

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  
November 16, 2016**

**MEMBERS PRESENT:** Mary Kehoe (Chair); Mark Sammut, Jeff Pauza, Joanna Watts. (Ian McCray, Judy Christensen, Jeff Hodgson, Alex von Stange, Ellery Harkness, and Ty Parker were absent.)  
**STAFF PRESENT:** Kaitlin Mitchell, DRB Administrator.  
**OTHERS PRESENT:** Tracey Beaudin, Tracie Bessette, Scot Homsted, W.G. Mills, Toni and Bill Supple, Mendy Mitiguy, Tim Burton, Laura Caswell Burke, Faith Rushford, Don Randall, Gail Albert.

**AGENDA:**

1. Call to Order and Announcements
2. Public Comment
3. Approval of Minutes (October 19, 2016 & November 2, 2016)
4. Applications
  - Design Review (Part 2), Fencing, 82 Shelburnewood Drive, Shelburnewood Mobile Home Co-op (DR16-12)
  - Design Review, Replace Mobile Home, 253 Shelburnewood Drive, Tracie Bessette (DR16-13)
  - Design Review, Windows, 1115 Falls Road, Christina Jensen (DR16-14)
  - Pre-Application Conference, PUD, Six Lots, 0 Pond Road, Jay Desautels
  - Re-Approval, Conditional Use, Connect Detached Garage, 335 Tamarack Shores, Susan Spillane (CU09-17R1)
  - Re-Consider, 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

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**1. CALL TO ORDER and ANNOUNCEMENTS**

Mary Kehoe called the meeting to order at 7 PM.

**MOTION by Mary Kehoe, SECOND by Mark Sammut, to amend the agenda to advance SUB16-02 (Snyder application) to follow the design review applications.  
VOTING: unanimous (4-0); motion carried.**

**2. PUBLIC COMMENT**

None.

**3. APPROVAL OF MINUTES**

*October 19, 2016*

**MOTION by Mark Sammut, SECOND by Mary Kehoe, to approve the minutes of October 19, 2016 with the following correction(s)/clarification(s):**

Page 4, Talbott Application, Applicant Comments, 1<sup>st</sup> paragraph, sentence beginning “Mr. Talbott said...” – change “would be” to “would not be”;

Page 6, Saar Application, Deliberation/Decision, Motion – change “November 7” to “November 2”;

Page 7, CHT appeal, 1<sup>st</sup> paragraph – change the sentence reading “Testimony was heard...” to “Testimony was heard from Michael Monte for CHT and legal argument was offered by both parties.”

**VOTING:** The vote was postponed until the next meeting when a quorum of those present at the 10/19/16 meeting are in attendance.

*November 2, 2016*

Postponed until the next meeting when a quorum of those present at the 11/2/16 meeting are in attendance.

#### **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.

**DR16-12 (Part 2): Design Review for fencing options and a Master Plan for park residents at 82 Shelburnewood Drive in the Village Center District, Stormwater Overlay District, and Village Design Review Overlay District by Shelburnewood Mobile Home Co-op**

Tracey Beaudin appeared on behalf of the application.

Submittals:

- Application
- Site Plan
- Fencing Master Plan
- Photographs of fencing options (decorative, stockade, and privacy)
- Town of Shelburne Staff Report, dated 11/16/16

#### **STAFF REPORT**

The DRB received a written staff report on the application, dated 11/16/16.

#### **APPLICANT COMMENTS**

Tracey Beaudin stated SHP&DRC wanted a master plan of potential fencing to include stockade border fence no more than 6' high and made of wood, privacy fence made of wood or vinyl, and decorative fencing in the front yard or along the side yard. Residents must get approval from the neighbors and then the Shelburnewood Board and then apply for a permit from the town for the fence.

## PUBLIC COMMENT

None.

## DELIBERATION/DECISION

Design Review, Fencing, 82 Shelburnewood Drive, Shelburnewood Mobile Home Co-op (DR16-12)

**MOTION by Mary Kehoe, SECOND by Jeff Pauza, to grant design review approval to Shelburnewood Mobile Home Co-op for the Fencing Master Plan at 82**

**Shelburnewood Drive with the following conditions:**

- 1. A zoning permit shall be required prior to the construction of any fencing.**
- 2. Stockade fencing will only be permitted along the perimeter of the Shelburnewood property line and must be unpainted wood in material and constructed to a height no greater than six feet.**

**VOTING: unanimous (4-0); motion carried.**

**MOTION by Mary Kehoe, SECOND by Jeff Pauza, to reopen DR16-12 to add the following approval conditions:**

- 1. Privacy fencing will only be permitted in areas depicted on the Master Plan and must be unpainted wood or vinyl in material and constructed to a height no greater than six feet.**
- 2. Decorative fencing will only be permitted in areas as depicted on the Master Plan and must be natural wood or stained in a wood tone.**

**VOTING: unanimous (4-0); motion carried.**

**DR16-13: Design Review to remove an existing single-wide mobile home and replace with a new double-wide mobile home at 253 Shelburnewood Drive by Tracie Bessette**

Tracie Bessette appeared on behalf of the application.

## Submittals:

- Village Design Review Application
- Demolition in HP&DR Overlay Application
- Site Plan
- Floor Plan
- Foundation Plan
- Site Aerial
- Existing conditions photographs
- Town of Shelburne Staff Report, dated 11/16/16

## STAFF REPORT

The DRB received a written staff report on the application, dated 11/16/16.

## APPLICANT COMMENTS

Tracie Bessette explained the plan to replace a 30 year old single-wide mobile home with a new double-wide mobile home.

## PUBLIC COMMENT

None.

## DELIBERATION/DECISION

Design Review, Mobile Home, 253 Shelburnewood Drive, Tracie Bessette (DR16-13)

**MOTION by Mark Sammut, SECOND by Mary Kehoe, to grant design review approval to Tracie Bessette for the demolition of an existing single-wide mobile home and replacement with a new double-wide mobile home at 82 Shelburnewood Drive, Site #253, with the condition a zoning permit shall be required prior to any land development. VOTING: unanimous (4-0); motion carried.**

**DR16-14: Design Review for replacement of existing windows and the addition of new windows at 1115 Falls Road by Christina Jensen**

No one appeared on behalf of the application. Mary Kehoe disclosed she knows the applicant and on occasion gets together with her, but this will not impair being impartial in review of the application.

## Submittals:

- Village Design Review Application
- Site Plan
- Photos of existing conditions
- Existing elevations
- Town of Shelburne Staff Report, dated 11/16/16

## STAFF REPORT

The DRB received a written staff report on the application, dated 11/16/16.

## APPLICANT COMMENTS

None.

## PUBLIC COMMENT

None.

## DELIBERATION/DECISION

Design Review, Windows, 1115 Falls Road, Christina Jensen (DR16-14)

**MOTION by Mary Kehoe, SECOND by Joanna Watts, to grant design review approval to Christina Jensen for replacement of the first floor windows and addition of windows on the north and west elevations at 1115 Falls Road and also replacement of the existing double garage doors with a single garage door with double-hung windows on either side and alteration of the rectangular breezeway opening to an arched opening with the following conditions:**

1. All new window and door trim will match the existing trim.
2. A zoning permit shall be required prior to any construction.

**VOTING: unanimous (4-0); motion carried.**

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

No one appeared on behalf of the application. Mary Kehoe explained there are DRB members not present who want to hear testimony from the Shelburne Natural Resources Committee and the public to ensure there is full review of the application.

**MOTION by Mark Sammut, SECOND by Mary Kehoe, to continue SUB16-02 (The Snyder Custom Homes, LLC) until December 7, 2016. VOTING: unanimous (4-0); motion carried.**

**Pre-Application Conference for a six lot PUD at 0 Pond Road in the Rural District by Jay Desautels**

Scott Homsted with Krebs & Lansing appeared on behalf of the pre-application conference. Mr. Homsted reviewed the proposal highlighting the following:

- The PUD is six lots on 133 acres.
- Three building envelopes are located on the knoll on the parcel, one is in the woods on the western side of Lot 3, and two are on the eastern side of the parcel. The building envelopes are in the wooded areas and are screened.
- The road crossing the wetlands in the former proposal has been eliminated in the current proposal. The lots will be served by driveways off Pond Road.
- The current proposal has less impact and a better configuration with the same number of lots/houses.
- All lots will be served by on-site waste water systems and wells.
- The state storm water permit will be revised.

- There is core habitat and deer wintering area on the parcel. The building envelope on Lot 3 is in the deer wintering yard.
- The wetlands and the water course on the parcel will not be disturbed.

Mark Sammut asked about the access easement for the Auclair Family lot. Scott Homsted confirmed there is access through the property to the Auclair land to the south as a condition of sale of the land. Mark Sammut asked if the balance of the wetlands will be delineated. Mr. Homsted said the houses will be hundreds of feet away from the wetlands so it is unlikely the wetlands will be delineated. What is on the state wetlands map will be shown on the site plan.

Mary Kehoe asked how it will be known what land is preserved. Scott Homsted said there will be covenants to preserve the open space.

Gail Albert, Shelburne Natural Resources Committee, expressed concern that the housing units are scattered and not clustered, especially the house in the deer habitat. Scott Homsted explained the waste water disposal areas are driving the house locations. There are pockets of good soil on the parcel, but not enough for a community system so the houses cannot be clustered. The house in the deer habitat is on a 50 acre parcel so it is unlikely the deer will be disturbed. Gail Albert urged having a conversation about the proposal with Shelburne Natural Resources Committee.

**CU09-17R1: Re-Approval of Conditional Use for alteration of a nonconforming structure to provide a connection to the detached garage at 335 Tamarack Shores in the Residential District, Lakeshore Overlay District, and Floodplain and Watercourse Overlay District by Susan Spillane**

Mendy Mitiguy appeared on behalf of the application.

Submittals:

- General Application Form, received 10/25/16
- Conditional Use Application Form, received 10/25/16
- Site Plan prepared by Richter Design Studio, dated 9/21/09 and received 9/27/16
- Elevations prepared by Richter Design Studio, dated 9/21/09 and received 9/27/16
- Town of Shelburne Staff Report, dated 11/16/16

STAFF REPORT

The DRB received a written staff report on the application, dated 11/16/16.

APPLICANT COMMENTS

Mindy Mitiguy explained six years ago design review approval was granted for renovation to the dwelling. The garage was not built at that time, but is now existing. Re-approval is needed to connect the garage to the house with a breezeway or a roof.

**PUBLIC COMMENT**

None.

**DELIBERATION/DECISION**

Re-Approval, Conditional Use, Connect House to Detached Garage, 335 Tamarack Shores, Susan Spillane (CU09-17R1)

**MOTION by Mary Kehoe, SECOND by Mark Sammut, to finalize the record and direct staff to prepare a decision to indicate approval of the Conditional Use application, CU09-17R1, for connection of the detached garage to the house at 335 Tamarack Shores as depicted on the filed application materials by Susan Spillane and with the following conditions:**

- 1. A zoning permit shall be required prior to any land development.**
- 2. The applicant shall submit as-built drawings of the buildings on the property prior to expiration of the building permit for the garage.**

**VOTING: unanimous (4-0); motion carried.**

**5. OTHER BUSINESS/CORRESPONDENCE**

*Shelburne Point Subdivision*

The DRB reviewed the administrative amendment to the Shelburne Point subdivision site plan for fencing and two 4" x 4" stone pier stanchions.

**6. ADJOURNMENT and/or DELIBERATIVE SESSION**

**MOTION by Mark Sammut, SECOND by Mary Kehoe, to adjourn the meeting.**

**VOTING: unanimous (4-0); motion carried.**

The meeting was adjourned at 7:55 PM.

*RScty: MERiordan*