-compliant. It was suggested by the Board to have Ken

Wheeling provide a letter that would allow the closing to continue and prevent having a hearing by the board since closing is scheduled Friday, January 30, 2015.

Adjournment

4. Peter Close moved to adjourn at 8:37pm, Curtis Layn seconded this motion. Motion carried with a vote of 4-0-0.

Respectfully Submitted,

Miranda Boe

Recording Secretary