

**Town of Shaftsbury
Development Review Board
Minutes for January 6, 2010
Recorded: C. Ponessi**

DRB Members Present:

Phyllis Porio, Chairman
Gary Burgess, Vice Chairman
Christopher Ponessi
Fritz Ludwig
Rick Mattison

Audience Present:

David Spurr	William Hogan
Andrea Hogan	Bill Pennebaker
Peggy Price	Mr. Carver (not sure of first name)
Mike Gardner	

Phyllis Porio called the meeting to order at 7:02 PM.

Audience Giving Testimony, no sign in sheet but affirmed by Phyllis:

William and Andrea Hogan
Mr. Carver
Bill Pennebaker
Peggy Price

Board Members to recuse themselves:

None.

Agenda Item 2.A, 2.B, & 3.B:

A letter by MSK Engineering for Mr. Ed Corey requested a continuance for Agenda Items 2.A, 2.B, & 3.B. This continuance has been granted at a time to be determined or requested by the applicant. They will not be placed on an agenda until correspondence is received. Also, it should be noted that if the Applicant wishes to possibly submit a new application or subdivision, or other, it will be required that they formally withdraw, in writing, all of the requests, applications, or appeals currently in front of the DRB.

Agenda Item 3.A:

Phyllis opened by reading the item, and invited William and Andrea Hogan to the table to be affirmed.

The applicants explained the history of the project, an addition construction 1.5 years ago to a shed that was re-built 8 years ago. A permit application was received in August 2008, and construction was completed June/July 2009 (I believe dates are accurate, but letters in the file may show differences).

Approximately mid July the neighbor (Mr. Carver) approached the applicant and discussed the distances to the property line, and the non conformance to the zoning bylaws.

Mr. Carver was brought to the table and affirmed. Mr. Carver presented a survey of the property line between his sister's property and the Hogan property. It appears that the existing shed is approximately 2' from the surveyed property line, and the new addition to the shed is approximately 5' from the property line.

On the zoning application is originally shown as 25', for which this error is the reason that the Hogans are requesting a variance.

The item that the shed is also built in what is believed to be the ROW of an Ancient Town Road, as shown on the survey.

Bill Pennebaker and Peggy Price were brought to the table and affirmed.

A deed from the discontinued use and abandonment of this ROW from the Town was presented. A deed from the Town record on February 23, 1911 was read into evidence.

A letter from an different neighbor, David Rosner and Ellen Shutz was read into evidence, describing how the Hogans are good people, good neighbors, and that the shed looks in VT character and that they are not affected.

Gary made a motion to close the hearing, Fritz seconded. Vote 5-0-0 approved.
Gary made a motion to bring the vote to deliberative session, Fritz seconded. Vote 5-0-0 approved.

Other Business:

David Spurr was brought to the table to discuss his possible appointment to the DRB as an alternate.

Curb Cuts:

Mike Gardner requested a curb cut for agricultural lands on Rod & Gun Club Road. It is required by Ron Daniels to have an 18" culvert installed. This permit will legalize a culvert that Mr. Gardner placed previously, which will have to be removed and properly constructed.

A motion was made by Gary to move to deliberative session, Fritz seconded. Vote 5-0-0 to approve and the room was cleared for deliberative session.

Discussion and Votes to be recorded at next meeting as necessary.

Session and Meeting adjourned at 9:25 after many different discussions.