

**TOWN OF WESTMINSTER  
DEVELOPMENT REVIEW BOARD  
December 4, 2023**

Members Present: Chris Potter (Chair); Tim Harty (Vice Chair), Don Anderson (Clerk), Oliver Brody, & Ed Harty

Others Present: Joe DiBernardo; Gail Rogers; Lou Bordeaux (Town Manager); Don Marcille; Vivian Prunier; Alison Bigwood (ZA) and Kelley Thayer (Recording Clerk)

**1. Call to Order:** Chris Potter (Chair) called the meeting to order at 6:33 P.M.

**2. Adjustments to Agenda:** None

**3. Acceptance of Minutes:** Tim Harty made a motion to accept the minutes as presented from the November 6, 2023, meeting with Oliver Brody seconding it. Hearing no discussion, the Chair called for a vote and the motion passed 4-0-1 (Chris Potter was absent at the 11/06/23 meeting).

**4. Communications and Public Comment:** None

**5. New Business: (Discussion / Action):**

**Application # 24-18**                      Application # 24-18 (**Preliminary Plat Hearing**) James & Linda Marcille property located at 122 Old Ledge Road. The Applicant is requesting a major subdivision. Application will be reviewed under **Section 311 Site Plan Review; Section 447 Rural Residential District; and Article VIII Subdivision of Land (Major Subdivision)** of the adopted 2017 Zoning Bylaws.

Before the start of the application, Don Anderson recused himself. Chris Potter began the application stating that the Final Plat Hearing for this application will be heard on January 8, 2024. Tim Harty began by reading the application. Joe DiBernardo spoke on behalf of Don Marcille. Joe stated that the 34.54-acre parcel will be sub-divided into 4 lots.

- Lot 1: 5.03 acres with 250' of frontage
- Lot 2: 5.00 acres with 250' of frontage
- Lot 3: 5.28 acres with 250' of frontage
- Lot 4: 19.23 acres with 2223.99' of frontage

Joe stated that a majority of these lots will be off Old Ledge Rd but the corner of the larger lot is off of Quarry Rd. Phil Savoy (Engineer), is working on the perk tests for each of the remaining smaller lots. Don Marcille will be filing an exemption form with the State for Lot 4 due to the fact that the septic is more than 500' from the property line. Old Ledge Rd is a private road. Don Marcille owns the road and as each lot is sold, a maintenance agreement will be obtained for access to the other 3 lots as well as Access Road Permits per lot. The survey showed potential building envelopes, and proposed driveway locations. The final location of new construction, setbacks, driveways, and building envelopes will be determined at the time of the construction permit approval which will need to be brought before the DRB before any construction can begin (per the DRB, in accordance with the 2017 Zoning Bylaws). Hearing nothing further, Tim Harty closed Application # 24-18 at 6:53 pm.

**Application # 24-19** Application # 24-19 Aurelius DiBernardo property located off Route 121. The Applicant is requesting a Lot Line Adjustment. Application will be reviewed under **Section 311 Site Plan Review; Section 446 Residential District;** of the adopted 2017 Zoning Bylaws.

Before the start of this application, Chris Potter recused himself. Ed Harty read application # 24-19 for Aurelius Dibernardo. Ed asked Joe Dibernardo to speak to this application on behalf of Aurelius Dibernardo (he was unable to attend). Joe stated that Aurelius intentions was to deed an L-Shaped piece of land to Gail Rogers, making this a contiguous lot for her. The R.O.W. will remain the same as it is now, and nothing will change other than who this piece of land is deeded to. Hearing nothing further, Ed Harty closed this application at 7:04 p.m.

**6. Unfinished Business: None**

**7. Other Business (Discussion / Action): None**

**8. Date of Next Meeting: Monday, January 8, 2024**

**DELIBERATIVE SESSION:** After coming out of deliberative session, the Board declared the following for the applications reviewed in this hearing:

Application # 24-18: James & Linda Marcille for a Major Sub-Division (**Preliminary Plat Hearing**): The Final Plat Hearing for this application will be heard on January 8, 2024. The Board is asking for written documentation from Phil Savoy before the next hearing for the perk test results on the 3 empty lots and the documentation of the wastewater permit showing that the large lot is capable of handling both the home and the shed/cottage on the same septic system. The Board reviewed Section 840 and Section 842 of the 2017 Zoning Bylaws.

Application # 24-19; Aurelius Dibernardo: Tim Harty made a motion to accept the request for a Lot Line Adjustment with no conditions. The deeding of land will be taken care of by the applicant. Ed Harty seconded and the motion passed 4-0-1(Chris Potter recused himself)

**9. Adjournment:** Tim Harty made a motion to adjourn at 8:03 p.m. with Oliver Brody seconding. The motion passed 4-0 and the meeting was declared over by the Vice Chair, Tim Harty.

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Signature of Clerk

\_\_\_\_\_  
Date

Prepared by Kelley Thayer

(Note: These are unapproved minutes. Corrections, if necessary, will be found in the minutes of the next DRB meeting.)