

Marshfield Development Review Board

Minutes

Thursday, September 8, 2016, 7:00 p.m.,
Old Schoolhouse Common

Present: DRB Members, James Arisman, Les Snow, Gary Leach, and Michael Schumacher. **Not Present:** Jenny Warshow. **Also Present:** Albert Whitcomb, Applicant and William R. Chase, RLS, of Chase & Chase, Surveyors and Septic Designers.

At 7:15 p.m., James Arisman, presiding for the Development Review Board (DRB), called the meeting to order. The DRB met on this date to conduct a hearing on the application for subdivision of Albert Whitcomb under the provisions of the Town of Marshfield Subdivision Regulations.

Albert Whitcomb, William Chase, and Town Zoning Administrator Bob Light were sworn in prior to testifying. Mr. Whitcomb testified that he was applying to the DRB for subdivision of his 16.1-acre property into two lots. He wishes to sell the smaller of the two resulting lots. The smaller lot, would consist of approximately 2.2 acres if the subdivision application were to be granted, and would include a pre-existing small home, which Mr. Whitcomb built for his mother to occupy during her lifetime. Mr. Whitcomb has had the property surveyed and presented a completed subdivision application and a plat and survey prepared by Mr. Chase. Mr. Whitcomb would retain the larger lot, consisting of approximately 13.9 acres, which includes his current residence. The subject property is located at 862 Holt Road, Town of Marshfield (Plainfield mailing address.)

As shown on the survey prepared Mr. Whitcomb, the 2.2 acre parcel extends in generally straight boundary lines in a southwesterly direction from Holt Road. The 2.2-acre lot includes at Holt Road a bend to the right in the boundary line that was necessary, according to the Zoning Administrator and Mr. Chase, to make it possible for the smaller lot to be drawn to meet the requirements of the Town Zoning Regulations that it have a minimum of 250 feet of road frontage. See Town Zoning Regulations at Section 420. Mr. Whitcomb expressed concerns that the bend to the right in the boundary of the new 2.2-acre lot might at a later date allow a purchaser to interfere with the views from his residence. He was concerned, for example, that a new owner might cut trees or erect a structure such as a fence in this area. The DRB members, as well as the Zoning Administrator stated that these concerns could not be addressed by the DRB. However, the DRB

members explained that Mr. Whitcomb would be able in all likelihood to include in any deed for the 2.2-acre lot and house a restriction or covenant protecting his view and limiting actions that could be taken in the area directly in front of Mr. Whitcomb's residence. The members urged Mr. Whitcomb to work with his attorney and Mr. Chase to resolve such concerns. The DRB had no further questions regarding the application.

At 7:40 p.m., the hearing was closed and Mr. Whitcomb, Mr. Chase, and the Zoning Administrator departed.

At 7:41, the DRB entered deliberative session on the motion of the Chair, seconded by DRB Member Leach, for the purpose of considering and deciding on the application for subdivision of Mr. Whitcomb. Deliberative session was completed at 7:55. DRB Member Schumacher moved adjournment, seconded by Mr. Leach. All in favor. Meeting adjourned.

Minutes By: James S. Arisman, DRB Member

The foregoing is a true copy of the Minutes of the September 8, 2016 Meeting of the Marshfield, VT DRB. By _____/S/_____.