

Town of Moretown Development Review Board
79 School Street, Moretown, Vermont 05660

Brian Ward by Calvin Ward, Agent No. 20-24 – Two Lot Subdivision
off Freeman Hill Road

Minutes of Hearing Held July 23, 2020

Because of the Covid-19 Pandemic this hearing was held by conference call with the call-in number, and participant access code provided in the Published Warning and notices mailed abutting landowners. Present for the Board were John Riley, Paula Woods, Erick Titrud, Jim O'Neill, and Craig Oshkello. Zoning Administrator David Specht, Applicant Calvin Ward, Sharon Ward, and neighboring property owner Mary Murphy Blake, were also present.

In advance of the hearing Board Members received copies of the Zoning Permit Application, Development Review Board Application, and a Survey excerpt showing the proposed new parcels, existing residence, and location of the proposed access to the new lot.

John Riley called the meeting to order at 6:35 P.M. Calvin Ward summarized the Application.

Existing on the parcel consisting of 25.1 acres is the Brian Ward residence. Brian is no longer able to live on the property and his brother, Calvin has power of attorney. It is contemplated that Calvin's daughter may try to purchase the residence, and the subdivision will make the smaller residential property somewhat more affordable.

The driveway to Brian Ward's residence is just before Freeman Hill Road transitions from a Class 3 Town Highway to a Legal Trail according to the 1981 Survey. During the discussion there was some uncertainty of the road status beyond the driveway. Several residences exist further along on what is shown on the Survey as "Legal Trail 15". Some degree of Town maintenance occurs on the Legal Trail portion.

During the discussion, it was clarified the Survey was created in December 1981, to depict land conveyed from Dean Cameron to Brian Ward. A note on the survey states it was revised in May 2020 to show a Two Lot Subdivision, Total Station Survey of Lot 1, by Glen Towne assisted by Zebulon Towne.

An existing well and septic system serves the Ward residence. The applicants understand that before Lot 2 could be developed a state water supply and wastewater system permit would need to be obtained.

Calvin Ward confirmed that the demarcation line shown to be 495.64 feet in length through the middle of new Lot 2 has no significance, and does not represent a possible line for a future subdivision, at least at present.

Mary Murphy Blake is an owner of a residential property on the other side of Freeman Hill Road. A portion of the Blake parcel extends onto the northwesterly side of Freeman Hill Road and abuts proposed new Lot 2. As the subdivision is contemplated, the access into Lot 2 would come off of the Brian Ward driveway at a location some distance from the Blake property. The access easement across Lot 1 for Lot 2 will be 50 feet in width.

David Specht commented he made a site visit and believed an access way could be developed which would avoid overly steep grades. The discussion noted that if the access location was substantially modified it could require an amendment to any subdivision approval.

Erick made a motion to approve the application as presented on the conditions that the right of way to Lot 2 be as shown on the Plan; that associated with any development of Lot any required state permits be obtained; and that if Lot 2 is developed for residential purposes, that the access right of way be of sufficient width, and maintained in a sufficient manner that emergency vehicles, including fire trucks, can traverse it all seasons of the year. Paula seconded. All were in favor. The Board Minutes will be evidence of the Board's decision.

The Ward hearing concluded at 7:18 pm. The DRB remained in session for a brief time during which John and Paula described their attendance at recent Town Planning Commission meetings at which possible revisions to the Town Zoning Ordinance were discussed.

There being no further business, the meeting adjourned at approximately 7:30 PM.

Respectfully submitted

Moretown Development Review Board

John Riley, Acting Clerk