

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 15, 2018**

**MEMBERS PRESENT:** Joanna Watts (Chair); Ian McCray, Jeff Pauza, Lisa LaMantia, David Hillman, Mark Sammut, Jeff Hodgson.  
**STAFF PRESENT:** Ravi Venkataraman, DRB Administrator.  
**OTHERS PRESENT:** Corie Pierce, Kathleen Callahan, Michael Proia, Samuel Feitelberg, Brian Precourt, Mark Saunders, Gail Albert, Kate Lalley.

**AGENDA:**

1. Call to Order and Announcements
2. Public Comment
3. Approval of Minutes (8/1/18 & 7/18/18)
4. Applications
  - Design Review, Replace Windows and Clapboard, 80 Shelburne Shopping Park, Precourt Investment Co. (DR18-17)
  - Design Review, Memorial Plaques, 2 Church Street, Shelburne Veterans Memorial Committee (DR18-18)
  - Conditional Use\Site Plan, Expand Integrated Agriculture Use, 200 Leduc Farm Road, Elizabeth Pierce (CU15-05R1\SP15-03R1)
5. Other Business
6. Adjournment

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**1. CALL TO ORDER and ANNOUNCEMENTS**

Chair Joanna Watts called the meeting to order at 7 PM.

**ANNOUNCEMENTS**

- Ian McCray said he will recuse himself from the Bread & Butter Farm application (200 Leduc Farm Road).
- Joanna Watts mentioned her firm has done work for Precourt Investment Co. in the past. The DRB felt there was no need for Joanna Watts to recuse herself from review of the Precourt application.

**2. PUBLIC COMMENT**

There were no comments from the public at this time.

**3. APPROVAL OF MINUTES**

*August 1, 2018*

**MOTION** by Joanna Watts, **SECOND** by Lisa LaMantia, to approve the 8/1/18 minutes with the global correction of the spelling of “Pauza” and the correction to **Members Present** to show Jeff Pauza present and Jeff Hodgson absent. **VOTING: unanimous (7-0); motion carried.**

July 18, 2018

**MOTION by Joanna Watts, SECOND by Ian McCray, to approve the 7/18/18 minutes. VOTING: 5 ayes, 2 abstentions (Jeff Pauza, David Hillman); 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 DRB were sworn in.

**DR18-17: Design Review to replace windows and install “Hardie” clapboard siding to a building at 80 Shelburne Shopping Park in the Village Center District, Village Design Review Overlay District, Village Core Overlay District, and Stormwater Overlay Distract by Precourt Investment Co.**

Brian Precourt appeared on behalf of the application.

Submittals:

- Application
- Site Plan
- Existing and proposed building elevations
- Photograph
- Catalog cut sheets for proposed windows and “HardiePlank” siding
- Town of Shelburne Staff Report, dated 8/15/18

#### **STAFF REPORT**

The DRB received a written staff report on the application, dated 8/15/18.

#### **APPLICANT COMMENTS**

Brian Precourt explained the old barn building in the shopping center previously had a bar/grill on the first floor and apartments upstairs. The bar/grill is vacant and it is not known at this time what use will occupy the space. The apartments upstairs will remain. Windows will be replaced to meet code for rental units.

#### **PUBLIC COMMENT**

None.

#### **DELIBERATION/DECISION**

**Design Review, Replace Windows and Clapboard, 80 Shelburne Shopping Park, Precourt (DR18-17)**

**MOTION by Joanna Watts, SECOND by Jeff Hodgson, to grant design review approval to Precourt Investment Co, LLC for replacement windows and new**

“HardiePlank” clapboard siding at 80 Shelburne Shopping Park with the condition a zoning permit shall be required prior to the commencement of construction.

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

**DR18-18: Design Review to add two flat granite plaques honoring World War I and World War II veterans at 2 Church Street in the Village Center District, Village Design Review Overlay District, Village Core Overlay District, and Stormwater Overlay District by Shelburne Veterans Memorial Committee**

Sam Feitelberg appeared on behalf of the application.

Submittals:

- Application with narrative of the proposed project
- Site Plan
- Plaque description and cost estimate
- Town of Shelburne Staff Report, dated 8/15/18

STAFF REPORT

The DRB received a written staff report on the application, dated 8/15/18.

APPLICANT COMMENTS

Sam Feitelberg gave a brief history of the Veterans Memorial Committee and the memorial project. The two new granite plaques will be installed for World War I and World War II veterans. The cost is \$14,500 which the committee has thanks to successful fundraising. There is a committee designated to keep the Veterans Memorial clean and tidy. To date there are over 400 memorial bricks in place at a cost of \$100 each.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Design Review, Memorial Plaques, 2 Church Street, Shelburne Veterans Memorial Committee (DR18-18)

**MOTION by Joanna Watts, SECOND by Lisa LaMantia, to grant design review approval to Shelburne Veterans Memorial Committee for two flat granite memorial plaques honoring World War I and World War II veterans to be installed at the Veteran’s Memorial, 2 Church Street, with the condition a zoning permit shall be required prior to the installation of the plaques. VOTING: unanimous (7-0); motion carried.**

**CU15-05R1\SP15-03R1: Conditional Use\Site Plan to amend a previously approved Integrated Agriculture use to include a café use at 200 Leduc Farm Road in the Rural District and Floodplain and Watercourse Overlay District by Elizabeth Pierce (Bread & Butter Farm)**

Ian McCray recused himself. Elizabeth “Corie” Pierce appeared on behalf of the application.

Submittals:

- Email from Bread and Butter Farm, dated 8/7/18
- Updated letter and other information
- Town of Shelburne Staff Memo, dated 8/8/18

STAFF REPORT

The DRB received a staff memo on the application, dated 8/8/18. Ravi Venkataraman noted on July 27, 2018 the applicant withdrew the Site Plan application.

APPLICANT COMMENTS

Corie Pierce explained the request is to continue to build out the septic system and secure a state waste water permit to allow the bakery/cafe to expand to make more “to go” style prepared foods using food raised on the farm, and over the next two to three years integrate up to 10 seats in the space. Discussions with Shelburne Planning and Zoning staff verified the use fits in the Integrated Agriculture (IA) category and the changes proposed to go from a bakery to food-based meals fit into the use. There is no intention to expand the hours of operation.

Ravi Venkataraman said the zoning regulations do not have a definition for “bakery”, but do have a definition for “restaurant”. The proposal to include a restaurant/café use is an amendment to the approval in 2015 and will allow Bread & Butter Farm to incrementally grow.

Lisa LaMantia asked if additional/new customers are anticipated with the expanded use and if the new use will be advertised. Corie Pierce said the goal is to increase current point of sales with existing patrons. There are no plans to do additional advertising.

Jeff Pauza asked if it is necessary to say the café is focused on farm and local produce. Ravi Venkataraman said the applicant can be asked for information to address the IA requirements to verify compliance.

PUBLIC COMMENT

A letter, dated 8/7/18, from Sarah Dopp, 500 Cheeseactory Road, in support of the application was received.

Gail Albert spoke in support of the IA activities at Bread & Butter Farm.

#### DELIBERATION/DECISION

Conditional Use, Expand Integrated Agriculture Use, 200 Leduc Farm Road, Elizabeth Pierce, Bread & Butter Farm (CU15-05R1)

**MOTION by Joanna Watts, SECOND by Mark Sammut, to finalize the record, close the hearing, and direct staff to prepare a decision to indicate approval of the Conditional Use application, CU15-05R1, prepared by Elizabeth Pierce to amend the Integrated Agriculture use approval for Bread and Butter Farm at 200 Leduc Farm Road to include a “café/restaurant” use with the following conditions:**

1. A zoning permit shall be required prior to the alterations pertaining to the specific request by the applicant.
2. The applicant shall operate the café within the parameters of the Integrated Agriculture status specific to primary and secondary uses.
3. The café/restaurant shall have a maximum of 10 seats.
4. All seating for the café/restaurant must be inside the farm store.
5. Hours of operation for the café as indicated by the applicant are Monday through Friday, 8 AM to 2 PM, Saturday, 8 AM to 1 PM, and closed on Sunday.
6. Any physical expansion of the farm store shall require Conditional Use review.
7. All previous conditions concerning the Integrated Agriculture use at 200 Leduc Farm Road still apply.

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

Ian McCray returned to the DRB.

#### 5. OTHER BUSINESS/CORRESPONDENCE

##### *Section 1900.7 – Pedestrian Circulation and Bicycle Accommodation Requirements*

Kate Lalley, member of the Shelburne Planning Commission and Shelburne Paths Committee, noted the town’s comprehensive plan is in the process of being updated. The Future Land Use section integrates land use, transportation, and storm water resiliency. Ms. Lalley spoke of the importance of bike and pedestrian facilities on main roads and in growth areas, and discussed having multi-modality in town in the future with an informal network that allows residents to get around on foot or bike which will help reduce vehicle emissions. The goal is to have anticipated growth occur in the growth areas with people able to walk and bike to their destination in town, and discourage density in the rural

areas. An affordable multi-use path on Spear Street from South Burlington to Webster road is needed as is a path on Barstow Road and Bay Road eventually. The focus is paths/sidewalk on town and public roads, not within developments. The planning horizon is 25 years into the future and the Planning Commission is considering paths for the village as well as other places in town. A ‘master paths plan’ will be done for reference by the DRB with applications.

The DRB mentioned the need for clarification of some of the language pertaining to paths and sidewalks in the regulations and comprehensive plan. The DRB also expressed concern about mandating that a landowner build a path or sidewalk if they are subdividing their property. Kate Lalley said a condition of development would be that the path would have to be built. The path would be in the town right-of-way mainly, but some could be in an easement on private property. At a minimum the easement for a path should be secured with the application. David Hillman suggested the town require an impact fee be paid with each development and the accrued funds be used by the town to build a multi-use path in full rather than doing it piecemeal with each application.

Following further discussion the DRB agreed information in the plan needs to specify where paths will be built and the tools the DRB has to use with private landowners versus a large developer with regard to the preselected paths. Clear information is needed on how to handle obstacles such as utilities, wetlands, buildings in the easement. Mark Sammut advised the tighter the regulations the less likely there will be challenges in court. Kate Lalley assured the Planning Commission will work on clarifying language in the regulations pertaining to easements and multi-use paths in town.

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

**MOTION by Joanna Watts, SECOND by Ian McCray, to adjourn the meeting.**

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

The meeting was adjourned at 8:55 PM.

*RScty: MERiordan*