

A VIDEO RECORDING OF THE MEETING IN ITS ENTIRETY IS AVAILABLE THROUGH VERMONTCAM.ORG. THE WRITTEN MINUTES ARE A SYNOPSIS OF DISCUSSION AT THE MEETING. MOTIONS ARE AS STATED BY THE MOTION MAKER. MINUTES SUBJECT TO CORRECTION BY THE SHELBURNE DEVELOPMENT REVIEW BOARD. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE BOARD.

**TOWN OF SHELBURNE
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
August 17, 2016**

MEMBERS PRESENT: Mary Kehoe (Chairwoman); Mark Sammut, Jeff Hodgson, Ian McCray, Alex von Stange, Ellery Harkness. (Jeff Pauza and Judy Christensen were absent.)
STAFF PRESENT: Kaitlin Mitchell, DRB Administrator.
OTHERS PRESENT: Sign-in sheet on file.

AGENDA:

1. Call to Order and Announcements
2. Public Comment
3. Approval of Minutes (7/20/16)
4. Applications
 - Design Review, Tiny House, Site #157, 82 Shelburnewood Drive, Kim Glynn\Shelburnewood Mobile Home Co-op (DR16-08)
 - Final Plan, Subdivision, Two Lots, 133 & 300 Cheesefactory Lane, Linka Lee/Sawyer Lee Living Trust (SUB16-03)
 - Sketch Plan, Subdivision, 9 Lots, 93 Webster Road, Baldwin (FBZ16-01)
 - Appeal, Notice of Violation, Harbor Place, 3164 Shelburne Road, Champlain Housing Trust (A15-10)
5. Other Business/Correspondence
6. Adjournment and/or Deliberative Session

1. CALL TO ORDER and ANNOUNCEMENTS

Chairwoman Mary Kehoe called the meeting to order at 7 PM.

2. PUBLIC COMMENT

None.

3. APPROVAL OF MINUTES

July 20, 2016

MOTION by Ian McCray, SECOND by Mark Sammut, to approve the minutes of 7/20/16 as presented. VOTING: unanimous (5-0); motion carried.

4. APPLICATIONS

The function of the Development Review Board as a quasi-judicial board and the hearing procedure were explained. Individuals to give testimony before the Board were sworn in.

DR16-08: Design Review for a “CASA 802” tiny house on Site #157 at 82 Shelburnewood Drive by Kim Glynn\Shelburne Mobile Home Co-op

Kim Marie Glynn appeared on behalf of the application.

Submittals:

- Application
- Site Plan
- Photographs of vacant site
- Spec sheets and photograph of the CASA 802 tiny house
- Town of Shelburne Staff Report, dated 8/17/16

STAFF REPORT

The DRB received a written staff report on the application, dated 8/17/16.

APPLICANT COMMENTS

Kim Glynn described the pre-built tiny house to be placed on a foundation possibly with a crawl space at Site #157 in the mobile home park. Solar power will provide energy. The house will be insured.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Design Review, Tiny House, Site 157, 82 Shelburnewood Drive, Glynn/Shelburnewood Mobile Home Co-op (DR16-08)

MOTION by Mary Kehoe, SECOND by Alex von Stange, to grant design review approval to Kim Glynn\Shelburnewood Mobile Home Co-op for a “CASA 802” tiny house on Site #157 at 82 Shelburnewood Drive. VOTING: unanimous (5-0); motion carried.

SUB16-03: Final Plan for a two lot subdivision at 133 & 300 Cheesefactory Lane in the Rural District by Linka Lee/Sawyer Lee Living Trust (Ewing Farm Trust)

Jennifer Desautels, Trudell Engineering, appeared on behalf of the application.

Submittals:

- Transmittal and Application Fee in amount of \$450
- Final Plat Application
- South Burlington Email Approval
- Property Owner Authorization Form, received 5/16/16
- Department Head Comments per Section 600(28)
- Subdivision Plat prepared by Trudell Consulting Engineers, titled “Sawyer W. Lee Living Trust Like R. Lee Living Trust 133 Cheese Factory Lane Shelburne, Vermont” dated 4/7/16 and received 6/6/16
- Town of Shelburne Staff Report, dated 8/17/16

STAFF REPORT

The DRB received a written staff report on the application, dated 8/17/16. Kate Mitchell noted South Burlington does not have a problem with the proposal and asked for a copy of the final approval for their records. The DRB needs to approve access to the lot via an easement from Cheesefactory Lane and a separate 60' easement.

APPLICANT COMMENTS

Jennifer Desautels explained the proposal is basically unchanged from the last submittal and involves adding land to the lot on the Shelburne side in order to eliminate the lot straddling the boundary line. In essence a lot in Shelburne and a lot in South Burlington will be created.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Final Plan, Subdivision, Two Lots, 133 & 300 Cheesefactory Lane, Linka Lee/Sawyer Lee Living Trust [Ewing Farm Trust] (SUB16-03)

MOTION by Mary Kehoe, SECOND by Ian McCray, to finalize the record and close the hearing for the Final Plat Application, SUB16-03, for a two lot subdivision at 133 & 300 Cheesefactory Lane by Linka Lee, and to direct staff to prepare a decision indicating approval of the Final Plat Application as depicted on the Subdivision Plat prepared by Trudell Consulting Engineers, titled “Sawyer W. Lee Living Trust Like R. Lee Living Trust 133 Cheese Factory Lane Shelburne, Vermont” dated 4/7/16 and received 6/6/16 with the condition the Mylar shall be recorded in the Shelburne Land Records within 180 days of the signed approval. VOTING: unanimous (5-0); motion carried.

FBZ16-01: Sketch Plan review for a nine lot residential subdivision from an existing two acre lot at 93 Webster Road in the Residential District, Stormwater Overlay District, and Shelburne Road Form Based Overlay District by Susan Baldwin

Dave Marshall, Civil Engineering Associates, appeared on behalf of the application.

Submittals:

- Cover Letter prepared by Civil Engineering Associates, dated July 12, 2016 and received July 12, 2016
- General Application Form received July 12, 2016
- Sketch Plan Review Application received July 12, 2016
- Property Owner Authorization Letter

- Proposed Conditions Site Plan Neighborhood Street Plan prepared by Civil Engineering Associates
- Town of Shelburne Staff Report, dated 8/17/16

STAFF REPORT

The DRB received a written staff report on the application, dated 8/17/16.

APPLICANT COMMENTS

Dave Marshall said a site visit by the DRB is encouraged. The site plan shows the proposed street per Form Based Zoning requirements. The road alignment respects the wetlands on the eastern portion of the property and respects the church building. The road can be continued in both directions. Street standards per Form Based Zoning were followed. There will be a temporary access road from Webster Road running east-west through the development to the section of Form Based roadway. The temporary access will remain until the ends of the Form Based roadway are built. Street width is 34' to accommodate parking on both sides of the road. Form Based Zoning makes lots smaller with street parking to meet parking needs and slow the speed of cars. Access in and out of the street will be discussed with the Fire Chief.

Ian McCray asked if the temporary access will be eliminated once the Form Based roadway is built. Dave Marshall said that is the intent or the town may want to use it as a pedestrian access. Ian McCray mentioned the exit that is shown onto Webster Road is in a busy area. Dave Marshall said it is hoped the future roadway will come into the intersection.

Mary Kehoe asked if the open lot is landlocked and if there are wetlands. Dave Marshall said there are wetlands. Opportunities for the open area are being fleshed out (perhaps garden space). Mary Kehoe asked about sidewalk. Dave Marshall said there will be at-grade improved surface.

PUBLIC COMMENT

Carl Hoes, Hoes Lane, pointed out the Form Based roadway goes through their backyard. Dave Marshall explained the alignment of the road is conceptual at this point. It may be possible to shift the road to lessen the impact on the backyard.

Jim Collins, neighbor, said he wants to block the road going through his property and asked if he should pursue a traditional subdivision in order to do this. Kate Mitchell explained property owners in the Form Based Overlay have the option to use Form Based Zoning or the Euclidean Zoning that is in place. The road to divert traffic off Route 7 is

conceptual and very likely will not be built for many years. The application is solely for 93 Webster Road. Staff is available to further discuss the zoning and the process.

Pat Collins, neighbor, said the temporary road is narrow and the property owners on Bourgea Lane on both the north and south side of the road do not want the road on their property and do not want the portion of road “built to nowhere” to become permanent.

There were no further comments.

DELIBERATION/DECISION

Sketch Plan, Subdivision, Nine Lots, 93 Webster Road, Baldwin (FBZ16-01)

MOTION by Mary Kehoe, SECOND by Alex von Stange, to continue the Sketch Plan application for a nine lot subdivision at 93 Webster Road (FBZ16-01) by Susan Baldwin until 9/21/16. VOTING: unanimous (5-0); motion carried.

MOTION by Mary Kehoe, SECOND by Alex von Stange, to conduct a site visit on 9/7/16 at 5 PM. VOTING: unanimous (5-0); motion carried.

The applicant will stake out the temporary road and the Form Based roadway at the property corners on each end.

A15-10: Appeal of Notice of Violation by Champlain Housing Trust, Inc. for change of use without a zoning permit and addition of new uses without a zoning permit at Harbor Place, 3164 Shelburne Road

Attorneys representing their respective clients (Harbor Place, Town of Shelburne, Shelburne DRB) were present on behalf of the appeal. Any potential conflicts of interest were disclosed. Testimony was heard from both parties, Town of Shelburne and appellant. A transcript of the hearing can be found on the Town of Shelburne website. The hearing was adjourned at 9:38 PM.

5. OTHER BUSINESS/CORRESPONDENCE

Utility Building at Champlain Yacht Club (SP16-04)

The cold storage building relocation at Shelburne Shipyard was approved administratively.

6. ADJOURNMENT and/or DELIBERATIVE SESSION

With no further business and without objection the meeting was adjourned at 9:39 PM.