

Shaftsbury Development Review Board

September 2, 2020

The meeting came to order remotely, via the platform GoToMeeting, at 6:14 p.m. Present were board members Tom Huncharek (chair), Lon McClintock, and Mike Day; zoning administrator Shelly Stiles; applicant Barbara Bacchi; and citizen Dorothy Buxbaum.

No conflicts of interest with any item on the agenda were reported.

Mr. Huncharek moved to approve the August 19 minutes. Mr. McClintock seconded the motion, which upon roll call vote passed 3-0-0.

The hearing for application # 20-0061: Parcel 02 01 37, 5451 VT Rte. 7A, owner Barbara Bacchi, for a permit for a home occupation – to bake cookies upon order, began. Upon questioning by board members, Ms. Bacchi reported that she had to close her store for Vermont Moonlight Cookies because of Covid 19. She has since decided she would like to downsize, baking only a couple of days weekly, only one-two flavors rather than the previous dozen or so, and shipping to customers via Fed Ex or USPS or allowing pick up by appointment only. She would deliver any wholesale orders, should she prepare them, personally. Should it be winter and the driveway for some reason icy, she would cancel any pick up appointments.

She plans no outbuildings, no signs. She sold her commercial equipment and will be using the kind of equipment a homeowner might use. Most of her shipping will be by USPS; she can prepare those orders on line and have them picked up by the mail carrier. Fed Ex trucks will come and go in a fashion typical of a residence.

She will purchase supplies from Hillcrest Foods who will leave drop offs at one or two local locations (such as the Market Wagon). She will have no employees. Her daughter Andrea will help with social media marketing and occasional baking. Andrea is a volunteer.

She shared her letter of attestation that abutters had been notified. One abutters letter has not yet been delivered by the post office.

Mr. Huncharek summarized the content of two letters responding to the application, one from Dave Mance and the second from Dorothy Buxbaum. Mr. Mance expressed some concern with traffic. Ms. Buxbaum reported full support for Ms. Bacchi's proposal. (Those letters are appended to these minutes.)

Mr. Huncharek moved to waive site plan review, as it wasn't relevant to the issue at hand. Mr. McClintock seconded the motion, which upon roll call vote passed 3-0-0.

There were no public comments.

Mr. McClintock moved to close the hearing on application 20-0061. Mr. Day seconded the motion, which upon roll call vote passed 3-0-0.

Mr. Huncharek explained to the applicant that no further evidence could be taken. The board has 45 days in which to make a decision; if none were made in that time, an approval would be automatic. He said she would be notified of the decision by mail. He explained the fifteen day appeal period.

Ms. Bacchi and Ms. Buxbaum left the remote meeting.

Mr. Huncharek moved to enter deliberative session. Mr. McClintock seconded the motion, which upon roll call vote passed 3-0-0. The board discussed the proposal.

Mr. Huncharek moved to leave deliberative session. Mr. Day seconded the motion, which upon roll call vote passed 3-0-0.

Mr. Day will be out of town for the Sept. 8 meeting but will join remotely from his vacation locale.

Mr. Huncharek moved to adjourn at 6:57 p.m. Mr. McClintock seconded the motion, which was approved by acclamation.

Notes by ZA Stiles.

Letters:

August 30, 2020

To Shaftsbury Development and Review Board

Dear DRB,

I am writing in full support of our Shaftsbury wonderful resident Barbara Bacchi and her home occupation business Vermont Moonlight Cookies.

I personally encourage and am very happy to support home occupation business in our area. Barbara is a long time resident and has served on our local select board and in other service to the community.

Barbara's cookies have become a proud part of our local Shaftsbury Vermont history and it is my hope she will continue at her home to provide her yummy wares!

Regards,

Dorothy Buxbaum
5072 VT RT 7A
Shaftsbury, VT 05262
802 375 6717

Hello Shelly

I'm not sure whether I'll have on-line capability on Sept 2 but wish to comment on application 20-0061 for 5451 VT RT 7A.

We are adjacent landowners and have no objection to Barbara's returning to the home occupation she ran a number of years ago - baking cookies in her residence. We assume that the home occupation will comply with all local and state requirements as no variance requests were mentioned in the notice. It was unclear from the notice whether the public would be picking up the cookies at her residence or whether they would all be shipped or delivered. If the former, the use would be similar to what I envision might develop if the currently proposed expansion of the RC-zone is approved (which Barbara apparently opposes), and would raise the issue of whether her driveway meets minimum safety standards for this type of low level commercial use (grade, ice build-up in winter, width). If no public use is proposed, as long as deliveries can safely be made over the driveway, we feel her application should be approved.

Thank you
David Mance