

Shaftsbury
Development Review Board
Cole Hall, Buck Hill Rd.
May 4, 2011

Members Present: Phylis Porio (Chair), Gary Burgess (Vice-Chair), Fritz Ludwig, Jake Jakubowski, Chris Ponessi, David Mance

Members Absent: Bob Holmes

Others Present: Laurel Zinn, Jean Zinn, Mike Mahar, Norm St. Onge, Anthony Cassara, Marilyn Cassara, Suzanne Bushee (Zoning Administrator), Bob Whitney (Recording Clerk)

1. **Call to Order:** Chair Phylis Porio called the meeting to order at 7:00 p.m.
2. **Conflict of Interest Statement:** Jake knows a member of the Zinn family, no conflict perceived.
3. **Old Business:** None.

4. New Business:

A. Permit # 09 87 66: Laurel Zinn, owner, Property ID: 07 20 52, Rural Residential Conditional use 3.5 and 4.1.1.2 Accessory uses of the Town Bylaws. Permit usage of garage with bedroom/bath/kitchen. This property is located at 320 Hidden Valley Road:

Laurel and Jean Zinn testified. Original permit for a garage was submitted August 13, 2009. This amended permit includes an accessory dwelling. The required setback is 55 feet and the setback here is 60 feet. It is a one family dwelling. Conditional use questions, bylaw 3.5, asked of Laurel and Jean. There is a new septic in place. Air quality and noise levels are not affected by this accessory dwelling. Soil and water resources, landscaping and visual impacts not changing. No fire or safety hazards. Existing runoffs are used for storm water runoff. The conditional use checklist gone through with no additional impacts. A pellet stove will be used for heat. **Jake made a motion to close testimony and David seconded. All in favor. David made a motion to take this matter into deliberative session and Gary seconded. All in favor.** Phylis explained that the Board would render a decision within 45 days, the time is usually shorter.

B. Permit # 11 91 00: Michael Mahar, Owner, Property ID: 17 21 58, Request for a home occupation, rental of catering equipment, generating ice sculptures, pulled sugar or food centerpieces. This property is located at 480 Cleveland Ave:

Mike Mahar testified. He has experience in catering. His catering equipment will take up 50% of the first floor of the garage. There is room for a vehicle, snow blower and lawn care equipment. The upstairs is for home occupation. The septic system is 12' from SE corner of house. Town water is present. Driveway will be between the house and garage. The raised flower beds have been removed. Mike's office will be in the house dining room. All equipment will be delivered to the location where it will be used. No one will come to garage to pick up equipment. Equipment will be rented seasonally, May through September. Pulled sugar and food centerpieces will be present. Might have a Toyota truck stored there. Returned equipment will be cleaned on-site using a Hobart. Chris said that a State of Vermont waste water permit will be needed. He said that Mike should contact Dave Swift for this. Jake said that house is 935 square feet, garage is 635 square feet lower level and upper level is 520 square feet. Requirements are met.

Anthony and Marilyn Cassara asked about noise levels. Mike said an electric chainsaw will be used on ice sculptures. Jake advised that an electric upgrade may be needed.

Maximum building height allowed is 30', this structure will be 20'. Garage will be 20' from the Cassara property line. Phylis reminded Mr. Mahar that outdoor storage was not allowed. Mr. Mahar will contact Dave Swift and procure a letter to the DRB saying that Dave has no concerns. **David made a motion to continue this matter to the next meeting and Jake seconded. All in favor.**

C. Memorandum of Understanding for Norm St. Onge: converting a barn for lodging purposes:

This is not a formal proceeding but a general discussion on land development. Norm explained his plot plan. He has had this property since 2002. The septic system has been replaced. Barn is 9,000 square feet. Presently the barn is used for storage. Norm feels it is time to invest money in it or take it down. Lodging is being considered for the barn; perhaps a bed and breakfast. He is looking at four suites, each with a kitchen, for transient lodging. Lodgers are expected to stay from one night to six weeks. Older professional people visiting the area or relocating are expected. Norm is looking for any glaring omissions that the DRB can advise him of. David said there are no parking issues. Gary mentioned that the fire marshals will be interested in this. Phylis said that the proposed use is not a traditional B&B. It does not fit the definition of a hotel or motel. It could meet the definition of a multiple dwelling unit. Village residential allows for 1 and 2 family dwellings but not hotels or motels. Gary said that the DRB's hands are tied on this. Adaptive re-use may apply. The barn has town water but not town sewer. Phylis said at the moment the DRB could not approve.

5. Curb Cut: None.

6. Other Business:

A. Harold Meehan, a possible alternate member of the Development Review Board, was introduced. He watched tonight's meeting and is interested in serving in spite of what he observed.

B. Telephone calls from Ed Corey to Board members, letters sent on March 28 & 31, and flowers sent to Suzanne discussed. Mr. Corey questions the process of the Whitman Feed Store application for a propane filling station. The Board directed Suzanne to diplomatically deal with Mr. Corey.

7. Minutes: April 6, 2011 and March 16, 2011: Motion to approve Minutes of both meetings as amended made by Jake and seconded by Fritz, approved unanimously. March 16, 2011 Minutes deleting Chris Ponessi from Members Present. Changes to the spelling of Corey and deliberative and adjournment sections of the Minutes from April 6, 2011.

8. Decisions to be signed: None.

9. Deliberative Session: A motion was made to go into deliberative session by Jake and seconded by Fritz. Approved 6-0-0. Deliberative session entered into at 8:35 p.m. and exited at ?.

10. Adjournment: ? made a motion to adjourn, seconded by ?. Approved by ?. Meeting adjourned at ?.

Respectfully Submitted,

Bob Whitney