

Shaftsbury Development Review Board

Shaftsbury Town Hall

Buck Hill Rd

September 7, 2011

Members Present: Phylis Porio (Chair), Gary Burgess (Vice-Chair), Bob Holmes, Jake Jakubowski, Chris Ponessi, David Mance

Members Absent: Fritz Ludwig

Others Present: Jean Zinn, Laurel Zinn, Jim Secor, Norm Zimmerman, Kevin Wright, Roger McDaid, David Spurr, Jennifer Viereck (Zoning Administrator), Bob Whitney (Recording Clerk) and others as listed on the sign-in sheet on file

1. Call to Order: By Chair Phylis Porio at 7:00 p.m.
2. Conflict of Interest Statement: Chris Ponessi recused himself as to item 3A.
3. Old Business:
 - A. Permit # 09 87 66: Laurel Zinn, Owner, Property ID: 07 20 52, Conditional use 3.5 of the Towns Bylaws. Permit usage of garage with bedroom/bath/kitchen. Review of waste water permit. This property is located at 320 Hidden Valley Road. Laurel Zinn was not present at the July 6th meeting, so this issue was continued.

Jean Zinn and Laurel Zinn testified in favor of the application and Chris Ponessi testified in a consulting position.
There were no questions from the members of the public in attendance.
David made a motion to close the hearing on 3A and Gary seconded the motion. All members voted in favor 5-0-0.
Jake made a motion to take item 3A into deliberative session and David seconded. All members voted in favor, 5-0-0.

Chris Ponessi returned to the Board

 - B. Permit # 11 91 51: Kevin and Sarah Wright, Owner; Norman & Anna Rose Zimmerman, Lessor. Proposed commercial business in assembling and installing vinyl replacement windows. Assembling will take place on the property. Bylaws 3.5 Conditional Use; 3.6 Site Development Plan; 6.1 Commercial and 6.2 Roadside Commercial. This property is located at 3063 VT Route 7A. This matter is carried over from the August 31st meeting.

Jim Secor, Norm Zimmerman and Kevin Wright testified in favor of the application. Changes to the site plan and letters from the fire chief and rescue squad were submitted.

Two members of the public attending this meeting testified.

Alan Baker, a neighbor, is in favor of the application and objected to the DRB process.

Art Whitman, chairman of the Shaftsbury Economic Development Committee, asked that economic development be considered in the Board's decision making process.

David made a motion to close the hearing on item 3B and Gary seconded. All members voted in favor of the motion, 6-0-0.

Gary made a motion to take item 3B into deliberative session and David seconded. All members voted in favor of the motion, 6-0-0.

4. New Business:

A. Permit#11 91 52: Ryan McDaid, Lessor. Owner is Joseph Schueler. Property ID: 152008. This property is located at 1835 Route 7A. Commercial development of the property known as the Iron Kettle for retail, Indoor and outdoor garden supplies. Roadside Commercial 6.2.4, Conditional Use in conformance with provisions of 3.5. and enumerated in 6.1.4 to 6.2, specifically retail store 6.1.5.1.

Ryan McDaid and David Spurr spoke in favor of the application.

The board recommended six changes to the site plan and went through the conditional use bylaw without any negative information uncovered.

There were no questions from members of the public present.

David made a motion to close the hearing on item 4A and Gary seconded the motion. All the members voted in favor of the motion, 6-0-0.

Gary made a motion to take item 4A into deliberative session and David seconded the motion. All members voted in favor of the motion, 6-0-0.

5. Curb Cut: None.

6. Other Business: A request for a report from the Zoning Administrator was made and the Zoning Administrator said she would do so on a quarterly basis or whenever the Board required a report.

7. Minutes: None at this meeting.

8. Decisions to be signed: None at this meeting.

9. Deliberative Session:

David made a motion to enter into deliberative session at 8:20 p.m. and Jake seconded the motion. All the members voted in favor of the motion, 6-0-0.

Final and Approved – October 7, 2011

David made a motion to exit from deliberative session at 8:50 p.m. and Gary seconded the motion. All the members were in favor of the motion, 6-0-0.

David made a motion to continue the deliberative session on Permit # 09 87 66: Laurel Zinn at such time as the dimensional drawings are provided. Jake seconded the motion. Motion passed 6-0-0.

David made a motion on Permit #11 91 52: Ryan McDaid to issue a decision after review and approval of the final site plan. Jake seconded the motion. Motion passed by a vote of 6-0-0.

Jake made a motion to deny Permit # 11 91 51: Kevin and Sarah Wright, Owner; Norman & Anna Rose Zimmerman, Lessor. Gary seconded the motion. Motion did not pass. Vote was 2-2-2 (Jake and Gary voted for the motion, Chris and Bob voted against the motion, Phylis and Dave abstained). Jake then made a motion to continue the matter at a future deliberative session. Motion passed 6-0-0.

Chris Ponessi recused himself and left the building.

Gary made a motion to go back into deliberative session at 9:05. Jake seconded the motion. Motion passed 5-0-0.

Dave made a motion to come out of deliberative session at 9:30 and Gary seconded the motion. Motion passed 5-0-0

10. Adjournment: Dave made a motion to adjourn the meeting and Jake seconded the motion. All the members were in favor of the motion, 6-0-0. The meeting of the Shaftsbury Development Review Board was adjourned at 9:33.

Respectfully submitted,
Bob Whitney

