

## Shaftsbury Development Review Board (DRB)

Wednesday, September 15, 2021

### 1) Call to order

The meeting came to order at 6:05 p.m. Present in Cole Hall were board members Tom Huncharek (chair) and Mike Day. Board member Lon McClintock joined the meeting via the Zoom platform. Also present were zoning administrator Shelly Stiles and architect Geoff Metcalfe of Keefe and Wesner Architects.

### 2) No one reported a conflict of interest with any item on the agenda.

### 3) The July 21 minutes were tabled.

### 4) Mr. Metcalfe signed in on the sign-in sheets.

### 5) Mr. Metcalfe presented a sketch plan for new site development on parcel 03 02 29, 2425 Maple Hill Road, owner Langdon Wheeler.

He said the Wheeler family wishes to raze an existing home located about 20 feet from the edge of the road and rebuild it, either on the existing footprint or in a location about 20 feet further west of the road, on which the existing footprint would be recreated. The parcel is in zone R200. The front yard setback requirement is 100 feet. Neither the existing location nor the proposed location further west of Maple Hill Road would meet the zone's front yard setback requirement. The house is very old, difficult to use, and increasingly hard to keep in repair.

The goal of the project is to maintain the historic nature of the family compound. The existing well and septic will continue to serve the home and outbuildings. The home will have the same number of bedrooms. The square footage will be as it is now, about 1600 s.f. per floor.

On questioning, Mr. Metcalfe said some existing apple trees would be removed. An existing writer's shed/office is heated. Other outbuildings on the site include, from south to north, a two car garage, a small tool/pool equipment shed, a barn, another barn, and another garage.

Mr. Metcalfe said he came before the DRB to see if it would be willing to consider allowing a variance to move the house westward. He said the family has decided it will do one of two things: build on the existing footprint, or slide the house away from the road an additional 20' or so and rebuild there.

Moving the house would increase the sight distance to the south. Mr. Metcalfe noted that a driveway on the other side of the road lies opposite the house. Safety vis a vis the driveway would be improved by moving the house westward.

The new square footage will be identical to the existing square footage. A new foundation will be needed for a portion of the house now underlain by a frost wall.

Mr. Huncharek noted that section 8.1.2 of the bylaw allows a nonconforming structure to be moved only if doing so results in compliance, or if the DRB allows a waiver or a variance. On inspection of the language of 9.6 regarding waivers, Mr. Huncharek said it appears a waiver would not be allowed. Mr. Metcalfe agreed. Mr. McClintock agreed.

It was noted that a variance can be given only if no other options for the proposed site development are available. Board members posed other possible options. If the house were moved directly west to meet the 100 foot setback, it would interfere with the use of the writer's studio/office, a structure more than 100 years old, said Mr. Metcalfe. Mr. Metcalfe noted that the Wheelers did not create any new structures on the property but bought it as it is as regards footprints. All footprints are more than 100 years old.

Mr. Metcalfe said it wouldn't work for the family to move the house south and west to meet the setback requirements as it would change the way the writer's studio and pool are viewed and accessed from the house. Mr. Metcalfe thinks the house dates to about 1850. Even if trees were taken down, he said, the siting of the house relative to the writer's studio would be awkward.

Mr. Metcalfe said the existing compound occupies the flattest part of the property.

Mr. Huncharek, Mr. Day, and Mr. McClintock all agreed that the DRB could not take into consideration the historic nature of the compound.

Mr. McClintock posed a possibility: could the subject of a waiver be not the house but the 20 additional feet, as that would be the only thing varying from the original lay out of the compound? He asked what portion of the original footprint would change location. Mr. Metcalfe said about 400 square feet. Mr. Huncharek pointed out that 9.6.1 allows no changes greater than 5%. Mr. Metcalfe said some portion of the new location would meet the setback requirements. Mr. McClintock wondered whether that mattered. It appeared that a waiver could be issued only if the building were slid westward far fewer feet, so as to keep the change 5% or less. (Mr. Metcalfe said the family is pretty much locked in on the square footage.)

Mr. Metcalfe noted that moving the building to meet the front yard setback requirement could create, in the language of the bylaw, "undue hardship," by necessitating a new septic system and well and greatly disrupting use of existing buildings. Put another way, perhaps a variance could be given because of the road and the existing infrastructure – buildings, septic, and well. Preserving agricultural land could also be important.

Mr. Metcalfe will go back to the drawing board and possibly return for a revised sketch plan review at a later date.

#### 6) Other business

Mr. Huncharek noted that Bill Pennebaker, a longtime Shaftsbury resident and member of several Shaftsbury boards and committees, died recently.

Ms. Stiles said she has no applications for review for the first October meeting. The DRB will wait and see whether to schedule a meeting for that date.

Mr. Huncharek moved to adjourn at 7:45 p.m. Mr. Day seconded the motion.

Notes by ZA Stiles