

Shaftsbury Development Review Board
Shaftsbury Town Hall
Buck Hill Rd at 7:00 pm
DRAFT Minutes of Regular Meeting
8/1/12

Members Present: Megan Donckers, Bob Holmes (vice Chair), Tom Huncharek, David Mance, Chris Ponessi

Members Absent: Gary Burgess, Fritz Ludwig

Others Present: Abigail Beck, Jay Palmer, Ron Schoof, Brent Peacock, Carol Ann Peacock, Duffy Outwater, Jane Outwater, Nancy Nadeau, Robert Geneslaw, Kathy Geneslaw, Jeri Schoof, Elina Hyjek, Pam Feeling, Sandra Mangsen (Recording Clerk), Margy Becker (Town Administrator)

1. Call to Order

Bob Holmes called the meeting to order at 7:02 p.m.

2. Conflict of Interest Statement

There were none.

3. New Business: none

4. Old Business

Day Care application: continued from previous meeting

Application # 12-9282 – Parcel ID# 17 21 23 — a Site Plan Approval to allow the operation of a State licensed Day Care Center for 6 full time and 4 part time children pursuant to Sec. 6.1.3.2 and Sec. 7.9 for Bert and Kristina Davis located at 705 VT RTE 7A in a VC-1 Village Commercial Zone.

Testimony from Kristina Davis:

DRB members questioned Kristina Davis about particulars of her Day Care Center, which now requires a site plan approval for expansion to include four part-time children. The focus was on the site plan, the numbers of children and their hours of attendance, and parking/drop-off facilities.

Testimony from Brent Peacock: abutting property owner.

Brent Peacock expressed his concerns over parking and the need for day care clients to back out onto RTE 7A; he suggested that the DRB encourage a turn-around. He also expressed his concern about waste pick-up impinge on his adjacent business property

Elina Hyjek: abutting property owner

She has concerns about equipment and other material in the yard, and suggests that it needs to be cleaned up for the appearance of the site and the safety of the children; she also asserted that on at least one occasion there were fourteen children in the yard, which she believes is more than are permitted. (Board members explained the by-law requirements.)

David Mance outlined the DRB's options: to visit the property, to close the hearing immediately, or to continue the hearing.

Chris Ponessi noted that the additional part-time children will be of school age and currently are siblings of the younger children, which suggests that there will be minimal impact on traffic from including them.

David Mance explained the role of the DRB in determining the details of a conditional use permit.

MOTION: To continue the hearing to the next meeting (in two weeks' time).
Moved by David Mance, seconded by Tom Huncharek. Carried, 5-0-0.

In the interim David proposed that the DRB provide Kristina with a list of any issues that may need to be addressed and material she should provide.

5. Members of the Planning Commission were invited to join the table.

Members present: Bill Pennebaker, Norm Gronning, Abigail Beck, David Spurr (Vice Chair).

MOTION: To recess the DRB meeting (8:00 p.m.). Moved by David Mance, seconded by Tom Huncharek. Carried, 5-0-0.

The DRB was recessed at 8:00 p.m. to accommodate interviews for the position of Zoning Administrator

Thereupon the Planning Commission assumed leadership of the joint meeting.

6. Executive Session

MOTION To move into Executive Session for the interviews. Moved by Bill Pennebaker, seconded by Abigail Beck. Carried, 4-0-0.

The Executive session began at 8:05 p.m. and ended at 9:15 p.m.

7. Departure of PC members and Resumption of DRB meeting

It was agreed that the Planning Commission would discuss the interviews at their regular meeting on August 14.

Thomas and Jane Outwater requested guidance from the DRB regarding confusion over the status of compliance with property they own on East Road. They have a certificate of

occupancy for a house but at the same time a notice of non-compliance with driveway standards. The question is whether or not they need to pave an apron on their driveway for one or two lots they have developed.

The DRB determined that this matter should be heard at the next regular meeting and will request that it be put on the agenda for the August 15th meeting.

The DRB discussed and unanimously recommended the appointment of Tyler Yandow as Zoning Administrator due to his experience and knowledge of the zoning and planning processes.

8. Adjournment.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Sandra Mangsen
Recording Clerk