

Shaftsbury Development Review Board
Shaftsbury Town Hall
Buck Hill Rd at 7:00 pm
Minutes of Regular Meeting
7/18/12

Members Present: Gary Burgess (Chairman), Bob Holmes (Vice Chairman), Tom Huncharek, David Mance, Jennifer Viereck (alternate).

Members Absent: Fritz Ludwig, Megan Donckers, Chris Ponessi

Others Present: William Jakubowski (Interim Zoning Administrator), Elinor Hyjek, Mitchell Race, Joann Race.

1. **Call to Order** - Gary Burgess called the meeting to order at 7:06 p.m.
2. **Conflict of Interest Statement** - There were none.
3. **Discussion of Rules and Procedures** - Megan Donckers offered at the prior meeting to combine and reformat all edits into a final document for review and circulation. No one has received such a draft, and she was not present. This matter will held over until the August 1st Agenda.
4. **Application 12-9282** – Parcel ID # 17 21 23 – A Site Plan Approval to allow the operation of a State Licensed Day Care Center for 6 full time and 4 part time children pursuant to Bylaw Sec. 6.1.3.2 and Sec. 7.9 for Bert and Kristina Davis, located at 705 VT Route 7A in a VC-1 Village Commercial Zone.

The applicant had not arrived by 7:15, and after a brief discussion was held with the Zoning Administrator about procedure. The applicant did not appear at the July 11th hearing either.

Motion: Bob Holmes made a motion, seconded by Jennifer Viereck, to carry over this item until the August 1st Agenda, with the understanding that if applicant does not appear for that hearing or make other arrangements, the application will be dropped and the applicant will only be able to host the minimum number of 6 children (per VT state law). The motion carried 5-0-0.

Note: At the end of the meeting, applicant appeared and gave the reason for her absence. Instructions about appearing on August 1st were given in person.

5. **Approval of Minutes** - Minutes of July 11, 2012 were not yet available.
6. **Other Business**
 - a. Lindsay Conditional Use Permit 12-9281. Pursuant to the July 11, 2012 hearing, applicant has withdrawn her application, and will replace it with a Building Permit application for the correct dimensions of the existing carport.
 - b. Lindsay Lot Line Adjustment Permit 12-9264. The board confirmed that at the prior July 11 meeting, this hearing was continued until the August 1 meeting, and at that time may be further continued, if state Waste water permit application is not complete.

- c. Richmond driveway completion on 67E in North Bennington. Jake reported that the state has approved the Curb Cut paved apron, thus completing the project approval. The ZA noted that a complaint has been received concerning this driveway.
 - d. Elinor Hyjek shared her general concerns about Child Care Facilities within the village of Shaftsbury, including issues of the density of children per yard space, property maintenance and permitting requirements.
 - e. Radio tower at State Police Barracks – the zoning Administrator has been contacted to determine whether it is necessary to come before the DRB to replace the tower structure. Height will remain the same. It was determined that a DRB hearing is required under the State Telecommunications rules.
7. **Application 12-9278** - Signing of Finding of Fact for Appeal by Michael Gardner of a Zoning Administrator Determination. After some discussion of the language,
- Motion:** Jennifer Viereck made a motion, seconded by David Mance, to amend the document to remove the second sentence of the Decision Section, Item 2. Bob Holmes will amend the document and Chairman Gary Burgess will sign the Findings of Fact as amended. The motion carried 4-0-1, with Tom Huncharek abstaining.
8. **Adjournment** – It was moved by David Mance to adjourn the meeting. The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Jennifer O. Viereck