

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 18, 2017**

MEMBERS PRESENT: Mary Kehoe (Chair); Mark Sammut, Jeff Pauza, Joanna Watts, Ian McCray, Jeff Hodgson, Judy Christensen. (Ellery Harkness and Ty Parker were absent.)
STAFF PRESENT: Kaitlin Mitchell, DRB Administrator.
OTHERS PRESENT: Bryan Jackson, Jessica Humphrey, Claude LaPierre, Dave Marshall, Jay Desautels, Patrice Thibault.

AGENDA:

1. Call to Order and Announcements
2. Public Comment
3. Approval of Minutes (1/4/17 & 1/7/17 site visit)
4. Applications
 - Design Review, façade sign, 11 Falls Road, Jessica Humphrey (DR17-01)
 - Sketch Plan, PUD, Six Lots, 0 Pond Road, Jay Desautels (SUB04-10R1)
 - Sketch Plan, Subdivision, Three Lots, 3735 Harbor Road, Amy and John Saar (SUB04-05R3)
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

January 4, 2017

MOTION by Mary Kehoe, SECOND by Mark Sammut, to approve the minutes of January 4, 2017 with the following change:

- **Page 2, Appeal by Shelburne Shipyard, 1st paragraph, sentence reading: “Erin Heins, attorney representing...” – change the sentence to read: “Erin Heins, attorney, appeared on behalf of Shelburne Shipyard.”**

VOTING: unanimous (7-0); motion carried.

January 7, 2017 (site visit)

MOTION by Judy Christensen, SECOND by Mary Kehoe, to approve the minutes of January 7, 2017 with the global correction of the spelling of “Christensen”.

VOTING: unanimous (7-0); 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.

DR17-01: Design Review for a new façade sign at 11 Falls Road by Catamount HSI Shelburne, LLC/Jessica Humphrey

Jessica Humphrey appeared on behalf of the application.

Submittals:

- Village Design Review Application
- Photograph of Building with Proposed Sign Superimposed
- Sign Specifications from Ye Olde Sign Shoppe
- Town of Shelburne Staff Report, dated 1/18/17

STAFF REPORT

The DRB received a written staff report on the application, dated 1/18/17.

APPLICANT COMMENTS

Jessica Humphrey explained the proposal for a façade sign on the building at 11 Falls Road for her business, Willow House. The sign will be in the same location as the previous sign and use the existing light on the building.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Design Review, façade sign, 11 Falls Road, Humphrey (DR17-01)

MOTION by Mary Kehoe, SECOND by Jeff Pauza, to grant design review approval to Catamount HSI Shelburne, LLC/Jessica Humphrey for a 48” diameter façade sign at 11 Falls Road with the following conditions:

1. A sign permit shall be required.
2. The existing sign lighting will be utilized.

VOTING: unanimous (7-0); motion carried.

SUB04-10R1: Sketch Plan for a six lot PUD at 0 Pond Road in the Rural District and a portion in the Floodplain and Watercourse Overlay District by Jay Desautels

Jay Desautels appeared on behalf of the application.

Submittals:

- General Application Form, received 11/29/16
- Sketch Plan Application Form, received 11/29/16

- Site Plan, dated 11/7/16 and received 11/29/16
- Project Review Sheet
- Pre-Application Conference
- Town of Shelburne Staff Report, dated 1/18/17

STAFF REPORT

The DRB received a written staff report on the application, dated 1/18/17. Kate Mitchell noted the hearing is follow-up to the site visit to answer any outstanding questions.

Mary Kehoe mentioned the email from Gail Albert, Shelburne Natural Resources Committee, and the response by Scott Homsted. Jay Desautels said he agrees with the response by Scott Homsted. The DRB concurred what was said by Scott Homsted in his response was evident on the site.

APPLICANT COMMENTS

There were no further comments from the applicant.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Sketch Plan, PUD, Six Lot, 0 Pond Road, Desautels (SUB04-10R1)

MOTION by Mary Kehoe, SECOND by Judy Christensen, to classify application SUB04-10R1 for a six lot PUD at 0 Pond Road by Jay Desautels as a Major Subdivision and authorize the applicant to prepare a Preliminary Plan application, and further to finalize the record and close the hearing for the Sketch Plan Application for SUB04-10R1. VOTING: unanimous (7-0); motion carried.

SUB04-05R3: Sketch Plan for re-subdivision of an existing two lot subdivision into three lots at 3735 Harbor Road in the Rural District, Lakeshore Overlay District, and Floodplain and Watercourse Overlay District by John and Amy Saar

Dave Marshall appeared on behalf of the application. Jeff Hodgson recused himself and left the meeting.

Submittals:

- Application for Sketch Plan Review, received 12/16/16
- General Application Form, received 12/16/16
- Supplemental Information
- Site Plan prepared by Civil Engineering Associates titled “Overall Site Plan”, dated 8/20/16, received 12/16/16 and revised 01/06/17

- Town of Shelburne Staff Report, dated 1/18/17

STAFF REPORT

The DRB received a written staff report on the application, dated 1/18/17.

APPLICANT COMMENTS

Dave Marshall explained the current proposal is to subdivide about a third of the 21.2 acre parcel for a new lot on the southern end. There will be an access easement on the existing driveway serving the existing homes. The tennis court will remain. Open area is not in the designated building envelope.

There was discussion of the potential house location on the new lot. Dave Marshall said the applicant retained advice from real estate experts on the best location for a house on the lot. Mary Kehoe asked how much tree clearing will be done on the lot. Dave Marshall said a tree location plan will be submitted that will show how the building envelope is situated among the trees. More information on clearing within the building envelope will be provided. Kate Mitchell pointed out the location of the building envelope can be changed by amending the site plan.

Jeff Pauza asked if the town had any concern about the curb cut. Dave Marshall stated there are good sight lines at the curb cut.

PUBLIC COMMENT

Bryan Jackson, neighbor, stated the grade of the land could be changed by bringing in fill to increase the elevation. The area is nicely treed now and the property owner has a Masters in Forestry so there will likely be clearing limits. There is no reason to open another curb cut on Harbor Road because the shared driveway used by three houses is not highly traveled. Harbor Road is challenging. People travel rapidly on the road.

Dave Marshall noted the town tightened the regulations on manipulating grade. Maximum building height is 35' above the original grade.

There was continued discussion of having another curb cut on Harbor Road and investigating an arrangement to possibly use the existing Koerner curb cut. Mary Kehoe said she would prefer no additional curb cuts on Harbor Road for a driveway. Dave Marshall observed driveways can be a signal to drivers to slow down. Bryan Jackson pointed out the traffic on Harbor Road is higher in the summer. Also, there is an existing driveway on the "FY lot" on the other side of the Koerner lot so there would be four driveways in a short span of road if another curb cut is added. Dave Marshall said he will

investigate if there is a shared opportunity for the curb cut with the Koerners and report back to the DRB. The Saars can also report on their goals for the driveway.

DELIBERATION/DECISION

Sketch Plan, Re-Subdivision, Three Lots, 3735 Harbor Road, Saar (SUB04-05R3)

MOTION by Mary Kehoe, **SECOND** by Judy Christensen, to classify application **SUB04-05R3** to re-subdivide two lots into three at 3735 Harbor Road by John and Amy Saar as a Minor Subdivision and authorize the applicant to prepare a Final Plan with the following recommendations:

1. Obtain written comments from department heads as required in Section 610(28) of the Subdivision Regulations.
2. Provide a State Project Review Sheet or a statement certifying that the applicant has been informed of being responsible for identifying and obtaining state permits.
3. Have the property owner (Saar) attend the Final Review hearing to discuss the driveway and curb cut and to report on any potential sharing of the Koerner driveway.

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

5. OTHER BUSINESS/CORRESPONDENCE

Kate Mitchel mentioned the Dog Park Committee has submitted an application for fencing within the village dog park. The application can be approved administratively.

6. ADJOURNMENT and/or DELIBERATIVE SESSION

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

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

The meeting was adjourned at 7:46 PM.

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