

Town of Elmore Development Review Board  
Elmore Town Hall  
Elmore, VT

Meeting of the Development Review Board  
Thursday July 7, 2022

No Site Visits

Attendance:

DRB Members: C. Devore, J. Lindenmyer, M. Furst, J. Cohen, C. Jolly

Zoning Administrator: D. Valentine

Zoning consultant: S. Wepler

Interested Parties: Meredith Davis, Abutter; Matthew Reed, Surveyor, applicant rep;  
Holly Arnell, Abutter

Agenda:

Applicant: Janet Pannett

Location: VT 12 and Micklin Farm Rd

Request: Continuation of hearing for a two lot subdivision

Project: Two lot subdivision

Meeting called to order 6:03 pm with J.Lindenmyer opening and swearing in

Applicant #1: Janet Pannett

- A. S. Wepler provided recap of previous activity on this application:
  - a. Permit Z-2111 was issued by K. Rose, but was withdrawn by K. Rose during 15 day notice period based on concerns / input from abutters over the location of the existing access road in relation to the deeded ROW. The existing access is not within the deeded ROW. At that time the applicant recognized the concern and opted to pursue relocating the deeded ROW to the location of the existing access, including associated survey and deed work.

- B. There was lengthy discussion on the history of the existing access, the deeded ROW, varying property owner interests, intents and personalities. M. Reed described it became apparent that the idea of moving the deeded ROW to the location of the existing access does not appear to be a viable path forward and that the applicant would like to proceed with their application with the current deeded ROW being the access to the subject parcel(s). M. Reed recognizes the applicant will need to construct a portion of a new access road, relocated to within the deeded ROW.
- C. General discussion with M. Reed, DRB and abutters regarding easements, ROW's and property law in VT. Informative but not necessarily relevant to the DRB's role in reviewing this application.
- D. It was recognized that this parcel is at least partially in the FR zoning district. As such, the lots are able to be subdivided, but not able to be established as building lots. As such, there is no need to identify access roads, utilities or building envelopes on the subdivision plan. Should a change in the zoning regulations occur that would allow the subject lots to be considered as a building lot, the owner would need to apply to Zoning / DRB for review under the current regulation.
- E. It was recognized that this subdivision can be handled administratively, based on Section 6.1.B ADMINISTRATIVE REVIEW OF FIRST SUBDIVIDED LOT and does not need DRB approval. D. Valentine agrees, but wanted to bring this application to the DRB given its history, previously issued permit (Z-2111) and that that permit was withdrawn / put 'on-hold' pending the access and ROW concerns described above as identified by the abutters. The DRB supports the ZA's administrative approval of the subject subdivision application.

M. Furst moved to adjourn, C. Jolly second.

Meeting adjourned at 7:39 pm.