

TOWN OF MONTGOMERY, VERMONT
MONTGOMERY DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES

Thursday, September 1, 2022 @ 5:30 pm

Members present: *Parma Jewett: Chair, Lynda Cluba, John Kuryloski, Mary Garceau, Suzanne Wilson (absent)*

Applicant: *Arnold & Linda Mercy*

Visitors: *James Baker and Cindy Gilchrist*

Meeting was called to order at 5:31 pm.

Parma explained the process of how the meeting will be conducted. The hearing is recorded and all who speak must first state their name and be recognized by the Chair.

1. **DRB Hearing** - The hearing is conducted at the Public Safety Building in the Conference room located at 86 Mountain Rd in Montgomery Ctr. The **Application for a Variance from the Zoning Regulations was submitted by Arnold and Linda Mercy for property located at 2494 South Main St, Montgomery Ctr. The property is identified as Parcel #S118.122X located in the Rural/Residential Zoning District** as written in the Town of Montgomery Zoning Regulations; Amended and updated November 2018.

Reason for the Application: 2 points don't meet setback regulations because of an existing farm driveway that needs to be kept open.

Parma gave the oath to all on the sign in sheet, all affirmed. She asked if any Board members felt they had any conflict of interest. All felt they had none.

Evidence submitted by the Zoning Administrator noted as A1 includes: Application to DRB dated 7/15/2022, a portion of a map showing the proposed subdivision and setbacks of the property. Notice of hearing posted in 4 places on August 11, 2022 and printed in the St.Albans Messenger on August 11, 2022 and a list of Abutting property owners the Zoning Administrator had sent a notice of hearing.

Arnold explained he has requested a Variance to subdivide the house and barn as he wishes to sell the house to his son who is not interested in the barn on the property. The line does not meet the required setback due to a large Maple tree which sits on a ledge on the house side. He would like to keep the driveway open and remain part of the barn property.

Parma asks if any Board members had questions. Mary asked if he could move the setback another 3 feet onto the barn side of the property. He explained that would make the line come through and split the driveway. Also, would anything else be included with the barn property? Arnold explains his house sits on land that is contiguous with the barn property. He would like to subdivide the rest of his 287 acres, in the future, and sell the barn separate from his dwelling across Route South 118.

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Parma explains the board will go into deliberations and the Board has 45 days to submit a decision. The hearing was completed at 5:47 pm and Lynda then made a motion and was seconded to go into deliberation at 5:50 pm. So moved 4-0. A motion was made by Lynda and seconded to exit deliberations at 6:04 pm. So moved 4-0.

Mary made a motion and was seconded to **Approve the Variance request for a subdivision with the condition that the survey be recorded in the Montgomery Town Records. Roll Call Vote: Parma – yes, John – Yes, Mary – yes, Lynda – yes. Motion passed 4-0.**

2. **Reorganization of the Board.** Mary made a motion and was seconded to elect Parma Jewett as Chairman. Motion passed 4-0. Parma made a motion to elect Lynda Cluba as Clerk. Motion passed 4-0.
3. **Approve previous Minutes.** 7/14/22 – Amin/Cummins. A quorum was not present to vote on these minutes. 6/30/22 – Beaulieu/Poulos. Lynda made a motion and was seconded to approve the minutes as written. Motion passed 4-0.
4. **Other Business -** No other business was discussed.

Motion was made and seconded to adjourn meeting at 6:09 pm. So moved 4-0.

Respectfully submitted: Lynda Cluba, Clerk