

Shaftsbury Development Review Board
March 2, 2016

- 1) Chairman Tom Huncharek called the meeting to order at 7:00 p.m. Present were board members Huncharek, Michael Day, Michael Bidy, and Chris Ponessi and alternate Jay Palmer. ZA Shelly Stiles was also present.
- 2) No conflicts of interest were reported.
- 3) Sign in sheets were passed around.
- 4) Re the January 20, 2016 minutes: Mr. Huncharek moved to approve,; Mr. Bidy seconded the motion. A typographical error and a misspelling were noted. The amended minutes were approved 4-0-1, Mr. Ponessi abstaining.
- 5) The hearing on permit # 15-9670: Parcel # 17-21-13, applicant Our Town LLC (owner Trevor Mance) and lessee Anthony Urbon (Urbon Transmission and Complete Auto Care); conditional use permit to change existing use to include sale of used automobiles in a VC2 district, per sections 3.5, 3.6, and 6.1 of the Zoning Bylaw was reconvened by Mr. Huncharek. Mr. Ponessi recused himself.

Mr. Urbon reprised his earlier description of his proposal: to sell about two to ten used cars from his existing auto repair lot. He submitted to the board copies of a revised site plan and aerial photograph. The Board reviewed the plan, noting that abutting property owners and their property lines were not identified, though it was agreed that it had been established at the January 20, 2016 meeting that warning to those landowners had been adequate. Mr. Urbon described the proposed temporary locations of planters (to be removed when the proposed sidewalk is built), dimensions of the proposed curb cuts, and the proposed method of plowing and removing snow.

The Board reviewed the application in the context of Bylaw Section 3.5, conditional use regulation. It was agreed that the proposal was not relevant to, or would effect no changes, or would effect only positive changes (the new sidewalk) to the resources and features described in 3.5 ff. Re traffic circulation, Mr. Urbon said there would be sufficient room for a driver to make a left hand turn into the lot to view the cars. Mr. Bidy pointed out that one could easily and safely enter from Route 7A, drive around the cars to view them, and exist onto Route 7A.

Mr. Bidy asked whether it was even appropriate to consider a permit as selling used cars has been a traditional use on the site since at least 1976, when Mr. Bidy moved here.

The board reviewed the application in the context of Bylaw Section 3.6, Site Development Plan. It was suggested that adjoining lots and owners be shown on the plan. Mr. Urbon said he would need a state license to sell used cars, and couldn't apply until he had a permit from the Town. It was suggested that when that license was secured, a copy should be filed with the zoning administrator. Mr. Bidy asked that the location of the septic system should be shown on the plan. Mr. Urbon said he might install a motion-detected light.

Mr. Palmer moved to close the hearing. Mr. Day seconded the motion, which passed 4-0-1, Mr. Ponessi abstaining.)

The applicants departed Cole Hall.

6) Other business

Mr. Huncharek said he will notify the Select Board that there are open positions on the DRB – one for a three year term, and one for an alternate.

It was agreed that the Select Board should acknowledge receipt of letters of intent to serve. Mr. Day submitted his in January and hasn't heard back on it.

There was discussion as to whether the procedures should be reviewed at the March 16 meeting. A vote on officers was delayed to a later meeting.

Mr. Huncharek moved to enter private deliberative session on application 16-9670. Mr. Bidy seconded the motion. It passed, 4-0. Mr. Ponessi left the meeting.

Mr. Day moved to come out of deliberative session. Mr. Huncharek seconded the motion, which passed 4-0.

Mr. Huncharek moved to grant the requested permit to sell used autos to Mr. and Mrs. Urbon with the following conditions:

- 1) Proposed lighting will not interfere with neighbor enjoyment of their properties.
- 2) The septic system should be shown on the revised site plan.
- 3) Abutting lot lines and owner names should be shown on the revised site plan.
- 4) When the state issues a license to sell used vehicles, the applicant will file a copy of that license with the zoning administrator.

Mr. Day seconded the motion, which passed 4-0.

Mr. Day volunteered to write the Findings of Fact.

Mr. Huncharek moved and Mr. Palmer moved to adjourn. The meeting was adjourned at 8:20 p.m.

Notes were taken by ZA Stiles.