

**Shaftsbury Development Review Board  
Minutes of the Meeting Held August 19, 2015**

1) 7:00 p.m. The meeting was called to order by Mr. Huncharek. Also present were Mr. Ponessi, Mr. Biddy, Mr. Mance, and alternates Mr. Day and Mr. Palmer. Ms. Donckers was absent. ZA Stiles was also present.

2) Conflict of interest:

Mr. Ponessi and Mr. Mance reported a conflict on agenda item 5.

3) A sign in sheet was passed around.

4) Approval of August 5, 2015, 2015 minutes. Mr. Ponessi moved to accept the minutes; Mr. Day seconded the motion, which passed 3-0-3 (Mssrs. Biddy, Mance, and Palmer missed that meeting.)

5) Application 15-9578, Applicants Richard and Patricia Daley, 14-20-62; preliminary approval for a three-lot minor subdivision in accordance with Subdivision Regulations 5.2-5.4 and 8.0.

Mr. Ponessi and Mr. Mance left the board. Mr. Day and Mr. Palmer joined the board. Mr. Ponessi presented the application.

Mr. Ponessi presented a Waste Water Treatment permit # 8-1703 for the proposed subdivision. A certificate of service regarding timely notice of the hearing to abutters had been provided earlier.

The Meunier and Billow families were present. The Meuniers asked about an overshadowing notice they had received. Mr. Ponessi described its significance to them. Mr. Ponessi reported that he has also heard from adjoining landowner Jan Blair and her lawyer regarding an overshadowing issue on her property, which Mr. Ponessi said had been resolved, though her property remains overshadowed by two other septic systems. Copies of letters from Ms. Blair's lawyer had been received earlier in the day by the ZA, and were shared with the DRB.

The DRB reviewed the plat. The Board asked the engineers to label the water main easement area.

Mr. Ponessi shared a draft covenant for a shared driveway, which will be signed upon sale of the lot.

Mr. Ponessi said the owner would entertain a restriction requiring that any cutting of the northern hedgerow first be discussed with the adjoining landowner.

Mr. Biddy moved to close the hearing. Mr. Day seconded the motion, which passed 4-0.

6) Application # 15-9591: Applicants Jonathan Hoffman and Jenifer Prouty, 03-01-49: variance to the side yard requirement in accordance with Bylaw sections 3.4.1.4 and 8.6 in an RR 40 zone.

Mr. Mance and Mr. Ponessi returned to the board. Mr. Palmer left the board.

The applicants described their goal: to replace an existing non-conforming shed, about 12' x 20' x 8' with a new one car garage about 14' x 24' by 14' to a peak. The new structure would intrude two feet further than the existing structure into the Maple Hill Road setback area, but wouldn't affect the bank on the road.

Mr. Huncharek asked for a plan that more clearly shows the location of the proposed structure relative to the property lines and to other land development on the parcel, to better show why the garage cannot be located elsewhere without requiring a variance. Mr. Hoffman said moving the proposed structure deeper into the lot to avoid the additional encroachment would impede turning and parking his work trailer.

Mr. Mance asked if they'd consider a condition that any light on the structure would be shielded from view from the road.

Mr. Mance moved to recess the hearing. Mr. Day seconded the motion, which passed 5-0.

7) Other business

ZA Stiles presented signed waivers from adjoining landowners Outwater and Tillerman Inc. to the fifteen day warning requirement re the Daly application for a shed. That application will be reviewed when Ms. Donckers is present.

Mr. Mance and Mr. Ponessi left the board. Mr. Palmer re-joined the board. Mr. Day moved to go into private deliberative session on application # 15-9578. Mr. Palmer seconded the motion, which passed 4-0. The recording device was turned off. At the close of the hearing, a motion to approve passed 4-0. Mr. Huncharek moved to leave deliberative session. Mr. Bidy seconded the motion, which passed 4-0. ZA Stiles will send a sample subdivision permit to Mr. Day who will craft the permit for the Dailey application.

Mr. Huncharek moved and Mr. Bidy seconded to adjourn the meeting at 9.00 pm. The motion passed by acclamation.

Minutes by ZA Shelly Stiles