

Shaftsbury Development Review Board
July 6, 2016

The meeting came to order at 7 pm. Present were board members Tom Huncharek (chair) and Michael Bidy, and alternate Jay Palmer. ZA Stiles was also present.

Conflict of interest: Mr. Palmer noted that he had bid in 2015 on a 40-acre parcel up for tax sale belonging to Mr. Burdick. Mr. Bidy noted that he resides on a parcel adjacent to the Burdick site on the north. Both reported they believed they had no conflict of interest. There were no public objections to their participating in the hearing.

Sign in sheets were passed around and testimony sheets were signed.

Mr. Bidy moved to approve the May 18 2016 minutes. Mr. Huncharek seconded the motion. After discussion and correction of two typographical errors, the minutes were adopted as changed by a vote of 3-0.

Application 16-9713, Sternberg/Burdick boundary line adjustment.

Mr. David Spurr, surveyor, spoke on behalf of the Sternbergs. There were questions as to whether the parcel had been subdivided before, and whether the piece of land on the west side of Cider Mill Road belonging to Mr. Burdick was a separate parcel. Mr. Spurr was asked and agreed to show all abutters on the map, including those on Mr. Burdick's north and east, using the most recent grand list to identify owners.

The ZA shared a certificate of service to all abutters.

Mr. Spurr reported the Sternbergs do not know where their waste water system is located. Mr. Burdick reported that the 10-acre parcel to be separated from his parcel and joined to the Sternberg's has always been farmed. There has never been a well or any structure of any kind on that land since at least the time Mr. Cross purchased it, he said. Mr. Spurr was asked and agreed to show wooded land on the plat.

Mr. Spurr was asked and agreed to add all of Burdick's parcel and adjoining parcels to the locator map.

Mr. Bidy moved to close the hearing. Mr. Palmer seconded. The motion passed 3-0 at 7:45 pm. The ZA was asked to email the board's decision to the Sternbergs and the Burdicks.

Application 16-9722, Erb boundary line adjustment

Mr. David Mance, surveyor, represented the applicant. He explained that fuel and trucks had been stored on the approximately one acre affected by the boundary line adjustment, and that a potential purchaser had expressed concern about potential liability posed by that acreage should he purchase the larger parcel of which it is part. Mr. Mance noted that the new parcel will be compliant, where the former one was not, but that it is located in a floodplain.

Mr. Bidy asked and Mr. Mance agreed to put abutters' parcel numbers on the plat, and to add a magnetic declination to the north arrow.

Mr. Huncharek moved to close the hearing. Mr. Palmer seconded the motion, which passed 3-0 at 8:45 pm.

Other business

Mr. Eammon Mulligan from MSK Engineering presented a sketch plan for review and a decision as to whether a proposed subdivision is major or minor. The ZA reported that she'd received an opinion

from a former DRB member that if land had been subdivided before it was a major subdivision. The issue was discussed by the Board.

Comments on the plat were shared by the board with Mr. Mulligan.

Mr. Huncharek moved to accept the sketch plan as presented for a major subdivision. Mr. Bidy seconded the motion, which passed 3-0.

The ZA reported there are no outstanding applications for July 20. Mr. Bidy said he'd be away on August 3.

The board discussed an attorney's statement that a parcel divided by a town road could be subdivided without a permit.

Mr. Huncharek moved to enter private deliberative session on applications 16-9713 and 16-9722. Mr. Bidy seconded the motion, which passed 3-0.

Mr. Huncharek moved to leave private deliberative session. Mr. Palmer seconded the motion, which passed 3-0.

Mr. Huncharek moved to approve the boundary line adjustment in application 16-9713 (Sternberg/Burdick) with the following conditions: that all abutters should be drawn on the plat and accurately named; and that the treed area should be so shown. Mr. Palmer seconded the motion, which passed 3-0.

Mr. Huncharek moved to approve the boundary line application 16-9722, with the following conditions: that abutting parcel numbers shall be placed on the map, and that magnetic declination shall be added. Mr. Bidy seconded the motion, which passed 3-0.

The meeting was adjourned by acclamation at 8:45 p.m.

Notes by ZA Stiles.