

Shaftsbury Development Review Board
Held at the Shaftsbury Town Hall
Buck Hill Rd at 7:00 pm
Minutes for the Regular Meeting
2/1/12

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

Members Absent: William Jakubowski, Fritz Ludwig

Others Present: Jennifer Viereck (Zoning Administrator), Sandra Mangsen (Recording Clerk), Jon F. Endres, Megan Donckers, Jeri Schoof, Jay T. Palmer, David Spurr, R. A. Schoof, Mary Gronning, Mary Beth Maguire, Trevor Mance, Karen Mellingor, Tom Huncharek, Mitchell R. Race, Joanne M. Race, Kathleen Geneslaw, Robert Geneslaw, Mike Foley

1. Call to Order

Chair Phylis Porio called the meeting to order at 7:00 p.m.

2. Conflict of Interest Statement

David Mance declared he had a conflict of interest with regard to Item 4b.

Motion: **Bob Holmes moved that consideration of Agenda item 4b be moved to after approval of the minutes (item 7). Seconded by David Mance. Carried, 5-0-0.**

3. Old Business: There was none.

4. New Business:

A. Lot Line Adjustment, per Subdivision Regulation 5.1, for Permit # 12-9211 for Parcels #03 01 11 and 03 01 12, both the property of Helm Family Investments I, LLC. Property is located at 51 State Park Road @ Route 7A intersection. Zoning District: Roadside RR80, Bylaw Section 4.1.

David Spurr and Jon Endres spoke to this item. Site plans were made available for examination. Each lot remains two acres in size and neighbor Jon Endres is supportive of the change requested, which will produce lots with more regular boundaries.

Motion: **To approve the Lot Line Adjustment described under 4A, with the condition that the non-existent lot line shown on the zoning map be removed.**

Moved by David Mance, seconded by Gary Burgess. Carried, 5-0-0

Minutes: 11/16/11 and 12/7/11

Motion: **To approve the minutes of 11/16/11. Moved by David Mance; seconded by Chris Ponessi. Carried, 5-0-0.**

No quorum was available for consideration of the minutes of 12/7/11

4 B. "Change in Conditional Use" Permit # 12-9213 requested by TAM, Inc. for an increase in tonnage processed per year from 15,000 to 30,000, per Bylaw Section 3.5 and 3.6. Parcel is #09 20 29.3, property of North Rd., LLC, located at North and Airport Rds. Zoning District: Industrial 2, Bylaw Section 6.4.

Dave Mance recused himself and left the meeting.

Trevor Mance and Mary Beth Maguire provided background information on TAM's growth since the last permit application was approved (for an increase from 8,000 to 15,000 annual tonnage). No water quality issues have been identified; no traffic incidents have occurred; and the distance from the nearest residence has been increased, since TAM purchased an abutting parcel. The requested increase to 30,000 tons annually is simply the next level mandated by the state; although that level is unlikely to be reached in the near term, the increase will give TAM some breathing room to cope with situations where the tonnage increases dramatically, as it did after tropical storm Irene in August, 2011. They anticipate about a ten year period to fully reach this capacity.

A site map was made available for examination. No changes are being requested from what is shown on that plan, which has already been approved with the original permit.

The committee considered the application point by point. Given the amount of material to review, the committee considered at first continuing the hearing to the next meeting (Feb 15, 2012).

Motion: Bob Holmes moved that the hearing be continued until the regular meeting on 2/15/2012. Seconded by Gary Burgess.

After some discussion, the motion was withdrawn by both mover and seconder in order to allow those in attendance to offer further comments on the proposal.

The Chair then invited comment from those present, taking the Conditional Use sections raised Trevor Mance's letter of Jan 28 letter as a starting point. Among the concerns and suggestions were the following:

- length of time before the 30,000-ton level is likely to be reached
- increase in the number of garbage trucks driving in and out of the facility
- anticipated changes to the service area
- impact of greater truck traffic and volume of material processed, especially on individuals sensitive to airborne pollutants
- increase in noise level
- the potential usefulness of a stepped approval process, wherein criteria would have to be fulfilled at, say, 20,000 tons, or the permit would become subject to renegotiation

- details of water and soil testing procedures and monitoring arranged by TAM
- need for enhanced conifer buffer to reduce visibility of dumpsters from the road

Motion: Bob Holmes moved to continue the hearing until 2/15/12, to allow for time to study the material provided in the application. Seconded by Gary Burgess. Carried 4-0-0

5. Curb Cut: There were none.

6. Other Business: Interview of Alternate Board Member applicant.

Megan Donckers has submitted a letter of interest for a position as a DRB Alternate. This item will be considered in executive session at the next scheduled meeting (Feb. 15).

7. Decisions to be signed: Berstene Subdivision Permits # 11-9189 and 11-9190, Mylar and Plat Maps.

Phylis Porio signed these decisions and maps.

8. Deliberative Session: There was none.

9. Adjournment

Motion: Gary Burgess moved that the meeting be adjourned, seconded by Bob Holmes. Carried 4-0-0. The meeting was adjourned at 8:57 p.m.

Respectfully submitted,
Sandra Mangsen (Recording Clerk)