

Richmond Development Review Board
 REGULAR Meeting
 APPROVED MINUTES FOR JANUARY 13, 2016 MEETING

6	Members Present:	Ian Bender; Matthew Dyer; Mike Donahue (Acting Chair); Roger Pederson (Alternate); Cara LaBounty (recused)
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8	Members Absent:	David Sunshine
9	Others Present:	Niels Rinehart, Zoning Administrator; Ruth Miller for MMCTV
10		Comcast 15; Mary Andes, Cara LaBounty; Bruce LaBounty

11
 12 Mike Donahue called the meeting to order at 7:05pm and announced that he would be serving as Chair
 13 in Sunshine’s absence. Cara LaBounty recused herself. Cara and Bruce LaBounty are representing
 14 Patrick and Peggy Coulombe.

15
 16 **Mary Andes** – Application #15-101 for an appeal of the denial of zoning application #15-101 to
 17 expand an existing shed at 54 Jones Mill Road (parcel JM0054). Mary Andes owns the parcel at
 18 54 Jones Mill Road within the Commercial District.

19
 20 Mary Andes provided background to the appeal, stating that there was confusion between her and her
 21 neighbors, the Coulombes, over the location of a fence and whether the fence marks the boundary
 22 between their properties. Andes provided a map of her property illustrating her contention that the fence
 23 lay within her property.

24
 25 Donahue questioned the map, explaining that it was a sanitary map and not a survey.

26
 27 Andes said that she had a certified survey map of the property produced by Trudell Consulting
 28 Engineers of Pat Coulombe’s property. The map was not submitted with the appeal. Andes explained
 29 that the map illustrated where the property line lay and that the Trudell map agrees with the sanitary
 30 map of her property.

31
 32 Ian Bender said that the fence in question appears closer to the property line on the Trudell map.

33
 34 Roger Pederson said that the issue is whether the addition is less than five feet from the property line.
 35 Pederson continued that Andes is presenting two maps but there has been no surveyor on either property
 36 to locate the pins. Therefore a surveyor should be brought out to locate the pins.

37
 38 Andes said that a surveyor would cost \$750.00

39
 40 C. LaBounty produced a picture of the old fence that has since been replaced by the fence that now
 41 stands. She explained that the new fence used the same metal posts that had held up the old fence and
 42 that those posts are within Coulombe’s property.

43
 44 Matt Dyer said that at best there is ambiguity as to where the fence stands in relation to the boundary
 45 between the two properties and the extent to which what is on the ground, matches what is mapped.

46
 47 C. LaBounty explained that there are four sides to the shed and that the side Andes chose to build on is
 48 very close to the fence. Therefore the Coulombes are concerned about the impact to the fence.

49
 50 Andes explained that when Coulombe constructed the fence, he said that he didn’t know exactly where
 51 the boundary was. Andes continued that she had never heard about the metal fence.

1
2 C. LaBounty said that parts of the old metal fence are still present.

3
4 Bender said that the easiest approach to the problem would be to hire a surveyor to view the property.

5
6 Pederson agreed saying that it's only speculation until a surveyor has had a look since he can certify
7 the map that he produces.

8
9 C. LaBounty and Pederson discussed processes used to locate the pins.

10
11 Andes agreed that a surveyor was needed and added that she never agreed to a fence on her property.

12
13 Niels Rinehart asked if the DRB could provide a timeline.

14
15 C. LaBounty explained that it's not the DRB's job to provide a timeline but rather it is the job of the
16 Zoning Administrator to determine what violations are issued and an appropriate timeline.

17
18 Donahue said that the DRB was tasked with an appeal of the Zoning Administrator's denial of the
19 application, but that the DRB is not able to complete that task.

20
21 C. LaBounty said that if the DRB upholds the Zoning Administrator's denial, then her cure to the
22 problem is to produce a survey to prove if the shed extension lies outside the five-foot setback. Or she
23 can move the shed if she wants to do that. If she wants to produce a survey that puts the fence is on her
24 property, then the Coulombe's can move the fence.

25
26 Andes responded that yes, the Coulombe's should move the fence so that it lies within their property
27 and that she would move the shed if that's what is required to be in compliance.

28
29 *Motion by Dyer to go into deliberative session seconded by Bender. All in favor. So voted.*

30
31 Decision made to continue the hearing to next month, giving Andes a month to complete a survey.
32 Bender asked Andes if she was comfortable with a month to get the survey done and she agreed that a
33 month was sufficient.

34
35 *Motion by Dyer to continue the application for appeal until next meeting (February 10) seconded by*
36 *Pederson. All in favor. So voted.*

37
38 **Approve Meeting Minutes – December 9, 2015**

39 *Donahue made a motion to approve the December 9, 2015 minutes, second by LaBounty, all in favor.*
40 *So voted.*

41
42 **ADJOURN**

43
44 Respectfully submitted by Niels Rinehart, Zoning Administrator/Staff to the DRB