

Shaftsbury Development Review Board  
Shaftsbury Town Hall  
Buck Hill Rd at 7:00 PM  
Minutes of the Regular Meeting  
9/19/12

**Members Present:** Gary Burgess (Chair), Megan Donckers, Tom Huncharek, Jennifer Viereck (alternate)

**Absent:** Fritz Ludwig, David Mance, Chris Ponessi

**Town Officials present:** Tyler Yandow (Incoming Zoning Administrator), William Jakubowski (Interim Zoning Administrator), and Sandra Mangsen (Recording Clerk)

**Others present:** Phil Boness, David Bushee, Kathy Geneslaw, Christian Hines, Dave Herzfeld, Karen Mellinger, Jay T. Palmer, Jeri Schoof

**1. Call to Order**

The Chairman called the meeting to order at 7:01 p.m.

**2. Conflict of Interest Statement**

None were stated.

**3. Continuation of Application # 12-9264 — Parcel ID # 15 20 26 and 15 20 27**

Pursuant to Sec 5.01 of Subdivision Regulations for a Lot Line Relocation at # 196 and #164 VT RTE 67E for R. and L. Lindsey and D. and M. Snide, in a VR and RR-40 Zone.

As the applicants had not contacted the zoning administrator, the matter is deferred.

**MOTION: To defer consideration of this application until the first meeting in October. Moved by Jennifer Viereck; seconded by Megan Donckers. Carried, 4-0-0.**

**4. Deliberative Session for Determination - Application # 12-9301**

– Parcel ID # 020143 – Pursuant to Bylaw Section 7.2 Resource Protection – requires Conditional Use approval for any ground disturbing activity within 50’ of a stream or drainage way. Property owned by Benjamin and Elaine Hulett at 4955 VT. RTE. 7A in a RR – 80 Zone District.

There was no objection to the chairman’s stated wish to move this matter to a later point in the agenda.

**5. Application # 12-9309 – Parcel ID # 03 02 21.1**

– Pursuant to Subdivision Regulations – Section 5.0 - Applicant Regina Shaler requests Sketch Plan Approval to proceed with a Hearing for a two (2) lot subdivision at property located at 236 Glastonbury Rd. in an RR-200 Zone District. Previously subdivided in 1990 by Hawks (two-lot, minor).

Christian Heins spoke to the DRB about this application. There was some discussion of the classification as major or minor.

**MOTION: To classify the proposed subdivision as major. Moved by Megan Donckers; seconded by Tom Huncharek. Carried, 4-0-0.**

To allow time for notification of neighbors, the required hearing will be warned for October 17, 2012.

As an abutting neighbor, Karen Mellinger posed questions.

**MOTION: To hold over further consideration of this application until 10/17. Moved by Megan Donckers; seconded by Tom Huncharek. Carried, 4-0-0.**

**6. Application # 12-9295 – Parcel ID # 15 20 38.**

–Pursuant to Bylaw Section 9.0 through 9.18 for replacement of a Telecommunications Tower structure at the State police barracks owned by Wm. H. Dailey Inc. at 96 Airport Rd., in a Commercial Industrial Zone.

Phil Boness spoke to the DRB about this application.

Mr. Boness was advised of two conditions that will be imposed: a security bond must be provided and the existing tower must be removed

**MOTION: To close the hearing. Moved by Jennifer Viereck; seconded by Tom Huncharek. Carried - 4-0-0.**

**7. Discussion of Rules and Procedures.**

While the chairman recommended waiting input from members absent this evening before voting on the procedures, he invited comments and question from the members and from the public.

**MOTION: To ask the Select Board to facilitate giving the DRB the capability to handle its paperwork electronically, in a way comparable to what is in place for the Select Board. Moved by Tom Huncharek; seconded by Megan Donckers. Carried - 4-0-0.**

**8. Approval of Minutes of July 18, August 15, and September 5, 2012.**

These minutes will be considered at the first meeting in October. The Zoning Administrator noted that Bob Holmes, the Vice Chair, was allowed to sign the Minutes where he chaired if the other Board members had approved and he agreed.

## 9. Other Business.

Access Permit # 12-9303 – Parcel ID # 030124 – Application for a residential driveway at 817 Old Depot Rd. by David Bushee, owner. This was carried over from Sept. 5, 2012. Road Foreman’s report filed. Road foreman has approved and no culvert is required.

**MOTION: To approve this application for a residential driveway. Moved by Jennifer Viereck; seconded by Tom Huncharek. Carried - 4-0-0.**

## 9. Deliberative Session

**MOTION: To go into deliberative session. Moved by Tom Huncharek; seconded by Megan Donckers. Carried, 4-0-0.**

In order to hear from Dave Herzfeld on the matter to be discussed, the chairman requested that the deliberative session be suspended.

**MOTION: To end the deliberative session. Moved by Tom Huncharek; seconded by Jennifer Viereck.**

The application will be considered further on 10/17. Mr. Herzfeld has a letter from the Secretary of State – Office of Professional Regulation regarding their taking action in the matter of the Surveyor who surveyed the property. This matter cannot be reviewed by the Board at this time as the Applicant is not present to hear testimony, the Hearing had been closed at the prior meeting and they asked the ZA to review with the Town Attorney the questions of re-opening the meeting, the relevance of the letter and dealing with the time line for a decision. The ZA is to report by email the results of that discussion.

## 10. Adjournment

**MOTION: To adjourn the meeting. Moved by Megan Donckers; seconded by Tom Huncharek.**

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Sandra Mangsen  
Recording Clerk