

Shaftsbury Development Review Board  
December 6, 2017

- 1) Call to order  
The meeting came to order at 7:16 pm. Present were board members Tom Huncharek (chair), Michael Day, and Michael Biddy. Zoning administrator Shelly Stiles was also present.
  - 2) Conflict of interest  
None were reported.
  - 3) Sign in sheets were passed around.
  - 4) Approval of minutes  
Mr. Huncharek moved to approve the November 15, 2017 minutes. Mr. Day seconded the motion and pointed out an error. The corrected minutes were approved 3-0-0.
  - 5) Application #17-9904, Joseph Myers, 1076 West Mountain Road, Parcel # 08 20 23, conditional use permit for a home occupation in the R80 zone. Re-opening of hearing recessed on November 22, 2017.
    - Mr. Myers presented a survey prepared by MSK Engineering dated 11/288/17. It showed an east side yard setback of 26.1' from the property line to the addition to the garage. The element shown within the setback, he said, is his kennel.
    - Mr. Myers said he'd learned that somewhere on West Mountain Rd. there had been an auto repair garage for many years.
    - He noted that elsewhere in the R80 zone a small engine repair business is located.
    - Mr. Hollaed asked for a history. Mr. Myers said he has owned the property since 2012 or 2013. When he added the addition to the garage in spring 2017, he'd originally intended it to be a shed. He later decided to use it for a business.
    - Mr. Hessian pointed out that Mr. Myers has been advertising auto repair services at his home on line. Mr. Huncharek provided copies of print-outs from [www.buzzfile.com/business/Myers-Automotive](http://www.buzzfile.com/business/Myers-Automotive) and [www.facebook.com/Myers-Automotive](http://www.facebook.com/Myers-Automotive).
    - Mr. Hessian said Mr. Myers did seek a permit before starting to sell auto repair services.
    - Mr. Huncharek moved to close the hearing. Mr. Day seconded the motion, which passed 3-0-0. Mr. Huncharek explained that no more information may be produced, that a decision must be made in 45 days and that all parties will be notified, that the decision can be appealed to the Environmental Court within fifteen days.
  - 6) Other business  
Ms. Stiles notified the board that a hearing has been scheduled for December 20. Mr. Huncharek notified the board that he will be away all of January. (The board will discuss January scheduling at the December 20 meeting.) Ms. Stiles was asked to share information regarding member term expirations.
- Mr. Huncharek moved to enter private deliberative session. Mr. Biddy seconded the motion, which passed 3-0-0.

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

Mr. Huncharek moved to deny permit application # 17-9904. The home occupation proposed by Mr. Myers is an auto repair garage, and such home occupations are not permitted in the R 80 zone. Mr. Day seconded the motion, which passed 3-0-0. Ms. Stiles will draft the findings for board review.

Mr. Huncharek moved to adjourn at 7:50 p.m. Mr. Biddy seconded the motion, which passed 3-0-0.

Notes by ZA Stiles.