

Shaftsbury Planning Commission  
September 8, 2020

The meeting came to order remotely via the GoToMeeting platform at 6:02 p.m. Present were commissioners Chris Williams (chair), Mike Cichanowski, and Mike Foley. Naomi Miller joined a few minutes later. Also present were DRB members Tom Huncharek and Lon McClintock, and citizens David Rosner and Jeri Schoof.

Mr. Williams postponed approval of outstanding minutes to another time, in order to give attendees a chance to speak.

Mr. Huncharek described an issue that had recently come before the DRB in which a request to **amend a permit** had been submitted. The bylaw offers no guidance on the issue. He asked for relief for such applicants. Mr. McClintock concurred, asking that the process be streamlined to provide an advantage to landowners and clarity to the DRB. Mr. Williams asked if the DRB wished to allow the zoning administrator to approve such requests. Mr. Huncharek asked simply that the matter be fully discussed.

Mr. McClintock noted that the section in the bylaw that allows the DRB to permit **a use not listed in the bylaw** as long as its impacts do not exceed those of an allowed use needs expanding upon, that guidance is needed regarding how to judge impacts. He said as it stands it creates a challenge for the DRB and is fodder for the Environmental Court.

Ms. Schoof noted that the agenda wasn't posted in a timely fashion and asked that attention be paid in future.

Mr. Williams and Mr. Foley described the PC's **proposed kennel bylaw**. Mr. McClintock asked that the state's statute regarding space per animal be cited in the new section. Mr. Foley noted that the proposed language provides a minimum threshold of four animals not licensed by the landowner to require a kennel permit but doesn't mention a maximum limit. What about breeders? Many animals could be present in such facilities at any one time. Ms. Miller noted that puppies aren't licensed by the breeder, and that more than four adults or puppies would require a permit.

Mr. Huncharek said **boundary line adjustments** (BLA) are not clearly covered in the subdivision regulations although they are a fairly frequent item of business before the DRB. Mr. McClintock said at minimum they should be defined, citing an example from Pownal in which six acres exchanged hands via a BLA. The need for state wastewater and water supply permits could affect how BLAs are defined. The goal should be to provide greater clarity to the DRB and reduce the chances of litigation.

Mr. Foley wondered if the group might not decide to address the **permit amendment issue** as one with an easy resolution. Mr. Williams asked Mr. Huncharek if he would be comfortable were the matter to be bracketed as a minor change which the zoning administrator could address. Mr. Huncharek asked that it be more carefully examined. He said there is no need to rush to judgement. Mr. Cichanowski wondered if a "minor change" could be defined as a category the DRB could say "yea" or "nay" to, and if "yea" the matter could be referred to the zoning administrator.

Mr. Williams moved to adjourn at 6:55 p.m. Mr. Foley seconded the motion.

Notes by ZA Stiles.