

**OFFICIAL MINUTES APPROVED BY THE DUMMERSTON DEVELOPMENT
REVIEW BOARD**

Minutes of the DRB Meeting

March 19th, 2013

Members Present: Herb Rest (Chair), Lew Sorenson, Steve Jarosak (seated Alternate), and Jack Lilly (Clerk)

Also present: Charlotte Annis, Zoning Administrator, Betty Ann Morse, Lori Thibault, John Thibault, Gail Sorenson, and Zeke Goodband.

6:30pm. The meeting was called to order by Herb Rest. Approval of the minutes of the February meeting was postponed because no one at this meeting had been at the February meeting. Addressing application reviews for the next meeting, Charlotte indicated that there is an application for Maple Valley and, per the DRB, a continuance of the Hutchins application on the agenda for the April meeting. The April meeting date was changed to April 23 to ensure full DRB attendance and participation in the annual reorganization process. Also tabled was discussion and possible update of the DRB Rules of Procedure.

The Board discussed the recent Fink opinion (application #LD 353) and discussion relating to: The use of the definition of *Development* and how it will be used to determine review procedures for Article IV, Flood Hazards, as outlined in section 425. It was noted that the Bylaws use of *Development* in section 455, and *Land Development* in Article VIII, are not consistent and can be confusing. Future use of the definition of *Development* should be used to determine review procedures for Article IV, Flood Hazards, as outlined in section 425. In the case of the Fink Application, the use of *Subdivision* refers to a desire to split the current single lot into two separate lots and merge the western lot with an adjoining landowner as per the application. Until such a time as there is a clarification of the definition of "development", the more rigid requirement will be followed and the Z.A. will refer such applications to the DRB for approval before the issuance of a permit. (Editorial Note: This item will be added to the agenda for the April meeting for continued discussion and clarification.)

Herb announced that while having no conflict of interest or appearance of fairness issues, he would not be participating in the deliberations or decisions of tonight's cases.

7:34pm. The Public Hearing for the subdivision review of application number LD 355 by Robert and Margaret Evans. The Board discussed the need for the subdivision to include a clearly defined right-of-way easement for both parcels 1 and 2. It was determined that a right-of-way easement across the Evans 2.28 acre parcel to parcel 2 and a separate right-of-way easement across the same Evans parcel to parcel 1 should be documented in the deed for the 2.28 acre parcel but this had not been discussed with the Evans's at the site visit earlier and for that reason it was agreed that the hearing should be continued to the April meeting. Lew volunteered to contact the Evans's relating to the easement issues.

7:57pm. The Public Hearing for the subdivision review of application number LD 354 by Betty Ann Morse and Kimberly Horton. Betty Ann discussed various aspects of the subdivision and questions were asked about the need for an alternate well and well shield, the location of the well, the possible use for the new parcel and the advisability of running the property line down the middle of the brook. Betty Ann felt that both parcels should have access to the brook. It was also noted that the property line between the Morse property and the Thibault property to the west is based on some conflicting information and Betty Ann intends to resolve the issues as part of this subdivision. The Public Hearing was closed at 8:45pm. The written decision will issue and control.

8:47pm. The Public Hearing for a permit for a 30 foot above ground pool and surrounding deck within the setback application number 3322 by Jack Hutchins. During the site visit earlier in the evening, Board members met with Jack Hutchins and reviewed the location of the pool and deck. Jack said he was unaware of the Public Hearing and that he had not received the Bylaw requirements for a variance which Charlotte had sent to him. Because he was unprepared, the Board agreed to grant a continuance until the April meeting.

Respectfully submitted,

Jack Lilly, Clerk