

Shaftsbury Development Review Board

March 16, 2022

Call to order

The meeting came to order remotely via the Zoom platform at 6:15 p.m. Present were board members Tom Huncharek (chair), Mike Day, Tedd Habberfield, and Lon McClintock. Also present was zoning administrator Shelly Stiles and applicant Michael Gardner.

Conflict of interest

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

Outstanding minutes

Review of the minutes of March 2 was tabled to the next meeting.

Continuation of hearing, application #22-0004, Parcel 03 02 27.1, 2231 Maple Hill Road, Shaftsbury VT 05262, zone R200, owner Michael Gardner: request for a variance to construct a 36' x 24' barn within the required 100' setback zone (front, side, and rear yards).

Mr. Gardner elaborated upon two new site plans submitted for board review. He said he has moved the location of the proposed barn to a site more than 100 feet from the northern property line (in compliance with the setback requirement), 40 feet north of a stone wall north of his house and garage, and to a site 30 feet west of the eastern property line.

The main structure will be 36 feet by 24 feet by 24 feet high. That portion of the barn will be underlain by a concrete slab of the same 36 feet by 24 feet area. Additionally, a 14 foot overhang will be constructed on the eastern side of the barn. It will not be underlain by concrete. Mr. Gardner clarified that the eave of the overhang would be sited 30 feet west of the eastern property line. He said he would like to build a gravel drive connecting his main driveway with the barn drive and entrance to the barn. Mr. Gardner will formally submit a plan and description of the dimensions, the concrete slab, and the barn drive described above, as they incorporate some changes from the original application.

Mr. Gardner said the barn would be served by underground electric lines. It would have no water. It will be a general use structure, for storage and for working on equipment. At some point, it could become a sugarhouse.

Mr. Gardner said that east of the proposed barn stand a row of trees along the property line, then moving eastward islands of trees, then a hay field, and finally a band of trees along Maple Hill Road about 100 feet wide. He said a neighbor taps all the maples on the property line.

Mr. Gardner said he would like to light the entrance to the barn. He might also put some lights under the overhang. Mr. McClintock noted that certain conditions on the type of lighting could be imposed by the Development Review Board. Mr. Gardner said he would have no objection to installing downward facing lights, and would install a motion detector.

Mr. McClintock noted that because the neighbors on the east have substantial frontage on Maple Hill Road, they could conceivably develop the hay field. Mr. Gardner said their residence is at least 1200 feet east of the proposed barn site.

Mr. Gardner said he has no plans to use a generator or loud equipment and he has no plans for a commercial use of the barn.

All reported they felt no need to go through bylaw section 9.8 criterion by criterion.

Mr. Huncharek moved to close the hearing on application 22-0004. Mr. Habberfield seconded the motion, which passed by roll call vote 4-0-0.

Mr. Huncharek described the subsequent steps for Mr. Gardner: that no more comments or evidence can be accepted, that the board has 45 days to make a decision, that the board will decide in a

deliberative session, that the zoning administrator will advise Mr. Gardner of the decision in writing, and that, if approved, the permit may be appealed within fifteen days of the date of approval.

Mr. McClintock moved to enter private deliberative session. Mr. Huncharek seconded the motion, which passed by roll call vote 4-0-0.

Mr. Huncharek moved to leave private deliberative session. Mr. Day seconded the motion, which passed by roll call vote 4-0-0.

Mr. Huncharek moved to approve a variance permitting the applicant to construct a 36 foot by 24 foot barn with a roof not taller than 30 feet, and with a fourteen foot overhang on the east side located no closer than 30 feet to the eastern property line and with a concrete foundation under the main structure located no closer than 44 feet from the eastern property line (a variance of 70 feet for the barn with overhang and a variance of 66 feet for the slab), with the following conditions:

- Natural vegetative screening along the eastern property line is to be conserved.
- Outdoor lighting will be fully shielded and have a low color temperature such as fixtures recommended by the International Dark Sky Association.
- The gravel entrance to the barn will be constructed as shown on the amended site plan to be submitted by the applicant.
- Should Mr. Gardner wish to alter the barn for a sugarhouse, he must notify the board but need not submit another variance request.

Mr. Habberfield seconded the motion, which was approved by roll call vote 4-0-0.

Other business

The Board will meet in person on April 6, 2022 to review revised Rules of Procedure and revisions to the zoning and subdivision bylaws approved by voters at Town Meeting 2022.

Mr. Huncharek moved to adjourn at 7:30 p.m. Mr. Day seconded the motion, which passed by acclamation.

Notes by ZA Stiles