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Town of Shaftsbury

Municipal Offices at Cole Hall

Meeting Minutes

PO Box 409
61 Buck Hill Road
Shaftsbury, VT
05262-0409
(802) 442-4038

Development Review Board (DRB)

Date of Meeting: April 2nd, 2025

Members Present: Mike Day (chair), Denny Browe, Sarah Costin, Tedd Habberfield. Applicants Russell and Janet Sleigh were present. Jay Stratton, contractor and previous owner, was present. Zoning administrator Carlyn Mickle and former Zoning Administrator Shelly Stiles were also present.

1) Call to order

The meeting came to order at 6:02 p.m.

2) Conflict of interest statement

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

3) Sign in sheets

Sign in sheets were passed around and signed.

4) Approval of Minutes – December 4th, 2024

Mr. Habberfield moved to approve the December 4th minutes. Mr. Browe seconded the motion. The motion passed 3-0-0.

5) Application 25-0006, parcel 18 02 57, address 277 Wade Road, Shaftsbury VT 05262, Variance request to build a 700 sq ft addition in the Forest and Recreation Zone.

The sketch plan for this addition proposal were reviewed by the DRB. They are:

- i. There is a unique physical circumstance or condition, namely that the house is too small for the unanticipated needs of the Sleigh Family. If approval or a variance is refused, real and unnecessary hardship will be caused to the Sleigh Family.
- ii. The availability of this addition is regarded by the Sleigh Family as reasonably necessary for any normal family residence. There is no possibility of developing the property in accordance with regulations normally applying in Forest and Recreation Zone.
- iii. The unnecessary hardship has not been created by the Sleigh Family.
- iv. There will be no impact whatsoever on the essential character of the neighborhood. The house and proposed addition cannot be seen by abutters. The size of the addition is not excessive to the size of the 16 acre lot. The addition will not impair the use or development of abutting property, nor will it reduce access to renewable energy or be detrimental to public welfare.
- v. The proposed addition represents the minimum necessary and comprises one room only beyond the existing deck. A large part of the existing deck will be given up to provide space for the addition.

6) Application 25-0006, parcel 18 02 57, address 277 Wade Road, Shaftsbury VT 05262, Variance request to

build a 700 sq ft addition in the Forest and Recreation Zone.

Mr. Sleigh described his variance request. He purchased the property from Jay Stratton. The Sleighs intend to add a pantry and porch. Mr. Sleigh warned abutters in a timely manor and reports support from abutters. Mr. Sleigh notes that should the addition not be approved, it would cause undue hardship.

Mr. Day asked for a description of the potential effect to the well and septic. Mr. Sleigh responded that there will be no addition of use on the system and noted the location of the well and septic being within an appropriate distance. Mr. Stratton mentioned that there will be no water or septic in the addition.

Mr. Day asked about the location of the property as it is partially, but not completely in the Forest and Recreation Zone. Mr. Sleigh explained that when originally built, the parcel was not in FR zone. When it was purchased it was zoned as FR Zone, and they have build some additional ADU's after purchased with normal permitting.

Mr. Habberfield requested information about the location of the house and accessory buildings on the property with regards to the unique zoning on the property, most of the property and all structures are zoned Forest and Recreation, though one small portion is zoned Rural Residential 40.

Mr. Day inquired about the visibility of the property from the road and from abutting properties. Mr. Sleigh described the location and described low visibility from any roads and from abutting properties.

Mr. Stratton notes that zoning was for one acre parcels when it was purchased and built on.

Mr. Sleigh warned abutters in a timely manor and reports. Abutters Wade, parcels 18 02 58 and 18 02 58.2, and Tuckaway Corner LLC 18 02 57.1 did not testify at the hearing nor did they contact the town as of April 2nd, 2025.

Mr. Day explained the review and appeals process as outlined in statute.

Mr. Habberfield moved to close the hearing. Ms. Costin seconded the motion, which passed 3-0-0.

7) Other business

- Mr. Day brings to DRB attention that terms expire in 2025. It is suggested that terms are as follows:

Chair Mr. Day: 3 year term expiring in 2028

Vice Chair Mr. Habberfield: 3 year term starting retroactively in 2024, ending in 2027

Members: Mr. Browe 2 year term ending in 2027

Ms. Costin 3 year term expiring in 2028

Each member will email Select Borad and Town Administrator requesting these new terms.

- Mr. Day brings up the need for ethical training. Ms. Mickle will arrange this.
- Mr. Day mentions the need for acknowledgement of Jewish Holidays and the DRB will avoid meeting on these days.
- On agenda for next meeting will be election of positions.

Mr. Habberfield moved to enter deliberative session. Ms. Costin seconded the motion, which passed 3-0-0.

- 8) The DRB agreed unanimously that given the history of permitting on the property, no variance for the addition is required, sighting bylaw section 8.1.1.a.ii 'A Nonconforming Use of a building or lot may be extended or expanded only upon approval by the DRB, which approval shall be based upon the finding that such proposed extension or expansion does not create a greater Nuisance or detriment than the existing use, and that such proposal is in conformity with all requirements and regulations governing that particular use in districts where it is permitted.' Mr. Day moved to approve application 25-0006, parcel 18 02 57, address 277 Wade Road, Shaftsbury VT 05262, Ms. Costin seconded the motion, which passed 3-0-0. A letter from the Chair of the DRB, Mike Day, describing this decision will be issued and the ZA is authorized to approve a request for a 700 Sq addition comprising of a family room with adjacent pantry and small porch.

Mr. Habberfield moved to leave deliberative session. Ms. Costin seconded the motion, which passed 3-0-0.

- 9) Mr. Habberfield moved to adjourn at 6:58 p.m. Ms. Costin seconded the motion, which passed 3-0-0.

Notes by ZA Mickle