

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**

May 4, 2022

***Hybrid Meeting held in-person and by teleconference.**

MEMBERS PRESENT: Mark Sammut (Chair); Anne Bentley, John Day, Mike Major, Allyson Myers, David Hillman, Zeke Plant, Bob Glover.

STAFF PRESENT: Ken Belliveau, Interim DRB Coordinator; Aaron DeNamur, DRB Coordinator; Adele Gravitz, Planning Director.

OTHERS PRESENT: Russell Barone, Mary Kehoe, rhodaglor, Thomas Boldoc, Joyce George, Media Factory.

AGENDA:

1. Call to Order and Agenda
2. Approval of Minutes (4/6/22 & 4/20/22)
3. Public Comment
4. Disclosures/Potential Conflicts of Interest
5. Applications
 - Sketch Plan, Subdivision, Two Lots, 897 Falls Road, Mechanicsville, LLC (SUB22-02)
6. Request for Clarification by Harborwood Shores Property Owners Association
7. Annual Reorganization Meeting/Election of Officers
8. Other Business
9. Adjournment

1. CALL TO ORDER and AGENDA

Chair, Mark Sammut, called the hybrid in-person and teleconference meeting to order at 7 PM. There were no changes to the agenda. The new DRB Coordinator, Aaron DeNamur was introduced during the meeting.

2. MINUTES

April 6, 2022

MOTION by Mike Major, SECOND by John Day, to approve the minutes of 4/6/22 as presented. VOTING: 7 ayes, one abstention (Zeke Plant); motion carried.

April 20, 2022

MOTION by Mike Major, SECOND by Mark Sammut, to approve the 4/20/22 minutes as presented. VOTING: 4 ayes, 4 abstentions (John Day, Zeke Plante, Allyson Myers, Anne Bentley); motion carried.

3. PUBLIC COMMENTS

None.

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

Mike Major mention he attended a meeting of the Boys Scouts with Annemarie Curley who is associated with the clarification request pertaining to the Shelburne Shipyard.

Those participating in 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.

SUB22-02: Sketch Plan for a two-lot subdivision of a residential lot at 897 Falls Road in the Shelburne Falls Mixed Use District, the Village Design Review Overlay District, and the Stormwater Overlay District by Mechanicsville, LLC

Russell Barone appeared on behalf of the application.

STAFF REPORT

The DRB received a written staff report on the application, dated 5/4/22. Ken Belliveau reviewed the proposal for a two-lot subdivision to create a second lot from an existing lot. The structure on the existing lot is in significant disrepair. A duplex is proposed on the new lot. Both lots will share the driveway. Shelburne Historic Preservation & Design Review Committee will be reviewing the proposal because the property is in the Design Review Overlay. Shelburne Natural Resources Committee sent comments relative to the LaPlatte River Nature Reserve, open space, and town access. The proposal is not a PUD so there is no requirement for an open space set aside. Per the bylaw, the minimum lot width is 100'. The newly created lot is slightly less than this (93') and does not have road frontage.

APPLICANT COMMENTS

Russell Barone stated the zoning regulations allow for creation of a lot without frontage with a 20' easement which the new lot has. Also, both lots either meet or exceed the minimum lot size requirement for single family and two-family units. Input is needed from the design review committee on the potential rehab of the existing house.

There were questions/comments on the following:

- The reason for the minimum lot frontage requirement is for the streetscape and buildings in the front of the lot closer to the street, not structures in the back of the lot.
- The house to the east of the shared driveway for 897 Falls Road is one foot from the property line. There is not enough space for trees, but a fence or other type of screening is possible. There are many driveways on Falls Road up against the house foundation.
- The width of the driveway is 20' with an extra 5' for utilities. A narrower driveway could be considered.

- There could be discussion with Shelburne Natural Resources Committee on an easement for access to the river, but the slope is steep and the area is wet at the back of the lot. There are no connecting trails nearby.
- The proposal is infill development in the village that the town wants to promote rather than building in the rural areas.
- Per the bylaws, there could be four units on the lot, but the proposal allows for more open space. More development on the lot would require an analysis of developable lands on the parcel.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Sketch Plan, Subdivision, Two Lots, 897 Falls Road, Mechanicsville, LLC (SUB22-02)

MOTION by Mark Sammut, SECOND by John Day, to finalize the record, close the hearing and request staff to prepare a decision for SUB22-02 for a two-lot subdivision at 897 Falls Road by Mechanicsville, LLC with the following recommendations:

- 1. The applicant shall comply with all the development standards and procedures as specified in Articles V, IX, XV of the Shelburne Zoning Bylaws, and Articles III through XI of the Shelburne Subdivision Regulations, and the Shelburne Public Works Standards as applicable.**
- 2. The proposed duplex shall be oriented to be parallel to Falls Road.**
- 3. The applicant must include a Project Review Sheet from the Vermont Department of Environmental Conservation & Natural Resources Board in the Final Plan application.**
- 4. The applicant shall obtain comments from appropriate town departments and committees as specified in Section 610(13) of the Shelburne Subdivision Regulations.**
- 5. The applicant shall obtain documentation from the Shelburne Water Department and the Shelburne Sewer Department on the ability to serve the proposed new development.**

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

6. REQUEST FOR CLARIFICATION BY HARBORWOOD SHORES PROPERTY OWNERS ASSOCIATION

There was discussion of the request to clarify that the speed study of Harbor Road by the shipyard during the peak travel months look at not just the capacity of the road to handle the traffic, but also whether an unsafe condition for pedestrians and bicyclists is created particularly in the summer months. The DRB has already voted to close the public hearing and a decision on the shipyard application has been rendered. In order to consider more evidence or testimony the hearing would have to be properly warned and reopened so the applicant has opportunity to respond. The DRB does not have jurisdiction over street signs, speed limits, stop signs, or pedestrian crossings. These matters should be discussed with the Selectboard and Town Manager. Harborwood Shores Property Owners

Association should start a dialogue on their request for clarification with the shipyard and the Town Manager.

7. ANNUAL ORGANIZATION MEETING: Election of Officers

Ken Belliveau facilitated the election of officers.

DRB CHAIR

MOTION by John Day, SECOND by Mike Major, to nominate Mark Sammut as DRB Chair. There were no other nominations. **VOTING: unanimous; motion carried.**

Mark Sammut is Chair of the Shelburne DRB.

DRB VICE CHAIR

MOTION by Mike Major, SECOND by John Day, to nominate Anne Bentley as DRB Vice Chair. There were no other nominations. **VOTING: unanimous; motion carried.**

Anne Bentley is Vice Chair of the Shelburne DRB.

DRB CLERK

MOTION by John Day, SECOND by Mark Sammut, to nominate Bob Glover as the DRB Clerk. There were no other nominations. **VOTING: unanimous; motion carried.**

Bob Glover is Clerk of the Shelburne DRB.

Positive comment was made on the well working team of the current DRB members.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

MOTION by John Day, SECOND by Bob Glover, to adjourn the meeting.
VOTING: unanimous (7-0); motion carried.

The meeting was adjourned at 8:26 PM.

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