

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  
September 16, 2020**

**\*Meeting held by teleconference.**

**MEMBERS PRESENT:** Mark Sammut, Mike Major, John Day, Anne Bentley, Allyson Myers. (David Hillman, Zeke Plante, and Doug Griswold were absent.)

**STAFF PRESENT:** Dana Hanley, DRB Coordinator.

**OTHERS PRESENT:** Chris Galipeau. Kathy and Michael Deavitt, Michael and Lynn Roberts.

**AGENDA:**

1. Call to Order and Agenda
2. Public Comment
3. Approval of Minutes (8/19/20)
4. Disclosures/Potential Conflicts of Interest
5. Applications
  - Boundary Line Adjustment, Autumn Hill Lane, Conard (BLA20-04)
  - Final Plan, PUD, Two Lot Re-Subdivision, 25 % 121 Deavitt Farm Road & 28 Northern Heights Drive, Deavitt (SUB98-08R1)
  - Conditional Use\Site Plan, Commercial Vehicle Storage, 2022A Shelburne Road, Roberts (CU20-06\SP20-05)
6. Other Business
7. Adjournment

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**1. CALL TO ORDER and AGENDA**

In the absence of Chair David Hillman, Mark Sammut called the teleconference meeting to order at 7 PM, held roll call, and explained the procedure to be followed.

**2. PUBLIC COMMENTS**

There were no comments at this time from the public.

**3. MINUTES**

*August 19, 2020*

**MOTION by Mike Major, SECOND by John Day, to approve the minutes of 8/19/20 as presented. VOTING by roll call: 4 ayes, one abstention (Allyson Myers); motion carried.**

**4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST**

There were no announcements of potential conflicts of interest from the board members. Those present at the meeting were asked 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.

**BLA20-04: Boundary Line Adjustment along a common boundary line between two lots in the Autumn Hill PUD at 343 and 365 Autumn Hill Lane in the Rural District by Carol Conard**

Chris Galipeau with Civil Engineering Associates (CEA) appeared on behalf of the application.

Submittals:

- Cover letter prepared by Jack Milbank, CEA, Inc., received 8/18/20
- General Application Form, received 8/18/20
- Boundary Line Adjustment Application, received 8/18/20
- Boundary Line Adjustment Plan (Sheet P1), received 8/18/20
- Adjoiner list
- Notice of hearing
- Email from Jack Milbank, dated 9/8/20
- Conard Boundary Adjustment Dimensional Summary
- Town of Shelburne Staff Report, dated 9/16/20

STAFF REPORT

The DRB received a written staff report on the application, dated 9/16/20. Dana Hanley pointed out a draft decision has been proposed.

APPLICANT COMMENTS

Chris Galipeau explained the boundary line adjustment between two existing lots owned by Carol Conard at 343 and 465 Autumn Hill Lane. The 1.26-acre lot at 465 Autumn Hill Lane (Lot 4) will be made 10,500 s.f. larger with the adjustment. The property owner wants to make the buffer larger for the house on Lot 4 by increasing the distance to the property line.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Boundary Line Adjustment, 343 & 465 Autumn Hill Lane, Conard (BLA20-04)

**MOTION by Mark Sammut, SECOND by John Day, to close the hearing and direct staff to issue a decision approving the boundary line adjustment between 343 Autumn Hill Lane and 465 Autumn Hill Lane by Carol Conard with the following conditions:**

1. A mylar of the plat shall be filed within 180 days of the signed approval pursuant to Shelburne Subdivision Regulations, Section 1030.
2. Language on the mylar shall read:
  - This boundary line adjustment does not constitute the creation of a separate parcel of land. It only adjusts the physical location of the

**boundary of these adjoining parcels. Any future subdivision and/development of these new parcels must be approved by the Town of Shelburne Development Review Board. This plan is approved subject to all requirements and conditions of the approval on the [insert the date].**

**VOTING by roll call: unanimous (5-0); motion carried.**

**SUB98-08R1: Final Plan for a PUD two lot re-subdivision at 25 and 121 Deavitt Farm Road and 28 Northern Heights Drive in the Rural District and Stormwater Overlay District by Michael and Kathy Deavitt**

Mike and Kathy Deavitt, and Chris Galipeau with CEA appeared on behalf of the application.

Submittals:

- Sketch Plan Review Application
- Preliminary Plan Review Application
- Final Plan (Plat) Review Application
- Site Plan Review Application
- DRB Sketch Plan Findings of Fact and Notice of Decision
- DRB Preliminary Plan Findings of Fact and Notice of Decision
- Department Head letters
- Sketch, Preliminary, and Final application cover letters from applicant
- Preliminary survey, Sheet P-1, dated 2019
- C1.0, Existing Conditions Plan, dated 6/4/20
- C1.1, Proposed Subdivision Plan, dated 6/4/20
- C1.2, Wastewater Area North, dated 6/4/20
- C1.3, Proposed Stormwater Plan, dated 8/13/20
- C1.4, EPSC Site Plan, dated 8/13/20
- C2.0, Details, dated 6/4/20
- C2.1, Details, dated 6/4/20
- C3.1, Erosion Control Notes and Details
- C3.0, Erosion Control Notes and Details, dated 6/4/20
- C4.0, Specification, dated 6/4/20
- C4.1, Specifications, dated 6/4/20
- C4.2, Specification, dated 6/4/20
- C4.3, Specification, dated 6/4/20
- C4.4, Specification, dated 6/4/20
- P1, Proposed Subdivision, Michael and Kathy Deavitt, dated 8/12/20
- Town of Shelburne Staff Report, dated 9/16/20

STAFF REPORT

The DRB received a written staff report on the application, dated 9/16/20. Dana Hanley noted the lot was subdivided from the parent lot in existence since 1988.

APPLICANT COMMENTS

Kathy Deavitt reviewed the plat, noting the right-of-way easement deed draft copy has been submitted to the town. The draft will be finalized once the subdivision is finalized. The open space agreement has been presented. Kathy Deavitt asked if the open space can be redefined provided 60% of the land remains as open space. Dana Hanley said a minor amendment to the site plan would need to be filed with the town.

Chris Galipeau stated the storm water details and erosion control plan have been provided as requested.

#### PUBLIC COMMENT

None.

#### DELIBERATION/DECISION

Final Plan, PUD, Two Lot Re-Subdivision, 25 and 121 Deavitt Farm Road and 28 Northern Heights Drive, Michael and Kathy Deavitt (SUB98-08R1)

DEL/DEC

**MOTION by John Day, SECOND by Mike Majors, to close the record and direct staff to prepare a decision with the following recommendations:**

- 1. The project must be implemented consistent with the approved plans.**
- 2. The applicant must furnish a mylar for the Final Plat for signature by the DRB Chair.**
- 3. The plat must be recorded in the Shelburne land records within 180 days of the signed approval of the decision pursuant to Shelburne Subdivision Regulations, Section 1050.**
- 4. Review of legal documents must be completed prior to the recording of the Final Plan, and review by the Town Attorney will occur pursuant to the Shelburne Zoning Regulations, Section 610(12).**

**VOTING by roll call: unanimous (5-0); motion carried.**

**CU20-06/SP20-05: Conditional Use\Site Plan for commercial vehicle storage at 2022A Shelburne Road (pre-911) in the Mixed Use District, Stormwater Overlay District, and Watercourse Overlay District by Michael and Lynn Roberts**

Karl Marchessault with O'Leary-Burke Civil Associates appeared on behalf of the application.

#### Submittals:

- Application cover letter, Karl Marchessault, dated 8/12/20
- Conditional Use Review Application
- Site Plan Review Application
- Adjoining property owners list
- *Burlington Free Press* notice, 8/30/20
- Notice of public hearing
- Town of Shelburne Planning and Zoning posting sign protocol
- Notice of application
- Plan Sheet #1, Site Plan, Roberts Vehicle Parking, O'Leary-Burke Civil Associates, 8/10/20

- Plan Sheet #2, Views, Roberts Vehicle Parking, O’Leary-Burke Associates, 8/10/20
- Plan Sheet #3, EPSC & Details, Roberts Vehicle Parking, O’Leary-Burke Civil Associates, 8/10/20
- Town of Shelburne Staff Report, dated 9/16/20

#### STAFF REPORT

The DRB received a written staff report on the application, dated 9/16/20. Dana Hanley reported the applicant is adding landscaping to the site for more screening. Stormwater management is addressed as well.

#### APPLICANT COMMENTS

Karl Marchessault reviewed the stormwater treatment and drainage system to be installed, noting the system is designed to meet state requirements. There were questions about the number of vehicles to be stored on the site. Karl Marchessault said there could be between 200 and 400 vehicles on the pavement. Car carriers will deliver the vehicles and leave the site. The access road can accommodate the large carrier trucks.

#### PUBLIC COMMENT

None.

#### DELIBERATION/DECISION

Conditional Use\Site Plan, Commercial Vehicle Storage, 2022A Shelburne Road, Roberts (CU20-06\SP20-05)

**MOTION by Mark Sammut, SECOND by John Day, to finalize the record, close the hearing, and direct staff to prepare a decision granting conditional use and site plan approval for commercial vehicle storage at 2022A Shelburne Road by Michael and Lynn Roberts with the following conditions:**

- 1. The project shall be constructed in accordance with the approved plans.**
- 2. The applicant shall create a landscaping escrow account prior to the issuance of a building permit.**
- 3. The applicant shall regularly maintain all stormwater conveyance and treatment systems.**

**VOTING by roll call: unanimous (5-0); motion carried.**

#### **6. OTHER BUSINESS/CORRESPONDENCE**

*Administrative Approval Notice*

SP20-03, Gonzo Golf Academy at Kwini Golf Club, LLC, received administrative approval for a 12’ x 16’ storage building.

#### **7. ADJOURNMENT**

**MOTION by John Day, SECOND by Mike Major, to adjourn the meeting.**

**VOTING by roll call: unanimous (5-0); motion carried.**

The meeting was adjourned at 7:44 PM.

*RScy by tape: MERiordan*