

Town of Starksboro
Development Review Board
7/26/18 Meeting Minutes
Unapproved

Present: Dan Nugent, Marjorie Dickstein, Rich Warren, Arnell Paquette, Rob Liotard

Unable to attend: Ben Campbell, Jon Fenner

Other present: Rebecca Elder (ZA), Ray Marcotoullio and family, Ronieta Downey

The meeting was called to order at 7:30 p.m. by Chair Dan Nugent.

Visitor's business

Ray Marcotoullio and his family came to the DRB to ask for informal, non-binding suggestions regarding a private right-of-way issue with his land located off of Route 116 south, near the Bristol town line. He is not looking to subdivide now. He has an old camp there that he would like to bring into compliance with Starksboro Zoning. He has approached the neighboring landowners regarding access to the private right-of-way. There are 3 adjoining landowners involved.

Ray wants to request an E911 address for his property. His son is doing some beekeeping and needs an E911 address for the State licensing process. In the future, the Marcotoullios may wish to add a sugar house or potentially build a camp or house.

Arnell asked if there is a deeded ROW. Ray said that the ROW is established through historical maps. He believes he has evidence of the ROW but the deed is ambiguous. The DRB suggested the Marcotoullios seek legal counsel to help them establish what legal access they may have. The DRB does not have the authority to make any decision with regard to a private ROW. A deed must reflect the ROW.

Ray asked about adverse possession. The DRB cannot say whether that applies. That is a legal issue. Rich Warren said the piece of land existed prior to the zoning, therefore there are legal ways of establishing access. There will need to be legal clarification about whether this access should be a driveway vs. a private road. One option *may* be to petition the Selectboard to name the private road.

1. The ZA will follow up to request the assignment of an E911 address assigned to the spot where the ROW comes out on 116.

Pre-application, non-binding meeting – Orvis subdivision lots

Ronieta Downey regarding a right-of-way on the Ron and Pat Orvis subdivision on Robert Young Road.

Ronieta Downey, daughter of Ron and Pat Orvis and power of attorney, came to the DRB meeting to ask questions regarding a potential DRB application to request removal of a right-of-way on Lot 3 of the subdivided property on Robert Young Road.

The Orvis' plan to convey Lot 2 to Jamie Orvis, who owns land across the road, with a covenant stating no development will occur on that parcel. The covenant would run with the land and be recorded in the land records. The Orvis' believe Lot 2 already benefits from a pre-existing access to the barn area, therefore the ROW is not needed. The building lot would need to be dissolved and a deed and new mylar recorded to reflect those changes. A revised road maintenance agreement would also need to be submitted for recording.

The Orvis family will follow up on these suggestions and prepare a formal DRB application for consideration in late August or September. The ZA will notify the DRB when an application has been submitted.

Minutes of 7/16/18
Corrections notes:

1. Insert: Made "a" motion
2. First paragraph, insert: "...asked Rebecca to summarize what she found from speaking with other sources."

Motion: Rob Liotard made a motion to approve the minutes of 7/16/18 as amended. Arnell Paquette seconded.

Vote: All in favor

Motion to adjourn was made at 9:05 p.m. Rob Liotard. Rich Warren seconded.

Respectfully submitted,

Rebecca Elder
Zoning Administrator