

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
January 15, 2020**

MEMBERS PRESENT: David Hillman (Chair); Mike Major, Doug Griswold, Anne Bentley, Norm Blais, Robert “Zeke” Plante. (Mark Sammut and John Day were absent.)
STAFF PRESENT: Dean Pierce, Director of Planning.
OTHERS PRESENT: Gail Albert, Dave Marshall, Ann Cousins.

AGENDA:

1. Call to Order and Agenda
2. Public Comment
3. Approval of Minutes (12/18/19)
4. Disclosures/Potential Conflicts of Interest
5. Applications
 - Design Review, Windows, 92 Church Street, St. Catherine of Siena Parish (DR19-24)
 - Final Plan Amendment, Relocate Driveway, 4188 Shelburne Road, Rice Lumber (SUB15-05R6)
 - Boundary Line Adjustment, 3685 & 3689 Harbor Road, Gignoux Revocable Trust/Demers (BLA20-01)
6. Other Business
7. Adjournment

1. CALL TO ORDER and AGENDA

Chair, David Hillman, called the meeting to order at 7 PM

2. PUBLIC COMMENTS

There were no comments from the public at this time.

3. MINUTES

December 18, 2019

Deferred to the next meeting due to lack of a quorum present at the 12/18/19 meeting.

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

There were no disclosures. Dean Pierce noted one DRB member is not in attendance because he would have to recuse himself for the applications before the DRB. The Vice Chair asked those present if anyone had any concerns about the participation of any DRB member in any matter on the agenda. No concerns were raised.

5. 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 DRB were sworn in.

DR19-24: Design Review to amend previously approved windows for the parish hall addition at 92 Church Street in the Village Center District, Village Design Review Overlay District, Village Core Overlay District, and Stormwater Overlay District, by St. Catherine of Siena Parish

Ann Cousins appeared on behalf of the application.

Submittals:

- Historic Preservation and Design Review Application
- Narrative of proposed project
- Pella window cut sheets
- Floor plan and elevation sheets by J. Graham Goldsmith Architects
- Town of Shelburne Staff Memo, dated 1/15/20

STAFF REPORT

The DRB received a staff memo on the application, dated 1/15/20. Dean Pierce reported the revision is to the design of the windows in the new building to 6-over-1 or 4-over-1. Shelburne Historic Preservation & Design Review Committee recommended approval.

APPLICANT COMMENTS

Ann Cousins said an addition is being added to the historic church and the parishioners felt the originally planned 1-over-1 sash windows did not match the stature of the church so a change was made to 6-over-1 or 4-over-1 depending on the size of the window.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Sketch Plan, Window, 92 Church Street, St. Catherine of Siena Parish (DR19-24)
MOTION by Mike Major, SECOND by Doug Griswold, to grant design review approval to St. Catherine of Siena Parish to amend the previously approved windows for the parish hall addition as submitted. VOTING: unanimous (6-0); motion carried.

SUB15-05R6: Final Plan Amendment to relocate a residential driveway at 4188 Shelburne Road in the Mixed Use District and Stormwater Overlay District by Rice Lumber Co.

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

Submittals:

- Cover letter prepared by Civil Engineering Associates, Inc., received 11/25/19
- General Application Form, received 11/25/19
- Final Plan Review Application, received 11/25/19
- Site Plan Review Application, received 11/25/19
- Comments from Shelburne Fire Department, dated 4/22/19, provided by staff
- Applicant's response letter to comments from Shelburne Fire Dept., dated 4/23/19 and received 11/25/19

- NFPA 1 Chapter 18 with the applicant's annotations in conjunction with the applicant's response to comments from Shelburne Fire Dept., received 11/25/19
- Correspondence between staff and Shelburne Water Quality Superintendent, Chris Robinson, regarding storm water, received 12/11/19
- Site Plans
- Town of Shelburne Staff Report, dated 1/15/20

STAFF REPORT

The DRB received a written staff report on the application, dated 1/15/20. Dean Pierce explained the amendment to the PUD is a revision to the road serving the four residential lots on the Rice Lumber/Carroll property and minor associated landscaping changes. There are no proposed changes to the conditions. Staff recommends adding a condition to state that any conditions included in previous approvals not affected by this application remain in full effect.

APPLICANT COMMENTS

Dave Marshall said reapproval is being requested because the Mylar was not filed in a timely manner. The PUD proposal on the property and the access to the four residential lots was reviewed.

Mike Major asked about the proposal for multi-family buildings on the lots. Dave Marshall said the application for the multi-family project is not yet approved. The current application is to at least have a viable access for single family homes on the lots.

Anne Bentley asked if any change will come before the DRB. Dean Pierce explained the approval is granted to the PUD on the entire property so with any amendment the DRB looks at the entire parcel. The current application is an amendment to the PUD and about the access road only. There are two or three other proposals to amend the PUD. Staff recommends any approvals that are granted be interlocked and tied together. Dave Marshall stated there are three other requests that have gone through Sketch Plan review.

Norm Blais asked about the 9.6% slope on less than 200' of road length. Dave Marshall confirmed the slope meets the regulations and addresses the Fire Dept. comments.

David Hillman asked if the road will be a public or private road and if the Public Works Specifications are applicable. Dave Marshall said the road will be private. Dean Pierce said the specifications are geared toward facilities that will become public. The DRB can look at the Subdivision Regulations and other criteria.

PUBLIC COMMENT

Gail Albert, Shelburne Natural Resources Committee, mentioned the rare and endangered species in the area of the four lots and asked if any change to the road will impact the species. Gail Albert also asked if the road will be suitable for other houses which will lead to more traffic. Dave Marshall confirmed there are no proposals to modify the area with the natural communities. The application is for a viable access to the lots with single family houses at this time. The slope of the road is an issue for fire equipment. The

preferred slope for a public road is 8% with exception up to 10% with up to 300' not exceeding 8%. The section of the private access fits within those parameters.

DELIBERATION/DECISION

Final Plan Amendment, Relocate Driveway, 4188 Shelburne Road, Rice Lumber (SUB15-05R6)

MOTION by Doug Griswold, SECOND by Anne Bentley, to finalize the record, close the hearing, and direct staff to prepare a decision indicating approval of the Final Plan Amendment, SUB15-05R6, by Rice Lumber Co. to relocate a residential driveway subject to the following conditions:

- 1. The Mylar of the Final Plat must be recorded within 180 days of the signed approval of the decision pursuant to Shelburne Subdivision Regulations, Section 1050.**
- 2. A zoning permit is required prior to any land development pursuant to Shelburne Zoning Bylaw 2010.1 and Shelburne Subdivision Regulations, Section 1120.**
- 3. Any condition in previously approved recommendations remain in full force and effect.**

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

Boundary Line Adjustment between two adjacent parcels at 3685 & 3689 Harbor Road by Joan L. Gignoux Revocable Trust/Emily and Trampas Demers (BLA20-01)

MOTION by Mike Major, SECOND by Doug Griswold, to continue the boundary line application for 3685 & 3689 Harbor Road by Gignoux Revocable Trust/Demers to 2/19/20 per the request of the applicant. VOTING: unanimous (6-0); motion carried.

6. OTHER BUSINESS/CORRESPONDENCE

DRB Schedule

Upcoming meetings:

- 2/5/20
- 2/19/20
- 3/4/20
- 3/18/20

Dean Pierce noted due to current staffing it may be necessary to meter applications that are submitted.

Design Review Applications

Dean Pierce reported there has been discussion of changing the regulations so minor design review applications do not need DRB review. This change will be part of the larger package of amendments being forwarded to the Selectboard in February for approval.

Telecommunications Ordinance

Dean Pierce stated the Planning Commission received an application for a ham radio tower and will hear the application per the Telecommunications Ordinance. The application could come before the DRB for review.

7. ADJOURNMENT and/or DELIBERATIVE SESSION

MOTION by Doug Griswold, SECOND by Mike Major, to adjourn the meeting.

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

The meeting was adjourned at 7:40 PM.

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