

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
October 5, 2016**

MEMBERS PRESENT: Mary Kehoe (Chair); Mark Sammut, Ian McCray, Judy Christensen, Jeff Hodgson, Alex von Stange, Ellery Harkness, Ty Parker. (Jeff Pauza was absent.)
STAFF PRESENT: Kaitlin Mitchell, DRB Administrator.
OTHERS PRESENT: Chris Snyder, Tina Scharf, Elizabeth Hollister, Matt Knudsen, Karen Caron, Bernie Caron, Emile Fournier, Diane Fournier, Andrew Everett, Andy Rowe, Tim Burlor, Rick Pollack, John Owen, Kay Boyce, Greg Shover, Bonnie Caldwell, Mary Jarrett, Joanne Jarrett, Bill Supple, Toni Supple.

AGENDA:

1. Call to Order and Announcements
2. Public Comment
3. Approval of Minutes (9/7/16 site visit & regular meeting, 9/21/16)
4. Applications
 - Amendment, Final Plan, Expand Building Envelope, 370 Monarch Road, Eric Morris (SUB03-04R9)
 - Sketch Plan, 91 Housing Units, 0 Spear Street, The Snyder Custom Homes, LLC (SUB16-02)
5. Other Business/Correspondence
6. Adjournment and/or Deliberative Session

1. CALL TO ORDER and ANNOUNCEMENTS

Mary Kehoe called the meeting to order at 7 PM.

2. PUBLIC COMMENT

None.

3. APPROVAL OF MINUTES

September 7, 2016 – Site Visit & Regular Meeting (2 sets of minutes)

MOTION by Judy Christensen, SECOND by Mark Sammut, to approve the minutes of September 7, 2016 with the following correction(s)/clarification(s) to the regular meeting minutes:

Page 10, heading reading “Discriminatory Statements” – change to “Continued Discussion”, and in the 1st paragraph, sentence reading “Title 24 also has a provision....” – change “discriminate against” to “violate”.

VOTING: unanimous (6-0); motion carried.

September 21, 2016

MOTION by Judy Christensen, SECOND by Ian McCray, to approve the September 21, 2016 minutes as written. VOTING: all ayes except one abstention (Mary Kehoe); 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.

SUB03-04R9: Amendment to Final Plan to expand the building envelope on Lot #6, Crescent Ridge, at 370 Monarch Road in the Conservation District by Eric Morris

Eric Morris appeared on behalf of the application.

Submittals:

- Final Plan (Plat) Application, received 9/9/16
- Site Plan, Sheet 2, prepared by Krebs and Lansing Consulting Engineers, last revised 8/13/03 and received 8/8/16
- Approved minutes dated 6/4/16 and received 9/9/16
- Town of Shelburne Staff Report, dated 10/5/16

STAFF REPORT

The DRB received a written staff report on the application, dated 10/5/16.

APPLICANT COMMENTS

Eric Morris explained the need to reapprove the expansion of the building envelope for the barn which was approved and built 8 years ago is due to a miscommunication with his engineer regarding who was responsible for filing the paperwork. The approval is needed in order to refinance.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Amend Final Plan, Expand Building Envelope, Lot #6, Crescent Ridge, 370 Monarch Road, Eric Morris (SUB03-04R9)

MOTION by Alex von Stange, SECOND by Ian McCray, to finalize the record and close the hearing and direct staff to prepare a decision indicating approval of the Final Plan Amendment application, SUB03-04R9, for Lot #6, Crescent Ridge at 370 Monarch Road by Eric Morris. VOTING: unanimous (6-0); motion carried.

SUB16-02: Sketch Plan for 91 housing units (single family, carriage homes, townhouse units) on 53.5 acres with 24 acres of open space at 0 Spear Street (west side) in the Residential District, Stormwater Overlay District, and Floodplain and Watercourse Overlay districts by The Snyder Custom Homes, LLC

Chris Snyder, Andy Rowe, and Tina Scharf appeared on behalf of the application. It was announced Ian McCray lives in Boulder Hill. Mr. McCray assured where he lives does not prevent him from acting impartially with the application.

Submittals:

- Cover letter prepared by Snyder Custom Homes, dated and received 9/13/16
- Wildlife Survey prepared by Tina Scharf, dated 7/11/16 and received 9/13/16
- Amended Wildlife Survey prepared by Tina Scharf, dated and received 9/14/16
- Conceptual Site Plan prepared by BSB Design, dated 9/12/16 and received 9/13/16
- Conceptual Site Plan-Neighborhood Open Space prepared by BSB Design, dated 9/12/16 and received 9/13/16
- Conceptual Site Plan with previous application outline prepared by BSB Design, dated 9/8/16 and received 9/13/16
- Kwiniaska Subdivision Density Plan prepared by Lamoureux & Dickinson Civil Engineering, dated 9/2/16 and received 9/13/16
- Water Commission letter, dated and received 7/12/16
- Staff Report with corresponding record and attachments, dated 3/16/16
- DRB Reconsideration Memo, dated 9/26/16
- Town of Shelburne Staff Report, dated 10/5/16

STAFF REPORT

The DRB received a written staff report on the application, dated 10/5/16.

APPLICANT COMMENTS

Chris Snyder reviewed the sketch plan for the Kwiniaska subdivision and gave the history of the application, noting the discussion and recommendations from previous hearings were used to make revisions to the plan. Mr. Snyder noted the following:

- The proposal meets the land development regulations of the Town of Shelburne.
- A tree survey and wildlife survey were done.
- The sketch plan was revised multiple times and meetings were held with town staff to review the components of the plan.
- The proposal includes a mix of single family houses (26 units) at the northerly end of the parcel, carriage homes (38 units) to the southeast, and townhouses (27 units) to the west. There is an interior streetscape with houses facing Spear Street except four or five houses in the southern portion of the development. The amount

- of open space has been increased to 24 acres in the western portion of the existing treed area. Much of the existing open space of the golf course will be open space.
- Per the tree survey there are a number of trees on the western portion of the parcel and a center core in between the single family homes. The entrance to the development was shifted to the north to maintain the existing trees in that location. There will be a portion of trees between the carriage homes and the townhouses.
 - According to the density plan 101 residential units are allowed. The density is considered per current zoning. The proposal is for 91 homes with more open space and treed areas.
 - Growth rate is within the goals of the comprehensive plan. The houses will be built over a four or five year period. The proposal does not eliminate other houses being built or permitted in other neighborhoods.

Ian McCray asked where the construction will begin. Mr. Snyder said work will begin in the northerly portion of the property with single family houses and carriage homes and work down to the south end of the parcel.

Judy Christensen asked if the streets will be fully built or phased in. Chris Snyder said the infrastructure will be phased based on what is assumed will be constructed in the next year or two.

Alex von Stange asked about impact on wildlife by the development. Tina Scharf, wildlife biologist, said that open land that is the golf course is not valuable for wildlife habitat. There are few trees on the golf course. The scrub shrubbery with honeysuckle provides cover for small mammals and is habitat in the process of growing into woodlands in 20 years. Most of the existing woodlands will remain (of the 14 acres of woodlands only 3.25 acres will be removed for the development). The developer has a no cutting rule to maintain the woodlands. There are woodlands between the lake and the farmland to the east. Juniper Ridge filled up much of the woodlands that were there. The corridor is not fabulous because it is cut off in places. Shelburne has a lot of wildlife. The animals learn to move around and between buildings and survive in suburban areas. The issue for wildlife is not the houses themselves, but the activities (i.e. dogs). The town is urged to have a strong dog ordinance. Alex von Stange asked if the areas of tree cutting dead trees is less impactful. Tina Scharf said the entire area has been highly impacted by deer and is not ideal for wildlife because there is no cover. The habitat is not ideal because it is depauperate.

Jeff Hodgson asked if the trees to be saved will be impacted by grading and building the subdivision. Andy Rowe said large contiguous areas have been looked at and there is conservation in areas where trees can be saved.

PUBLIC COMMENT

Andrew Everett, Boulder Hill, mentioned that there have been a number of 25 year storm events in the past five years and the runoff impacts Boulder Hill which is downhill from the proposed development. Mr. Everett asked about improving the plan to capture more runoff than with the 25 year storm. Andy Rowe said the runoff today from the golf course goes into the pond at the south end of the course which provides little retention so the water leaves the area at a fast rate which is the goal of a golf course. The new storm water system will be designed to meet town, state, and 100 year storm requirements. There is a comprehensive storm water system for the development. The golf course does not have a system.

Mary Kehoe mentioned the added impervious surface of rooftops where there is now lawn of the golf course. Andy Rowe agreed there will be an increase in the amount of impervious surface and in runoff, but there will be an extensive storm water management system for this. The existing pond will be modified and expanded to the west and there will be storm water pond(s) on the south and north ends of the property to pick up runoff. There will be grass swales and disconnection of the runoff in the development itself. Landscaping around the houses and street trees will also be in place. The landscape plan itself is part of the mitigating factors for storm water. Following further discussion there was agreement a 3rd party review of the storm water system would be useful for all.

Jeff Hodgson asked if the roads in the development will have curbs. Andy Rowe said the roads are proposed at 26' width with an 8' wide paved path. The Fire Department wants 28' wide road, but the developer would like to decrease the amount of impervious surface if possible.

Alex von Stange asked if the northern most pond will have landscaping. Andy Rowe said there will be landscaping on the perimeter. The fore bay can be separated from the main cell of the pond and some treatments done.

Mark Sammut asked the sight distance of the southern curb cut. Chris Snyder assured all the requirements have been met.

Greg Shover, Webster Lane, spoke of flood damage to his property in the last few years from runoff coming from Boulder Hill. The culvert in the Boulder Hill development is 24", but the culvert on Webster Lane is only 18". Mr. Shover said the area cannot handle

any more runoff and the flooding situation is impacting property value. Chris Snyder said he has heard the complaint about runoff. There is a bend in the existing storm water outlet from Kwiniaska to Boulder Hill which will be addressed. The pond with the new detention system will hold water and release at a slow pace. There will be an outlet structure to retain water and allow a smooth outflow.

Judy Christensen mentioned maintaining the storm water ponds so they continue to work properly. Chris Snyder said the development requires a storm water permit from the state that must be updated and maintained. Andy Rowe added there is an annual inspection requirement and a three year re-statement of compliance. The bylaws for the homeowners association will cover regular maintenance. Sediment and organic matter (decaying plants, etc.) can fill the ponds, catch basins, and fore bays. Clean out must be done every five to 15 years.

Toni Supple 239 Pierson Drive, asked about blasting and protecting the existing houses in the area. Chris Snyder said there is ledge so there will be blasting for foundations (the houses will have full basements) and the drainage system that goes under the house and into the storm water system to capture runoff. There may also be blasting for the storm water lines, sewer, and water lines. The blasting contractor is required to have insurance and a survey of houses within a 250' to 500' distance will be done to ensure houses will not be impacted. There are a couple of houses north of the boundary line and a couple in Boulder Hill that may be within the blasting distance.

There were no further comments.

DELIBERATION/DECISION

Sketch Plan, 91 Housing Units, 0 Spear Street, The Snyder Custom Homes, LLC (SUB16-02)

MOTION by Mary Kehoe, SECOND by Mark Sammut, to continue the hearing on SUB16-02 for 91 housing units at 0 Spear Street by The Snyder Custom Homes, LLC until November 16, 2016 to allow Shelburne Natural Resources and Conservation Commission the opportunity to comment on the application.

VOTING: unanimous (6-0); motion carried.

5. OTHER BUSINESS/CORRESPONDENCE

Audio/Visual Upgrades

The DRB will meet with the A/V consultant on 10/17/16 to discuss the configuration of the meeting room for the A/V system.

6. ADJOURNMENT and/or DELIBERATIVE SESSION

MOTION by Judy Christensen, SECOND by Alex von Stange, to adjourn the meeting. VOTING: unanimous (6-0); motion carried.

The meeting was adjourned at 8:10 PM.

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