

**Shaftsbury Development Review Board
Minutes of the Meeting Held September 2, 2015**

- 1) 7:05 p.m. The meeting was called to order by Mr. Huncharek. Present were board members Michael Biddy, Chris Ponessi, and alternate Michael Day. (Mr. Palmer left after learning he could not participate in the continued hearings on the agenda.) David Mance and Megan Donckers were absent. ZA Shelly Stiles also attended.
- 2) Conflicts of interest: there were none.
- 3) Sign in sheets were given to Jonathan Hoffman and Jenifer Prouty.
- 4) Approval of August 19, 2015 minutes. Mr. Biddy moved to approve the minutes. Mr. Ponessi seconded the motion. The minutes were approved 4-0.
- 5) Continuation of hearing on application # 15-9591, applicants Jonathan Hoffman and Jenifer Prouty, parcel # 03-01-49: variance to the side yard requirement in accordance with Bylaw sections 3.4.1.4 and 8.6 in an RR 40 zone.

The applicants presented additional information. Mr. Hoffman noted that his map should have showed the proposed garage 25' from Maple Hill Road. Ms. Prouty shared photos. Mr. Ponessi asked if the garage could be moved further into the interior of the lot, reducing the needed setback. It was discovered the applicants' map showed the edge of road as the property line. Mr. Huncharek suggested just what is a property line in the context of the Town's application form could be vague. (It is not defined.)

The board went through the Bylaw sections 8.6.1-8.6.6.

8.6.1: it was agreed the lot is unique, narrow, with limiting topography

8.6.2: Applicants stated there was no possibility of meeting the setbacks: the steep bank on the northeast side of the house precludes a two-car garage there; Mr. Biddy said have garage space for two cars seemed a reasonable use.

8.6.3: Applicants stated the situation wasn't created by them. Mr. Ponessi suggested it was by virtue of their having purchased the property.

8.6.4: it was agreed the proposed garage siting resembled that of many other parcels in the neighborhood and would not change it's character.

8.6.5: It was agreed there were no issues with pollutants.

8.6.6: Minimum variance possible: Mr. Ponessi reiterated his concern regarding moving the structure further into the interior, to reduce the variance needed. Mr. Day asked about moving the garage closer to the driveway. Mr. Hoffman said it would impede his use of the driveway and would not lessen the variance needed. Ms. Prouty said the neighbors have been very supportive of their renovations. Mr. Hoffman said the existing structure is an eyesore. Ms. Prouty said if the new structure occupied only the existing footprint, the desired functionality wouldn't be achieved.

The DRB agreed the variances being requested were an additional 2' on Maple Hill Rd. and an additional 4' on Old Depot.

Mr. Biddy moved to close the hearing. Mr. Day seconded the motion, which passed 4-0.

Mr. Huncharek and Mr. Ponessi described to the applicants what the next steps were – a findings in writing within 45 days, a 15 day appeal period.

- 6) The DRB agreed to postpone to its next meeting, when Ms. Donckers can be present, deliberations on application # 15-9574, Robert and Deborah Daly, variance to 50 foot stream buffer requirement in accordance with Subdivision Regulations 2.3.2.A.
- 7) Other business

The Board reviewed the draft Subdivision Permit for application # 15-9578. Edits were suggested which Mr. Day will make. He will issue the corrected version for review.

Mr. Ponessi moved to enter private deliberative session on application # 15-9591. Mr. Day seconded the motion, which passed, 4.0.

Mr. Huncharek moved to come out of deliberative session. Mr. Bidy seconded the motion, which passed 4-0.

At 8:15 pm Mr. Ponessi moved to adjourn. Mr. Bidy seconded. The motion passed by acclamation.

Minutes by ZA Shelly Stiles