

## Town of Shaftsbury Development Review Board

December 6, 2023

In person at Cole Hall and remotely via Zoom

1. Call to Order – Recognition of Quorum

The meeting came to order at 6:01 p.m. Present were commissioners Mike Day (chair), Zoe Contros Kearl, Sarah Costin, Tedd Habberfield, and Denny Browe. Also present was zoning administrator Shelly Stiles.

2. Conflict of Interest

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

3. Sign in sheets

Sign in sheets were dispensed with as no hearings were scheduled.

4. Approval of Minutes – November 15, 2023

Mr. Habberfield moved to approve the November 15 minutes. Mr. Browe seconded the motion, which passed 5-0-0.

5. Application 23-0092; 137 Horton Hill Road, Shaftsbury VT 05262; owners Bruce Knapp, Dawn Evans, and Marlene Camp; parcel # 14 20 65: sketch plan review, two lot subdivision.

Surveyor David Spurr presented the project. Owner Brian Knapp was present but had no comments. Mr. Spurr said no development is proposed for the proposed lot 2 on the west, 3.82 acres (now a hay field). A wastewater permit application for a replacement septic system has been submitted to VT DEC for the proposed lot 1 on the east, 2.81± acres, on which an existing residence sits.

The parcel has not been subdivided before. Commissioners agreed it is therefore a minor subdivision.

Commissioners went through section 6.4 of the subdivision bylaw, preliminary plat submission requirements. They found that all items were met or non-applicable except as follows:

6.4.5: abutters north of Horton Hill Road and east of Ehrich Road should be added.

6.5.16: outline of the parcel should be shown on the site location map.

It was agreed to review the preliminary and final plats at a hearing on January 3, 2024.

6. Application # 23-0094; 107 and 143 Tunic Road, Shaftsbury VT 05262; owner Priscilla Ludwig (and Wolfgang, dec'd); parcel # 09 20 44: sketch plan review, two lot subdivision.

Mr. Spurr explained the project. The Ludwig family applied for and received wastewater permit EC-8-0683 in 1988, for a second residence on their parcel 09 20 44, but never followed up by submitting a subdivision plat to the Town of Shaftsbury. The second residence permitted by that permit was constructed, but a well, a condition of the permit, was never installed. (Instead, the residence made use of a spring system shared by several other parcels belonging to the Ludwig family in that neighborhood.) According to Mr. Spurr, that well was recently installed and the property is now in compliance with the wastewater permit issued in 1988.

A property line accommodating the location of the well would require a zigzag to a) incorporate the existing driveway to the second residence and b) meet setback requirements for a shed on the section of the parcel on which the older residence is sited.

The section of the parcel on which the older residence is sited is designated at “lot 1” on the Blaze Design plat dated April 2023; the newer residence is sited on “lot 2” on that plat.

Regarding the siting of the proposed property line, Mr. Habberfield suggested Mr. Spurr ask the owner whether a) the shed could be placed in proposed lot 2 or b) whether the shed could be moved or demolished so as to remove the setback complication.

Commissioners went through section 6.4 of the subdivision bylaw, preliminary plat submission requirements. They found that all items were met or non-applicable except as follows:

6.4.4: an access easement will be shown only if the boundary for lot 2 does not incorporate the existing driveway to the second residence.

6.4.5: abutters notices will be sent in a timely fashion for a January 3, 2024 hearing. (The zoning administrator reassured Mr. Spurr that while the signed application and fee must be submitted by December 13 in order to meet a deadline to warn the hearing in the Bennington Banner, the final preliminary plat need not be completed by that date.)

6.4.16: the outline of the parcel should be shown on the site location map.

7. Other business

It was noted that a quorum can be met for a January 3, 2024 meeting.

Mr. Habberfield moved to adjourn at 7 p.m. Ms. Costin seconded the motion, which passed unanimously.

Notes by ZA Stiles