

## **Shaftsbury Development Review Board**

June 16, 2021

### **Call to order**

The meeting came to order remotely via the Zoom platform at 6 p.m. Present were board members Tom Huncharek (chair), Mike Day, Lon McClintock, and Tedd Habberfield; zoning administrator Shelly Stiles; applicant Sophia Miskel; and applicant's attorney Victoria Hone.

### **Conflict of interest**

No one reported a conflict of interest with any item on the evening's agenda.

### **June 2 minutes**

Mr. McClintock and Mr. Day noted three typographical errors requiring correction. Mr. Day moved to approve the corrected minutes. Mr. McClintock seconded the motion, which passed by roll call vote 3-0-1, with Mr. Huncharek abstaining.

**Continuation of hearing**, application #21-0019, parcel 09 20 21, 2629 Route 7A, owner Polin Inc. (DBA Hillbrook Motel): change of use from existing transient lodging to a nine-unit housing facility, with one unit permanently reserved for affordable housing.

Ms. Hone referenced changes she suggested to the definition of "affordability" in the document she emailed to all earlier in the day. (That document is inserted as part of the minutes below.) She asked Mr. McClintock to explain why he suggested additional changes. Mr. McClintock said he had hoped to clarify the state and federal definitions of affordable housing. They refer to two components: whether the family's income meets the percentage of poverty income threshold, and that the expense to the family is no more than 30% of its income. The latter includes all relevant ownership or occupancy costs, such as utilities, and in the case of ownership, mortgage and insurance as well as possible others. Mr. McClintock said, however, that he found Ms. Hone's changes acceptable.

Ms. Hone said she also tried to make consistent the reference to "town" throughout.

Mr. McClintock said he added "designee" as it provides the Town with flexibility to delegate the enforcement responsibility should it lack the resources to enforce the covenant itself.

Everyone expressed comfort with the revised covenant.

No one present had any further comments or questions on the application.

Mr. Huncharek moved to close the hearing on application 21-0019. Mr. McClintock seconded the motion, which passed by roll call vote 4-0-0.

Mr. Huncharek explained to Ms. Miskel that the hearing is closed and no further testimony or evidence can be accepted. The board has 45 days to make a decision. If it fails to do so, the application is automatically approved. Should the application be approved, an 15-day appeals period will follow. He urged Ms. Miskel to make no material changes to the structure during that time as those changes may require forfeiture on appeal.

Ms. Stiles will send the decision to Ms. Hone as well as Ms. Miskel.

### **Other business**

Ms. Stiles said the board has two items on the agenda for July 7.

After discussion, the board agreed that the revised decision on the Coons amendment permit is acceptable. Mr. Day will sign it.

Mr. McClintock moved to enter private deliberative session on application 21-0019. Mr. Day seconded the motion, which was approved 4-0-0 by roll call vote.

Mr. Huncharek moved to leave deliberative session. Mr. Habberfield seconded the motion, which was approved by roll call vote 4-0-0.

Ms. Stiles will send the board the list of draft conditions for 21-0019 discussed during deliberative session.

Mr. Huncharek suggested the board practice simultaneous in-person/Zoom meetings at upcoming meetings. Ms. Stiles, Mr. Day, and Mr. Habberfield said they'd be willing to use their personal laptops for such meetings at Cole Hall. They will practice in the next few weeks.

Mr. Huncharek moved to adjourn at 7:05 p.m. Mr. McClintock seconded the motion, which passed by acclamation.

Notes by ZA Stiles

Insert Hone document