

# Town of Shaftsbury Development Review Board

March 2, 2011

Cole Hall

Shaftsbury, Vermont

**Board Present:** Phylis Porio (Chair), Gary Burgess (Vice Chair), David Mance, Christopher Ponessi, Jake Jakubowski, Robert Holmes (Alternate Board Member)

**Board Absent:** Fritz Ludwig

**Others Present:** Norm and Mary Browning, Suzanne Bushee (Zoning Administrator), Robert Whitney (Recording Clerk)

**1. Call to Order:** The meeting of the Shaftsbury Development Review Board was called to order by Chair Phylis Porio at 7 p.m.

**2. Conflict of Interest:** David Mance has a conflict of Interest related to the decision to be signed for the Nash subdivision. Phylis Porio has a conflict on the deliberative session as she was not in attendance when the Whitman Feed Store matter was discussed at the last meeting.

**3. Old Business:**

A. Continuation of Permit #10 89 87: Shaftsbury Historical Society, applying for conditional use, Property ID #07 20 17. Review of new documents.

Norm and Mary Browning testified before the board. Norm met with Teresa Gilman from the Agency on Transportation at the site. Norm handed her report to the board members. She included permits for a curb cut with a 20' wide entrance and a radius of 24'. Norm has spoken with the state police and the assistant fire chief. Norm anticipates erecting a free-standing sign on the property. Jake reminded Norm that a sign permit is required. Chris said that the sign must be at least 33' from center line of the road. Gary asked where the caretaker will reside. Norm replied that the caretaker will reside in the rear of the main building. Also, the dairy barn will have the Stanley tool collection. The hay barn will be a museum for daily life artifacts from the 18<sup>th</sup> and 19<sup>th</sup> centuries. Dining room, parlor and hall in the main building will be exhibition space. Smoke detectors have been installed. Buildings will meet ADA requirements for accessibility. Public access will be through the rear of the main building. Phylis said that a façade exterior, if it extends past the current footprint, requires another permit. Gary moved to close the discussion and David seconded. All in favor 6-0-0. Phylis explained that the board has 45 days to render a decision though it usually does not take that long.

**4. New Business:** None

5. **Other Business:** Phylis reported three items - open forum meeting on March 10 at 5:30 p.m. (Phylis, is there a title for this forum?), the Vermont Regional Planning Commission workshop also on March 10, there are two or three members up for re-appointment. Bob Holmes said that the next select board meeting will address the latter issue.

6. **Minutes: February 16, 2011** Changes to Minutes included removing the name of Richard Mattison, #5 removing Mark Wightman and replacing with Jason Dolmetsch, deliberative session was entered into at 9:40 p.m., in deliberative session Jake made a motion to approve the Nash subdivision with conditions and Fritz seconded, approved 5-0-1, Fritz made a motion to approve the Bucknall subdivision with conditions and Jake seconded, approved 6-0-0. Jake made a motion to accept the Minutes as amended and David seconded. Approved 5-0-1 (Phylis abstained).

7. **Decisions to be Signed:**

A. **Permit #10 89 68: Estate of Marjorie Kelly, owner Regina Nash, property Id #13 21 26, two lot subdivision. David Mance recused. Signed by Gary Burgess. Subdivision was approved with the following conditions:**

1. The project shall be completed as shown on the plans titled "Subdivision Prepared for Regina Nash" dated October 18, 2010 prepared by D.T. Mance & Assoc.
2. The curb cuts for the access to each of these lots is pre-existing and detailed on the above noted plans.
3. A Storm Water Management Plan shall be submitted and approved prior to the issuance of building permits on Lot 2.
4. The existing structure on Lot 2 shall be demolished prior to any building on Lot 2.
5. There shall be no changing in grading that increases storm water runoff or soil erosion to neighboring properties.
6. Letters from the school, police and fire on the impact of development of Lot 2 shall be submitted to the Zoning Administrator prior to the issuance of any building permits.
7. No deviation from these plans, or from the conditions discussed, shall be allowed without prior review and approval by the Shaftsbury DRB.
8. The conditions of this permit shall run with the land and will be binding upon and enforceable against the permittee and all assigns and successors in interest.
9. By acceptance of this permit, the permittee agrees to allow representatives of the TOWN OF SHAFTSBURY access to the property covered by this permit, at reasonable times, for the purposes of ascertaining compliance with TOWN OF SHAFTSBURY statutes and regulations until a Certificate of Occupancy has been issued for all buildings within the subdivision.

10. This permit shall expire in 180 days unless within that period the mylar(s) of the approved final plat(s) shall have been duly filed and recorded in the office of the Shaftsbury Town Clerk in accordance with 27 V.S.A. section 1403.

**B. Permit #10 89 80L Estate of R. Bucknall, Parcel ID 18 02 07, 1988 East Road. Lot A 8.66 ac Lot B 62.33 ac. Two lot subdivision. Signed by Gary Burgess. Subdivision was approved with the following conditions:**

1. The project shall be completed as shown on the plans titled **“Proposed Subdivision Lands of Estate of R. Bucknall, prepared by Jon Endres, Blaze Design Inc.”**
2. The project shall not deviate from the approved plans and notes thereon without approval from the Shaftsbury Development Review Board.
3. Lot B shall not be improved with any structure, nor access established from East Road without first obtaining approval from the Shaftsbury Development Review Board.
4. The conditions of this permit shall run with the land and will be binding upon and enforceable against the permittee and all assigns and successors in interest.
5. This permit shall in no way relieve the permittee of the obligations of procurement of other relevant State and Local permits prior to proceeding with this project.
6. This permit shall expire in 180 days unless within that period the mylar(s) of the approved final plat(s) shall have been duly filed and recorded in the office of the Shaftsbury Town Clerk in accordance with 27 V.S.A. section 1403.
8. **Deliberative Session entered into at 8:00 p.m. Permit #10 89 88: Whitman Feed Store, proposed propane filling station, Property ID #13 21 73. Phylis Porio recused. Deliberative session ended at ?**
9. **Adjournment: Motion to adjourn made by ? and seconded by ?. Approved ?. Adjourn at ?.**

Respectfully submitted,

Bob Whitney

