

**Minutes of the Town of Shaftsbury  
Development Review Board  
February 18, 2009  
COLE HALL  
SHAFTSBURY, VERMONT**

**Board Present:** Phylis Porio (Chairperson), Rick Mattison, Fritz Ludwig, Wynn Metcalfe , David Mance

**Board Absent:** William Jakubowski , Gary Burgess

**Others Present,** Christian Heins, Jon Endres, Kevin Stratton, Lynne Toothaker, Mary Beth Maguire, Trevor Mance, Arthur Whitman, Tony Zazzaro (zoning administrator),

**1. Call Meeting to Order:**

Phylis Porio (Chairperson) called the meeting to order at 7:01 PM.

**2. New Business**

A. Permit # 09 86 84 S, Francene Endres Parcel ID 03 01 10: Sketch Plan for a two lot subdivision and lot line revision. This property is located on State Parke Road

Jon Endres explained the project. The board classified it as a Minor Subdivision. Mr. Ludwig made a motion to close the hearing Mr. Metcalfe seconded, motion approved 4-0. Mr. Ludwig then made a motion with Mr. Metcalfe seconded, to put it on the March 18 2009 Agenda for Preliminary and Final Approval.

Mr. Mance recused himself from the board

B. Permit # 09 86 85S, Kevin Stratton & Jeanne Mc Dermott Parcel ID 11 01 37 & 38: Sketch Plan for a two lot subdivision and lot line revision. This property is located on Holy Smoke RD

Christian Heins explained the project. The board classified it as a Minor Subdivision. Mr. Ludwig made a motion to close the hearing Mr. Metcalfe seconded, motion approved 4-0. Mr. Ludwig then made a motion with Mr. Metcalfe seconded, to put it on the March 18 2009 Agenda for Preliminary and Final Approval

C. Request for a hearing by Trevor Mance TAM Inc. as required in accordance with permit 07 82 63  
“That no later than 90 days prior to exceeding the 8,000 tons limit, the applicant shall request a hearing before the Shaftsbury Town Development Review Board to demonstrate the applicants ability to exceed the 8,000 ton per year limit band that the applicant has been in compliance with the conditions previously and currently imposed by the Shaftsbury Development Review Board, the previous Zoning Board of Adjustment Conditional Use Permit and the Planning Commission Site Plan Approval

Chairperson Porio questioning Mr. Mance if any violations were existing Mr. Mance stated that their were no violations and presented a letter from the State Of Vermont Waste Management Division that on February 17 2009, the Solid Waste Program found no records of past violations at the Facility and that the Solid Waste Program assumes that the Facility currently operating consistent with the Solid Waste Management Certification, dated June 30, 2006. Ms. Porio then question Zoning Administrator Zazzaro if he knew of any violations. Mr. Zazzaro said that he knew of no violations and that he had issued a Statement of Facts stating that there are no violations. Mr. Zazzaro asked if the conditions of the settlement with Mike Bidy would continue to be met, with the approval of going from 8000 tons to 15000 tons. Mr Mance said that the buildings on his facility would allow him to meet all the conditions and that no

uncovered trailers with trash would be stored out side. Ms. Porio then reviewed all the conditions of the previous permits with Mr. Mance agreeing that all conditions were met.

**Mr. Metcalf made a motion to close the hearing.**

**Mr. Ludwig seconded.**

**Motion approved 4-0**

**Motion to take this into deliberative session made by Mr. Ludwig seconded by Mr. Metcalf**

**Motion approved 4-0 .**

**Mr. Mance returned to the table**

**3. Minutes:**

**January 21, Minutes**

**Mr. Mance made motion to approve the January 7, 2009 minutes. Mr. Ludwig seconded. Motion to approve January 21, 2009 minutes carried 5-0**

**Chairperson Porio then asked for a motion to go into executive session. Motion to go into executive session made by Mr. Ludwig seconded by Mr. Metcalf**

**Meeting adjourned at 8:17 PM.**

Respectfully Submitted,

TONY ZAZZARO / Wynn Metcalfe