

MINUTES OF THE SHAFTSBURY PLANNING BOARD
March 9th, 2010
COLE HALL
SHAFTSBURY, VERMONT

Board Present: Norm St. Onge (Chairperson), Craig Bruder, Chris Williams.

Board Absent: Bob Carter.

Others present: Bill Pennebaker, Tony Zazzaro (Zoning Administrator), Megan Wick-Albert (recording secretary).

1. Call Meeting to Order:

Norm St. Onge called the meeting to order at 7:03 pm.

2. Minutes:

January 26th, 2010

A sentence in the first part of the description of Item 5 was removed. Under 2A, take out sentence with Bill Pennebaker that is fragmented. Under 2B it should read “an” instead of “and” in the second to last sentence.

Chris Williams motioned to approve the minutes of January 26th, 2010 with the corrections above. Craig Bruder seconded. Motion approved 3-0-0.

February 9th, 2010

Chris Williams motioned to approve the minutes of February 9th, 2010 as is. Craig Bruder seconded. Motion approved 3-0-0.

3. Old Business:

A. There was no old business to discuss.

4.. New Business:

A. Subdivision by-law discussion- Chris Williams

Chris Williams reviewed the subdivision by-law since the last discussion and presented major concerns throughout the document. Firstly, he brought up changing “Planning Commissions” to “Development Review Board” throughout since they would enforce this. He suggested maybe attending a DRB meeting to ask about their concerns with this change. Norm St. Onge stated that he will contact Phylis Porio to figure out what meeting would be best. On Page 2, Chris asked whether a aquifers map was available or existent and that this should be added or referenced to in this by-law. Bill and Craig said they had seen it and that it may be in the town plan. Chris raised concern about Agricultural land and the right to farm section. He said the statement should read “shall be” instead of “should be”. It should also state the statutes and reference VSA numbers. Craig added it would be a good idea to do this throughout and ahead of time before issues arise. Next, Chris asked about when Act 250 takes over and whether there are any of these permits that have been submitted in Shaftsbury recently. Tony Zazzaro stated that there have been, but has to be so if there was another subdivision less than 5 years ago. Chris questioned the 2% gradient for new streets and why this is so. Bill asked where the town specifications are that are also mentioned. Chris said it would be a good idea to reverence to these in an appendix. Bill asked if the Town Highway Access Ordinances correspond with what's in this document. This will be looked into. Chris also asked about dead-ends versus a cul-de-sac. Bill said some people prefer one or another. Norm said that the statement should be changed from should be shall be. Chris moved on to Section C where it discusses parcels without access. Tony said that a land locked parcel is not possible to create. Chris questioned if this is appropriate for the town. Tony didn't agree that it would be useful to the town as of now, but may be in the future. Bill said it would have to be in the deed to do so. Chris said they would address this later. In section 3 regarding concrete culverts, there is a specific list of manufacturers that can be used. This is only for concrete culverts however. With Waste Water permit approval, Chris asked how much enforcement is here, where it seems you would only find out if there's a problem. This issue has been superseded by the State and Bill stated it should be referenced to for this section. Chris said he would add this. In regards to section 4.02, Chris raised concern about what it means. Craig said there should not be a comma in between subdivision and waste water disposal. Later in section 4.02 Chris points out that it talks about a building inspector. Tony said there is no need since the state's regulations take care of what he would have been doing. Chris said this section will reference to the state regulations. Bill asked who appoints him and Tony said the Planning Commission would,

but it's not necessary. Chris next asked about increased water usage in this section and Bill mentioned that the zoning by-laws may have addressed this. Craig theoretically mentioned if a single family home became multiple units. Norm said this would more be if the usage transferred between North Bennington and Shaftsbury. Chris said he would continue researching this. In section 5.03, he asked if the notification of neighbors is current practice. Tony confirmed that it is current practice and required. In section 5.06, there was mention of the town building inspector again. It should read by approval of ANR instead of the building inspector. In regards to open space subdivision, Chris read through the by-laws and they correlate with this subdivision by-law well, but they're not parallel since they address different aspects. He questioned the 20% cluster bonus. Norm asked what does it do for everyone to do this. Chris asked what it would look like ideally if this was utilized. Bill mentioned tight-knit communities with open space, which would be ideal for people who do not want to maintain acreage and other maintenance duties for living such as mowing and plowing. Tony asked about the 15%/20% confusion of the bonus. Bill said that 20% isn't the right number for this and it may be desirable to some to only develop 50% of the land and have 50% open space. Craig brought up the example of Chester Knowles and Chris described the "Garden City" model that is pedestrian only within the open space, giving a designated area for parking in the community. Chris asks if what is written for this section should be tweaked or re-written completely. The board will think on this and read over the zoning by-laws, specifically regarding density and setbacks. In section 7.06 it was agreed by the board on modifications to add "town" before "plan" in the last sentence. Chris said that reading over the conditions also would help. Bill said this is subjective criteria as of now. Norm reiterated things to research until the next meeting, including review of open space in the zoning and the subdivision by-laws as is and he will contact Phylis about meeting with the DRB sometime in the near future.

5. Other Business

A. VR Expansion- Chris Williams

Chris brought in and presented the updated, final plans to be presented to the Selectboard for expansion of the VR district. He wanted to confirm that this is what they will be presenting. Craig stated that it looks like it. Bill asked if the frontage should be Village Commercial. Chris and Craig stated that it was very steep, but is nice once you get to the top of the area. Chris stated there should be notification to the neighbors of a potential zoning changes before the hearing. Craig mentioned that there is a potential for a VR expansion on Twitchell Hill Road as well. Chris asked if Lake Paran was RR and it is. Bill said it may be to put a cap on expansion. Tony asked if this would be spot zoning if it's VR. Craig said in theory it sounds good. Overall, the board agrees with the proposed addition to the VR district.

B. Building Permit Application Revisions- Tony Zazzaro

Tony said the since the last time it was reviewed he added the cost of project, which would have no affect on the fee since its based on square footage of the project, but would be useful to listers who have requested this change. Tony asked whether it would be possible to impose a fine if a person does not file a building permit ahead of time. The board seemed to think this made sense. Norm asked about lot line accuracy and Tony said this is the individuals responsibility to be honest, not the towns since there is no designated surveyor. Chris suggested putting the wording under this in bold letters so people understand there are penalties for inaccuracy. Bill suggests that it should be make clear when they pick up the permit. Craig said maybe when they physically pick it up, Tony could suggest them to overview this in detail to make sure they understand the penalties.

C. New Members

Additional members, Bhimma Nitta and David Spur, will be appointed by the Selectboard at their next meeting.

D. Executive summaries of projects

Chris stated he would write one up for the VR expansion project and continue to keep up with these summaries.

6. Adjournment

Meeting was adjourned at 9:01pm.

Respectfully submitted,

Megan Wick-Albert