

## **Shaftsbury Development Review Board**

November 4, 2020

### **Call to order**

The meeting came to order remotely, via the platform Zoom, at 6 p.m. Present were board members Tom Huncharek (chair), Lon McClintock, Mike Day, and Tedd Habberfield. Also present were applicant representatives Chris Ponessi and David Spurr, applicants Mike, Chris, and Mariah Slavin, and zoning administrator Shelly Stiles.

### **Conflict of interest**

No one reported a conflict of interest with any item on the agenda.

### **Minutes**

Mr. Huncharek moved to approve the October 19 minutes. Mr. McClintock seconded the motion, which passed by roll call vote 4-0-0.

### **Subdivision, Bahan Road, Application #20-0092, Parcel 15 21 20, owner Mike, Lisa, and Mariah Slavin, preliminary plat approval.**

Chris Ponessi, engineer with Mance Environmental Partners, presented the proposal to subdivide a 16.8+ acre parcel into two lots, lot 1 at 13.57 acres and lot 2 at 3.23 acres. Only lot 2 would be developed at present.

He noted that it had been determined a “major” subdivision because of prior boundary line adjustments made between the Slavin property and the Town of Shaftsbury landfill property.

Waste water and potable water supply permits have been applied for. Those applications were included in the document package shared with the DRB prior to the meeting. Lot 1 would be deferred.

The site is a gravel pit, now being wound down. Michael Slavin said the family hopes to close and clean up the old pit and eventually create two nice home sites on it.

The proposed lots would be accessed via a 50’ ROW extending from Bahan Road, across lands owned by McGuire on an easement originally granted to Lisa Slavin’s grandfather, to a prominent feature on the landscape on the parcel where a cul de sac would be constructed.

Mr. Ponessi noted that the landfill setbacks and septic and well isolation zones were shown on the plat.

A certificate of notification of abutters had been submitted.

The DRB discussed 3.2.2 of the zoning bylaw and its apparent inconsistency with the road frontage requirement shown in table 4.2.3. It was agreed that the proposed access was sufficient and conforming.

The board reviewed the plat in the context of subdivision regulations 5.4. All requirements were deemed met or were waived except as noted below:

5.4.1: The full name of the owners should be placed in the lower right title block. The final plat should place the description of lot 1 in a box.

5.4.4: The private portion of Bahan Road will be so identified.

5.4.8: The widths of Bahan and Airport Roads will be shown on the plat.

5.4.16: the Vicinity Map will be scaled up to 1:1500.

The board agreed that all requirements of 5.5.1-5.5.7 are met.

Mr. Huncharek moved to close the hearing on the preliminary site plan for application #20-0092. Mr. Day seconded the motion, which, upon roll call vote, passed 4-0-0.

Mr. Huncharek explained to the Slavin family the process to follow – the 45 day period in which a decision must be rendered or the application would be automatically approved.

Mr. Ponessi asked that, if the preliminary plat is approved, the final plat hearing be scheduled as soon as warning requirements allow.

**Boundary Line Adjustment, Daniels Road, Application #20-0093, Parcels 14 20 53 and 14 20 54, owners Andrew and Patricia Mattison, preliminary and final plat approval.**

David Spurr of Blaze Designs presented a proposal to change the acreage of parcel 14 20 53 from 2.7 acres to 3.2 acres, and to change the acreage of parcel 14 20 54 from 1.5 acres to 1.0 acres.

The DRB reviewed the plat to understand what was being proposed.

Mr. Spurr noted that a maintenance easement would be crafted for the well at present located on parcel 14 20 54 but in future to be located on parcel 14 20 53.

The board reviewed the plat in the context of subdivision regulations section 5.4. All requirements were deemed met or were waived except as noted below:

5.4.4: The culvert on the driveway and the ditch along the property should be illustrated. The woods and wet area into which the ditch empties should be depicted.

5.4.6: See 5.4.4. above.

5.4.10: Contour lines should be depicted in such a way as not to clutter the plat.

5.4.11: The well symbol should be made darker or larger or otherwise easier to see.

5.4.12: The approximate location of the septic field should be shown on parcel 14 20 53.

5.4.16: The location map needs a scale.

5.4.17: Both magnetic and true north should be illustrated.

Additionally, it was requested that a graphic box should be put around each parcel number and that landowners should be identified for each parcel.

Mr. Huncharek moved to close the hearing on application 20-0093. Mr. Habberfield seconded the motion, which, upon roll call vote, passed 4-0-0.

Mr. Huncharek described to Mr. Spurr the ensuing process – the 45 day period in which a decision must be rendered or the application would be automatically approved

**Act 179 and its relationship to the Shaftsbury short term rental bylaw provisions**

The discussion was tabled until the next meeting.

**Private deliberative session application #20-0092, subdivision, Bahan Road, owners Slavin, preliminary plat approval**

Mr. Huncharek moved to enter private deliberative session on application 20-0092. Mr. McClintock seconded the motion, which, upon roll call vote, passed 4-0-0. Mr. Huncharek moved to leave private deliberative session on the above referenced application. Mr. Day seconded the motion, which, upon roll call vote, passed 4-0-0.

**Preliminary plat approval, application #20-0092, subdivision, Bahan Road, owners Slavin**

Mr. Huncharek moved to approve the above referenced plat with conditions as captured in the minutes, to wit:

- The full name of the owners should be placed in the lower right title block.
- The final plat should place the description of lot 1 in a box.
- The private portion of Bahan Road will be so identified.
- The widths of Bahan and Airport Roads will be shown on the plat.
- The Vicinity Map will be scaled up to 1:1500.

Mr. McClintock seconded the motion, which, upon roll call vote, passed 5-0-0.

**Private deliberative session ,application #20-0093, boundary line adjustment, Daniels Road, owners Mattison, preliminary and final plat approval**

Mr. Huncharek moved to enter private deliberative session on application 20-0093. Mr. McClintock seconded the motion, which, upon roll call vote, passed 5-0-0. Mr. Huncharek moved to leave private deliberative session on the above referenced application. Mr. Habberfield seconded the motion, which, upon roll call vote, passed 4-0-0.

**Preliminary plat and final plat approval, application #20-0093, boundary line adjustment, Daniels Road, owners Mattison, preliminary and final plat approval**

Mr. Huncharek moved to approve the above referenced plat with conditions as captured in the minutes, to wit:

- The culvert on the driveway and the ditch along the property should be illustrated.
- The woods and wet area into which the ditch empties should be depicted.
- Contour lines should be depicted in such a way as not to clutter the plat.
- The well symbol should be made darker or larger or otherwise easier to see.
- The approximate location of the septic field should be shown on parcel 14 20 53.
- The location map needs a scale and should be at or near 1:1500.
- Both magnetic and true north should be illustrated.
- A graphic box should be put around each parcel number and that landowners should be identified for each parcel.

Mr. Day seconded the motion, which, upon roll call vote, passed 4-0-0. When Mr. Spurr submits the final plat, ZA Stiles will confirm it meets all the above conditions and pass it on to Mr. Huncharek for his signature.

**Other business**

- ZA Stiles reported there are two hearings scheduled for the Nov. 18 meeting.
- Mr. Habberfield volunteered to usher the revisions to the Rules of Procedure to completion. He and Mr. McClintock will confer about them via email.
- The proposed dog kennel bylaw and revisions to the boundary line adjustment regulation will be discussed at the November 18 meeting.

Mr. Huncharek moved to **adjourn at 8:40 p.m.** Mr. McClintock seconded the motion.