

## Shaftsbury Development Review Board

January 4, 2017

### 1) Call to Order – Recognition of Quorum

The meeting came to order at 7:03 pm. Present were board members Tom Huncharek (chair, via telephone), Chris Ponessi, Michael Day, and Michael Biddy; alternate Jay Palmer; and zoning administrator Shelly Stiles.

### 2) Conflict of Interest

No conflicts of interest were reported.

### 3) Sign In Sheets

Sign in sheets were made available to Joyce Hall and Byron Waterman.

### 4) Approval of Minutes – December 7, 2016

Mr. Day moved to approve the Dec. 7, 2016 minutes. Mr. Biddy seconded the motion, which passed 4-0-0. (Mr. Huncharek was temporarily away from the phone.)

### 5) Application #16-9673: parcels #18-02-24 and #18-02-25, owners and applicants Joyce Hall, 184 Lower East Road and Byron and Freda Waterman, 144 Lower East Road, boundary line adjustment, final plat review.

Mr. Huncharek recused himself from the discussion as he hadn't the application handy. Ms. Hall and Mr. Waterman explained that their attorneys hadn't acted in a timely manner, and the original permit expired. Mr. Day moved to issue a new permit with a new date. Mr. Palmer seconded the motion, which passed 4-0-0. ZA Stiles will send Mr. Ponessi a revised permit, which he will sign. Ms. Stiles will notify Ms. Hall when the permit and mylar are ready to be filed.

### 7) Other business

Without objection, the board turned to other business and heard from David Spurr re the King/Faiella application #16-9760, which had been recessed to this date at the last meeting. Mr. Spurr presented a letter from David Swift of VDEC stating that an exemption for the replacement septic area had been given. Mr. Spurr will record that letter. He annotated the mylar with the reference "site specific determination letter by D. Swift dated 12/6/2016."

Mr. Ponessi re-opened the hearing on application # 16-9795, owners Salmon/Faiella. Mr. Spurr explained that due to unforeseen circumstances he was unable to provide a final mylar as requested at the December 7, 2016 DRB meeting. With the letter from D. Swift, however, one of the conditions requested by the DRB had been met. Mr. Ponessi moved to close the hearing. Mr. Day seconded the motion, which passes 5-0-0.

### 6) Application #16-9793: Applicants James and Roberta Carroll, parcel # 12 01 46, variance to the front yard requirement in an RR 40 zone. Re-open private deliberative session recessed December 7, 2016.

Mr. Ponessi moved to re-enter private deliberative session. The motion was seconded by Mr. Palmer. The motion was approved 5-0-0/

Mr. Ponessi moved to leave private deliberative session. The motion was seconded by Mr. Huncharek. The motion passed 5-0-0.

Mr. Palmer moved to deny the request for a variance. Mr. Day seconded the motion, which passed 4-0-1, Mr. Bidy abstaining. The variance request was denied.

Mr. Ponessi volunteered to write the findings of fact.

Re application # 16-9795. Mr. Ponessi moved to enter private deliberative session. Mr. Huncharek seconded the motion, which passed 4-0-1. (Mr. Bidy was temporarily absent from the room. ) Mr. Ponessi moved to leave private deliberative session. Mr. Bidy seconded the motion, which passed 5-0-0.

Mr. Day moved to approve the BLA conditional on items requested at the original hearing. Mr. Huncharek seconded the motion, which passed 5-0-0. Those conditions are:

- Mr. Spurr was asked to change the noted dimensions on the northern property line, to make clear the new dimensions (as they relate to bearings).
- Mr. Spurr was asked to add deed references and the Town and WWT permit #s.
- Mr. Spurr was asked to add Jerome to the list of abutters on the plan. That owner was warned.

Ms. Stiles will write a draft findings of fact and share with the members of the board.

7) Other business, continued.

ZA Stiles reported there are no applications needing review for the January 18, 2017 meeting. The meeting was cancelled.

The 1/4/17 meeting was adjourned by acclamation at 8:05 p.m.