

**Shaftsbury Development Review Board
Minutes of the Meeting Held January 7, 2015**

- 1) 7 p.m. The meeting was called to order by Mr. Huncharek, who noted a quorum with the presence of Mr. Ponessi and Ms. Donkers. Mr. Huncharek asked alternates Mr. Palmer and Mr. Day to join the board meeting.
- 2) Conflict of interest: Mr. Ponessi reported a conflict of interest with Items 5 and 6 on the agenda.
- 3) Sign in sheets were made available.
- 4) Approval of December 17, 2014 minutes. Mr. Day moved to approve the minutes. Ms. Donckers seconded the motion. The motion passed 4-0-1. (Mr. Ponessi was not present at that meeting.)
- 5) #14-9526, Subdivision application, Marion Cross applicant, Parcel 10-40-21.
Mr. Ponessi removed himself from the board to represent the applicant.
The ZA reported she had not received a signed application. Mr. Palmer moved to postpone reviewing the application until it had been signed and the hearing was rewarned and adjoiners re-notified. Ms. Donkers seconded the motion. The motion passed 4-0-0.

At 7:08 p.m. Mr. Bidy joined the board. Regarding the December 17, 2014 minutes, he noted that Joe McGovern's name was incorrectly spelled. The correction was made on the original by Mr. Huncharek.

- 6) #14-9536, Boundary line adjustment, Tillerman Inc., parcels 18-02-21.5 and 18-02-21.6.
Mr. Ponessi represented the applicant. He distributed paper copies of the proposed boundary line adjustment, explaining that Lot A on the plat belonged to Estes, that Mr. Tillerman lived in a home on Lot B, and that a foundation had been prepared for a house being built on Lot C. The foundation was poured only 20' from the property line; the Town Bylaw requires a 25' setback. The applicant seeks to secure this setback by reducing the size of Lot B from 2.0 to 1.98 acres, and adding that .02 acres to Lot C. Mr. Ponessi provided evidence that the abutters had been notified, and that no additional State wastewater permits are needed.
After confirming by discussion of the Board that the proposed plat met the permits of Town Subdivision Regulations 5.04.1-17, Mr. Palmer moved to approve the boundary line adjustment as presented by the applicant. Ms. Donkers seconded. The motion passed 5-0-0.
- 7) #14-9535, Variance request, Gmelin Family Trust, parcel 07-20-63.
Mr. John Tiffany signed in and presented on behalf of the Gmelin family.
The lot, in the Hidden Valley subdivision, does not meet the Bylaw road frontage requirements. Mr. Tiffany said the Trust has owned the land since 1974 and now wishes to sell it as a buildable lot. After discussion, the board agreed that the parcel is non-conforming but pre-existing and therefore requires no variance. Mr. Bidy moved to dismiss the application. Ms. Donkers seconded. The motion passed 5-0-0.
The ZA will prepare a letter to the owner explaining that no variance is required. Mr. Tiffany will provide the ZA with a copy of the deed and subdivision record, which information the ZA will incorporate in the letter.
The ZA will also pursue refunding the applicant's fee in its entirety. A suggestion was made to ask the Planning Commission to consider setting a fee for such non-application reviews.

8) Other business

- a. The terms of Mssrs. Ponessi, Day, Palmer and Huncharek expire March 2015. If they wish to continue to serve on the board, they have been requested to let the Town Administrator know by January 15.
- b. The board will hold a reorganization vote in March.
- c. Mr. Huncharek will write the annual review for Robert Holmes.
- d. Mr. Huncharek signed the William Freeman mylar, paper copy, and subdivision permit. Board conditions were met.
- e. Mr. Huncharek signed the Fund for North Bennington Findings of Fact. The Board conditions were met.
- f. Mr. Ponessi suggested that, going forward, the Board might hear applications at one meeting per month, and reserve the second meeting for internal business.
- g. There are no outstanding applications to review. Therefore, there will be no DRB meeting on January 21, 2015.
- h. Mr. Huncharek will send the Procedures document to all for annual review.

Mr. Huncharek moved to adjourn at 7:50 p.m. Mr. Palmer seconded. The meeting was adjourned by acclamation.