

Shaftsbury Development Review Board  
May 18, 2016

- 1) The meeting came to order at 7 pm. Present were board members Tom Huncharek (chairman), Michael Biddy, and Mike Day. Board members Chris Ponessi and Jay Palmer (alternate) were absent. Also present was zoning administrator Shelly Stiles.

Mr. Huncharek signed the Findings of Fact for application # 16-9695.

- 2) The board reported no conflicts of interest.
- 3) Sign in sheets were passed around to the applicant (Christine Bushee) and citizens present (Marilyn Harrington and John Swartz).
- 4) Mr. Day moved to approved the April 20, 2016 minutes. Mr. Biddy seconded the motion, which passed 3-0.
- 5) Application # Parcel # 17-21-18, owners Christine Bushee and Tim Carpenter, conditional use permit for conversion in part of existing building to professional offices, per Bylaw Sections 3.5, 3.6, and 6.1.2.3.4.

Ms. Bushee spoke of her desire to rent the former Dr. Faris office in their home to a naturopath, acupuncturist, or other healer. The office has its own front and back door and porch. She said they would be unable to provide parking in the rear yard, but could provide four spaces in the southern side yard. Mr. Huncharek noted that the bylaw section 7.3.1.7 would “encourage rear yard parking,” not require it. Mr. Biddy suggested screening between the edge of the parking area and Route 7A.

Ms. Bushee prepared a statement attesting that she mailed a copy of the legal notice to the list of abutters on April 30, 2016.

Mr. Swartz described an issue with a dog-leg in the applicant’s parcel on the west, between the Harrington lot on the north and the Swartz lot on the south, having to do with maintaining what was at one time part of Meadow Lane. He claimed the Town had promised to maintain the road in front of Ms. Harrington’s home, but last winter did not do so.

Ms. Bushee said she could not provide parking behind the barn in the rear of the lot as it would mean clients would have to walk a long distance to the office.

At 7:40 p.m. co-applicant Tim Carpenter arrived.

The board reviewed Bylaw 6.1.2.3.4 ff and found no issues required addressing. Mr. Carpenter said screening of the parking area could be provided.

The board reviewed Bylaw 3.5 ff. Re landscaping, it was agreed that screening could be provided; re traffic and roads, it was agreed the Bylaw 7.3.9 required space for 3 cars, one of them handicapped accessible (that is, 13’ wide), and that such a space could be provided even if the parking area was reduced in width from 38’ to 33’ to provide an additional 5’ for planting a vegetative screen. On-street parking could also be provided on Route 7A.

The board reviewed Bylaw 3.6 and agreed that the materials provided by the applicant were adequate.

The board reviewed the sign ordinance. The applicant proposes a 3’x3’ 2-sided sign with solar lighting. The board and applicants discussed how the requirement that the sign be placed at least 10’ from the right of way be met.

Mr. Huncharek moved to close the hearing. Mr. Biddy seconded the motion, which passed 3-0. Mr. Huncharek explained to the applicants the next steps – that a decision must be made within 4r

days (or the application is automatically approved) and that a fifteen appeals period follows upon that decision.

6) Other business.

Mr. Huncharek moved to enter private deliberative session. Mr. Bidy seconded the motion, which passed 3-0.

Mr. Huncharek moved to come out of private deliberative session. Mr. Day seconded the motion, which passed, 3-0.

Mr. Huncharek moved to approve application #16-9702 with the following conditions:

- a) The hours of operation shall be weekdays 9 am-5pm.
- b) Side parking is acceptable. However, a minimum of 5' additional space between the edge of the sidewalk and the east edge of the parking area shall be provided, while maintaining a parking area of at least 33' in width.
- c) Screening shall be planted in the space between Route 7A and the eastern edge of the parking area but shall in no way obstruct visibility onto the sidewalk or Route 7A.
- d) Office parking must be clearly delineated, in a fashion to be chosen by the applicant.
- e) If the new tenant is a licensed health care professional, a copy of that license must be provided to the Town.
- f) Any sign must be placed at least 10' from the sidewalk and shall in all other ways comply with the sign ordinance.

Mr. Bidy seconded the motion, which passed 3-0. Mr. Huncharek volunteered to write the Findings of Fact for the application.

The zoning administrator reported that there are no outstanding issues for June 1 meeting. Mr. Day suggested postponing any review of DRB procedures until the proposed bylaw revisions are ready for publication.

The meeting was adjourned by acclamation at 8:45 pm.