

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
July 19, 2023**

MEMBERS PRESENT: Mark Sammut (Chair); Allyson Myers, David Hillman, Mike Major, Steve Kredell. (Anne Bentley and Bob Glover were absent.)

STAFF PRESENT: Kit Luster, DRB Coordinator.

OTHERS PRESENT: Matt & Diane Chandler, Laurie and Mark Kotorman, Christian Chorba, Colleen Brandon, Michael Weiss, Melinda Mingois, David Abbott, David Leo-Nyquist, Michael Koch, Media Factory.

AGENDA:

1. Call to Order and Agenda
2. Public Comment
3. Minutes (6/21/23)
4. Disclosure of Conflicts of Interest
5. Applications:
 - Amendment, Final Plan, Expand Building Envelope, 500 Lands End Lane, Joseph & Colleen Brandon (SUB05-05R3)
 - Final Plan, Subdivision, Two Lots, 1 Nashville Road, Laurie & Mark Kotorman (SUB19-03R2)
6. Other Business
7. Adjournment

1. CALL TO ORDER and AGENDA

Chair, Mark Sammut, called the meeting to order at 7 PM.

2. PUBLIC COMMENTS

None.

3. MINUTES

June 21, 2023

MOTION by Mike Major, SECOND by Allyson Myers, to approve the minutes of 6/21/23 with correction to the lot size for the pickleball courts at 5353 Spear Street to 28.9 acres. VOTING: unanimous (5-0); motion carried.

4. DISCLOSURE OF CONFLICTS OF INTEREST

None.

5. APPLICATIONS

SUB05-05R3: Amendment to the Final Plan to expand the building envelope on Lot #3 of the Willard Jackson Subdivision for the addition for an equipment barn at 500

Lands End Lane in the Rural District and Lakeshore Overlay District by Joseph and Colleen Brandon

Attorney Christian Chorba appeared on behalf of the application.

STAFF REPORT

The DRB received a written staff report on the application, dated 7/19/23. Staff explained the proposal to expand the building envelope to 23,000 s.f. and that the applicant has provided a letter pertaining to rare species on the property in response to the comment from Shelburne Natural Resources Committee.

APPLICANT COMMENTS

Christian Chorba stated the property owners would like to expand the building envelope on the site to 23,300 s.f. to locate an equipment barn in a more appropriate area (tucked away, less visible, more accessible). The barn will store the tractor, mower, kayaks, and such. A consultant was contacted regarding the two rare plant species mentioned by the town and neither are documented in the area of the proposed barn. In fact, no rare, threatened or endangered species are documented.

Mark Sammut asked about the previous building envelope. Christian Chorba pointed out relative to the existing building envelope the proposed one for the barn is quite small.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Amendment, Final Plan, Expand Building Envelope, 500 Lands End Lane, Joseph & Colleen Brandon (SUB05-05R3)

MOTION by Mark Sammut, SECOND by Mike Major, to finalize the record, close the hearing, and direct staff to prepare a decision for SUB05-05R3 to expand the building envelope at 500 Lands End Lane by Joseph and Colleen Brandon with the following conditions:

- 1. A mylar of SUB05-05R3 depicting the adjusted building envelope shall be recorded in the Shelburne Land Records within 180 days of the signed approval.**
- 2. Prior to any site work or construction a zoning permit for that work must be obtained from the Planning & Zoning Office.**

VOTING: unanimous (5-0); motion carried.

SUB19-03R2: Final Plan for a two-lot subdivision at 1 Nashville Road with Lot #1 containing an existing mobile home park and Lot #2 to contain a single-family

dwelling accessed from Kelady Drive in the Residential District, Stormwater Overlay District, and a portion in the Watercourse Overlay District by Laurie and Mark Kotorman

Michael Koch, CEA, appeared on behalf of the application.

STAFF REPORT

The DRB received a written staff report on the application, dated 7/19/23. Staff explained the proposed two lot subdivision to create Lot 2 with a single-family dwelling and access off Kelady Drive. Lot 1 contains the existing mobile home park.

APPLICANT COMMENTS

Michael Koch stated the DRB approved the sketch plan for the subdivision last year. The existing mobile home park is on Lot 1 and no changes are proposed to the existing use or utilities there. Lot 2 will be 1.25 acres and have a single-family dwelling, drilled well, and municipal sewer. The driveway will connect to Kelady Drive. A revised stormwater plan has been submitted that addresses concerns raised by the town. A revised developable land plan has also been submitted showing the slope on Lot 2 to be 13%.

Mike Major asked about the small drainage way that was flagged in the past and if there are any concerns with the subdivision by the homeowners association. Mike Koch said the access to the single-family dwelling will be from Kelady Drive so there is no proposed disturbance of the small, unmarked stream/brook. Also, the homeowners association bylaws and covenants have been taken into account; the regulations will be followed.

Steve Kredell asked if the driveway location is set. Mike Koch said the location was determined by the state stormwater permit which has proposed grading.

PUBLIC COMMENT

Matt Chandler, Kelady Drive, asked about the sewer connection and well. Mike Koch said the gravity sewer system will connect to the manhole on Kelady Drive and the well location is north of the house.

David Abbott, Kelady Drive, asked if the utilities can be installed with the tree cutting restrictions. Mike Koch said the contractor can choose the best route possible without disturbing the trees. Also, directional drilling can be used to install the sewer connection.

DELIBERATION/DECISION

Final Plan, Subdivision, Two Lots, 1 Nashville Road, Kotorman SUB19-03R2)

MOTION by Mike Major, SECOND by David Hillman, to finalize the record, close the hearing, and direct staff to prepare a decision for SUB19-03R2 for a two-lot subdivision at 1 Nashville Road by Laurie and Mark Kotorman with the following conditions:

- 1. Approval of capacity to serve the lot will be required from the Wastewater Department.**
- 2. A mylar of the Final Plat meeting the requirements of Section 620 of the Shelburne Subdivision Regulations and applicable state statutes shall be recorded in the Shelburne Land Records within 180 days of the signed approval.**
- 3. Prior to any site work or construction a zoning permit must be obtained from the Planning & Zoning Office.**
- 4. All simple disconnection areas must be maintained to post-construction soil depth and quality standards as defined on Sheet SW2 of the plan set.**
- 5. There shall be no importation of any fill or materials on to the subject property beyond what is necessary to complete the work authorized under the approval.**
- 6. The applicant shall provide documentation of any and all required permits and approvals from the State of Vermont and any applicable permitting agencies of the U.S. Federal Government prior to obtaining any zoning permits from the town for work or construction on the subject property.**

VOTING: unanimous (5-0); motion carried.

6. OTHER BUSINESS

DRB Meeting Schedule

August 2, 2023 – application(s)

August 16, 2023 – No Meeting

7. ADJOURNMENT

MOTION by Allyson Myers, SECOND by Mike Major, to adjourn the meeting.

VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 7:34 PM.

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