

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 20, 2022**

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

STAFF PRESENT: Aaron DeNamur, DRB Coordinator & Assistant Zoning Administrator; Adele Gravitz, Planning Director.

OTHERS PRESENT: Tracey Beaudin, David Shenk, Bryan Currier, Cathie Buscaglia, Dan, Chris Bissonnette, Media Factory.

AGENDA:

1. Call to Order and Agenda
2. Approval of Minutes (6/15/22)
3. Public Comment
4. Disclosures/Potential Conflicts of Interest
5. Applications
 - Final Plan\Boundary Line Adjustment\FBZ Application, Subdivision & Multi-Family Facility, 16 Units, 4309 & 4385 Shelburne Road, Shenk Enterprises, LLC (SUB21-01\BLA21-03\FBZ21-01)
6. Other Business
7. Adjournment

1. CALL TO ORDER and AGENDA

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

2. MINUTES

June 15, 2022

MOTION by John Day, SECOND by Mike Major, to approve the 6/15/22 minutes as presented. VOTING: 4 ayes, 3 abstentions (David Hillman, Zeke Plante, Allyson Myers); motion carried.

3. PUBLIC COMMENTS

None.

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

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.

SUB21-01\BLA21-03\FBZ21-01: Final Plan\Boundary Line Adjustment\Site Plan for a two lot subdivision including a.23-acre boundary line adjustment and a 16 unit

multi-family community care facility reviewed under Form Based Zoning at 4309 & 4385 Shelburne Road in the Mixed Use District, Residential District, Stormwater Overlay District, and Shelburne Road Form Based Overlay District by Shenk Enterprises, LLC

David Shenk appeared on behalf of the application.

STAFF REPORT

The DRB received a written staff report on the application, dated 7/20/22. Aaron DeNamur stated there are two issues to be addressed: three parking spaces by the community care facility and an easement for the Shelburne campground sign. The applicant has set aside space for three additional parking spaces by the Howard Center facility (community care building), but the Howard Center prefers not to have these spaces. There is an easement for access and maintenance of the campground sign.

APPLICANT COMMENTS

David Shenk stated the Howard Center clients do not drive and the Center feels the parking is adequate, but the additional three parking spaces will be permitted in case they are needed. Another issue is the sidewalk. It is suggested the sidewalk connection be at the northern end of the Howard Center. Regarding the sign, there are no objections to having an easement which will be shown on the plat.

Cathie Buscaglia, Howard Center, stated there is adequate staff parking (four employees maximum at the highest staffing level) and adequate visitor parking (four spaces).

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Final Plan\Boundary Line Adjustment\Form Based Zoning Application, Subdivision & Multi-Family Facility, 16 Units, 4309 & 4385 Shelburne Road, Shenk Enterprises, LLC (SUB21-01\BLA21-03\FBZ21-01)

MOTION by John Day, SECOND by Mike Major, to finalize the record, close the hearing, and direct staff to prepare a decision to approve the Final Plan for a two lot subdivision including a .23 acre boundary line adjustment and site plan for a 16 unit multi-family community care facility under form based zoning at 4309 & 4385 Shelburne Road in the Mixed Use District, Residential District, Stormwater Overlay, and Shelburne Road Form Based Overlay by Shenk Enterprises, LLC with the following conditions:

- 1. 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.**
- 2. The applicant shall provide adequate fire safety provisions on the property as required by the Shelburne Fire Department and the Vermont Division of Fire Safety.**

3. The applicant shall submit documentation of a Section 1111 permit from VTTrans approving access from Shelburne Road and any required traffic mitigation measures.
4. The applicant shall provide documentation of a stormwater permit from VT DEC for stormwater management on the subject property, and the applicant shall provide a satisfactory maintenance plan for the care and maintenance of the proposed stormwater facilities on the site.
5. Any construction activity on the subject property in conjunction with this application shall be limited to plans approved by the DRB in accordance with the provision of Articles V, X, XX, XXII, and the Shelburne Subdivision Regulations along with all of the listed conditions of approval.
6. The applicant shall post a financial security guaranteeing the survival of the required landscaping for a minimum of two years after the completion of the proposed development.
7. No work on the subject property in connection with this approval may be commenced until a zoning permit has been approved and obtained from the Shelburne Planning & Zoning Office and all applicable conditions of approval have been satisfied.
8. There shall be no importation of any fill or other materials onto the subject property beyond what is necessary to complete the work authorized under the approval.
9. The applicant shall obtain sewer allocation and pay all applicable fees for water and sewer service to the Town of Shelburne before a permit shall be issued.
10. The applicant shall record a mylar copy of the approved subdivision plat in the town's land records within 180 days from the date of the DRB Notice of Decision as prescribed by the Shelburne Subdivision Regulations and 24VSA4463(b).
11. All documents pertaining to the deeds, covenants, restrictions, and easements as applicable shall be recorded in the town's land records prior to obtaining any permits for development of the subject property.
12. The applicant shall build a pedestrian access at the northerly end of the proposed sidewalk and the public sidewalk on Route 7.
13. The applicant has the option of installing three additional parking spaces should their needs on the property change.

DISCUSSION:

- The applicant and the Bissonnettes will work out the sign easement details.

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

6. OTHER BUSINESS/CORRESPONDENCE

Condolences to the Bissonnette Family

Mark Sammut extended condolences on the recent passing of Steve Bissonnette.

DRB Meeting Schedule

Next Meeting 8/17/22.

7. ADJOURNMENT

MOTION by Mark Sammut, SECOND by John Day, to adjourn the meeting.

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

The meeting was adjourned at 7:28 PM.

RScty by tape: MERiordan