

**Town of Montgomery**  
**Development Review Board Minutes**

**December 10, 2020**

**Philip LaPorte & Judith Hillaire**

**Application for a Conditional Use Permit in Conservation 1**

**DRB Members Present:** Parma Jewett, Merle VanGieson, Sue Wilson, Wendy Howard & Mark Brouillette

**Member of the Public Present:** Philip LaPorte, Judith Hillaire (applicants), Ellen Fox (zoning administrator), & Wayne Schapp (interested party).

Meeting was conducted by Zoom.

Meeting Commenced at 6:28 p.m.

1. The chairman (Parma Jewett) administered the oath to all three members from the public who were at the meeting.
2. The proceedings were outlined by the chairman.
3. Chairman then stated the case and read the public notice for the hearing. The subject property is 16.1 acres, located at West Hill Road, in the Town of Montgomery. Parcel ID#00011.041X, lots 3 and 5. The property is located in Conservation 1 as described on the Town of Montgomery Official Zoning Map on record at Town of Montgomery Municipal Office and Section 3.2 of the Town of Montgomery Zoning and By-Laws and Regulations. The application requires review under the following sections of the Montgomery Zoning By-Laws.

**a. Section 4.2 (D) District Land Use and Development**

4. The chairman then accepted evidence from the applicants which was labeled A-1. The evidence included the application to the development review board; and copy of survey map of lots #3 and #5. Package of information from the zoning administrator labeled as Z-1 which included notice of public hearing; letter to abutting land owners; and copy of zoning map of the lots #3 and #5. Chairman of the board also sent prior to the meeting a larger copy of the zoning map and parcel map for easier viewing which was labeled as C-1

**6. Testimony was then given by Judith Hilliare who explained that she and Philip LaPorte wish to build a single-family dwelling on Lots #3 and #5. The house would be 30'x 30' footprint and would consist of approximately 1300 square feet of finished area. Presently there is a waste water permit in place. Furthermore they plan to bury all the power lines and have already acquired easements for the power from the neighbors. Currently there is a purchase and sales contract on the lots in questions which are not yet owned by the applicants.**

**7. Testimony was then given by Philip LaPorte who stated that the waste waster permit was for 3 bedrooms and they intended to change it to a 2 bedroom permit. The right of way to the subject lot is approximately 1300 feet from West Hill Road.**

**8. The chairman then asked board member Sue Wilson if she had any questions. Ms. Wilson asked how many bathrooms the dwelling will have and the applicants responded 2 bathrooms.**

**9. The chairman then called on Mark Brouillette to ask any questions which he may have. Mr. Brouillette had no questions.**

**10. The chairman then called on Merle VanGieson to ask any questions. Mr. VanGieson stated he did not have any questions and said there were no problems and we should approve the permit.**

**11. The chairman then called on Wendy Howard to ask any questions. Ms. Howard asked if the right of way for the property in question was the same right of way used by the other land owners. The answer was yes, just one right of way for all the land owners in the area.**

**12. Chairman Parma Jewett then asked the applicants if there was any land in Rural Residential in which the house could be built? The answer was no. Ms. Jewett then asked the applicants to obtain a letter from the legal land owners giving their approval to apply for the conditional use permit.**

**13. The Chairman asked Mr. Schapp, as an interested party, if he has any questions or testimony to give. Mr. Schapp responded had no questions and was in favor of granting a condition use permit.**

**14. At this time no more questions or evidence was given and the chairman explained to the applicants that the board would go into deliberation. The board decision would then be mailed out by certified mail within a 40 day period.**

**15. Hearing was closed and the Board went into deliberative session at 6:48 p.m.**

**16. Board came out of deliberative session at 6:50 p.m.**

**17. Sue Wilson made the motion to approve the application submitted by Phillip LaPorte and Judith St. Hillaire for a conditional use permit with the condition that the applicant get a letter from the legal land owners with their signature and submit it to the zoning administrator. Merle VanGieson seconded the motion.**

**18. Based upon the finding, the Montgomery Development Review Board concluded the rules for a conditional use permit located at West Hill Road is APPROVED. Roll Call Vote: Merle VanGieson: YES, Sue Wilson: YES, Parma Jewett: YES, Wendy Howard: YES, Mark Brouillette, YES**

**19. Sue Wilson made a motion to adjourn the meeting, seconded by Wendy Howard.**

**Meeting Adjourned at 6:52 p.m.**

**Respectfully Submitted By:**

**Parma Jewett (substituting for Lynda Cluba, DRB Secretary)**