

Richmond Development Review Board
REGULAR Meeting
APPROVED MINUTES FOR December 12, 2018 MEETING

Members Present:	David Sunshine (Chair); Padraic Monks; Roger Pedersen; Gabriel Firman
Members Absent:	Alison Anard (DRB alternate); Matt Dyer
Others Present:	Suzanne Mantegna (ZA/Staff); Ruth Miller for MMCTV Comcast 15; Roman Livak; Noble Livak; Natalia Livak

David Sunshine opened the meetings at 7:07 pm and requested participants sign in and provided an overview of what an interested party is and stated the procedures for the meeting.

Public Hearings:

Roman Livak- Application 2018-140 for Final Subdivision approval for a 3-lot Subdivision (2 new lots) at Parcel ID# KR0793, located at 793 Kenyon Rd, Richmond, located within the Agricultural/Residential (A/R) Zoning District.

Roman, Natalia and Noble Livak sworn in. Roman explained that he was asking for final subdivision approval of an undeveloped parcel he owns off of Kenyon Road. Open to discussion with the Board.

Questions from the Board-

Mr. Firman asks where the parcel that Kenyon Livak is in relation to Mr. Roman Livak’s parcel. Mr. Livak explained in the corner to the southwest. Explains the parcels were part of an administrative subdivision of their mother’s estate.

Mr. Sunshine inquired if any covenants were submitted. Mr. Livak replied only the draft language but would like to put it in the deed. Mr. Sunshine states generally they (the DRB) like to see the language.

Mr. Monks question regarding Mr. Kenyon Livak’s letter about water table and where is that development he mentions. Mr. Livak replies it is Sylvan Knoll and it is across the street and a little north from his parcel and was part of family property that was sold after mother’s death.

Mr. Firman questions about the history of the parcel. Mr. Livak explains his family’s ownership of sand pit.

Mr. Pedersen questions about the language of the driveway maintenance submitted. Mr. Pedersen would like to see a real agreement and not outline. Discussion on difference between mediation and arbitration- can’t enforce agreement for mediation whereas arbitration is binding. Mr. Livak does not imagine that it would happen. Mr. Pedersen would like to see a driveway agreement language. Mr. Sunshine says would like to have lawyer to draw up agreement.

Mr. Livak questions if this would this hold up approval. Mr. Sunshine says it depends on the board’s decision. Mr. Livak asks if he adds clause about if no agreement the dispute would go to court, would that be enough. Mr. Sunshine has seen many neighbor v. neighbor agreement and it would be to future landowner’s development to get this settled now.

Mr. Sunshine enters into evidence that the DRB has received a letter from an abutter, Mr. Kenyon Livak.

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2 Questions from the public- none

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4 Move to enter deliberative session by Mr. Monks. Mr. Firman seconds. Passed 4-0.

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6 Question from Mr. Livak about if denied, what is the process. Mr. Sunshine explains that could deny,
7 recess to next meeting or approve.

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9 Discussion about neighbor v. neighbor issues continues.

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11 **Other Business**

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13 *Minutes to be approved:*

14 September 12, 2018- approved as written 3-0 (Mr. Firman, Mr. Monks and Mr. Pedersen).

15
16 October 10, 2018- approved as written 3-0 (Mr. Sunshine, Mr. Monks, and Mr. Pedersen).

17
18 November 14, 2018- approved as written 3-0 (Mr. Sunshine, Mr. Monks, and Mr. Pedersen).

19
20 Motion to enter deliberative session by Mr. Pedersen at 7:30. Mr. Firman seconds. Passes 4-0.

21
22 Move to continue App 2018-140 to January 9 meeting. Applicant shall provide a road maintenance
23 agreement specifying how maintenance and cost of road are apportioned.

24
25 *Adjourn:*

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27 Mr. Pedersen offered a motion to adjourn the meeting at 8:07 pm and was seconded by Mr. Firman
28 and the motion carried 4-0.

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31 Respectfully submitted by Suzanne Mantegna, Zoning Administrator/Staff to the DRB