

**MINUTES OF THE SHAFTSBURY PLANNING BOARD
DECEMBER 9, 2008
COLE HALL
SHAFTSBURY, VERMONT**

Board Present: **Bill Pennebaker, Norm St. Onge, Craig Bruder (Chairman), Chris Williams**

Board Absent: **Bob Carter**

Others Present: **Tony Zazzaro (Zoning Administrator), Susan Swasta (Recording Secretary)**

1. Call Meeting to Order:

Chairman Craig Bruder called the meeting to order at 7:01 PM.

2. Minutes:

November 25, 2008 Minutes

Bill Pennebaker made motion to approve the November 25, 2008 minutes. Norm St. Onge seconded.

The following correction to the November 25, 2008 minutes was requested:

The last sentence is changed to: Meeting adjourned at 9:45 PM.

Motion to approve November 25, 2008 minutes as amended carried 4-0-0.

3. Actions to be Taken:

There were no actions to be taken.

4. Old Business:

A. Zoning Administrator Report

Zoning Administrator Tony Zazzaro reported that in the last four months there have been 64 permits and four curb cut applications. Seven violation notices were issued. An ongoing violation case regarding the Hamilton property has reached an agreement and is to be completed by March. There were seven subdivision applications and five lot line adjustment requests.

Mr. Zazzaro reported that Hale Mountain Rod and Gun Club had asked if a permit is required to enclose a three-sided pole shed. He told them a permit is not required, but the club decided to get one anyway because of past problems with neighbors. Mr. Zazzaro said that two parties are now appealing the permit. At the same time, the environmental court has ruled in favor of the club in an ongoing dispute. This decision is being appealed to the state Supreme Court. Planning Commission members agreed that they would like to review the environmental court decision for informational purposes. Mr. Zazzaro made copies of it.

Mr. Zazzaro stated that he would like to see a more definitive definition of home occupation. He finds the criteria in use now to be too subjective. Mr. Zazzaro would also like a better definition of appurtenant dwelling, as permitted in Vermont's chapter 117. He said that the Town may adjust the size of this type of dwelling to a certain percentage, within a defined range, and he recommended that this be done.

Mr. Zazzaro suggested that the Planning Commission allow the practice of "administrative

approval" to allow the zoning administrator to approve minor items like lot line adjustments without requiring a Development Review Board (DRB) hearing. Chairman Bruder asked him to put together a one page report on how this would work, citing examples from other places.

Chairman Bruder asked if any of the seven violations had been major issues, and Mr. Zazzaro replied that none were. One has been turned over to Town Attorney Rob Woolmington. Mr. St. Onge stated that Mr. Zazzaro had told him he required a permit to enclose his pole barn last summer, which contradicts the information just given on the Hale Mountain pole building enclosure. Mr. Zazzaro said that a permit should not have been needed for an existing structure with no change in use.

B. Outstanding Town Plan Items

Chairman Bruder asked Chris Williams if he got the last of the school data. Mr. Williams replied that he is still missing pieces of information because none of the people he contacted got back to him. As a result the section is a very limited snapshot of the educational situation. Under child care, information was added on the new pre-kindergarten pilot program in Shaftsbury, although the future of funding for this program is not known.

There was discussion of the recommendations in the education section. These will include better communication between the Town and the School, and continued communication and collaboration (and possible consolidation) between Shaftsbury and North Bennington schools. A recommendation that tuition-paying students from outside Shaftsbury be permitted was suggested, but Mr. Williams pointed out that this policy is already in place. It will be noted in the section, but not made a recommendation.

Mr. Williams suggested a recommendation on breaking down archaic strictures such as board structure and district lines in order to create a more flexible school system, while maintaining educational quality. Others agreed.

Chairman Bruder said that tonight's changes on schools will be the last substantive changes to the Town Plan revision. Mr. Williams said he will try to get the last two numbers on schools. Planning Commission members will go over the Plan in the next 48 hours, and send any changes to Mr. St. Onge, who will prepare a final draft.

C. Action Plan for 2009

Chairman Bruder said that he will add Mr. Zazzaro's suggestions to his list of Planning Commission matters to be addressed. There was discussion of other projects to be taken up. Mr. Williams suggested that several issues requiring zoning map changes be done all at once. This might include a mobile home park overlay, exemption of small Town projects, and Paran Acres rezoning. Mr. Zazzaro felt that Paran Acres might be a stickier issue than the others. Other suggestions were historic district work and consideration of dog kennels and slaughterhouses in zoning bylaws. Mr. St. Onge said they should probably go over the recommendations made in the Town Plan for matters that should be addressed. Others agreed.

Chairman Bruder asked what is happening with broad band. Mr. Pennebaker replied that the Solid Waste Committee is now the Environmental Issues Committee and will take the lead on broad band expansion.

Chairman Bruder said that at the next meeting putting together a list of priorities for future work will be the main task.

Mr. Williams made motion to adjourn. Mr. Pennebaker seconded.

Meeting adjourned at 8:25 PM.

Respectfully submitted,

Susan Swasta